

COMMUNITY ENGAGEMENT GUIDANCE AND RESOURCES

A document to support the Community Engagement Strategy
required under the *Crown Land Management Act 2016*



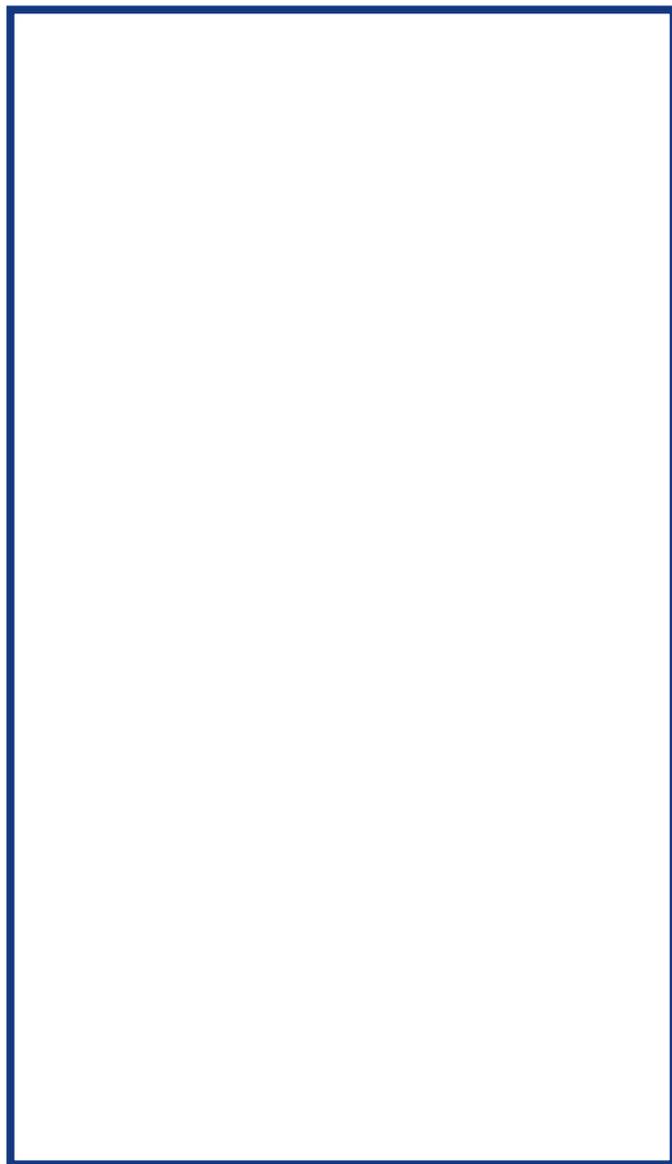
ACKNOWLEDGEMENT

In the spirit of respecting and strengthening partnerships with Australia's First Peoples, the Department of Industry—Lands & Water (the department) would like to acknowledge all Traditional Owners of the land of NSW and the spiritual, social, cultural and economic importance of lands and waters to Aboriginal peoples. The department pays its respects to the First Nations Peoples and their Elders past and present who hold the authority, memories, knowledge and traditions of a living Aboriginal cultures.

The department offers its deepest appreciation and respect for the First Peoples' continued connection and responsibility to the lands and waters in this country. The Community Engagement Strategy recognises the fact of prior and continuing Aboriginal custodianship of Crown land, and operates together with the *Aboriginal Land Rights Act 1983 (NSW)*. The Community Engagement Strategy recognises Aboriginal people's rights and interests in lands and waters in NSW.



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GLOSSARY

The following terms and definitions apply throughout this document:

Term	Definition
Act	Refers to the <i>Crown Land Management Act 2016</i> . Where other legislation is mentioned, the specific statute is referenced in full
contestation	Refers to disagreement or argument
council CLMs	Refers to Crown land managers that are local councils and who are managing Crown land under the provisions of the <i>Local Government Act 1993</i>
Crown land	Refers to the NSW Crown land estate, and has the same meaning as in the Act
Crown land activity	Refers to revocations of reservations or dedications of Crown land, or changes to a purpose for which Crown land is dedicated or reserved, preparation of plans of management over Crown land, and preparation of the State strategic plan for Crown land
Crown land dealing	Refers to sales, leases, licences, permits and vestings of Crown land
consult activity	Any activity which provides a means for community members who may be impacted by a proposed Crown land dealing or activity to provide feedback about that impact
current community use and enjoyment	Refers to the test for engagement adopted by this Strategy, which requires consideration of whether the community currently <u>either</u> uses <u>or</u> enjoys Crown land and whether a proposed dealing or activity may adversely impact upon that use or enjoyment

Term	Definition
decision-maker	Refers to the minister or minister's delegate responsible for making decisions about Crown land dealings and activities as defined in the Act
department	Refers to the Department of Industry and its Lands & Water division Where other agencies or departments are referred to, the specific department or agency name is referenced in full
department secretary	Refers to the secretary of the Department of Industry
department staff	Refers to all accountable people in the department responsible for making decisions about Crown land
Guidance and Resources document	Refers to the requirements of the Strategy that responsible persons must comply with. Failure to demonstrate compliance with these requirements may result in the minister (or delegate) refusing to approve a dealing or activity. Further, where a dealing or activity has been approved, but has not been completed in accordance with the mandatory requirements, the validity of the dealing or activity may be challenged in court
impact (on current community use and enjoyment)	Refers to adverse or negative impacts on current community use and/or enjoyment of the land. Impacts are determined by using the assessment tool in this Guidance and Resources document

Term	Definition
inform engagement activity	Any activity which provides a means for community members to receive information about a proposed Crown land dealing or activity
mandatory requirements	Refers to the requirements of the Strategy that responsible persons must comply with. Failure to demonstrate compliance with these requirements may result in the minister (or delegate) refusing to approve a dealing or activity. Further, where a dealing or activity has been approved, but has not been completed in accordance with the mandatory requirements, the validity of the dealing or activity may be challenged in court
minister	Refers to the minister who is responsible for administering the Act
non-council CLMs	<p>Refers to non-council Crown land managers (formerly referred to as reserve trust managers) who have been appointed to carry out the care, control and management of Crown land under the Act</p> <p>‘Category 1 non-council CLMs’ are specified in the Crown Land Management Regulation 2018, being professional bodies with higher levels of capabilities</p> <p>‘Category 2 non-council CLMs’ will be for all other managers including, for example, voluntary community boards and organisations</p>
NSW	Refers to New South Wales
objects of the Act	Refers to the objects specified in Section 1.3 of the Act

Term	Definition
participate activity	Any activity that provides a means for collaboration between community members and decision-makers in the decision-making process for a proposed dealing or activity
principles of Crown land management	Refers to the principles of Crown land management specified in Section 1.4 of the Act
responsible person	Refers to the responsible persons for dealings and activities as specified in the Act, and includes the minister, Lands Administration Ministerial Corporation, department secretary, department employees involved in administering the Act and non-council Crown land managers
short term	In connection with a lease or licence, short term means a period of one year or less
state	Refers to New South Wales
Strategy document	Refers to the requirements of this Strategy that responsible persons must comply with. Failure to demonstrate compliance with these requirements may result in the minister (or delegate) refusing to approve a dealing or activity. Further, where a dealing or activity has been approved, but has not been completed in accordance with the mandatory requirements, the validity of the dealing or activity may be challenged in court
the Strategy	Refers to the Community Engagement Strategy
TSR	Refers to a Travelling Stock Reserve
walkshop	An onsite tour/visit that can be held as a standalone activity or in conjunction with a meeting, briefing or community event such as a community information session

PURPOSE AND STRUCTURE

WHO THIS GUIDANCE AND RESOURCES DOCUMENT IS FOR

PART A

INTRODUCTION



A1

PURPOSE AND STRUCTURE

PURPOSE AND STRUCTURE

This Community Engagement Guidance and Resources document (Guidance and Resources document) is a practical and interactive guide to support Department of Industry—Lands & Water staff and non-council Crown land managers (non-council CLMs) when they engage about Crown land activities and dealings that fall within the scope of the Community Engagement Strategy (the Strategy).

While this Guidance and Resources document has been developed to support the Strategy, both documents are independent. Users should familiarise themselves with both documents before starting engagement about Crown land dealings and activities.

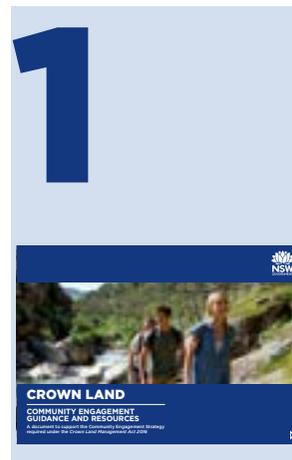
This Guidance and Resources document includes engagement assessment templates, a library of resources and a detailed glossary of the Crown land engagement activities specified in the individual assessment templates.



Throughout this Guidance and Resources document, connections between documents and links to supporting resources are hyperlinked to make it easier to use.

It has been designed in an interactive format so the engagement assessment templates and other resources can be completed more efficiently.

For ease of reference, this document is divided into two key sections:



Guidance document with individual assessment templates that provide a step-by-step overview of engagement requirements for each of the following Crown land dealings and activities:

- reservations and dedications
- licences
- leases
- vestings
- sales
- plans of management
- State strategic plan for Crown land.



Resources document with supporting engagement templates, including the engagement findings reporting template, and glossary of individual engagement activities.

A2

WHO THIS GUIDANCE AND RESOURCES DOCUMENT IS FOR

The Guidance and Resources document supports the Community Engagement Strategy and, together, both documents are a valuable resource and promote a greater understanding about Crown land dealings and activities and when and how engagement is required.

The Guidance and Resources document is to be used by responsible persons who will engage about Crown land dealings and activities under the Act.

GUIDANCE SECTION

The Guidance section contains individual engagement assessment templates, outlining the steps to be taken for meeting the mandatory requirements for each of the following Crown land dealings and activities:

- reservations and dedications
- licences
- leases
- vestings
- sales
- plans of management
- state strategic plan for Crown land.



SUMMARY OF MANDATORY REQUIREMENTS

Responsible persons must comply with the mandatory requirements of the Strategy, which are summarised below.

The mandatory requirements cover:

- 1 **an assessment to determine whether a dealing or activity impacts on current community use and enjoyment**

- 2 **an assessment to determine whether the impact on current community use and enjoyment is minimal, moderate or high**

- 3 **the level of engagement that must be conducted and whether the engagement required is inform, consult or participate**

- 4 **the requirement for consideration to be given to the outcomes of an engagement process before decisions are made to proceed or not proceed with the dealing or activity**

Note

These requirements will not apply to all dealings and activities covered by the Strategy. Table 3 in Part 3 of the Strategy provides an overview of the dealings and activities that are within scope of the Strategy and whether the mandatory requirements apply.

Please refer to the relevant engagement assessment templates in this document for step-by-step guidance to meeting these requirements.

The minister, department secretary and staff, and non-council CLMs must comply with the mandatory requirements set out in the Strategy.

Failure to demonstrate compliance with the mandatory requirements of the Strategy may result in the minister or their delegate refusing to approve a dealing or activity. Random audits will be conducted to ensure compliance.

Further, where a dealing or activity has been approved, but has not been completed in accordance with the mandatory requirements of the Strategy, the validity of the dealing or activity may be challenged in court. However, in accordance with legal principles, any such dealing or activity would remain valid unless and until determined otherwise by a court.

RESOURCES

The Resources section contains useful information, templates and practical tools to assist responsible persons to deliver engagement and meet the mandatory requirements of the Strategy.

CROWN LAND RESERVATIONS AND DEDICATIONS
ENGAGEMENT ASSESSMENT TEMPLATE

CROWN LAND LICENCES ENGAGEMENT
ASSESSMENT TEMPLATE

CROWN LAND LEASES ENGAGEMENT
ASSESSMENT TEMPLATE

CROWN LAND VESTINGS ENGAGEMENT
ASSESSMENT TEMPLATE

CROWN LAND SALES ENGAGEMENT
ASSESSMENT TEMPLATE

PLANS OF MANAGEMENT
ENGAGEMENT ASSESSMENT TEMPLATE

STATE STRATEGIC PLAN ENGAGEMENT
ASSESSMENT TEMPLATE

PART B

GUIDANCE

B1

CROWN LAND RESERVATIONS AND DEDICATIONS ENGAGEMENT ASSESSMENT TEMPLATE

CROWN LAND RESERVATIONS AND DEDICATIONS ENGAGEMENT ASSESSMENT TEMPLATE

CROWN LAND RESERVATIONS AND DEDICATIONS

What is a
dedication or
reservation of
Crown land?

Dedicated and reserved Crown land is land set aside on behalf of the community for a range of purposes including environmental and heritage protection, recreation and sport, open space, community halls, special events and government services.

There is a diversity of types of reservations and dedications ranging from state parks, beaches and national surfing reserves, caravan and camping grounds, cemeteries, racecourses, showgrounds, community halls, sporting fields and parks, walking tracks, canoe and kayak trails, smaller ports and harbours to wharves.

Alteration to
purpose

Alteration of a reserve or dedication purpose occurs when there is a complete change of a purpose. For example, altering a reserve purpose from public recreation to conservation.

The Act requires that a NSW Government Gazette notification is published for all of the alterations to a purpose.

The Strategy requires engagement on a proposed alteration of a purpose where there may be an impact on current community use and enjoyment of the reserve or dedication.

A proposed alteration to a purpose may be associated with a new use that is to be authorised by a lease or licence. In these cases, engagement will be required where current community use and enjoyment may be impacted and the one engagement process will cover the proposed alteration of the purpose and the associated lease or licence.

The level of engagement required depends on the degree of impact on current community use and enjoyment. It is expected that all decisions to alter a purpose are notified on the department's website.



Note: Take care to ensure all native title implications are considered before altering a reserve purpose.

CROWN LAND RESERVATIONS AND DEDICATIONS



Removal of purpose

Removal of a reserve or dedication purpose will occur when there are multiple purposes for a reserve or dedication and one of these purposes is no longer in use and is removed.

The Act requires that a NSW Government Gazette notification is published for a removal of a purpose.

The Strategy requires additional engagement be conducted before a decision is made and where it is assessed that the removal of the purpose could impact current community use and enjoyment of the reserve or dedication.

The level of engagement required depends on the degree of impact. It is expected that all decisions to alter a purpose are notified on the department's website.



Note: Take care to ensure all native title implications are considered before removing a reserve purpose.

CROWN LAND RESERVATIONS AND DEDICATIONS



Revocation of reserve or dedication

Revocation of a reserve or dedication occurs when the reservation or a dedication is revoked completely, making the land vacant Crown land.

This will generally occur before land is sold or leaves the Crown land estate.

The Act requires that a notification is published in the NSW Government Gazette for revocations of reserves and dedications.

A proposal to revoke a dedication is subject to special requirements under Section 2.7 of the Act.

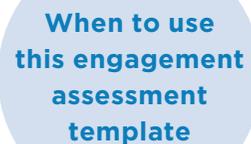
The minister is required to publish intent to revoke the dedication in the NSW Government Gazette and must place this notice before both Houses of Parliament, who have the ability to vote to disallow the proposed revocation of the dedication.

In addition to the requirements of the Act, the Strategy requires engagement before a decision is made on certain revocations where there is an impact on current community use and enjoyment. Where a revocation is facilitating a sale, vesting or lease, the one engagement process can cover both the revocation and the associated dealing.

The Strategy exempts certain revocations from the mandatory requirements of the Strategy. These are revocations occurring to facilitate transfers of land being authorised under other Acts or sales that are exempt under the Strategy. For example, the conversions of certain leases and certain sales of residential properties. See table 3 in the Strategy document for more detail.

All finalised revocations are to be notified on the department's website.

CROWN LAND RESERVATIONS AND DEDICATIONS



When to use
this engagement
assessment
template

As noted above, changes to reserves and dedications are often required to facilitate another dealing or activity.

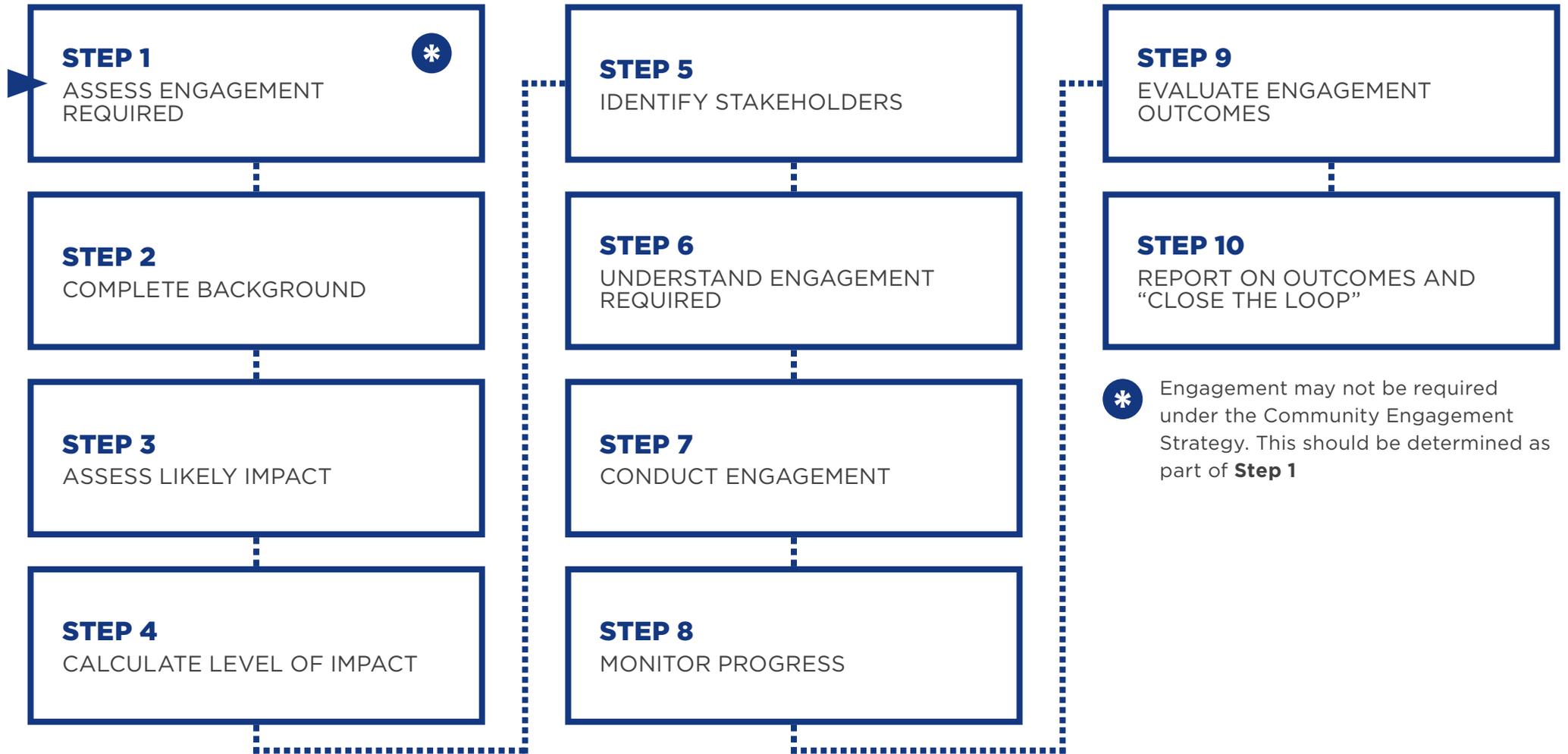
Rather than conducting two separate engagement processes, the engagement processes selected for a proposed licence, lease, vesting or sale can also cover any associated change to the reserve or dedication.

To determine the engagement requirements of a dealing that requires a change a reserve or dedication, refer to the templates in this document for licences, leases, sales or vestings.

Engagement outcomes from the required engagement process must be considered before decisions are made about both the proposed dealing and the change to the reserve or dedication.

CROWN LAND RESERVATIONS AND DEDICATIONS ENGAGEMENT ASSESSMENT TEMPLATE

ENGAGEMENT ASSESSMENT PROCESS



STEP 1

ASSESS ENGAGEMENT REQUIRED



MANDATORY REQUIREMENT

Use the following questions to determine whether engagement is required, before proceeding to Step 2.

It is a **mandatory requirement** that the criteria outlined in activities 4 and 5 below are considered in assessing whether the proposed dealing or activity will impact on current community use and enjoyment of the site.

	ACTIVITY	YES	NO	NEXT STEPS
A	Does the dealing or activity sit in the <u>overview of engagement requirements</u> table in section 3.2 of the Strategy?			If 'no', further engagement is not required under the Community Engagement Strategy If 'yes', proceed to question 2 below
B	Has the Strategy already specified in the overview of engagement requirements table that the type of dealing is subject to 'notification of completed activity' only?			If 'yes', further engagement is not required and the community will be notified of the approved activity on the department's website If 'no', proceed to question 3 below
C	Is the site subject to an undetermined Aboriginal land claim?			If 'yes', please also refer to the Aboriginal Land Claims Investigation Unit to confirm if direct engagement with the Local Aboriginal Land Council (LALC) or the NSW Aboriginal Land Council (NSWALC) will be required before proceeding to question 4

STEP 1

ASSESS ENGAGEMENT REQUIRED

ACTIVITY	YES	NO	NEXT STEPS
<p>D It is a mandatory requirement that the following criteria are used to consider whether the site of the proposed dealing or activity is currently used and enjoyed by the community:</p> <ul style="list-style-type: none"> a. Is the site used for recreation or sporting activities, such as camping, sports, swimming, boating, fishing, bush walking or socialising by multiple persons? b. Does the community enjoy the site for its social, cultural or heritage values? c. Does the site provide local open space that the community currently uses and enjoys? d. Is there any other known use or enjoyment of the site by the community? 			<p>If 'no' to all questions, further engagement is not required under the Strategy</p> <p>If 'yes' to one or more, proceed to the mandatory criteria outlined in question 5 below</p>
<p>E It is a mandatory requirement that the following criteria are used to consider whether the proposed dealing or activity is likely to have a detrimental impact on the way the community currently uses, enjoys or accesses the site:</p> <ul style="list-style-type: none"> a. Would the activity relating to the reserve/dedicated purpose mean the public can no longer use or access the site? b. Would the activity relating to the reserve/dedicated purpose result in a new restriction in when or how the community can access the site? c. Would community access to and through the site be restricted? d. Is there any other impact on current community use and enjoyment of the site as a result of the activity relating to the reserve/dedicated purpose? 			<p>If 'no' to all questions, further engagement is not required under the Community Engagement Strategy</p> <p>If 'yes' to one or more, proceed to the next step</p>

STEP 2

BACKGROUND TO ACTIVITY

➤ Action officer and business area

➤ Who currently uses the reserve?

➤ Reserve location

➤ Details of adjoining sites

➤ Is the change to the reservation or dedication required to facilitate a proposed lease or licence?

YES

NO

➤ Reserve tenure

➤ Will any other government agencies be involved in the decision-making?

YES

NO

➤ How is the reserve currently used?

➤ Local considerations

STEP 3

ASSESS LIKELY IMPACT



It is a **mandatory requirement** that responsible persons decide whether the impact on current community use and enjoyment is minimal, moderate or high by considering the degree to which current community use and enjoyment is reduced. This refers to both the way land can be used and the times it can be accessed, and the proportion of the local or broader community that will be affected.

Complete this step to ensure you meet this mandatory requirement.

	ASSESS IMPACT ON CURRENT COMMUNITY USE AND ENJOYMENT	YES	NO	'YES' SCORE WEIGHTING
V	Site is currently used and enjoyed by many members of the community and the proposed activity is, or would be, likely to have a significantly adverse impact on current public access to or through the site			5
				OR
V	Site is currently used and enjoyed by many members of the community and the proposed activity is, or would be, likely to have a moderately adverse impact on current public access to or through the site			3
				OR
V	Site is currently used and enjoyed by many members of the community and the proposed activity is, or would be, likely to have minimal adverse impact on current public access to or through the site			1

STEP 3

ASSESS LIKELY IMPACT



It is a **mandatory requirement** that responsible persons consider whether the impact on current community use and enjoyment is minimal, moderate or high by considering the degree to which current community use and enjoyment is reduced. This refers to both the way land can be used and the times it can be accessed, and the proportion of the local or broader community that will be affected.

Complete this step to ensure you meet this mandatory requirement.

	ASSESS IMPACT ON CURRENT COMMUNITY USE AND ENJOYMENT	YES	NO	'YES' SCORE WEIGHTING
V	Site has been the subject of recent community engagement and/or contestation (i.e. within the past two years) and the same contestation is likely to arise due to the proposed activity's impact on current community use and enjoyment			4
V	Site is currently used and enjoyed by many members of the community and the proposed activity is, or would be, likely to result in a permanent or long-term restriction in the times during which the community can access the site			4
V	Site is currently licenced for use, or otherwise used, by multiple groups whose use and enjoyment of the site would be adversely impacted by the proposed activity			3

STEP 3

ASSESS LIKELY IMPACT



It is a **mandatory requirement** that responsible persons consider whether the impact on current community use and enjoyment is minimal, moderate or high by considering the degree to which current community use and enjoyment is reduced. This refers to both the way land can be used and the times it can be accessed, and the proportion of the local or broader community that will be affected.

Complete this step to ensure you meet this mandatory requirement.

	ASSESS IMPACT ON CURRENT COMMUNITY USE AND ENJOYMENT	YES	NO	'YES' SCORE WEIGHTING
V	Proposed activity would introduce a requirement for the community to pay a significant amount for access to a site where payment has not previously been required and there is no commensurate improvement to local services or amenity			3
				OR
V	Proposed activity would introduce a requirement for the community to pay a reasonable amount for access to a site where payment has not previously been required and there is a commensurate improvement to local services or amenity			1
V	Proposed activity is, or would be, of significant interest to directly abutting landowners and/or surrounding landowners/residents whose current use and enjoyment of the site may be impacted by the activity			1

▶ Calculate likely impact score based on weighting for each 'yes' response

Total

STEP 4

CALCULATE LEVEL OF IMPACT



Use the likely impact score from the previous step, together with local considerations of the site, to assess whether the impact on current community use and enjoyment of the proposed activity is minimal, moderate or high.

IMPACT SCORE	LIKELY IMPACT ON CURRENT COMMUNITY USE AND ENJOYMENT	TICK WHICH APPLIES
1-9	<input type="radio"/> Minimal impact on current community use and enjoyment	
10-16	<input type="radio"/> Moderate impact on current community use and enjoyment	
17-20	<input type="radio"/> High impact on current community use and enjoyment	

STEP 4

CALCULATE LEVEL OF IMPACT



LOCAL CONSIDERATIONS

Even if the score indicates a likely minimal level of impact on current community use and enjoyment, please consider the following factors before proceeding and selecting your final level of impact which will inform the engagement approach and methods.

This will help provide a more nuanced understanding of local sentiment about the activity and its potential impact on current community use and enjoyment:

- Does the activity include a proposal for a new or expanded commercial business operating on a site with the potential to impact current community use and enjoyment?
- Is the reserve located within or immediately adjacent to a national park, caravan or camping park, beachside area or sportsground that is currently highly utilised by the community?
- Is the reserve within or adjacent to significant waterways or waterfront areas currently used and enjoyed by the community?
- Is the reserve within or adjacent to a densely populated residential area where the community's current use and enjoyment of the site may be impacted by the proposed change?
- Does the reserve hold social, environmental or cultural heritage characteristics that the local community reasonably identifies as being of value to them or their local identity?
- Could the change be perceived as inhibiting or discouraging multiple use of the reserve?

TICK WHICH APPLIES

Are there any local considerations that should be factored into the impact assessment?

YES

NO

If yes, please detail:



Note: You can only use local considerations to increase the level of impact. For example, if there are significant local considerations you may decide to increase your assessment from a minimal impact to a moderate impact.

STEP 4

**CALCULATE
LEVEL OF
IMPACT**



Use the likely impact score and local considerations to confirm the final impact assessment.

CONFIRM FINAL IMPACT ASSESSMENT

- Minimal impact on current community use and enjoyment
- Moderate impact on current community use and enjoyment
- High impact on current community use and enjoyment

STEP 5

IDENTIFY STAKEHOLDERS

The next step when planning engagement is to consider who needs to be engaged about the proposed activity.

This can occur at a higher level by identifying the types of communities and stakeholders that are likely to be interested in the proposed activity and motivated to provide input to the decision-making process.

Consider the following:

- Who will have a direct interest in the outcome?
- Who will have an indirect interest in the outcome?
- Who holds knowledge that may be of value when making a decision?
- Who will be directly affected?
- What is the best way to reach and hear from hard-to-reach groups?
- What is the best way to ensure engagement is culturally sensitive?
- What is the best way to encourage input from the broader community as well as organised and interested groups?

If any Aboriginal groups are identified as stakeholders, you must follow the requirements for engaging with Aboriginal communities outlined in **section C1 of the Resource document**



Strengthening relationships and engagement with Aboriginal peoples and communities about Crown land is a priority for the Strategy.

Responsible persons should identify and acknowledge Aboriginal peoples and communities who may have an interest in, or be impacted by, a proposed dealing or activity early in the engagement process.

An early step will be to seek local advice from Aboriginal community groups and organisations, such as Prescribed Bodies Corporate, Local Aboriginal Land Councils, Aboriginal Land Rights Network, native title representative bodies, local Aboriginal service providers or traditional owner groups.

Together with Aboriginal community and traditional owner groups, they can provide guidance on cultural norms, values and sensitivities and other important local information.

Responsible persons should refer to the specific requirements for engaging with Aboriginal communities outlined in **section C1** of this document before commencing engagement.

STEP 5 IDENTIFY STAKEHOLDERS

The following table provides an overview of potential stakeholders to consider. It is not in priority order, is not an exhaustive list and is provided for guidance and assistance only.

STAKEHOLDER GROUP	POTENTIAL STAKEHOLDERS	TICK WHICH APPLIES
Aboriginal peoples and communities - local If selected, refer to section C1 for steps on engaging with Aboriginal peoples and communities	Local Aboriginal Land Council Native title holders/claimants Other local Aboriginal stakeholder groups Prescribed Bodies Corporate	
Aboriginal peoples and communities-state and regional If selected, refer to section C1 for steps on engaging with Aboriginal peoples and communities	NSW Aboriginal Land Council NTSCORP	
Business and commerce	Licensees e.g. grazing, pipelines, apiarists, sporting clubs Lessees Local chambers of commerce Local businesses and commercial operators	
Department of Industry-Lands & Water	Department staff e.g. regional staff	
Department of Industry	Department of Primary Industries Department staff e.g. communications unit	
Environment and conservation	Conservation groups Heritage groups Nature conservation groups Historical societies and groups	

STEP 5

IDENTIFY STAKEHOLDERS

STAKEHOLDER GROUP	POTENTIAL STAKEHOLDERS	TICK WHICH APPLIES
Government agencies	Aboriginal Affairs NSW Office of Environment and Heritage NSW Environment Protection Authority NSW Rural Fire Service NSW National Parks and Wildlife Service Roads and Maritime Services Department of Planning and Environment NSW State Emergency Service	
Local community	Reserve users—formal and informal (e.g. Scouts and Girl Guides) Sporting clubs and members (e.g. golf, tennis and bowling clubs) Local communities of interest	
Local government	Council Crown land managers Office of Local Government Local Government NSW	
Non-council Crown land managers	Non-council Crown land managers (former trust managers) and their user groups and stakeholders	
Residents/neighbours	Affected and adjacent landowners Surrounding residents	
Tenure holders	Current and potential tenure holders	



STEP 5

IDENTIFY STAKEHOLDERS

STAKEHOLDER GROUP	POTENTIAL STAKEHOLDERS	TICK WHICH APPLIES
Volunteer groups	Bushcare/Landcare groups ‘Friends of’ groups Cultural and heritage groups	
Recreational organisations, peak bodies and interest groups	Agricultural Societies Council NSW Better Planning Network Bike/bicycle clubs Bird watching clubs Boating groups and clubs Bushwalking clubs Campervan and Motorhome Club Australia and operators Caravan and Camping Industry Association and operators Crown Land Our Land Fishing clubs Fitness clubs Horse riding clubs NSW Apiarists Association and members NSW Crown Holiday Parks Trust NSW Council Freshwater Anglers and members NSW Farmers and members Recreational Fishing Alliance of NSW and members Waterway action groups	
Other local stakeholders		

STEP 6

UNDERSTAND ENGAGEMENT REQUIREMENTS

The engagement approach adopted by the Strategy is based on the widely-recognised Organisation for Economic Co-operation and Development approach to government-citizen engagement.

The spectrum of government-citizen engagement approaches used in the Strategy are:

- inform
- consult
- participate.



Inform engagement is one-way communication providing reliable, balanced and objective information on dealings and activities.



Consult engagement is two-way communication designed to obtain feedback about ideas, proposals and important dealings and activities.



Participatory engagement is a two-way partnership process to help identify issues and views, particularly about high-impact or sensitive dealings and activities.

IT IS A MANDATORY REQUIREMENT OF THE STRATEGY THAT:

- Proposed reservations and dedications activities assessed by the responsible person to be **minimal impact** must be posted to a designated area on the department's website for **28 days**.
(level of engagement = inform)
- Proposed reservations and dedications activities assessed by the responsible person to be **moderate impact** must be posted to a designated area on the department's website for **28 days** and **at least one consult activity** must be conducted.
(level of engagement = inform + consult)
- Proposed reservations and dedications activities assessed by the responsible person to be **high impact** must be posted to a designated area on the department's website for **42 days** and **at least one consult activity** and **at least one participate activity** must be conducted.
(level of engagement = inform + consult + participate)



A description of inform, consult and participate engagement activities— together with individual strengths of each and how they can be used to inform decision-making—is in **section C2** of this document.

STEP 6 UNDERSTAND ENGAGEMENT REQUIREMENTS

ASSESSED LEVEL OF IMPACT ON COMMUNITY USE AND ENJOYMENT

ENGAGEMENT APPROACH REQUIRED

WHAT IT LOOKS LIKE

ENGAGEMENT ACTIVITY OPTIONS

MINIMAL

● Inform

Inform engagement is one-way communication

providing reliable, balanced and objective information on dealings and activities

This includes informing people that engagement is commencing, making information readily available for people to access, and taking more active measures to ensure information reaches target groups

It also includes informing people that a decision has been made

Mandatory inform engagement activity

- department website—mandatory 28-day or 42-day notification

Inform engagement activity options

- advertisement/notice in local newspaper
- fact sheet/FAQ
- letterbox drop
- local signage (for example, community hall, local shop, library)
- site signage (for example, sign on the fence or building)

MODERATE

● Inform + Consult

Consult engagement is two-way communication

designed to obtain feedback about ideas, proposals and important dealings and activities

Consultation should focus on an explanation of the issues and be clear about the level of influence people have on decisions about Crown land dealings and activities

Consult engagement activity options

- community information event
- NSW Government Have Your Say website
- online forum
- public submissions
- survey

HIGH

● Inform + Consult + Participate

Participatory engagement is a two-way process

that enables collaboration between the community and decision-makers. The process helps identify issues and views, particularly about high impact and potentially sensitive dealings

People are able to collaborate with decision-makers, although responsibility for the final decision rests with the responsible person

Participate engagement activity options

- community advisory or consultative committee
- interactive workshop
- targeted meetings/briefings
- ‘walkshop’ onsite tour/visit

STEP 7

CONDUCT ENGAGEMENT

Conducting engagement

It is important that engagement activities are proportionate to the scale of Crown land dealings and activities and their likely impact on current community use and enjoyment.

Not all dealings and activities will result in a significant impact on current community use and enjoyment, many may promote and encourage community use and enjoyment.

To ensure Crown land resources are used responsibly and support compliance with the requirements of the Strategy it is important that engagement is commensurate with the likely level of impact and can be readily delivered.

Mandatory minimum engagement requirements

It is a **mandatory requirement** of the Strategy that proposed reservations and dedications activities assessed by the responsible person to be:

- **minimal impact** must be posted to the department's website for 28 days
(level of engagement = inform)
- **moderate impact** must be posted to the department's website for 28 days and **at least one consult activity** must be conducted
(level of engagement = inform + consult)
- **high impact** must be posted to the department's website for 42 days and **at least one consult activity** and **at least one participate activity** must be conducted.
(level of engagement = inform + consult + participate)

STEP 7

CONDUCT ENGAGEMENT

Compliance

Failure to demonstrate compliance with the mandatory requirements may result in a decision about proposed activities being refused, challenged or overturned.

Additional engagement

While the mandatory requirements outlined above provide a valuable foundation for meaningful engagement, they do not limit responsible persons from conducting additional engagement activities designed for local circumstances and stakeholders.

This approach will support transparency and openness in decision-making and promote outcomes that consider a range of opinions.

The table later in this section provides a range of approved inform, consult and participate activities to support engagement about minimal, moderate and high-impact activities.

When selecting engagement activities, it is useful to consider the following:

- the amount of time community may be able or willing to commit to engagement
- community access and use of technology
- flexibility when considering timing and location of engagement activities
- capacity of responsible persons to resource and support engagement.

STEP 7

CONDUCT ENGAGEMENT

Engagement tools and activities

A glossary of each engagement activity outlined in the following table together with their individual strengths and how they can be used to inform decision-making is in section C2 of this document.

Communication material produced to support engagement activities should:

- be clear about the subject of engagement and how feedback will be considered
- include relevant contact details for enquiries and feedback
- use plain English and avoid jargon
- contain messages that are targeted and suitable to the audience.

When does engagement occur?

Engaging the community is required for proposed reservations and dedications activities that have been assessed as having a minimal, moderate or high impact on current community use and enjoyment.

Outcomes from engagement conducted will provide valuable input to the final decision made by the department or non-council CLMs about the proposed activity.

Other inputs considered during the decision-making process are the objects of the Act, including the principles of Crown land management, and environmental, social, cultural heritage and economic values.

The community will be informed of completed reservation and dedication activities through a notice posted to the department's website.

STEP 7

CONDUCT ENGAGEMENT

ENGAGEMENT REQUIRED FOR RESERVATIONS AND DEDICATIONS

		MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
Engagement preparation	Complete engagement checklist before starting engagement	✓		
	Complete engagement plan template before starting engagement		✓	✓
Mandatory minimum engagement	Proposed reservations and dedications activities assessed by the responsible person to be minimal impact must be posted to a designated area on the department's website for 28 days (level of engagement = inform)	✓		
	Proposed reservations and dedications activities assessed by the responsible person to be moderate impact must be posted to the department's website for 28 days and at least one consult activity must be conducted from the list given in this table (level of engagement = inform + consult)		✓	
	Proposed reservations and dedications activities assessed by the responsible person to be high impact must be posted to a designated area on the department's website for 42 days and at least one consult activity and at least one participate activity must be conducted from the list given in this table (level of engagement = inform + consult + participate)			✓

STEP 7

CONDUCT ENGAGEMENT

	ENGAGEMENT ACTIVITIES	MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
 Inform activities (use tick boxes to show selected activities)	Notice posted to the department website for 28 days (mandatory for minimal- and moderate-impact dealings and activities) or 42 days (mandatory for high-impact dealings and activities)		<i>Must select at least one</i> 	<i>Must select at least one</i> 
	Publish advertisement/notice in local newspaper (where such a publication exists)			
	Fact sheet/FAQ			
	Letterbox drop advising of dealing/activity			
	Local signage (e.g. community hall, shop, library)			
	Site signage			

STEP 7

CONDUCT ENGAGEMENT

	ENGAGEMENT ACTIVITIES	MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
 Consult activities (use tick boxes to show selected activities)	Community information event (e.g. information session, workshop, public forum)		<i>Must select at least one</i>	<i>Must select at least one</i>
	NSW Government Have Your Say feedback website			
	Online forum			
	Public submissions			
	Survey			

STEP 7

CONDUCT ENGAGEMENT

ENGAGEMENT ACTIVITIES		MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
 Participate activities (use tick boxes to show selected activities)	Community advisory or consultative committee (either existing or establish new)		<i>Must select at least one</i>	<i>Must select at least one</i>
	Interactive workshop			
	Targeted meetings/briefing			
	'Walkshop' onsite tour/visit			

STEP 7

CONDUCT ENGAGEMENT

ENGAGEMENT ACTIVITIES		MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
			<i>Must select at least one</i>	<i>Must select at least one</i>
Engagement evaluation and report back	Complete engagement findings report once engagement finished			
	Community informed of completed activity through department website			

STEP 8

MONITOR PROGRESS

One of the keys to successful engagement is to monitor engagement as it progresses.

This not only helps highlight successful engagement activities, it also allows quick responses to issues as they unfold. Circumstances can change and there may be developments that are difficult to predict and plan for.

Monitoring engagement is particularly important for proposed reservations and dedications activities that have been assessed as having a moderate- or high-impact on current community use and enjoyment.

Techniques to support ongoing monitoring include:

- team discussion, such as a debriefing after an engagement event
- ongoing gathering and evaluating of local media, online forum responses, correspondence and emails, and submissions
- checking in with community members, stakeholders or members of local groups
- assessing whether enlisting input or joint activities with other agencies—such as Office of Environment and Heritage—would be of benefit when conducting engagement activities.

Signs that the engagement activities may need adjusting are:

- more or fewer people than anticipated taking part in engagement activities
- people are unable to take part in engagement activities. For example, if activities are scheduled at inconvenient times or in hard-to-reach locations
- engagement does not offer hard copy, online or face-to-face communications that suit local communities
- project is being consistently misrepresented or misunderstood locally or in media.



It may be necessary to review the original assessed level of impact on current community use and enjoyment of a proposed dealing or activity in light of information that emerges from the community engagement process.

If further engagement is required before a decision can be made about a proposed dealing or activity, it is recommended that the engagement approach is re-assessed and engagement activities extended or adapted to reach additional stakeholders.

STEP 9

EVALUATE ENGAGEMENT OUTCOMES



MANDATORY REQUIREMENT

It is a mandatory requirement of this Strategy that the outcomes of community engagement must be considered by responsible persons and decision-makers as part of the final decision-making process.

Evaluating engagement outcomes

Evaluating community engagement outcomes is an important step, particularly for moderate- and high-impact reservations and dedications activities.

For reservations and dedications activities with a minimal- or moderate-impact on current community use and enjoyment, evaluating engagement may be as straightforward as reviewing any correspondence received or considering feedback provided online or at community information events.

For dealings with a higher potential impact on current community use and enjoyment, the evaluation process may involve collating survey and feedback responses, reporting on workshop or consultative committee outcomes, and assessing whether special conditions could be applied to accommodate feedback.

Some questions to consider as the engagement process concludes are:

- Did the engagement meet its overall objectives?
- Did engagement reach the people it was meant to?
- Did engagement capture a range of perspectives from different groups or users?
- What formal and informal feedback was received?
- What engagement methods worked well and what could be improved next time?
- Has the engagement revealed any new uses or user groups on the location/site concerned?

STEP 9

EVALUATE ENGAGEMENT OUTCOMES

Engagement as an input to decision-making

Engaging the community prior to decision-making can reveal valuable local insights and support well-rounded decisions about Crown land.

While community engagement is an important contributor to the final decision-making process, it is not the determining factor.

Community input is just one of many important factors for decision-makers to consider when deciding whether proposed reservations and dedications activities should be approved.

For example, when making decisions about Crown land dealings and activities, department staff must consider the objects of the Act, including the principles; environmental, social, cultural heritage and economic considerations; the benefit to the people of NSW; and the facilitation of use of Crown land by Aboriginal people.

Responsible persons must use the **engagement findings report template** to summarise the results of the engagement process, so that engagement outcomes can be consistently evaluated and considered during decision-making about proposed reservations and dedications activities.

Some questions to consider when you are summarising the engagement and determining the engagement findings:

- Did the engagement reveal additional issues that have not previously been considered?
- Did the engagement provide evidence that current community use and enjoyment would be adversely impacted?

The responsible officer for the department non-council CLMs should complete the engagement findings report and submit it to the minister or minister's delegate to support decision-making and demonstrate that mandatory requirements under the Strategy have been satisfied.

When compiling the report, be mindful of the confidentiality of information provided throughout the engagement process and ensure that people's privacy is respected and protected according to the *Privacy and Personal Information Protection Act 1998*.

There are two engagement findings report templates to choose from: one for summarising the outcomes of engagement for high- and moderate-impact dealings and activities, and one for summarising the outcomes of engagement for minimal-impact dealings and activities.

Both templates are provided in the [Resources](#) section of this document.

Engagement findings report

STEP 10

REPORT ON OUTCOMES AND “CLOSE THE LOOP”



It is important to ‘close the loop’ on engagement and inform people about completed reservation or dedication activities. The table below provides an overview of activities to help ‘close the loop’ on engagement.

ACTIVITY	MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
> Complete <u>engagement findings report</u> once engagement processes are finished	✓	✓	✓
> Inform community of completed activity through a notice on the <u>department’s website</u>	✓	✓	✓
> Consider whether engagement outcomes have resulted in a need for proponents to comply with or conduct future engagement activities, or any other conditions that may be imposed to promote community use and enjoyment of a site	✓	✓	✓
> Remove any outdated information about engagement activities from websites and other online platforms	✓	✓	✓
> Inform people who may have registered for information or updates about the completed activity	✓	✓	✓
> Inform community of the completed activity by local media, social media or other mechanisms if practical to do so	✓	✓	✓
> Other: [provide details here]			

B2

CROWN LAND LICENCES ENGAGEMENT ASSESSMENT TEMPLATE

CROWN LAND LICENCES ENGAGEMENT ASSESSMENT TEMPLATE

CROWN LAND LICENCES

What is a Crown land licence?

The department and non-council CLMs can issue licences to individuals, businesses and community organisations for purposes such as:

- domestic waterfront structures (for example, jetties, boat ramps and slipways)
- grazing of stock (excluding areas of high environmental sensitivity)
- extraction industry operation (for example, quarries and dredging of sand from waterways)
- rural purposes
- water supply and access (e.g. pump sites and pipelines for domestic use and irrigation)
- ports licences
- licences authorising telecommunication infrastructure on Crown land
- short-term purposes (for example, sporting events, site remediation works, and site investigations associated with potentially acceptable development proposals)
- small scale commercial businesses.

The department processes high volumes of licences each year, many requiring very short processing times.

Some sub-categories of licences are exempted from the Strategy requirements due to their impact on current community use and enjoyment. This includes licences being transferred to another party or re-granted/renewed to the same party. These licences are being granted on identical terms to the previous licence (other than in relation to rent, commencement date and expiry date). Review Table 3 in the Strategy for more details.

CROWN LAND LICENCES

Engagement requirements under the Strategy

Engagement is required for **proposed licences** only if there is an impact on current community use and enjoyment.

For some categories of licences, pre-decision engagement is not required. See Table 3 in the Strategy for details.

Notification of **completed licences** will occur through a notice posted to a designated site on the department's website. For non-council CLM licences, notices must be published on the department's website, but they can also be published on the non-council CLM website if such a website exists. Notification of approved short-term licences issued by non-council CLMs are not required to be publicised.

For more detail about mandatory and additional engagement required for proposed licences under the Strategy, please refer to Step 7 of this assessment template.

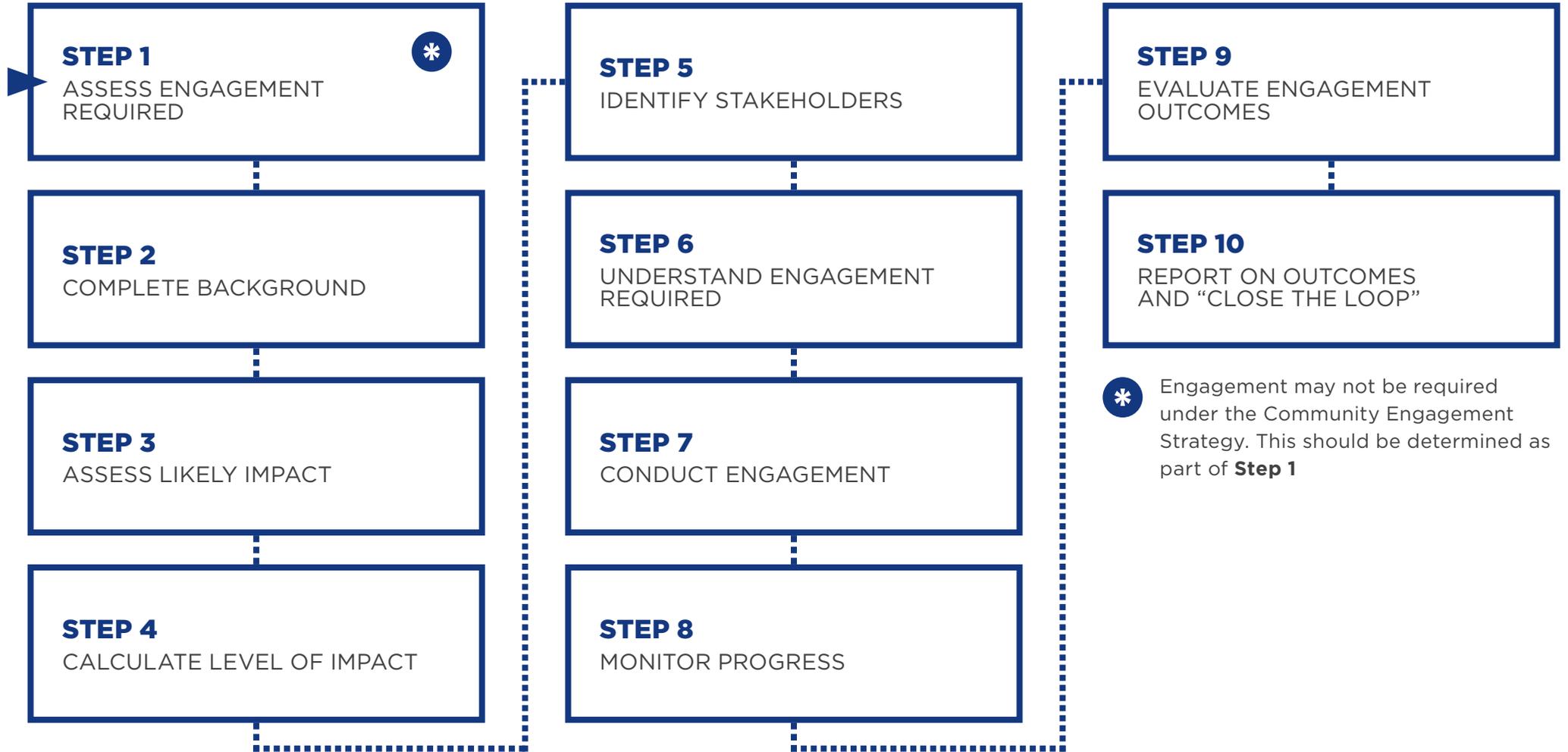
When to use this template

Use this template to determine the engagement requirements for proposed licences as well as any associated change to be made to the reserve or dedication to facilitate the licence.

Note that the one engagement process can cover both the proposed licence and the proposed change to a reserve or dedication.

CROWN LAND LICENCES ENGAGEMENT ASSESSMENT TEMPLATE

ENGAGEMENT ASSESSMENT PROCESS



STEP 1

ASSESS ENGAGEMENT REQUIRED



MANDATORY REQUIREMENT

Use the following questions to determine whether engagement is required, before proceeding to Step 2.

It is a **mandatory requirement** that the criteria outlined in activities 4 and 5 below are considered in assessing whether the proposed dealing or activity will impact on current community use and enjoyment of the site.

	ACTIVITY	YES	NO	NEXT STEPS
A	Does the dealing or activity sit in the <u>overview of engagement requirements</u> table in section 3.2 of the Strategy?			If 'no', further engagement is not required under the Community Engagement Strategy If 'yes', proceed to question 2 below
B	Has the Strategy already specified in the overview of engagement requirements table that the type of dealing is subject to 'notification of completed activity' only?			If 'yes', further engagement is not required and the community will be notified of the approved activity on the department's website If 'no', proceed to question 3 below
C	Is the site subject to an undetermined Aboriginal land claim?			If 'yes', please also refer to the Aboriginal Land Claims Investigation Unit to confirm if direct engagement with the Local Aboriginal Land Council (LALC) or the NSW Aboriginal Land Council (NSWALC) will be required before proceeding to question 4

STEP 1

ASSESS ENGAGEMENT REQUIRED

ACTIVITY	YES	NO	NEXT STEPS
<p>D It is a mandatory requirement that the following criteria are used to consider whether the site of the proposed dealing or activity is currently used and enjoyed by the community:</p> <ul style="list-style-type: none"> a. Is the site used for recreation or sporting activities, such as camping, sports, swimming, boating, fishing, bush walking or socialising by multiple persons? b. Does the community enjoy the site for its social, cultural or heritage values? c. Does the site provide local open space that the community currently uses and enjoys? d. Is there any other known current use or enjoyment of the site by the community? 			<p>If 'no' to all questions, further engagement is not required under the Crown Land Strategy</p> <p>If 'yes' to one or more, proceed to the mandatory criteria outlined in question 5 below</p>
<p>E It is a mandatory requirement that the following criteria are used to consider whether the proposed dealing or activity is likely to have a detrimental impact on the way the community currently uses, enjoys or accesses the site:</p> <ul style="list-style-type: none"> a. Would the licence mean that the public can no longer use or access the site? b. Would the licence result in a new restriction in when or how the community can access the site? c. Would community access to and through the site be restricted? d. Would the licence introduce or increase fees to use the site? e. Is there any other impact on community use and enjoyment of the site as a result of the licence? 			<p>If 'no' to all questions, further engagement is not required under the Community Engagement Strategy</p> <p>If 'yes' to one or more, proceed to the next step</p>

STEP 2

BACKGROUND TO DEALING

➤ Action officer/non-council CLM

➤ How is the site currently used?

➤ Type and details of licence sought

➤ Who currently uses the site?

➤ Site location

➤ Details of adjoining sites

YES

NO

➤ Is a change required to a reservation or dedication to facilitate the proposed licence?

YES

NO

➤ Site tenure

➤ Will any other government agencies be involved in the decision-making?

YES

NO

STEP 2

BACKGROUND TO DEALING

V	Have obligations under native title legislation been discharged (if any)?	YES	NO		
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V	Is there a land claim on the site?	YES	NO		
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V	Local considerations				
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STEP 3

ASSESS LIKELY IMPACT



It is a **mandatory requirement** that responsible persons decide whether the impact on current community use and enjoyment is minimal, moderate or high by considering the degree to which current community use and enjoyment is reduced. This refers to both the way land can be used and the times it can be accessed, and the proportion of the local or broader community that will be affected.

Complete this step to ensure you meet this mandatory requirement.

	ASSESS IMPACT ON CURRENT COMMUNITY USE AND ENJOYMENT	YES	NO	'YES' SCORE WEIGHTING
V	Site is currently used and enjoyed by many members of the community and the proposed licence is, or would be, likely to have a significantly adverse impact on current public access to or through the site			5
				OR
V	Site is currently used and enjoyed by many members of the community and the proposed licence is, or would be, likely to have a moderately adverse impact on current public access to or through the site			3
				OR
V	Site is currently used and enjoyed by many members of the community and the proposed licence is, or would be, likely to have minimal adverse impact on current public access to or through the site			1
V	Site has been the subject of recent community engagement and/or contestation (i.e. within the past two years) and the same contestation is likely to arise due to the proposed licence's impact on current community use and enjoyment			4

STEP 3

ASSESS LIKELY IMPACT

	ASSESS IMPACT ON CURRENT COMMUNITY USE AND ENJOYMENT	YES	NO	'YES' SCORE WEIGHTING
V	Site is currently used and enjoyed by many members of the community and the proposed licence is, or would be, likely to result in a permanent or long-term restriction in the times during which the community can access the site			4
V	Site is currently licenced for use, or otherwise used, by multiple groups whose use and enjoyment of the site would be adversely impacted by the proposed licence			3
V	Proposed licence would introduce a requirement for the community to pay a significant amount for access to a site where payment has not previously been required and there is no commensurate improvement to local services or amenity			3
				OR
V	Proposed licence would introduce a requirement for the community to pay a reasonable amount for access to a site where payment has not previously been required and there is a commensurate improvement to local services or amenity			1
V	Proposed licence is, or would be, of significant interest to directly abutting landowners and/or surrounding landowners/residents whose current use and enjoyment of the site may be impacted by the licence			1

► Calculate likely impact score based on weighting for each 'yes' response

Total

STEP 4

CALCULATE LEVEL OF IMPACT



Use the likely impact score from the previous step, together with local considerations of the site, to assess the impact on current community use and enjoyment of the proposed licence.

IMPACT SCORE	LIKELY IMPACT ON CURRENT COMMUNITY USE AND ENJOYMENT	TICK WHICH APPLIES
1-9	<input type="radio"/> Minimal impact on current community use and enjoyment	<input type="checkbox"/>
10-16	<input type="radio"/> Moderate impact on current community use and enjoyment	<input type="checkbox"/>
17-20	<input type="radio"/> High impact on current community use and enjoyment	<input type="checkbox"/>

STEP 4

CALCULATE LEVEL OF IMPACT



LOCAL CONSIDERATIONS

Even if the score indicates a likely minimal level of impact on current community use and enjoyment, please consider the following factors before proceeding and selecting your final level of impact which will inform the engagement approach and methods.

This will help provide a more nuanced understanding of local sentiment about the licence and its potential impact on current community use and enjoyment:

- Does the proposed licence include a proposal for a new or expanded commercial business operating on a site with the potential to impact current community use and enjoyment?
- Is the site located within or immediately adjacent to a national park, caravan or camping park, beachside area or sportsground that is currently highly utilised by the community?
- Is the site within or adjacent to significant waterways or waterfront areas currently used and enjoyed by the community?
- Is the site within or adjacent to a densely populated residential area where the community's current use and enjoyment of the site may be impacted by the proposed licence?
- Does the site hold social, environmental or cultural heritage characteristics that the local community reasonably identifies as being of value to them or their local identity?
- Could the proposed licence be perceived as inhibiting or discouraging multiple use of the reserve?

TICK WHICH APPLIES

Are there any local considerations that should be factored into the impact assessment?

YES

NO

If yes, please detail:



You can only use local considerations to increase the level of impact. For example, if there are significant local considerations you may decide to increase your assessment from a minimal impact to a moderate impact.

STEP 4

**CALCULATE
LEVEL OF
IMPACT**



Use the likely impact score and local considerations to confirm the final impact assessment.

CONFIRM FINAL IMPACT ASSESSMENT

- **Minimal impact on current community use and enjoyment**
- **Moderate impact on current community use and enjoyment**
- **High impact on current community use and enjoyment**

STEP 5

IDENTIFY STAKEHOLDERS

The next step when planning engagement is to consider who needs to be engaged about the dealing or activity.

This can occur at a higher level by identifying the types of communities and stakeholders that are likely to be interested in the dealing and motivated to provide input to the decision-making process.

Consider the following:

- Who will have a direct interest in the outcome of the proposed licence?
- Who will have an indirect interest in the outcome of the proposed licence?
- Who holds knowledge that may be of value when making a decision?
- Who will be directly affected by the proposed licence?
- What is the best way to reach and hear from hard-to-reach groups?
- What is the best way to ensure engagement is culturally sensitive?
- What is the best way to encourage input from the broader community as well as organised and interested groups?



The following table provides an overview of potential stakeholders to consider when planning engagement for proposed leases. It is not an exhaustive list and is provided for guidance and assistance only.

Please consider whether any other stakeholders are relevant. For instance, it will be important to identify interested local stakeholders. This could include people within a township or local government area, or it may be specific communities of interest.



Strengthening relationships and engagement with Aboriginal peoples and communities about Crown land is a priority for the Strategy.

Responsible persons should identify and acknowledge Aboriginal peoples and communities who may have an interest in, or be impacted by, a proposed dealing or activity early in the engagement process.

An early step will be to seek local advice from Aboriginal community groups and organisations, such as Prescribed Bodies Corporate, Local Aboriginal Land Councils, Aboriginal Land Rights Network, native title representative bodies, local Aboriginal service providers or traditional owner groups.

Together with Aboriginal community and traditional owner groups, they can provide guidance on cultural norms, values and sensitivities and other important local information.

Responsible persons should refer to the specific requirements for engaging with Aboriginal communities outlined in **section C1** of this document before commencing engagement.

STEP 5

IDENTIFY STAKEHOLDERS



The following table provides an overview of potential stakeholders to consider. It is not in priority order, is not an exhaustive list and is provided for guidance and assistance only.

STAKEHOLDER GROUP	POTENTIAL STAKEHOLDERS	TICK WHICH APPLIES
Aboriginal peoples and communities—local If selected, refer to section C1 for steps on engaging with Aboriginal peoples and communities	Local Aboriginal Land Council Native title holders/claimants Other local Aboriginal stakeholder groups Prescribed Bodies Corporate	
Aboriginal peoples and communities—state and regional If selected, refer to section C1 for steps on engaging with Aboriginal peoples and communities	NSW Aboriginal Land Council NTSCORP	
Business and commerce	Licensees e.g. grazing, pipelines, apiarists, sporting clubs Lessees Local chambers of commerce Local businesses and commercial operators	
Department of Industry-Lands & Water	Department staff e.g. regional staff	
Department of Industry	Department of Primary Industries Department staff e.g. communications unit	
Environment and conservation	Conservation groups Heritage groups Nature conservation groups Historical societies and groups	

STEP 5

IDENTIFY STAKEHOLDERS

STAKEHOLDER GROUP	POTENTIAL STAKEHOLDERS	TICK WHICH APPLIES
Government agencies	Aboriginal Affairs NSW Office of Environment and Heritage NSW Environment Protection Authority NSW Rural Fire Service NSW National Parks and Wildlife Service Roads and Maritime Services Department of Planning and Environment NSW State Emergency Service	
Local community	Reserve users—formal and informal (e.g. Scouts and Girl Guides) Sporting clubs and members (e.g. golf, tennis and bowling clubs) Local communities of interest	
Local government	Council Crown land managers Office of Local Government Local Government NSW	
Non-council Crown land managers	Non-council Crown land managers (former trust managers) and their user groups and stakeholders	
Residents/neighbours	Affected and adjacent landowners Surrounding residents	
Tenure holders	Current and potential tenure holders	

STEP 5

IDENTIFY STAKEHOLDERS

STAKEHOLDER GROUP	POTENTIAL STAKEHOLDERS	TICK WHICH APPLIES
Volunteer groups	Bushcare/Landcare groups ‘Friends of’ groups Cultural and heritage groups	
Recreational organisations, peak bodies and interest groups	Agricultural Societies Council NSW Better Planning Network Bike/bicycle clubs Bird watching clubs Boating groups and clubs Bushwalking clubs Campervan and Motorhome Club Australia and operators Caravan and Camping Industry Association and operators Crown Land Our Land Fishing clubs Fitness clubs Horse riding clubs NSW Apiarists Association and members NSW Crown Holiday Parks Trust NSW Council Freshwater Anglers and members NSW Farmers and members Recreational Fishing Alliance of NSW and members Waterway action groups	
Other local stakeholders		

STEP 6

UNDERSTAND ENGAGEMENT REQUIREMENTS

The engagement approach adopted by the Strategy is based on the widely-recognised Organisation for Economic Co-operation and Development approach to government-citizen engagement.

The spectrum of government-citizen engagement approaches used in the Strategy are:

- inform
- consult
- participate.



Inform engagement is one-way communication providing reliable, balanced and objective information on dealings and activities.



Consult engagement is two-way communication designed to obtain feedback about ideas, proposals and important dealings and activities.



Participatory engagement is a two-way partnership process to help identify issues and views, particularly about high-impact or sensitive dealings and activities.

IT IS A MANDATORY REQUIREMENT OF THE STRATEGY THAT:

- Proposed licences assessed by the responsible person to be **minimal impact** must be posted to a designated site on the department's website for **28 days**.
(level of engagement = inform)
- Proposed licences assessed by the responsible person to be **moderate impact** must be posted to a designated area on the department's website for **28 days** and **at least one consult activity** must be conducted.
(level of engagement = inform + consult)
- Proposed licences assessed by the responsible person to be **high impact** must be posted to a designated area on the department's website for **42 days** and **at least one consult activity** and **at least one participate activity** must be conducted.
(level of engagement = inform + consult + participate)



A description of inform, consult and participate engagement activities— together with individual strengths of each and how they can be used to inform decision-making—is in **section C2** of this document.

STEP 6 UNDERSTAND ENGAGEMENT REQUIREMENTS

ASSESSED LEVEL OF IMPACT ON CURRENT COMMUNITY USE AND ENJOYMENT

ENGAGEMENT APPROACH REQUIRED

WHAT IT LOOKS LIKE

ENGAGEMENT ACTIVITY OPTIONS

MINIMAL



Inform

Inform engagement is one-way communication providing reliable, balanced and objective information on dealings and activities

This includes informing people that engagement is commencing, making information readily available for people to access, and taking more active measures to ensure information reaches target groups

It also includes informing people that a decision has been made

Mandatory inform engagement activity

- department website—mandatory 28-day or 42-day notification
- **inform engagement activity options**
 - advertisement/notice in local newspaper
 - fact sheet/FAQ
 - letterbox drop
 - local signage (for example, community hall, local shop, library)
 - site signage

MODERATE



Inform + Consult

Consult engagement is two-way communication designed to obtain feedback about ideas, proposals and important dealings and activities

Consultation should focus on an explanation of the issues and be clear about the level of influence people have on decisions about Crown land dealings and activities

Consult engagement activity options

- community information event
- NSW Government Have Your Say website
- online forum
- public submissions
- survey

HIGH



Inform + Consult + Participate

Participatory engagement is a two-way process that enables collaboration between the community and decision-makers. The process helps identify issues and views, particularly about high-impact and potentially sensitive dealings

Community can collaborate with decision-makers, although responsibility for the final decision rests with the responsible person

Participate engagement activity options

- community advisory or consultative committee
- interactive workshop
- targeted meetings/briefings
- ‘walkshop’ onsite tour/visit



STEP 7

CONDUCT ENGAGEMENT

Conducting engagement

It is important that engagement activities are proportionate to the scale of Crown land dealings and their likely impact on current community use and enjoyment.

Not all dealings will result in a significant impact on current community use and enjoyment, many may promote and encourage community use and enjoyment.

To ensure Crown land resources are used responsibly and support compliance with the requirements of the [Strategy](#) it is important that engagement is commensurate with the likely level of impact and can be readily delivered.

Mandatory requirements

It is a **mandatory requirement** of the Strategy that proposed licenses assessed by the responsible person to be:

- **minimal impact** must be posted to the department's website for 28 days
(level of engagement = inform)
- **moderate impact** must be posted to the department's website for 28 days and **at least one consult activity** must be conducted
(level of engagement = inform + consult)
- **high impact** must be posted to the department's website for 42 days and **at least one consult activity** and **at least one participate activity** must be conducted.
(level of engagement = inform + consult + participate)

STEP 7

CONDUCT ENGAGEMENT

Compliance

Failure to demonstrate compliance with the mandatory requirements may result in a decision about proposed activities being refused, challenged or overturned.

Additional engagement

While the mandatory requirements outlined above provide a valuable foundation for meaningful engagement, they do not limit responsible persons from conducting additional engagement activities designed for local circumstances and stakeholders.

This approach will support transparency and openness in decision-making and promote outcomes that consider a range of opinions.

The table later in this section provides a range of approved inform, consult and participate activities to support engagement about minimal-, moderate- and high-impact dealings.

When selecting engagement activities, it is useful to consider the following:

- the amount of time community may be able or willing to commit to engagement about an activity
- community access and use of technology
- flexibility when considering timing and location of activities
- capacity of responsible persons to resource and support engagement activities.

Additional engagement for reservations and dedications

Any mandatory engagement conducted on a proposed licence must also include and reference whether any associated change to a reservation or dedication is required.

For example, a notice about a proposed licence must specify details about both the licence and any associated change to a reservation or dedication (such as alteration of purpose).

Any additional engagement required by the Strategy should clearly identify where a proposed licence requires a change to a reservation or dedication to facilitate the dealing.

STEP 7

CONDUCT ENGAGEMENT

Engagement tools and activities

A glossary of each engagement activity outlined in the following table—together with their individual strengths and how they can be used to inform decision-making is in **section C2** of this document.

Communication material produced to support engagement activities should:

- be clear about the subject of engagement and how feedback will be considered
- include relevant contact details for enquiries and feedback
- use plain English and avoid jargon
- contain messages that are targeted and suitable to the audience.

When does engagement occur?

Engaging the community is required for all proposed licences that have been assessed as having a minimal-, moderate- or high-impact on current community use and enjoyment.

Outcomes from engagement conducted will provide valuable input to the final decision made by the department or non-council CLMs about the proposed licence.

Other inputs considered during the decision-making process are the objects of the Act, including the principles of Crown land management, and environmental, social, cultural heritage and economic values.

The community will be informed of approved licences through a notice posted to the department's website.

In the case of licences executed by non-council CLMs, notice of these approved licences can also be posted to the relevant non-council CLM website instead, where such a website exists.

STEP 7

CONDUCT ENGAGEMENT

ENGAGEMENT FOR LICENCES

		MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
Engagement preparation	Complete engagement checklist before starting engagement	✓		
	Complete engagement plan template before starting engagement		✓	✓
Mandatory minimum engagement	Proposed licences assessed by the responsible person to be minimal impact must be posted to the department's website for 28 days (level of engagement = inform)	✓		
	Proposed licences assessed by the responsible person to be moderate impact must be posted to the department's website for 28 days and at least one consult activity must be conducted from the list given in this table (level of engagement = inform + consult)		✓	
	Proposed licences assessed by the responsible person to be high impact must be posted to the department's website for 42 days and at least one consult activity and at least one participate activity must be conducted from the list given in this table (level of engagement = inform + consult + participate)			✓

STEP 7

CONDUCT ENGAGEMENT

	ENGAGEMENT ACTIVITIES	MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
 Inform activities (use tick boxes to show selected activities)	Notice posted to the department website for 28 days (mandatory for minimal- and moderate-impact dealings and activities) or 42 days (mandatory for high-impact dealings and activities)			
	Publish advertisement/notice in local newspaper (where such a publication exists)			
	Fact sheet/FAQ			
	Letterbox drop advising of dealing/activity			
	Local signage (e.g. community hall, shop, library)			
	Site signage			

STEP 7

CONDUCT ENGAGEMENT

	ENGAGEMENT ACTIVITIES	MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
 <p>Consult activities (use tick boxes to show selected activities)</p>	Community information event (e.g. information session, workshop, public forum)		<i>Must select at least one</i>	<i>Must select at least one</i>
	NSW Government Have Your Say feedback website			
	Online forum			
	Public submissions			
	Survey			

STEP 7

CONDUCT ENGAGEMENT

	ENGAGEMENT ACTIVITIES	MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
 Participate activities (use tick boxes to show selected activities)	Community advisory or consultative committee (either existing or establish new)			
	Interactive workshop			
	Targeted meetings/briefing			
	'Walkshop' onsite tour/visit			

Must select at least one

STEP 7

CONDUCT ENGAGEMENT

	ENGAGEMENT ACTIVITIES	MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
Engagement evaluation and report back	Complete engagement findings report once engagement finished			
	Community informed of completed activity through department website			

STEP 8

MONITOR PROGRESS

One of the keys to successful engagement is to monitor engagement as it progresses.

This not only helps highlight successful engagement activities, it also allows quick responses to issues as they unfold. Circumstances can change and there may be developments that are difficult to predict and plan for.

Monitoring engagement is particularly important for proposed licences that have been assessed as having a moderate or high impact on current community use and enjoyment.

Techniques to support ongoing monitoring include:

- team discussion, such as a debriefing after an engagement event
- ongoing gathering and evaluating of local media, online forum responses, correspondence and emails, and submissions
- checking in with community members, stakeholders or members of local groups
- assessing whether enlisting input or joint activities with other agencies—such as Office of Environment and Heritage—would be of benefit when conducting engagement activities.

Signs that the engagement activities may need adjusting are:

- more or fewer people than anticipated taking part in engagement activities
- people are unable to take part in engagement activities. For example, if activities are scheduled at inconvenient times or in hard-to-reach locations
- engagement does not offer hard copy, online or face-to-face communications which suit local communities
- project is being consistently misrepresented or misunderstood locally or in media.



It may be necessary to review the original assessed level of impact on current community use and enjoyment of a proposed dealing or activity in light of information that emerges from the community engagement process.

If further engagement is required before a decision can be made about a proposed dealing or activity, it is recommended that the engagement approach is re-assessed and engagement activities extended or adapted to reach additional stakeholders.

STEP 9

EVALUATE ENGAGEMENT OUTCOMES



MANDATORY REQUIREMENT

It is a mandatory requirement of this Strategy that the outcomes of community engagement must be considered by responsible persons and decision-makers as part of the final decision-making process.

Mandatory requirement

It is a mandatory requirement of this Strategy that the outcomes of community engagement must be considered by responsible persons and decision-makers as part of the final decision-making process.

STEP 9

EVALUATE ENGAGEMENT OUTCOMES



MANDATORY REQUIREMENT

It is a mandatory requirement of this Strategy that the outcomes of community engagement must be considered by responsible persons and decision-makers as part of the final decision-making process.

Evaluating engagement outcomes

Evaluating community engagement outcomes is an important step, particularly for moderate- and high-impact dealings.

For dealings with a minimum or moderate-impact on current community use and enjoyment, evaluating engagement may be as straightforward as reviewing any correspondence received or considering feedback provided online or at community information events.

For dealings with a higher potential impact on current community use and enjoyment, the evaluation process may involve collating survey and feedback responses, reporting on workshop or consultative committee outcomes, and assessing whether special conditions could be applied to accommodate feedback.

Some questions to consider as the engagement process concludes are:

- Did the engagement meet its overall objectives?
- Did engagement reach the people it was meant to?
- Did engagement capture a range of perspectives from different groups or users?
- What formal and informal feedback was received?
- What engagement methods worked well and what could be improved next time?

One of the main reasons for conducting engagement with the community is to obtain information about current community use and enjoyment. Therefore, as part of evaluating the feedback received from the community, it is important to consider the feedback that provides evidence of:

- the community's current use and enjoyment of the land. For example, has the engagement revealed any new uses or user groups on the location/site concerned?
- the impact that the proposed dealing may have on that use and enjoyment and whether there are any suggestions for how that use and enjoyment could be continued.

STEP 9

EVALUATE ENGAGEMENT OUTCOMES

Engagement as an input to decision-making

Engaging the community prior to decision-making can reveal valuable local insights and support well-rounded decisions about Crown land.

While community engagement is an important contributor to the final decision-making process, it is not the determining factor.

Community input is just one of many important factors for decision-makers to consider when deciding whether a proposed licence should be approved.

For example, when making decisions about Crown land licences responsible persons must consider the objects of the Act, including the principles; environmental, social, cultural heritage and economic considerations; the benefit to the people of NSW; and the facilitation of use of Crown land by Aboriginal people.

Responsible persons should use the engagement findings report template to summarise the results of the engagement process, so that engagement outcomes can be consistently evaluated and considered during decision-making about a proposed dealing or activity.

Some questions to consider when you are summarising the engagement and determining the engagement findings:

- Did the engagement reveal additional issues that have not previously been considered?
- Did the engagement provide evidence that current community use and enjoyment would be adversely impacted?

Engagement findings report

The responsible officer for the department or, where applicable, non-council CLMs, should complete the engagement finding report, and submit it to the minister or minister's delegate to support decision-making and demonstrate that mandatory requirements under the Strategy have been satisfied.

When compiling the report, be mindful of the confidentiality of information provided throughout the engagement process and ensure that people's privacy is respected and protected according to the *Privacy and Personal Information Protection Act 1998*.

There are two engagement findings report templates to choose from: one for summarising the outcomes of engagement for high- and moderate-impact dealings and activities, and one for summarising the outcomes of engagement for minimal-impact dealings and activities.

Both templates are provided in the [Resources](#) section of this document.

STEP 10

REPORT ON OUTCOMES AND “CLOSE THE LOOP”



It is important to ‘close the loop’ on engagement and inform people about the outcome of a proposed licence. The community will be informed of completed licences through a notice posted to a designated site on the department’s website. In the case of licences executed by non-council CLMs, notice of the approved licence can also be posted to the relevant non-council CLM website, where such a website exists and with the exception of short-term licences which are not required to be publicised. The table below provides an overview of activities to help ‘close the loop’ on engagement.

ACTIVITY	MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
➤ Complete <u>engagement findings report</u> once engagement processes are finished	✓	✓	✓
➤ Inform community of completed licence through a notice on the <u>department’s website</u>	✓	✓	✓
➤ Consider whether engagement outcomes have resulted in a need for proponents to comply with or conduct future engagement activities, or any other conditions that may be imposed to promote community use and enjoyment of a site	✓	✓	✓
➤ Remove any outdated information about engagement activities from websites and other online platforms	✓	✓	✓
➤ Inform people who may have registered for information or updates about the completed dealing	✓	✓	✓
➤ Inform community of the completed dealing by local media, social media or other mechanisms if practical to do so	✓	✓	✓
➤ Other: [provide details here]			

B3

CROWN LAND LEASES ENGAGEMENT ASSESSMENT TEMPLATE

CROWN LAND LEASES ENGAGEMENT ASSESSMENT TEMPLATE

CROWN LAND LEASES

What is a Crown land lease?

A lease of Crown land generally enables exclusive use over a piece of land for a specific term and purpose. Leases can be issued by the department or non-council CLMs.

Generally, leases are sought over Crown land where longer-term security of tenure is important to the user of the land. For example, where commercial or long term uses are proposed and major financial outlay is intended by the proponent or may be required by the department.

Examples include extensive agricultural initiatives, irrigation, commercial and trading purposes, marina sites, and caravan parks.

Crown land leases are issued for a specified term. When a term of a lease exceeds three years, details are recorded on the title of that land to give legal affect to the lessee's interest.

Leases can be granted by public tender, invitations for expressions of interest, direct negotiation, or transferred/assigned to another party with the consent of the minister.

Crown land leases help stimulate local economic activity and enhance local service delivery. They also contribute valuable revenue that can be reinvested for the benefit of the broader Crown land estate.

CROWN LAND LEASES ENGAGEMENT ASSESSMENT TEMPLATE

CROWN LAND LEASES

Engagement requirements under the Strategy

The Strategy requires that all proposed leases are notified on the department's website—regardless of impact on current community use and enjoyment. Engagement will be required for **proposed leases** where the responsible person assesses a moderate or high impact on current community use and enjoyment.

Notification of completed leases will occur through a notice posted to a designated area on the department's website.

Notifications of leases being proposed by non-council CLMs must be published on the department's website, but they can also be published on the non-council CLM website, where such a website exists.

For more detail about mandatory and additional engagement required for proposed leases under the Strategy, please refer to Step 7 of this assessment template.

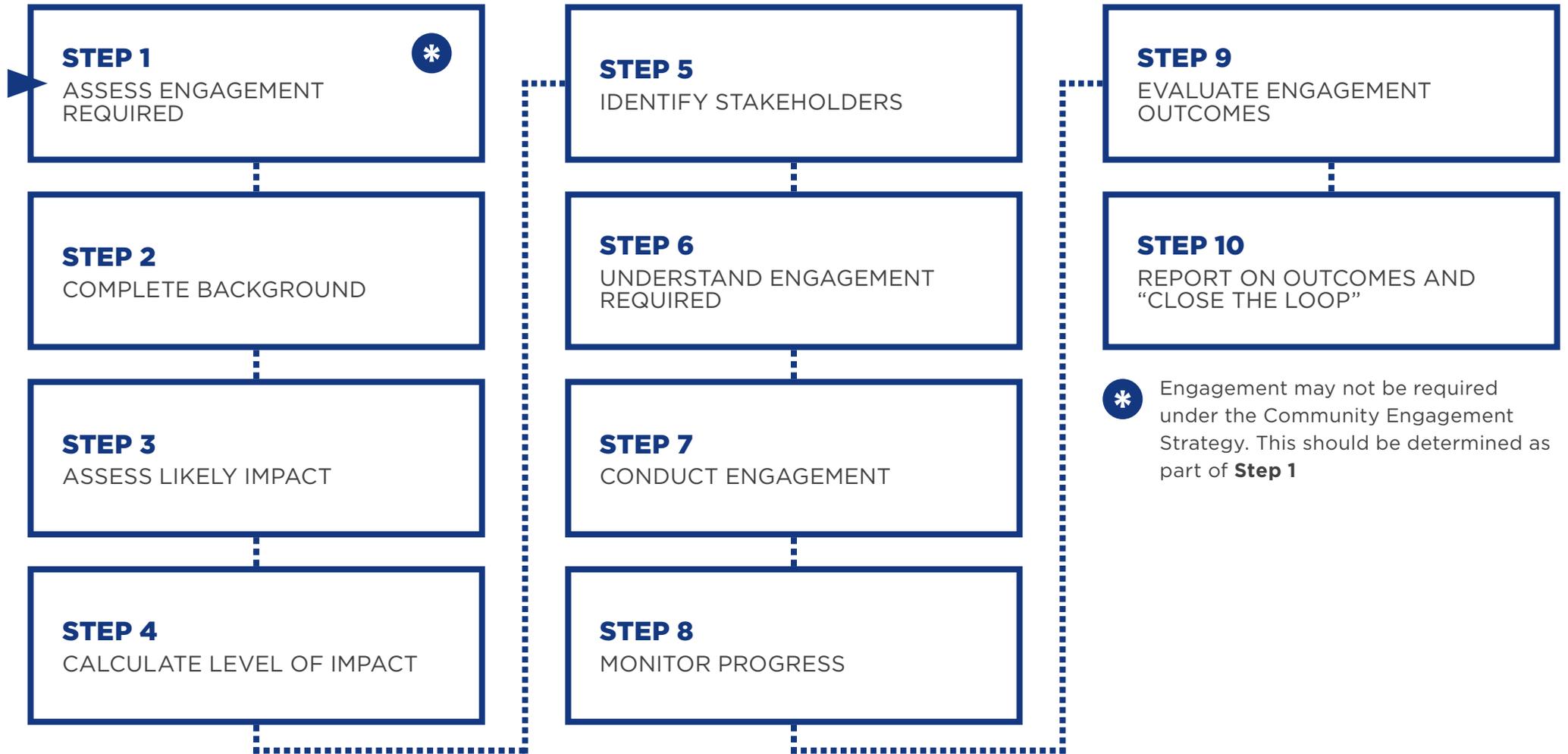
When to use this template

Use this template to determine the engagement requirements for proposed leases as well as any change to a reserve or dedication required to facilitate the lease.

Note that the one engagement process can cover both the proposed lease and the associated change to the reserve or dedication.

CROWN LAND LEASES ENGAGEMENT ASSESSMENT TEMPLATE

ENGAGEMENT ASSESSMENT PROCESS



STEP 1

ASSESS ENGAGEMENT REQUIRED



MANDATORY REQUIREMENT

Use the following questions to determine whether engagement is required, before proceeding to Step 2.

It is a **mandatory requirement** that the criteria outlined in activities 4 and 5 below are considered in assessing whether the proposed dealing or activity will impact on current community use and enjoyment of the site.

	ACTIVITY	YES	NO	NEXT STEPS
A	Does the dealing or activity sit in the <u>overview of engagement requirements</u> table in section 3.2 of the Strategy?			If 'no', engagement is not required under the Community Engagement Strategy If 'yes', proceed to question 2 below
B	Has the Community Engagement Strategy already specified in the overview of engagement requirements table that the type of dealing is subject to 'notification of completed activity' only?			If 'yes', further engagement is not required and the community will be notified of the approved activity on the department's website If 'no', proceed to question 3 below
C	Is the site subject to an undetermined Aboriginal land claim?			If 'yes', please also refer to the Aboriginal Land Claims Investigation Unit to confirm if direct engagement with the Local Aboriginal Land Council (LALC) or the NSW Aboriginal Land Council (NSWALC) will be required before proceeding to question 4

STEP 2

BACKGROUND TO DEALING

➤ Action officer/non-council CLM

➤ How is the site currently used?

➤ What is the permitted purpose of the lease?

➤ Who currently uses the site?

➤ Site location

➤ Details of adjoining sites

➤ Is a change required to a reservation or dedication to facilitate the proposed lease?

YES

NO

➤ If yes, what is the proposed change to the reservation or dedication?

➤ Site tenure

➤ Will any other government agencies be involved in the decision-making?

YES

NO

STEP 2

BACKGROUND TO DEALING

V	Have obligations under native title legislation been discharged (if any)?	YES	NO		
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V	Is there a land claim on the site?	YES	NO		
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V	Local considerations				
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STEP 3

ASSESS LIKELY IMPACT



It is a **mandatory requirement** that responsible persons decide whether the impact on current community use and enjoyment is minimal, moderate or high by considering the degree to which current community use and enjoyment is reduced. This refers to both the way land can be used and the times it can be accessed, and the proportion of the local or broader community that will be affected.

Complete this step to ensure you meet this mandatory requirement.

	ASSESS IMPACT ON CURRENT COMMUNITY USE AND ENJOYMENT	YES	NO	'YES' SCORE WEIGHTING
V	Site is currently used and enjoyed by many members of the community and the proposed lease is, or would be, likely to have a significantly adverse impact on current public access to or through the site			5
				OR
V	Site is currently used and enjoyed by many members of the community and the proposed lease is, or would be, likely to have a moderately adverse impact on current public access to or through the site			3
				OR
V	Site is currently used and enjoyed by many members of the community and the proposed lease is, or would be, likely to have minimal adverse impact on current public access to or through the site			1
V	Site has been the subject of recent community engagement and/or contestation (i.e. within the past two years) and the same contestation is likely to arise due to the proposed lease's impact on current community use and enjoyment			4

STEP 3

ASSESS
LIKELY
IMPACT

	ASSESS IMPACT ON CURRENT COMMUNITY USE AND ENJOYMENT	YES	NO	'YES' SCORE WEIGHTING
V	Site is currently used and enjoyed by many members of the community and the proposed lease is, or would be, likely to result in a permanent or long-term restriction in the times during which the community can access the site			4
V	Site is currently licenced for use, or otherwise used, by multiple groups whose use and enjoyment of the site would be adversely impacted by the proposed lease			3
V	Proposed lease would introduce a requirement for the community to pay a significant amount for access to a site where payment has not previously been required and there is no commensurate improvement to local services or amenity			3
				OR
V	Proposed lease would introduce a requirement for the community to pay a reasonable amount for access to a site where payment has not previously been required and there is a commensurate improvement to local services or amenity			1
V	Proposed lease is, or would be, of significant interest to directly abutting landowners and/or surrounding landowners/residents whose current use and enjoyment of the site may be impacted by the dealing			1

► Calculate likely impact score based on weighting for each 'yes' response

Total

STEP 4

CALCULATE LEVEL OF IMPACT



Use the likely impact score from the previous step, together with local considerations of the site, to assess the impact on current community use and enjoyment of the proposed lease.

IMPACT SCORE	LIKELY IMPACT ON CURRENT COMMUNITY USE AND ENJOYMENT	TICK WHICH APPLIES
0-9	● Minimal impact on current community use and enjoyment	
10-16	● Moderate impact on current community use and enjoyment	
17-20	● High impact on current community use and enjoyment	

STEP 4

CALCULATE LEVEL OF IMPACT



LOCAL CONSIDERATIONS

Even if the score indicates a likely minimal level of impact on current community use and enjoyment, please consider the following factors before proceeding and selecting your final level of impact which will inform the engagement approach and methods.

This will help provide a more nuanced understanding of local sentiment about the dealing and its potential to impact on current community use and enjoyment:

- Does the proposed lease include a proposal for a new or expanded commercial business operating on a site with the potential to impact current community use and enjoyment?
- Is the site located within or immediately adjacent to a national park, caravan or camping park, beachside area or sportsground that is currently highly utilised by the community?
- Is the site within or adjacent to significant waterways or waterfront areas currently used and enjoyed by the community?
- Is the site within or adjacent to a densely populated residential area where the community's current use and enjoyment of the site may be impacted by the proposed change?
- Does the site hold social, environmental or cultural heritage characteristics that the local community reasonably identifies as being of value to them or their local identity?
- Could the change be perceived as inhibiting or discouraging multiple use of the reserve?

TICK WHICH APPLIES

Are there any local considerations that should be factored into the impact assessment?

YES

NO

If yes, please detail:



You can only use local considerations to increase the level of impact. For example, if there are significant local considerations you may decide to increase your assessment from a minimal impact to a moderate impact.

STEP 4

**CALCULATE
LEVEL OF
IMPACT**



Use the likely impact score and local considerations to confirm the final impact assessment.

CONFIRM FINAL IMPACT ASSESSMENT

- Minimal impact on current community use and enjoyment
- Moderate impact on current community use and enjoyment
- High impact on current community use and enjoyment

STEP 5

IDENTIFY STAKEHOLDERS

The next step when planning engagement is to consider who needs to be engaged about the dealing or activity.

This can occur at a higher level by identifying the types of communities and stakeholders that are likely to be interested in the dealing and motivated to provide input to the decision-making process.

Consider the following:

- Who will have a direct interest in the outcome of the proposed lease?
- Who will have an indirect interest in the outcome of the proposed lease?
- Who holds knowledge that may be of value when making a decision?
- Who will be directly affected by the proposed lease?
- What is the best way to reach and hear from hard-to-reach groups?
- What is the best way to ensure engagement is culturally sensitive?
- What is the best way to encourage input from the broader community as well as organised and interested groups?



The following table provides an overview of potential stakeholders to consider when planning engagement for proposed leases. It is not an exhaustive list and is provided for guidance and assistance only.

Please consider whether any other stakeholders are relevant. For instance, it will be important to identify interested local stakeholders. This could include people within a township or local government area, or it may be specific communities of interest.



Strengthening relationships and engagement with Aboriginal peoples and communities about Crown land is a priority for the Strategy.

Responsible persons should identify and acknowledge Aboriginal peoples and communities who may have an interest in, or be impacted by, a proposed dealing or activity early in the engagement process.

An early step will be to seek local advice from Aboriginal community groups and organisations, such as Prescribed Bodies Corporate, Local Aboriginal Land Councils, Aboriginal Land Rights Network, native title representative bodies, local Aboriginal service providers or traditional owner groups.

Together with Aboriginal community and traditional owner groups, they can provide guidance on cultural norms, values and sensitivities and other important local information.

Responsible persons should refer to the specific requirements for engaging with Aboriginal communities outlined in **section C1** of this document before commencing engagement.

STEP 5

IDENTIFY STAKEHOLDERS



The following table provides an overview of potential stakeholders to consider. It is not in priority order, is not an exhaustive list and is provided for guidance and assistance only.

STAKEHOLDER GROUP	POTENTIAL STAKEHOLDERS	TICK WHICH APPLIES
Aboriginal peoples and communities—local If selected, refer to section C1 for steps on engaging with Aboriginal peoples and communities	Local Aboriginal Land Council Native title holders/claimants Other local Aboriginal stakeholder groups Prescribed Bodies Corporate	
Aboriginal peoples and communities—state and regional If selected, refer to section C1 for steps on engaging with Aboriginal peoples and communities	NSW Aboriginal Land Council NTSCORP	
Business and commerce	Licensees e.g. grazing, pipelines, apiarists, sporting clubs Lessees Local chambers of commerce Local businesses and commercial operators	
Department of Industry-Lands & Water	Department staff e.g. regional staff	
Department of Industry	Department of Primary Industries Department staff e.g. communications unit	
Environment and conservation	Conservation groups Heritage groups Nature conservation groups Historical societies and groups	

STEP 5

IDENTIFY STAKEHOLDERS

STAKEHOLDER GROUP	POTENTIAL STAKEHOLDERS	TICK WHICH APPLIES
Government agencies	Aboriginal Affairs NSW Office of Environment and Heritage NSW Environment Protection Authority NSW Rural Fire Service NSW National Parks and Wildlife Service Roads and Maritime Services Department of Planning and Environment NSW State Emergency Service	
Local community	Reserve users—formal and informal (e.g. Scouts and Girl Guides) Sporting clubs and members (e.g. golf, tennis and bowling clubs) Local communities of interest	
Local government	Council Crown land managers Office of Local Government Local Government NSW	
Non-council Crown land managers	Non-council Crown land managers (former trust managers) and their user groups and stakeholders	
Residents/neighbours	Affected and adjacent landowners Surrounding residents	
Tenure holders	Current and potential tenure holders	

STEP 5

IDENTIFY STAKEHOLDERS

STAKEHOLDER GROUP	POTENTIAL STAKEHOLDERS	TICK WHICH APPLIES
Volunteer groups	Bushcare/Landcare groups ‘Friends of’ groups Cultural and heritage groups	
Recreational organisations, peak bodies and interest groups	Agricultural Societies Council NSW Better Planning Network Bike/bicycle clubs Bird watching clubs Boating groups and clubs Bushwalking clubs Campervan and Motorhome Club Australia and operators Caravan and Camping Industry Association and operators Crown Land Our Land Fishing clubs Fitness clubs Horse riding clubs NSW Apiarists Association and members NSW Crown Holiday Parks Trust NSW Council Freshwater Anglers and members NSW Farmers and members Recreational Fishing Alliance of NSW and members Waterway action groups	
Other local stakeholders		

STEP 6

UNDERSTAND ENGAGEMENT REQUIREMENTS

The engagement approach adopted by the Strategy is based on the widely-recognised Organisation for Economic Co-operation and Development approach to government-citizen engagement.

The spectrum of government-citizen engagement approaches used in the Strategy are:

- inform
- consult
- participate.



Inform engagement is one-way communication providing reliable, balanced and objective information on dealings and activities.



Consult engagement is two-way communication designed to obtain feedback about ideas, proposals and important dealings and activities.



Participatory engagement is a two-way partnership process to help identify issues and views, particularly about high impact or sensitive dealings and activities.

IT IS A MANDATORY REQUIREMENT OF THE STRATEGY THAT:

- Proposed leases assessed by the responsible person to be **minimal impact** must be posted to a designated area on the department's website for **28 days**.
(level of engagement = inform)
- Proposed leases assessed by the responsible person to be **moderate impact** must be posted to a designated area on the department's website for **28 days** and **at least one consult activity** must be conducted.
(level of engagement = inform + consult)
- Proposed leases assessed by the responsible person to be **high impact** must be posted to a designated area on the department's website for **42 days** and **at least one consult activity** and **at least one participate activity** must be conducted.
(level of engagement = inform + consult + participate)



A description of inform, consult and participate engagement activities— together with individual strengths of each and how they can be used to inform decision-making—is in **section C2** of this document

STEP 6 UNDERSTAND ENGAGEMENT REQUIREMENTS

ASSESSED LEVEL OF IMPACT ON CURRENT COMMUNITY USE AND ENJOYMENT

ENGAGEMENT APPROACH REQUIRED

WHAT IT LOOKS LIKE

ENGAGEMENT ACTIVITY OPTIONS

MINIMAL



Inform

Inform engagement is one-way communication

providing reliable, balanced and objective information on dealings and activities

This includes informing people that engagement is commencing, making information readily available for people to access, and taking more active measures to ensure information reaches target groups

It also includes informing people that a decision has been made

Mandatory inform engagement activity

- department website—mandatory 28-day or 42-day notification

Additional inform engagement activities

- advertisement/notice in local newspaper
- fact sheet/FAQ
- letterbox drop
- local signage (for example, community hall, local shop, library)
- site signage (for example, sign on the fence or building)

MODERATE



Inform + Consult

Consult engagement is two-way communication

designed to obtain feedback about ideas, proposals and important dealings

Base consultation on an explanation of the issues and be clear about the level of influence people have on decisions about Crown land dealings and activities

Consult engagement activities

- community information event
- NSW Government Have Your Say website
- online forum
- public submissions
- survey

HIGH



Inform + Consult + Participate

Participatory engagement is a two-way process

that enables collaboration between the community and decision-makers. The process helps identify issues and views, particularly about high-impact and potentially sensitive dealings

People are able to collaborate with decision-makers, although responsibility for the final decision rests with the responsible person

Participate engagement activities

- community advisory or consultative committee
- interactive workshop
- targeted meetings/briefings
- ‘walkshop’ onsite tour/visit

STEP 7

CONDUCT ENGAGEMENT

Conducting engagement

It is important that engagement activities are proportionate to the scale of Crown land dealings and their likely impact on current community use and enjoyment.

Not all dealings will result in a significant impact on current community use and enjoyment, many may promote and encourage community use and enjoyment.

To ensure Crown land resources are used responsibly non-council CLMs and support compliance with the requirements of the Strategy it is important that engagement is commensurate with the likely level of impact and can be readily delivered.

Mandatory requirements

It is a **mandatory requirement** of the Strategy that proposed leases assessed by the responsible person to be:

- **minimal impact** must be posted to the department's website for 28 days
(level of engagement = inform)
- **moderate impact** must be posted to the department's website for 28 days and **at least one consult activity** must be conducted
(level of engagement = inform + consult)
- **high impact** must be posted to the department's website for 42 days and **at least one consult activity** and **at least one participate activity** must be conducted.
(level of engagement = inform + consult + participate)

STEP 7

CONDUCT ENGAGEMENT

Compliance

Failure to demonstrate compliance with the mandatory requirements may result in a decision about a proposed activities being refused, challenged or overturned.

Additional engagement

While the mandatory requirements outlined above provide a valuable foundation for meaningful engagement, they do not limit responsible persons from conducting additional engagement activities designed for local circumstances and stakeholders.

This approach will support transparency and openness in decision-making and promote outcomes that consider a range of opinions.

The table shown later in this section provides a range of approved inform, consult and participate activities to support engagement about minimal-, moderate- and high-impact dealings.

When selecting engagement activities, it is useful to the following:

- the amount of time community may be able or willing to commit to engagement
- community access and use of technology
- flexibility when considering timing and location of activities
- capacity of responsible persons to resource and support engagement activities.

Additional engagement for reservations and dedications

Any mandatory engagement conducted on a proposed lease must also include and reference where an associated change to a reservation or dedication is required.

For example, a notice about a proposed lease must specify details about both the lease and any associated change to a reservation or dedication (such as alteration of purpose).

Any additional engagement required by the Strategy should clearly identify where a proposed lease requires a change to a reservation or dedication to facilitate the dealing.

STEP 7

CONDUCT ENGAGEMENT

Engagement tools and activities

A glossary of each engagement activity outlined in the table on the next page—together with their individual strengths and how they can be used to inform decision-making—is in **section C2** of this document.

Communication material produced to support engagement activities should:

- be clear about the subject of engagement and how feedback will be considered
- include relevant contact details for enquiries and feedback
- use plain English and avoid jargon
- contain messages that are targeted and suitable to the audience.

When does engagement occur?

Engaging the community is required for all **proposed leases** that have been assessed as having a minimal-, moderate- or high-impact on current community use and enjoyment.

Outcomes from engagement conducted will provide valuable input to the final decision made by the department or non-council CLMs about the proposed lease.

Other inputs considered during the decision-making process are the objects of the Act, including the principles of Crown land management, and environmental, social, cultural heritage and economic values.

The community will be informed of approved leases through a notice posted to the department's website.

In the case of leases conducted by non-council CLMs, notice of these approved leases can also be posted to the relevant non-council CLM website where such a website exists.

STEP 7

CONDUCT ENGAGEMENT

ENGAGEMENT FOR LEASES

		MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
Engagement preparation	Complete engagement checklist before starting engagement	✓		
	Complete engagement plan template before starting engagement		✓	✓
Mandatory minimum engagement	Proposed leases assessed by the responsible person to be minimal impact must be posted to the department's website for 28 days (level of engagement = inform)	✓		
	Proposed leases assessed by the responsible person to be moderate impact must be posted to the department's website for 28 days and at least one consult activity must be conducted from the list given in this table (level of engagement = inform + consult)		✓	
	Proposed leases assessed by the responsible person to be high impact must be posted to the department's website for 42 days and at least one consult activity and at least one participate activity must be conducted from the list given in this table (level of engagement = inform + consult + participate)			✓

STEP 7

CONDUCT ENGAGEMENT

	Inform activities (use tick boxes to show selected activities)	ENGAGEMENT ACTIVITIES	MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
		Notice posted to the department website for 28 days (mandatory for minimal- and moderate-impact dealings and activities) or 42 days (mandatory for high-impact dealings and activities)			
		Publish advertisement/notice in local newspaper (where such a publication exists)			
		Fact sheet/FAQ			
		Letterbox drop advising of dealing/activity			
		Local signage (e.g. community hall, shop, library)			
		Site signage			

STEP 7

CONDUCT ENGAGEMENT

	ENGAGEMENT ACTIVITIES	MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
 Consult activities (use tick boxes to show selected activities)	Community information event (e.g. information session, workshop, public forum)		<i>Must select at least one</i>	<i>Must select at least one</i>
	NSW Government Have Your Say feedback website			
	Online forum			
	Public submissions			
	Survey			

STEP 7

CONDUCT ENGAGEMENT

	ENGAGEMENT ACTIVITIES	MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
 Participate activities (use tick boxes to show selected activities)	Community advisory or consultative committee (either existing or establish new)			
	Interactive workshop			
	Targeted meetings/briefing			
	'Walkshop' onsite tour/visit			

STEP 7

CONDUCT ENGAGEMENT

	ENGAGEMENT ACTIVITIES	MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
Engagement evaluation and report back	Complete <u>engagement findings report</u> once engagement finished			
	Community informed of completed activity through <u>department website</u>			

STEP 8

MONITOR PROGRESS

One of the keys to successful engagement is to monitor engagement as it progresses.

This not only helps highlight successful engagement activities, it also allows quick responses to issues as they unfold. Circumstances can change and there may be developments that are difficult to predict and plan for.

Monitoring engagement is particularly important for proposed leases that have been assessed as having a moderate- or high-impact on current community use and enjoyment.

Techniques to support ongoing monitoring include:

- team discussion, such as a debriefing after an engagement event
- ongoing gathering and evaluating of local media, online forum responses, correspondence and emails, and submissions
- checking in with community members, stakeholders or members of local groups
- assessing whether enlisting input or joint activities with other agencies—such as Office of Environment and Heritage—would be of benefit when conducting engagement activities.

Signs that the engagement activities may need adjusting are:

- more or fewer people taking part in engagement activities than anticipated
- people are unable to take part in engagement activities. For example, if activities are scheduled at inconvenient times or in hard to reach locations
- engagement does not offer hard copy, online or face-to-face communications which suit local communities
- project is being consistently misrepresented or misunderstood locally or in media.



It may be necessary to review the original assessed level of impact on current community use and enjoyment of a proposed dealing or activity in light of information that emerges from the community engagement process.

If further engagement is required before a decision can be made about a proposed dealing or activity, it is recommended that the engagement approach is re-assessed and engagement activities extended or adapted to reach additional stakeholders.

STEP 9

EVALUATE ENGAGEMENT OUTCOMES



MANDATORY REQUIREMENT

It is a mandatory requirement of this Strategy that the outcomes of community engagement must be considered by responsible persons and decision-makers as part of the final decision-making process.

Mandatory requirement

It is a **mandatory requirement** of this Strategy that the outcomes of community engagement must be considered by responsible persons and decision-makers as part of the final decision-making process.

Evaluating engagement outcomes

Evaluating community engagement outcomes is an important step, particularly for moderate- and high-impact dealings.

For proposed leases with a minimum- or moderate-impact on current community use and enjoyment, evaluating engagement may be as straightforward as reviewing any correspondence received or considering feedback provided online or at community information events.

For proposed leases with a higher potential impact on current community use and enjoyment, the evaluation process may involve collating survey and feedback responses, reporting on workshop or consultative committee outcomes, and assessing whether special conditions could be applied to accommodate feedback.

Some questions to consider as the engagement process concludes are:

- Did the engagement meet its overall objectives?
- Did engagement reach the people it was meant to?
- Did engagement capture a range of perspectives from different groups or users?
- What formal and informal feedback was received?
- What engagement methods worked well and what could be improved next time?
- Has the engagement revealed any new uses or user groups on the location/site concerned?

STEP 9

EVALUATE ENGAGEMENT OUTCOMES

Engagement as an input to decision-making

Engaging the community prior to decision-making can reveal valuable local insights and support well-rounded decisions about Crown land.

While community engagement is an important contributor to the final decision-making process, it is not the determining factor.

Community input is just one of many important factors for decision-makers to consider when deciding whether a proposed lease should be approved.

For example, when making decisions about Crown land leases department staff must consider the objects of the *Crown Land Management Act 2016*, including the principles; environmental, social, cultural heritage and economic considerations; the benefit to the people of NSW; and the facilitation of use of Crown land by Aboriginal people.

Responsible persons must use an engagement findings report template to summarise the results of the engagement process, so that engagement outcomes can be consistently evaluated and considered during decision-making about a proposed lease.

Some questions to consider when you are summarising the engagement and determining the engagement findings:

- Did the engagement reveal additional issues that have not previously been considered?
- Did the engagement provide evidence that community use and enjoyment would be adversely impacted?

Engagement findings report

The responsible officer for the department or, where applicable, non-council CLMs, should complete the engagement findings report and submit it to the minister or minister's delegate to support decision-making and demonstrate that the mandatory requirements under the Strategy have been satisfied.

When compiling the report, be mindful of the confidentiality of information provided throughout the engagement process and ensure that people's privacy is respected and protected according to the *Privacy and Personal Information Protection Act 1998*.

There are two engagement findings report templates to choose from: one for summarising the outcomes of engagement for high- and moderate-impact dealings and activities, and one for summarising the outcomes of engagement for minimal-impact dealings and activities.

Both templates are provided in the Resources section of this document.

STEP 10

REPORT ON OUTCOMES AND "CLOSE THE LOOP"



It is important to 'close the loop' on engagement and inform people about the completed lease. The community will be informed of completed leases through a notice posted to a designated area on the department's website. In the case of leases conducted by non-council CLMs, notice of approved leases can be posted to the relevant non-council CLM website in addition to the notice being posted on the department's website. The table below provides an overview of activities to help 'close the loop' on engagement.

ACTIVITY	MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
➤ Complete <u>engagement findings report</u> once engagement processes are finished	✓	✓	✓
➤ Inform community of completed lease through a notice on the <u>department's website</u>	✓	✓	✓
➤ Consider whether engagement outcomes have resulted in a need for proponents to comply with or conduct future engagement activities, or any other conditions that may be imposed to promote community use and enjoyment of a site	✓	✓	✓
➤ Remove any outdated information about engagement activities from websites and other online platforms	✓	✓	✓
➤ Inform those people about the completed lease who may have registered for information or updates	✓	✓	✓
➤ Inform community of the completed lease by local media, social media or other mechanisms if practical to do so	✓	✓	✓
➤ Other: [provide details here]			

B4

CROWN LAND VESTINGS ENGAGEMENT ASSESSMENT TEMPLATE

CROWN LAND VESTINGS ENGAGEMENT ASSESSMENT TEMPLATE

CROWN LAND VESTINGS

What is vesting of Crown land?

Vesting of Crown land means to transfer the title of Crown land to a new owner without conditions requiring payment of money. The Act enables the minister to 'vest' dedicated or reserved Crown land in:

- government agencies, but only if it is in the public interest to do so and the agency's functions make it an appropriate owner and manager of the land
- local councils, but only if it is suitable for local use.

Vesting in local councils

For land to be vested in local councils it must:

- have council consent prior to any transfer occurring—councils will have the opportunity to consider the value of the land, including any resourcing implications, before agreeing to voluntary land transfers
- relate to land which sits wholly within the local government area of the council
- have the consent of the relevant claimant Local Aboriginal Land Council and the NSW Aboriginal Land Council if the land is subject to a claim under the *Aboriginal Land Rights Act 1983*.

Land vested in local councils will generally be vested as community land under the *Local Government Act 1993* and plans of management must be prepared by council to manage the use of vested land.

CROWN LAND VESTINGS

Vesting in agencies

The Act introduces a new power enabling the minister to vest Crown land in a NSW Government agency if it:

- is in the public interest to vest the land in the agency
- is the case that the agency would be the appropriate owner and manager of that land
- has the consent of the relevant claimant Local Aboriginal Land Council and the NSW Aboriginal Land Council if the land is subject to a claim under the *Aboriginal Land Rights Act 1983*.

Summary of engagement requirements under the Strategy

Engagement is required for **proposed vestings** only where there is an impact on current community use and enjoyment.

Notification of completed vestings will occur through a notice posted to a designated area on the department's website.

For more detail about mandatory and additional engagement required for proposed vestings under the Strategy, please refer to Step 7 of this assessment template.

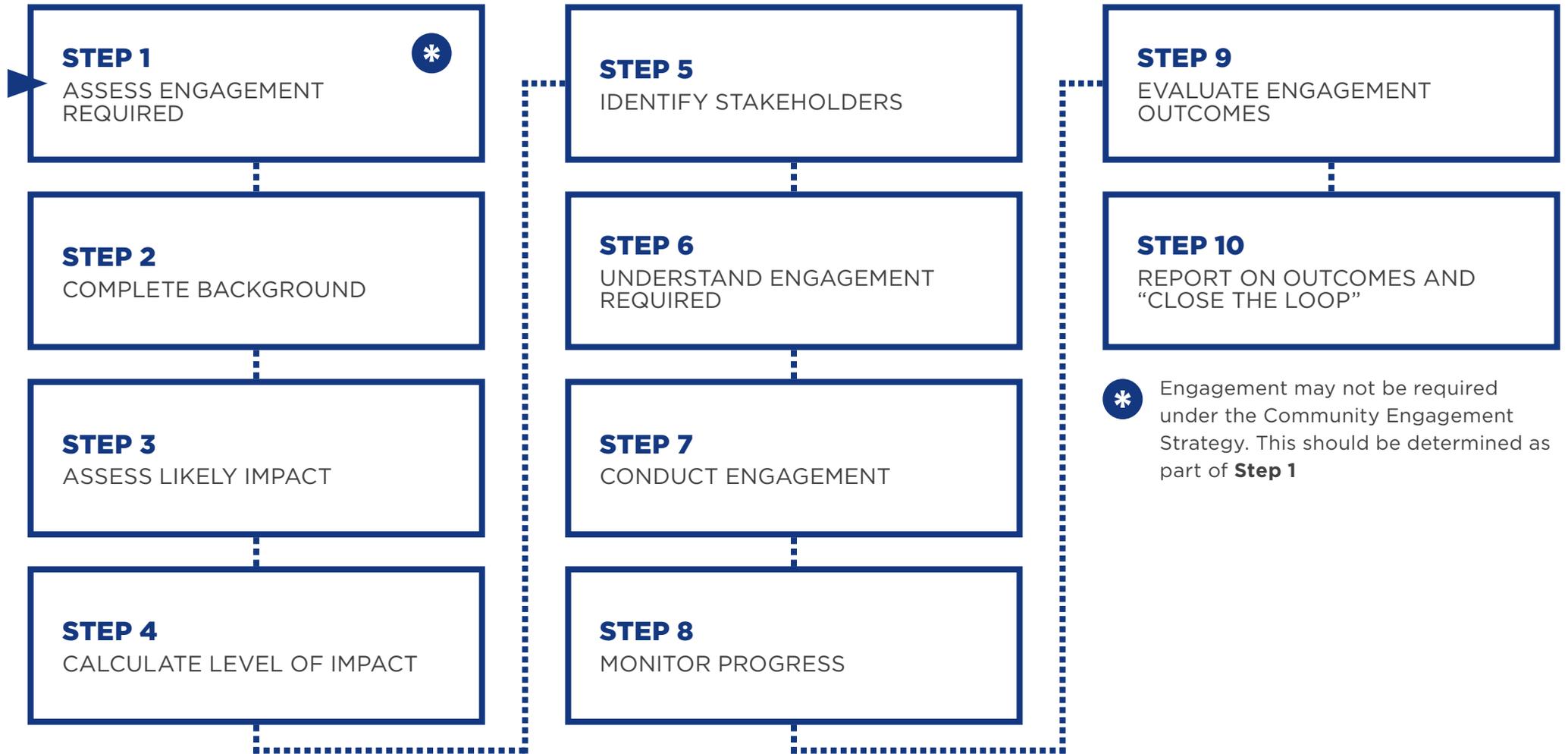
When to use this template

Use this template to determine the engagement requirements for proposed vestings as well as any revocation of a reserve or dedication required to facilitate the vesting.

Note that the one engagement process is to cover both the proposed vesting and the proposed revocation of the reserve or dedication.

CROWN LAND VESTINGS ENGAGEMENT ASSESSMENT TEMPLATE

ENGAGEMENT ASSESSMENT PROCESS



STEP 1

ASSESS ENGAGEMENT REQUIRED



MANDATORY REQUIREMENT

Use the following questions to determine whether engagement is required, before proceeding to Step 2.

It is a **mandatory requirement** that the criteria outlined in activities 4 and 5 below are considered in assessing whether the proposed dealing or activity will impact on current community use and enjoyment of the site.

	ACTIVITY	YES	NO	NEXT STEPS
A	Does the dealing or activity sit in the <u>overview of engagement requirements table in section 3.2 of the Strategy?</u>			If 'no', further engagement is not required under the Community Engagement Strategy If 'yes', proceed to question 2 below
B	Has the Strategy already specified in the overview of engagement requirements table that the type of dealing is subject to 'notification of completed activity' only?			If 'yes', further engagement is not required and the community will be notified of the approved activity on the department's website If 'no', proceed to question 3 below
C	Is the site subject to an undetermined Aboriginal land claim?			If 'yes', please also refer to the Aboriginal Land Claims Investigation Unit to confirm if direct engagement with the Local Aboriginal Land Council (LALC) or the NSW Aboriginal Land Council (NSWALC) will be required before proceeding to question 4

STEP 1

ASSESS ENGAGEMENT REQUIRED

ACTIVITY	YES	NO	NEXT STEPS
<p>D It is a mandatory requirement that the following criteria are used to consider whether the site of the proposed dealing or activity is currently used and enjoyed by the community :</p> <ul style="list-style-type: none"> a. Is the site used for recreation or sporting activities, such as camping, sports, swimming, boating, fishing, bush walking or socialising by multiple persons? b. Does the community enjoy the site for its social, cultural or heritage values? c. Does the site provide local open space that the community currently uses and enjoys? d. Is there any other known current use or enjoyment of the site by the community? 			<p>If 'no' to all questions, further engagement is not required under the Strategy</p> <p>If 'yes' to one or more, proceed to the mandatory criteria outlined in question 5 below</p>
<p>E It is a mandatory requirement that the following criteria are used to consider whether the proposed dealing or activity is likely to have a detrimental impact on the way the community uses, enjoys or accesses the site:</p> <ul style="list-style-type: none"> a. Would the vesting mean the public can no longer access or use the site? b. Would the vesting result in a new restriction in when or how the community can access the site? c. Would community access to and through the site be restricted? d. Is there any other impact on current community use and enjoyment of the site as a result of the vesting? 			<p>If 'no' to all questions, further engagement is not required under the Community Engagement Strategy</p> <p>If 'yes' to one or more, proceed to the next step</p>

STEP 2

BACKGROUND TO DEALING

➤ Action officer and business area

➤ How is the site currently used?

➤ Vesting details

➤ Who currently uses the site?

➤ Site location

➤ Details of adjoining sites

➤ Site tenure

➤ Will any other government agencies be involved in the decision-making?

YES	NO
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STEP 2

BACKGROUND TO DEALING

V	Have obligations under native title legislation been discharged (if any)?	YES	NO		
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V	Is there a land claim on the site?	YES	NO		
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V	Local considerations				
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STEP 3

ASSESS LIKELY IMPACT



It is a **mandatory requirement** that responsible persons decide whether the impact on current community use and enjoyment is minimal, moderate or high by considering the degree to which current community use and enjoyment is reduced. This refers to both the way land can be used and the times it can be accessed, and the proportion of the local or broader community that will be affected.

Complete this step to ensure you meet this mandatory requirement.

	ASSESS IMPACT ON CURRENT COMMUNITY USE AND ENJOYMENT	YES	NO	'YES' SCORE WEIGHTING
V	Site is currently used and enjoyed by many members of the community and the proposed vesting is, or would be, likely to have a significantly adverse impact on current public access to or through the site			5
				OR
V	Site is currently used and enjoyed by many members of the community and the proposed vesting is, or would be, likely to have a moderately adverse impact on current public access to or through the site			3
				OR
V	Site is currently used and enjoyed by many members of the community and the proposed vesting is, or would be, likely to have a minimal adverse impact on current public access to or through the site			1
V	Site has been the subject of recent community engagement and/or contestation (i.e. within the past two years) and the same contestation is likely to arise due to the proposed vesting's impact on current community use and enjoyment			4

STEP 3

ASSESS LIKELY IMPACT

	ASSESS IMPACT ON CURRENT COMMUNITY USE AND ENJOYMENT	YES	NO	'YES' SCORE WEIGHTING
V	Site is currently used and enjoyed by many members of the community and the proposed vesting is, or would be, likely to result in a permanent or long-term restriction in the times during which the community can access the site			4
V	Site is currently licenced for use, or otherwise used, by multiple groups whose use and enjoyment of the site would be adversely impacted by the proposed vesting			3
V	Proposed vesting would introduce a requirement for the community to pay a significant amount for access to a site where payment has not previously been required and there is no commensurate improvement to local services or amenity			3
V	Proposed vesting would introduce a requirement for the community to pay a reasonable amount for access to a site where payment has not previously been required and there is a commensurate improvement to local services or amenity			1
V	Proposed vesting is, or would be, of significant interest to directly abutting landowners and/or surrounding landowners/residents whose current use and enjoyment of the site may be impacted by the vesting			1

OR

► Calculate likely impact score based on weighting for each 'yes' response

Total



STEP 4

CALCULATE LEVEL OF IMPACT



Use the likely impact score from the previous step, together with local considerations of the site, to assess the impact on current community use and enjoyment of the proposed vesting.

IMPACT SCORE	LIKELY IMPACT ON CURRENT COMMUNITY USE AND ENJOYMENT	TICK WHICH APPLIES
1-9	● Minimal impact on current community use and enjoyment	
10-16	● Moderate impact on current community use and enjoyment	
17-20	● High impact on current community use and enjoyment	

STEP 4

CALCULATE LEVEL OF IMPACT



LOCAL CONSIDERATIONS

Even if the score indicates a likely minimal level of impact on current community use and enjoyment, please consider the following factors before proceeding and selecting your final level of impact which will inform the engagement approach and methods.

This will help provide a more nuanced understanding of local sentiment about the proposed vesting and its potential to impact on current community use and enjoyment:

- Does the proposed vesting include a proposal for a new or expanded commercial business operating on a site with the potential to impact current community use and enjoyment?
- Is the proposed vesting site located within or immediately adjacent to a national park, caravan or camping park, beachside area or sportsground that is currently highly utilised by the community?
- Is the proposed vesting site within or adjacent to significant waterways or waterfront areas currently used and enjoyed by the community?
- Is the proposed vesting site within or adjacent to a densely populated residential area where the community's current use and enjoyment of the site may be impacted by the proposed change?
- Does the proposed vesting site hold social, environmental or cultural heritage characteristics that the local community reasonably identifies as being of value to them or their local identity?
- Could the change be perceived as inhibiting or discouraging multiple use of the reserve?

TICK WHICH APPLIES

Are there any local considerations that should be factored into the impact assessment?

YES

NO

If yes, please detail:



You can only use local considerations to increase the level of impact. For example, if there are significant local considerations you may decide to increase your assessment from a minimal impact to a moderate impact.

STEP 4

**CALCULATE
LEVEL OF
IMPACT**



Use the likely impact score and local considerations to confirm the final impact assessment.

CONFIRM FINAL IMPACT ASSESSMENT

- Minimal impact on current community use and enjoyment
- Moderate impact on current community use and enjoyment
- High impact on current community use and enjoyment

STEP 5

IDENTIFY STAKEHOLDERS

The next step when planning engagement is to consider who needs to be engaged about the proposed dealing.

This can occur at a higher level by identifying the types of communities and stakeholders that are likely to be interested in the dealing and motivated to provide input to the decision-making process.

Consider the following:

- Who will have a direct interest in the outcome of the proposed vesting?
- Who will have an indirect interest in the outcome of the proposed vesting?
- Who holds knowledge that may be of value when making a decision?
- Who will be directly affected by the proposed vesting?
- What is the best way to reach and hear from hard-to-reach groups?
- What is the best way to ensure engagement is culturally sensitive?
- What is the best way to encourage input from the broader community as well as organised and interested groups?



The following table provides an overview of potential stakeholders to consider when planning engagement for proposed leases. It is not an exhaustive list and is provided for guidance and assistance only.

Please consider whether any other stakeholders are relevant. For instance, it will be important to identify interested local stakeholders. This could include people within a township or local government area, or it may be specific communities of interest.



Strengthening relationships and engagement with Aboriginal peoples and communities about Crown land is a priority for the Strategy.

Responsible persons should identify and acknowledge Aboriginal peoples and communities who may have an interest in, or be impacted by, a proposed dealing or activity early in the engagement process.

An early step will be to seek local advice from Aboriginal community groups and organisations, such as Prescribed Bodies Corporate, Local Aboriginal Land Councils, Aboriginal Land Rights Network, native title representative bodies, local Aboriginal service providers or traditional owner groups.

Together with Aboriginal community and traditional owner groups, they can provide guidance on cultural norms, values and sensitivities and other important local information.

Responsible persons should refer to the specific requirements for engaging with Aboriginal communities outlined in **section C1** of this document before commencing engagement.

STEP 5

IDENTIFY STAKEHOLDERS



The following table provides an overview of potential stakeholders to consider. It is not in priority order, is not an exhaustive list and is provided for guidance and assistance only.

STAKEHOLDER GROUP	POTENTIAL STAKEHOLDERS	TICK WHICH APPLIES
Aboriginal peoples and communities-local If selected, refer to section C1 for steps on engaging with Aboriginal peoples and communities	Local Aboriginal Land Council Native title holders/claimants Other local Aboriginal stakeholder groups Prescribed Bodies Corporate	
Aboriginal peoples and communities-state and regional If selected, refer to section C1 for steps on engaging with Aboriginal peoples and communities	NSW Aboriginal Land Council NTSCORP	
Business and commerce	Licensees e.g. grazing, pipelines, apiarists, sporting clubs Lessees Local chambers of commerce Local businesses and commercial operators	
Department of Industry-Lands & Water	Department staff e.g. regional staff	
Department of Industry	Department of Primary Industries Department staff e.g. communications unit	
Environment and conservation	Conservation groups Heritage groups Nature conservation groups Historical societies and groups	

STEP 5

IDENTIFY STAKEHOLDERS

STAKEHOLDER GROUP	POTENTIAL STAKEHOLDERS	TICK WHICH APPLIES
Government agencies	Aboriginal Affairs NSW Office of Environment and Heritage NSW Environment Protection Authority NSW Rural Fire Service NSW National Parks and Wildlife Service Roads and Maritime Services Department of Planning and Environment NSW State Emergency Service	
Local community	Reserve users—formal and informal (e.g. Scouts and Girl Guides) Sporting clubs and members (e.g. golf, tennis and bowling clubs) Local communities of interest	
Local government	Council Crown land managers Office of Local Government Local Government NSW	
Non-council Crown land managers	Non-council Crown land managers (former trust managers) and their user groups and stakeholders	
Residents/neighbours	Affected and adjacent landowners Surrounding residents	
Tenure holders	Current and potential tenure holders	

STEP 5

IDENTIFY STAKEHOLDERS

STAKEHOLDER GROUP	POTENTIAL STAKEHOLDERS	TICK WHICH APPLIES
Volunteer groups	Bushcare/Landcare groups ‘Friends of’ groups Cultural and heritage groups	
Recreational organisations, peak bodies and interest groups	Agricultural Societies Council NSW Better Planning Network Bike/bicycle clubs Bird watching clubs Boating groups and clubs Bushwalking clubs Campervan and Motorhome Club Australia and operators Caravan and Camping Industry Association and operators Crown Land Our Land Fishing clubs Fitness clubs Horse riding clubs NSW Apiarists Association and members NSW Crown Holiday Parks Trust NSW Council Freshwater Anglers and members NSW Farmers and members Recreational Fishing Alliance of NSW and members Waterway action groups	
Other local stakeholders		

STEP 6

UNDERSTAND ENGAGEMENT REQUIREMENTS

The engagement approach adopted by the Strategy is based on the widely-recognised Organisation for Economic Co-operation and Development approach to government-citizen engagement.

The spectrum of government-citizen engagement approaches used in the Strategy are:

- inform
- consult
- participate.



Inform engagement is one-way communication providing reliable, balanced and objective information on dealings and activities.



Consult engagement is two-way communication designed to obtain feedback about ideas, proposals and important dealings and activities.



Participatory engagement is a two-way partnership process to help identify issues and views, particularly about high-impact or sensitive dealings and activities.

IT IS A MANDATORY REQUIREMENT OF THE STRATEGY THAT:

- Proposed vestings assessed by the responsible person to be **minimal impact** must be posted to a designated area on the department's website for **28 days**.
(level of engagement = inform)
- Proposed vestings assessed by the responsible person to be **moderate impact** must be posted to a designated area on the department's website for **28 days** and **at least one consult activity** must be conducted
(level of engagement = inform + consult)
- Proposed vestings assessed by the responsible person to be **high impact** must be posted to a designated area on the department's website for **42 days** and **at least one consult activity** and **at least one participate activity** must be conducted.
(level of engagement = inform + consult + participate)



A description of inform, consult and participate engagement activities— together with individual strengths of each and how they can be used to inform decision-making—is in **section C2** of this document.

STEP 6 UNDERSTAND ENGAGEMENT REQUIREMENTS

ASSESSED LEVEL OF IMPACT ON CURRENT COMMUNITY USE AND ENJOYMENT	ENGAGEMENT APPROACH REQUIRED	WHAT IT LOOKS LIKE	ENGAGEMENT ACTIVITY
MINIMAL	● Inform	<p>Inform engagement is one-way communication providing reliable, balanced and objective information on dealings and activities</p> <p>This includes informing people that engagement is commencing, making information readily available for people to access, and taking more active measures to ensure information reaches target groups</p> <p>It also includes informing people that a decision has been made</p>	<p>Mandatory inform engagement activity</p> <ul style="list-style-type: none"> department website—mandatory 28-day or 42-day notification <p>Inform engagement activity options</p> <ul style="list-style-type: none"> advertisement/notice in local newspaper fact sheet/FAQ letterbox drop local signage (for example, community hall, local shop, library) Site signage (for example, sign on the fence or building)
MODERATE	● Inform + Consult	<p>Consult engagement is two-way communication designed to obtain feedback about ideas, proposals and important dealings and activities</p> <p>Consultation should focus on an explanation of the issues and be clear about the level of influence people have on decisions about Crown land dealings and activities</p>	<p>Consult engagement activity options</p> <ul style="list-style-type: none"> community information event NSW Government Have Your Say website online forum public submissions survey
HIGH	● Inform + Consult + Participate	<p>Participatory engagement is a two-way process that enables collaboration between the community and decision-makers. The process helps identify issues and views, particularly about high-impact and potentially sensitive dealings</p> <p>Community can collaborate with decision-makers, although responsibility for the final decision rests with the responsible person.</p>	<p>Participate engagement activity options</p> <ul style="list-style-type: none"> community advisory or consultative committee interactive workshop targeted meetings/briefings ‘walkshop’ onsite tour/visit



STEP 7

CONDUCT ENGAGEMENT

Conducting engagement

It is important that engagement activities are proportionate to the scale of Crown land dealings and their likely impact on current community use and enjoyment.

Not all dealings will result in a significant impact on current community use and enjoyment, many may promote and encourage community use and enjoyment.

To ensure Crown land resources are used responsibly and support compliance with the requirements of the [Strategy](#) it is important that engagement is commensurate with the likely level of impact and can be readily delivered.

Mandatory requirements

It is a **mandatory requirement** of the Strategy that proposed vestings assessed by the responsible person to be:

- **minimal impact** must be posted to on the department's website for 28 days
(level of engagement = inform)
- **moderate impact** must be posted to the department's website for 28 days and **at least one consult activity** must be conducted
(level of engagement = inform + consult)
- **high impact** must be posted to the department's website for 42 days and **at least one consult activity** and **at least one participate activity** must be conducted.
(level of engagement = inform + consult + participate)

STEP 7

CONDUCT ENGAGEMENT

Compliance

Failure to demonstrate compliance with the mandatory requirements may result in a decision about proposed activities being refused, challenged or overturned.

Additional engagement

While the mandatory requirements outlined above provide a valuable foundation for meaningful engagement, they do not limit responsible persons from conducting additional engagement activities designed for local circumstances and stakeholders.

This approach will support transparency and openness in decision-making and promote outcomes that consider a range of opinions.

The table shown later in this section provides a range of approved inform, consult and participate activities to support engagement about minimal-, moderate- and high-impact dealings.

When selecting engagement activities, it is useful to consider the following:

- the amount of time community may be able or willing to commit to engagement about an activity
- community access and use of technology
- flexibility when considering timing and location of engagement activities
- capacity of responsible persons to resource and support engagement activities.

Additional engagement for reservations and dedications

Any mandatory engagement conducted on a proposed lease must also include and reference where an associated change to a reservation or dedication is required.

For example, a notice about a proposed lease must specify details about both the lease and any associated change to a reservation or dedication (such as alteration of purpose).

Any additional engagement required by the Strategy should clearly identify where a proposed lease requires a change to a reservation or dedication to facilitate the dealing.

STEP 7

CONDUCT ENGAGEMENT

Engagement tools and activities

A glossary of each engagement activity outlined in table on the next page—together with their individual strengths and how they can be used to inform decision-making—is in [section C2](#) of this document.

Communication material produced to support engagement activities should:

- be clear about the subject of engagement and how feedback will be considered
- include relevant contact details for enquiries and feedback
- use plain English and avoid jargon
- contain messages that are targeted and suitable to the audience.

When does engagement occur?

Engaging the community is required for **all proposed vestings** that have been assessed as having a minimal-, moderate- or high-impact on current community use and enjoyment.

Outcomes from engagement conducted will provide valuable input to the final decision made by the department about the proposed activity.

Other inputs considered during the decision-making process are the objects of the Act, including the principles of Crown land management, and environmental, social, cultural heritage and economic values.

The community will be informed of the outcome of decisions for proposed vestings through a notice posted to the department's website.

STEP 7 CONDUCT ENGAGEMENT

ENGAGEMENT FOR VESTINGS

		MINIMAL IMPACT	MODERATE IMPACT Must select at least one	HIGH IMPACT Must select at least one
Engagement preparation	Complete engagement checklist before starting engagement	✓		
	Complete engagement plan template before starting engagement		✓	✓
Mandatory minimum engagement	Proposed vestings assessed by the responsible person to be minimal impact must be posted to the department's website for 28 days (level of engagement = inform)	✓		
	Proposed vestings assessed by the responsible person to be moderate impact must be posted to the department's website for 28 days and at least one consult activity must be conducted from the list in this table (level of engagement = inform + consult)		✓	
	Proposed vestings assessed by the responsible person to be high impact must be posted to the department's website for 42 days and at least one consult activity and at least one participate activity must be conducted from the list in this table (level of engagement = inform + consult + participate)			✓

STEP 7

CONDUCT ENGAGEMENT

ENGAGEMENT ACTIVITIES		MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
		Must select at least one		Must select at least one
 <p>Inform activities (use tick boxes to show selected activities)</p>	<p>Notice posted to the department website for 28 days (mandatory for minimal- and moderate-impact dealings and activities) or 42 days (mandatory for high-impact dealings and activities)</p>	✓	✓	✓
	Publish advertisement/notice in local newspaper (where such a publication exists)			
	Fact sheet/FAQ			
	Letterbox drop advising of dealing/activity			
	Local signage (e.g. community hall, shop, library)			
	Site signage			

STEP 7

CONDUCT ENGAGEMENT

ENGAGEMENT ACTIVITIES		MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
		Must select at least one		Must select at least one
 Consult activities (use tick boxes to show selected activities)	Community information event (e.g. information session, workshop, public forum)			
	NSW Government Have Your Say feedback website			
	Online forum			
	Public submissions			
	Survey			

STEP 7

CONDUCT ENGAGEMENT

ENGAGEMENT ACTIVITIES		MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
		Must select at least one		Must select at least one
 Participate activities (use tick boxes to show selected activities)	Community advisory or consultative committee (either existing or establish new)			
	Interactive workshop			
	Targeted meetings/briefing			
	'Walkshop' onsite tour/visit			

STEP 7

CONDUCT ENGAGEMENT

ENGAGEMENT ACTIVITIES		MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
		Must select at least one		Must select at least one
Engagement evaluation and report back	Complete engagement findings report once engagement finished			
	Community informed of completed activity through department website			

STEP 8

MONITOR PROGRESS

One of the keys to successful engagement is to monitor engagement as it progresses.

This not only helps highlight successful engagement activities, it also allows quick responses to issues as they unfold. Circumstances can change and there may be developments that are difficult to predict and plan for.

Monitoring engagement is particularly important for proposed vestings that have been assessed as having a moderate- or high-impact on current community use and enjoyment.

Techniques to support ongoing monitoring include:

- team discussion, such as a debriefing after an engagement event
- ongoing gathering and evaluating of local media, online forum responses, correspondence and emails, and submissions
- checking in with community members, stakeholders or members of local groups
- assessing whether enlisting input or joint activities with other agencies—such as Office of Environment and Heritage—would be of benefit when conducting engagement activities.

Signs that the engagement activities may need adjusting are:

- more or fewer people taking part in engagement activities than anticipated
- people are unable to take part in engagement activities. For example, if activities are scheduled at inconvenient times or in hard-to-reach locations
- engagement does not offer hard copy, online or face-to-face communications which suit local communities
- project is being consistently misrepresented or misunderstood locally or in media.



It may be necessary to review the original assessed level of impact on current community use and enjoyment of a proposed dealing or activity in light of information that emerges from the community engagement process.

If further engagement is required before a decision can be made about a proposed dealing or activity, it is recommended that the engagement approach is re-assessed and engagement activities extended or adapted to reach additional stakeholders.

STEP 9

EVALUATE ENGAGEMENT OUTCOMES



MANDATORY REQUIREMENT

It is a mandatory requirement of this Strategy that the outcomes of community engagement must be considered by responsible persons and decision-makers as part of the final decision-making process.

Mandatory requirement

It is a **mandatory requirement** of the Strategy that the outcomes of community engagement must be considered by responsible persons and decision-makers as part of the final decision-making process.

Evaluating engagement outcomes

Evaluating community engagement outcomes is an important step, particularly for moderate- and high-impact dealings.

For dealings with a minimal- or moderate-impact on current community use and enjoyment, evaluating engagement may be as straightforward as reviewing any correspondence received or considering feedback provided online or at community information events.

For dealings with a higher potential impact on current community use and enjoyment, the evaluation process may involve collating survey and feedback responses, reporting on workshop or consultative committee outcomes, and assessing whether special conditions could be applied to accommodate feedback.

Some questions to consider as the engagement process concludes are:

- Did the engagement meet its overall objectives?
- Did engagement reach the people it was meant to?
- Did engagement capture a range of perspectives from different groups or users?
- What formal and informal feedback was received?
- What engagement methods worked well and what could be improved next time?
- Has the engagement revealed any new uses or user groups on the location/site concerned?

STEP 9

EVALUATE ENGAGEMENT OUTCOMES

Engagement as an input to decision-making

Engaging the community during the decision-making process can reveal valuable local insights and support well-rounded decisions about Crown land.

While community engagement is an important contributor to the final decision-making process, it is not the determining factor.

Community input is just one of many important factors for decision-makers to consider when deciding whether a proposed vesting should be approved.

For example, when making decisions about Crown land dealings department staff must consider the objects of the Act, including the principles; environmental, social, cultural heritage and economic considerations; the benefit to the people of NSW; and the facilitation of use of Crown land by Aboriginal people.

Responsible persons must use an **engagement findings report template** to summarise the results of the engagement process, so that engagement outcomes can be consistently evaluated and considered during decision-making about a proposed vesting.

Some questions to consider when you are summarising the engagement and determining the engagement findings:

- Did the engagement reveal additional issues that have not previously been considered?
- Did the engagement provide evidence that community use and enjoyment would be adversely impacted?

Engagement findings report

The responsible officer for the department non-council CLMs, must complete the engagement findings report and submit it to the minister or minister's delegate to support decision-making and demonstrate that the mandatory requirements under the Strategy have been satisfied.

When compiling the report, be mindful of the confidentiality of information provided throughout the engagement process and ensure that people's privacy is respected and protected according to the *Privacy and Personal Information Protection Act 1998*.

There are two engagement findings report templates to choose from: one for summarising the outcomes of engagement for high- and moderate-impact dealings and activities, and one for summarising the outcomes of engagement for minimal-impact dealings and activities.

Both templates are provided in the Resources section of this document.

STEP 10

REPORT ON OUTCOMES AND “CLOSE THE LOOP”



It is important to ‘close the loop’ on engagement and inform people about completed vestings through a notice posted to a designated area on the department’s website.

ACTIVITY	MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
✓ Complete <u>engagement findings report</u> once engagement processes are finished	✓	✓	✓
✓ Inform community of completed vesting through a notice on the <u>department’s website</u>	✓	✓	✓
✓ Consider whether engagement outcomes have resulted in a need for proponents to comply with or conduct future engagement activities, or any other conditions that may be imposed to promote community use and enjoyment of a site	✓	✓	✓
✓ Remove any outdated information about engagement activities from websites and other online platforms	✓	✓	✓
✓ Inform people who may have registered for information or updates about the completed vesting	✓	✓	✓
✓ Inform community of the completed vesting by local media, social media or other mechanisms if practical to do so	✓	✓	✓
✓ Other: [provide details here]			

B5

CROWN LAND SALES ENGAGEMENT ASSESSMENT TEMPLATE

CROWN LAND SALES ENGAGEMENT ASSESSMENT TEMPLATE

CROWN LAND SALES

What are Crown land sales?

Crown land comprises around half of all land in New South Wales.

Some of this land is allocated to public uses such as national parks, state forests, schools, hospitals, sporting, camping and recreation areas, as well as lands that are managed and protected for their environmental importance.

Crown land can be occupied, used, sold, leased, licensed or otherwise dealt with in the best interests of the state, provided it is consistent with the Act.

The department also manages development, marketing and sale of Crown land not required for public purposes.

Crown land is also sold each year in response to the rights of some lessees (who have rights to purchase in their lease or under legislation), to fill the need of third parties like other government agencies, and where the sale will achieve public or community benefits.

It is not within the scope of the Strategy to engage about strategic or policy-related issues, such as whether Crown land should be sold.

However, the intention of the Strategy is to seek community input on all sales, and particularly those with the potential to have a high impact on current community use and enjoyment.

CROWN LAND SALES



Engagement requirements under the Strategy

Engagement is required for **all proposed sales**, regardless of current community use and enjoyment, with the exception of sales of land to a current leaseholder who has a right under existing lease or legislation to purchase the land or sale to a current tenure holder who is using the land for residential use.

Notification of completed sales will occur through a notice posted to a designated area on the department's website.

For more detail about mandatory and additional engagement required for proposed sales under the Strategy, please refer to Step 7 of this assessment template.



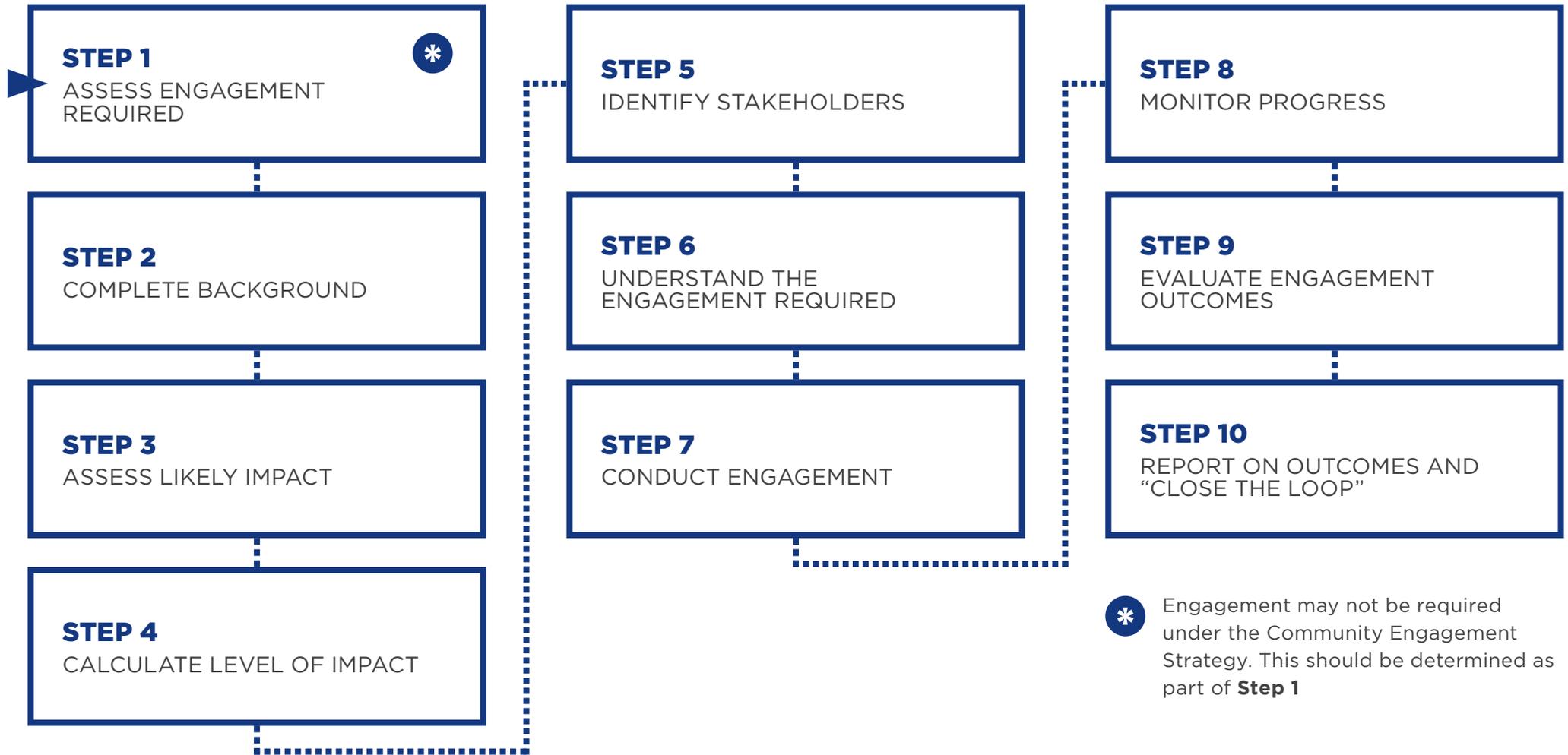
When to use this template

Use this template to determine the engagement requirements for proposed vestings as well as any revocation of a reserve or dedication required to facilitate the vesting.

Note that the one engagement process is to cover both the proposed vesting and the proposed revocation of the reserve or dedication.

CROWN LAND SALES ENGAGEMENT ASSESSMENT TEMPLATE

ENGAGEMENT ASSESSMENT PROCESS



STEP 1

ASSESS ENGAGEMENT REQUIRED



MANDATORY REQUIREMENT

Use the following questions to determine whether engagement is required, before proceeding to Step 2.

It is a **mandatory requirement** that the criteria outlined in activities 4 and 5 below are considered in assessing whether the proposed dealing or activity will impact on current community use and enjoyment of the site.

	ACTIVITY	YES	NO	NEXT STEPS
A	Is the proposed sale of land to a current leaseholder who has a leaseholder right under the existing lease or legislation to purchase or apply to purchase the land?			If 'yes', engagement is not required under the Community Engagement Strategy If 'no', proceed to question 2 below
B	Is the proposed sale to a current tenure holder who is occupying the property as their principle place of residence?			If 'yes', engagement is not required under the Community Engagement Strategy If 'no', proceed to question 3 below
C	Is the site subject to an undetermined Aboriginal land claim?			If 'yes', please also refer to the Aboriginal Land Claims Investigation Unit to confirm if direct engagement with the Local Aboriginal Land Council (LALC) or the NSW Aboriginal Land Council (NSWALC) will be required before proceeding to Step 2

STEP 2

BACKGROUND TO DEALING

➤ Responsible officer

➤ Details of adjoining sites

➤ Site location

➤ Will any other government agencies be involved in the decision-making?

YES	NO
-----	----

➤ Site tenure

➤ Have obligations under native title legislation been discharged (if any)?

YES	NO
-----	----

➤ How is the site currently used?

➤ Is there a land claim on the site?

YES	NO
-----	----

➤ Who currently uses the site?

➤ Local considerations

STEP 3

ASSESS LIKELY IMPACT



It is a **mandatory requirement** that responsible persons decide whether the impact on current community use and enjoyment is minimal, moderate or high by considering the degree to which current community use and enjoyment is reduced. This refers to both the way land can be used and the times it can be accessed, and the proportion of the local or broader community that will be affected.

Complete this step to ensure you meet this mandatory requirement.

	ASSESS IMPACT ON CURRENT COMMUNITY USE AND ENJOYMENT	YES	NO	'YES' SCORE WEIGHTING
V	Site is currently used and enjoyed by many members of the community and the proposed sale is, or would be, likely to have significantly adverse impact on current public access to or through the site			5
				OR
V	Site is currently used and enjoyed by many members of the community and the proposed sale is, or would be, likely to have moderately adverse impact on current public access to or through the site			3
				OR
V	Site is currently used and enjoyed by many members of the community and the proposed sale is, or would be, likely to have minimal adverse impact on current public access to or through the site			1
V	Site has been the subject of recent community engagement and/or contestation (i.e. within the past two years) and the same contestation is likely to arise due to the proposed sale's impact on current community use and enjoyment			4

STEP 3

**ASSESS
LIKELY
IMPACT**

	ASSESS IMPACT ON CURRENT COMMUNITY USE AND ENJOYMENT	YES	NO	'YES' SCORE WEIGHTING
V	Site is currently used and enjoyed by many members of the community and the proposed sale is, or would be, likely to result in a permanent or long-term restriction in the times during which the community can access the site			4
V	Site holds social, environmental or cultural heritage characteristics that the local community reasonably identifies as being of value to them or their local identity and there is a reasonable concern that the proposed sale of the site could adversely impact on the community's enjoyment of these characteristics			3
V	Site is currently licenced for use, or otherwise used, by multiple groups whose use and enjoyment of the site would be adversely impacted by the proposed sale			3
V	Proposed sale is, or would be, of significant interest to directly abutting landowners and/or surrounding landowners/residents whose current use and enjoyment of the site may be adversely impacted if the proposed sale proceeds			1

► Calculate likely impact score based on weighting for each 'yes' response

Total



STEP 4

CALCULATE LEVEL OF IMPACT



Use the likely impact score from the previous step, together with local considerations of the site, to assess the impact on current community use and enjoyment of the proposed sale.

IMPACT SCORE	LIKELY IMPACT ON CURRENT COMMUNITY USE AND ENJOYMENT	TICK WHICH APPLIES
0-9	● Minimal impact on current community use and enjoyment	
10-16	● Moderate impact on current community use and enjoyment	
17-20	● High impact on current community use and enjoyment	

STEP 4

CALCULATE LEVEL OF IMPACT



LOCAL CONSIDERATIONS

Even if the score indicates a likely minimal level of impact on current community use and enjoyment, please consider the following factors before proceeding and selecting your final level of impact which will inform the engagement approach and methods.

This will help provide a more nuanced understanding of local sentiment about the proposed sale and its potential to impact on current community use and enjoyment:

- Does the proposed sale include a proposal for a new or expanded commercial business operating on a site with the potential to impact current community use and enjoyment?
- Is the proposed sale site located within or immediately adjacent to a national park, caravan or camping park, beachside area or sportsground that is currently highly utilised by the community?
- Is the proposed sale site within or adjacent to significant waterways or waterfront areas currently used and enjoyed by the community?
- Is the proposed sale site within or adjacent to a densely populated residential area where the community's current use and enjoyment of the site may be impacted by the proposed change?
- Does the proposed sale site hold social, environmental or cultural heritage characteristics that the local community reasonably identifies as being of value to them or their local identity?

TICK WHICH APPLIES

Are there any local considerations that should be factored into the impact assessment?

YES

NO

If yes, please detail:



NOTE

You can only use local considerations to increase the level of impact. For example, if there are significant local considerations you may decide to increase your assessment from a minimal impact to a moderate impact.

STEP 4

**CALCULATE
LEVEL OF
IMPACT**



Use the likely impact score and local considerations to confirm the final impact assessment.

CONFIRM FINAL IMPACT ASSESSMENT

TICK WHICH APPLIES

- Minimal impact on current community use and enjoyment
- Moderate impact on current community use and enjoyment
- High impact on current community use and enjoyment

STEP 5

IDENTIFY STAKEHOLDERS

The next step when planning engagement is to consider who needs to be engaged about proposed sales. This can occur at a higher level by identifying the types of communities and stakeholders that are likely to be interested in the sale and motivated to provide input to the decision-making process.

Consider the following:

- Who will have a direct interest in the outcome of the proposed sale?
- Who will have an indirect interest in the outcome of the proposed sale?
- Who holds knowledge that may be of value?
- Who may be directly affected by the proposed sale?
- What is the best way to reach and hear from hard-to-reach groups?
- What is the best way to ensure engagement is culturally sensitive?
- What is the best way to encourage input from the broader community as well as organised and interested groups?

The following table provides an overview of potential stakeholders to consider when planning engagement about proposed sales that have been assessed as likely to have a high impact on current community use and enjoyment. It is not an exhaustive list and is provided for guidance and assistance only.



Strengthening relationships and engagement with Aboriginal peoples and communities about Crown land is a priority for the Strategy.

Responsible persons should identify and acknowledge Aboriginal peoples and communities who may have an interest in, or be impacted by, a proposed dealing or activity early in the engagement process.

An early step will be to seek local advice from Aboriginal community groups and organisations, such as Prescribed Bodies Corporate, Local Aboriginal Land Councils, Aboriginal Land Rights Network, native title representative bodies, local Aboriginal service providers or traditional owner groups.

Together with Aboriginal community and traditional owner groups, they can provide guidance on cultural norms, values and sensitivities and other important local information.

Responsible persons should refer to the specific requirements for engaging with Aboriginal communities outlined in **section C1** of this document before commencing engagement.

STEP 5 IDENTIFY STAKEHOLDERS

The following table provides an overview of potential stakeholders to consider. It is not in priority order, is not an exhaustive list and is provided for guidance and assistance only.

STAKEHOLDER GROUP	POTENTIAL STAKEHOLDERS	TICK WHICH APPLIES
Aboriginal peoples and communities–local If selected, refer to section C1 for steps on engaging with Aboriginal peoples and communities	Local Aboriginal Land Council Native title holders/claimants Other local Aboriginal stakeholder groups Prescribed Bodies Corporate	
Aboriginal peoples and communities–state and regional If selected, refer to section C1 for steps on engaging with Aboriginal peoples and communities	NSW Aboriginal Land Council NTSCORP	
Business and commerce	Licensees e.g. grazing, pipelines, apiarists, sporting clubs Lessees Local chambers of commerce Local businesses and commercial operators	
Department of Industry–Lands & Water	Department staff e.g. regional staff	
Department of Industry	Department of Primary Industries Department staff e.g. communications unit	

STEP 5

IDENTIFY STAKEHOLDERS

STAKEHOLDER GROUP	POTENTIAL STAKEHOLDERS	TICK WHICH APPLIES
Environment and conservation	Conservation groups Heritage groups Nature conservation groups Historical societies and groups	
Government agencies	Aboriginal Affairs NSW Office of Environment and Heritage NSW Environment Protection Authority NSW Rural Fire Service NSW National Parks and Wildlife Service Roads and Maritime Services Department of Planning and Environment NSW State Emergency Service	
Local community	Reserve users—formal and informal (e.g. Scouts and Girl Guides) Sporting clubs and members (e.g. golf, tennis and bowling clubs) Local communities of interest	

STEP 5

IDENTIFY STAKEHOLDERS

STAKEHOLDER GROUP	POTENTIAL STAKEHOLDERS	TICK WHICH APPLIES
Local government	Council Crown land managers Office of Local Government Local Government NSW	
Non-council Crown land managers	Non-council Crown land managers (former trust managers) and their user groups and stakeholders	
Residents/neighbours	Affected and adjacent landowners Surrounding residents	
Tenure holders	Current and potential tenure holders	
Volunteer groups	Bushcare/Landcare groups 'Friends of' groups Cultural and heritage groups	

STEP 5 IDENTIFY STAKEHOLDERS

STAKEHOLDER GROUP	POTENTIAL STAKEHOLDERS	TICK WHICH APPLIES
Recreational organisations, peak bodies and interest groups	Agricultural Societies Council NSW Better Planning Network Bike/bicycle clubs Bird watching clubs Boating groups and clubs Bushwalking clubs Campervan and Motorhome Club Australia and operators Caravan and Camping Industry Association and operators Crown Land Our Land Fishing clubs Fitness clubs Horse riding clubs NSW Apiarists Association and members NSW Crown Holiday Parks Trust NSW Council Freshwater Anglers and members NSW Farmers and members Recreational Fishing Alliance of NSW and members Waterway action groups	
Other local stakeholders		

STEP 6

UNDERSTAND ENGAGEMENT REQUIRED

The engagement approach adopted by the Strategy is based on the widely-recognised Organisation for Economic Co-operation and Development approach to government-citizen engagement.

The spectrum of government-citizen engagement approaches used in the Strategy are:

- inform
- consult
- participate.



Inform engagement is one-way communication providing reliable, balanced and objective information.



Consult engagement is two-way communication designed to obtain feedback about ideas, proposals and important dealings and activities.



Participatory engagement is a two-way partnership process to help identify issues and views, particularly about high impact or sensitive dealings and activities.

MANDATORY REQUIREMENTS FOR MINIMAL AND MODERATE IMPACT SALES

Due to the significant level of community interest in sales of Crown land, it is a **mandatory requirement** of the Strategy that **notice of all proposed sales** is to be posted on the department's website for 28 days (in the case of minimal- and moderate-impact sales) or 42 days (in the case of high-impact sales), and the public invited to make a submission.

These engagement requirements are the minimum engagement expectations and do not prevent more engagement being conducted about proposed sales, such as sending a notice of the proposed sale to relevant stakeholders.



A description of inform, consult and participate engagement activities— together with individual strengths of each and how they can be used to inform decision-making—is in **section C2** of this document.

STEP 6

UNDERSTAND ENGAGEMENT REQUIRED

MANDATORY REQUIREMENTS FOR HIGH-IMPACT SALES

It is a mandatory requirement of the Strategy that all proposed sales assessed as having a **high-impact** on current community use and enjoyment must have at least:

- **One inform engagement activity** conducted prior to a decision being made about the proposed sale, with notice of the proposed sale posted on the department's website for 42 days satisfying this requirement

PLUS

- **One consult engagement activity** conducted prior to a decision being made about the proposed sale, with the public submissions process satisfying this requirement

PLUS

- **One participate engagement activity** conducted prior to a decision being made about the proposed sale, to be selected from the **participate engagement activities** provided in the table in this section.

As well as these **mandatory requirements**, additional engagement activities can be selected from the table below to address the needs and preferences of relevant stakeholders.

The decision whether to conduct additional engagement activities will be made by the person responsible for assessing the proposed sale. When choosing additional engagement activities, it is useful to consider the:

- amount of time the community may be able or willing to commit to engagement
- ability of the community or stakeholders to access and use technology
- availability of community to attend events or participate in activities at different times and in different locations
- capacity of department staff to resource and support engagement activities.

STEP 7 CONDUCT ENGAGEMENT

CONDUCTING ENGAGEMENT FOR SALES		MINIMAL- & MODERATE-IMPACT SALES	HIGH-IMPACT SALES
V	Engagement preparation Complete engagement plan template prior to commencement of engagement	✓	✓
V	Mandatory minimum engagement At least one inform activity conducted prior to a decision being made about the proposed sale, with notice of the proposed sale process posted on the department's website for 28 days (for minimal- and moderate-impact sales) or 42 days (for impact sales) satisfying this requirement (mandatory)	✓	✓
	At least one consult activity conducted prior to a decision being made about the proposed sale, with the public submissions process satisfying this requirement (mandatory)	✓	✓
	At least one participate activity conducted prior to a decision being made about the proposed sale, with one option to be selected from the participate options provided in the engagement activities table (mandatory)		✓

STEP 7

CONDUCT ENGAGEMENT

SELECTING ENGAGEMENT ACTIVITIES

MINIMAL IMPACT

MODERATE IMPACT

HIGH IMPACT

SELECTING ENGAGEMENT ACTIVITIES		MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
<p>> Inform activities (note mandatory requirement and use tick boxes to show selected additional activities)</p>	Notice posted on department website for 28 days (mandatory)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
	Notice posted on department website for 42 days (mandatory)			<input checked="" type="checkbox"/>
	Publish advertisement/notice in local newspaper (where such a publication exists)			
	Fact sheet/FAQ			
	Letterbox drop advising of dealing/activity			
	Local signage (e.g. community hall, shop, library)			
	Site signage			

STEP 7

CONDUCT ENGAGEMENT

SELECTING ENGAGEMENT ACTIVITIES

MINIMAL IMPACT

MODERATE IMPACT

HIGH IMPACT

SELECTING ENGAGEMENT ACTIVITIES		MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
<p>> Consult activities (note mandatory requirement and use tick boxes to show selected additional activities)</p>	<p>Public submissions (mandatory)</p>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	<p>Community information event (e.g. information session, workshop, public forum)</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<p>Publish advertisement/notice in local newspaper (where such a publication exists)</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<p>NSW Government Have Your Say feedback website</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<p>Online forum</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<p>Survey</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

STEP 7

CONDUCT ENGAGEMENT

SELECTING ENGAGEMENT ACTIVITIES

MINIMAL IMPACT

MODERATE IMPACT

HIGH IMPACT

> Participate activities
Community advisory or consultative committee (either existing or establish new)

(Note: High-Impact Sales to select at least one - use tick boxes to show selected activities)

Interactive workshop

Targeted meetings/briefing

'Walkshop' onsite tour/visit

MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

STEP 7

CONDUCT ENGAGEMENT

Engagement evaluation and report back	Complete engagement findings report once engagement finished			
	Community informed of completed activity through department website			

REMEMBER

Responsible persons should complete the engagement plan template in C5 of the Resources section and obtain approval before commencing engagement.

STEP 8

MONITOR PROGRESS

One of the keys to successful engagement is to monitor engagement as it progresses.

This not only helps highlight successful engagement activities, it also allows quick responses to issues as they unfold. Circumstances can change and there may be developments that are difficult to predict and plan for.

Monitoring engagement is particularly important for proposed sales that have been assessed as having a high-impact on current community use and enjoyment.

Techniques to support ongoing monitoring include:

- team discussion, such as a debriefing after an engagement event
- ongoing gathering and evaluating of local media, online forum responses, correspondence and emails, and submissions
- checking in with community members, stakeholders or members of local groups
- assessing whether enlisting input or joint activities with other agencies—such as Office of Environment and Heritage—would be of benefit when conducting engagement activities.

Signs that the engagement activities may need adjusting are:

- more or fewer people than anticipated taking part in engagement activities
- people are unable to take part in engagement activities. For example, if activities are scheduled at inconvenient times or in hard to reach locations
- engagement does not offer hard copy, online or face-to-face communications which suit local communities
- project is being consistently misrepresented or misunderstood locally or in media.

It may be necessary to review the original assessed level of impact on current community use and enjoyment of a proposed dealing or activity in light of information that emerges from the community engagement process.

If further engagement is required before a decision can be made about a proposed dealing or activity, it is recommended that the engagement approach is re-assessed and engagement activities extended or adapted to reach additional stakeholders.

STEP 9

EVALUATE ENGAGEMENT OUTCOMES

It is a **mandatory requirement** of this Strategy that the outcomes of community engagement must be considered by responsible persons and decision-makers as part of the final decision-making process.

An **engagement findings report** should be completed by the responsible person for the department non-council CLM. The information recorded in the engagement findings report should summarise the engagement outcomes and be used as an input to the final decision-making process.

There are two engagement findings report templates to choose from: one for summarising the outcomes of engagement for high- and moderate-impact dealings and activities, and one for summarising the outcomes of engagement for minimal-impact dealings and activities.

Both templates are provided in **section C5** of this document.



Evaluating community engagement outcomes is an important step, particularly for high-impact dealings.

For sales with a higher impact on current community use and enjoyment, the evaluation process may involve collating survey and feedback responses, reporting on workshop or consultative committee outcomes, and assessing whether special conditions could be applied to accommodate feedback.

Some questions to consider as the engagement process concludes are:

- Did the engagement meet its overall objectives?
- Did engagement reach the people it was meant to?
- Did engagement capture a range of perspectives from different groups or users?
- What formal and informal feedback was received?
- What engagement methods worked well and what could be improved next time?
- Has the engagement revealed any new uses or user groups on the location/site concerned?

STEP 9

EVALUATE ENGAGEMENT OUTCOMES

Engagement
as an input to
decision-making

Engaging the community during the decision-making process can reveal valuable local insights and support well- rounded decisions about Crown land.

While community engagement is an important contributor to the final decision-making process, it is not the determining factor.

Community input is just one of many important factors for decision-makers to consider when deciding whether a proposed sale should be approved.

For example, when making decisions about Crown land dealings department staff must consider the objects of the Act, including the principles; environmental, social, cultural heritage and economic considerations; the benefit to the people of NSW; and the facilitation of use of Crown land by Aboriginal people.

Department staff and CLMs must use an engagement findings report template to summarise the results of the engagement process, so that engagement outcomes can be consistently evaluated and considered during decision- making about a proposed sale.

Some questions to consider when you are summarising the engagement and determining the engagement findings:

- Did the engagement reveal additional issues that have not previously been considered?
- Did the engagement provide evidence that community use and enjoyment would be adversely impacted?

STEP 9

EVALUATE ENGAGEMENT OUTCOMES



Engagement findings report

The responsible officer for the department should complete the engagement finding report and submit it to the minister or minister's delegate to support decision-making and demonstrate that mandatory minimum requirements under the Strategy have been satisfied.

When compiling the report, be mindful of the confidentiality of information provided throughout the engagement process and ensure that people's privacy is respected and protected according to the Privacy and Personal Information Protection Act 1998.

There are two engagement findings report templates to choose from: one for summarising the outcomes of **engagement for high and moderate impact dealings and activities**, and one for summarising the **outcomes of engagement for minimal impact dealings and activities**.

Both templates are provided in the **Resources** section of this document.

STEP 10

REPORT ON OUTCOMES AND “CLOSE THE LOOP”

It is important to ‘close the loop’ on engagement and inform people about completed sales.

If a decision is made to proceed with a sale, it is particularly important that department staff inform those who participated in the engagement process or requested that they be kept informed of the outcome of the decision. After the decision has been made, but before settlement, letters can also be sent to interested individuals and organisations informing them of the final decision.

The broader community will be informed of the outcome of the sale through a notice posted on the department’s website.

STEP 10

REPORT ON OUTCOMES AND "CLOSE THE LOOP"

ACTIVITY	MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
<p>▼ Complete engagement findings report once engagement processes are finished</p>			
<p>▼ Inform community of completed vesting through a notice on the department's website</p>			
<p>▼ Consider whether engagement outcomes have resulted in a need for proponents to comply with or conduct future engagement activities, or any other conditions that may be imposed to promote community use and enjoyment of a site</p>			
<p>▼ Remove any outdated information about engagement activities from websites and other online platforms</p>			
<p>▼ Inform people who may have registered for information or updates about the completed vesting</p>			
<p>▼ Inform community of the completed vesting by local media, social media or other mechanisms if practical to do so</p>			
<p>▼ Other: [provide details here]</p>			

B6

PLANS OF MANAGEMENT ENGAGEMENT ASSESSMENT TEMPLATE

PLANS OF MANAGEMENT ENGAGEMENT ASSESSMENT TEMPLATE

CROWN LAND PLANS OF MANAGEMENT

What are plans of management?

A plan of management under the Act outlines how a reserve or dedicated land (both referred to as reserves in this section) is to be managed. It consolidates information about the reserves and its users and clearly states what, why, how and by whom the values of a reserve will be managed.

A plan of management considers the public purpose for the reserve as well as other guidelines, policies and legal requirements that may apply.

A plan of management does not need to be lengthy. In some cases, it may be a brief written statement about how the reserve is to be managed in line with its purpose. In other cases, a more detailed document may be needed to deal with more complex physical features or competing uses of a reserve.

Plans may be initiated by the department, the minister responsible for administering the Act, or a non-council CLM.

A plan of management may, with the approval of the minister, specify additional proposed purposes for a reserve. A plan of management proposing additional purposes cannot be adopted unless the minister is satisfied that:

- the additional purposes were included in the draft plan of management when community engagement was conducted
- the additional purposes were altered from those in the draft plan following representations made during community engagement.

Plans of management can only come into effect once they have been adopted by the minister. Once a plan of management is adopted, the department or non-council CLM must implement it, ensuring that any leases or licences granted over the reserve comply with the requirements of the plan of management.

CROWN LAND PLANS OF MANAGEMENT

Summary of engagement requirements under the Strategy

Engagement is required for all **proposed plans of management**. Mandatory requirements apply to proposals for new plans of management and alterations to existing plans of management.

Notification of the **outcome of decisions** for all proposed plans of management will occur through a notice posted to a designated area on the department's website.

For a summary of the mandatory and additional engagement required for all proposed plans of management under the Strategy, please refer to Step 6 of this assessment template.

When to use this template

Use this template when you have drafted a plan of management, or an alteration to an existing plan of management, and are ready to commence engagement.

CROWN LAND PLANS OF MANAGEMENT

Engagement
prior to drafting
a plan of
management

The steps in this engagement assessment template refer to engagement required on the draft plans of management. They do not refer to the engagement required to consult with the community prior to a plan of management is being drafted. These expectations are set out below:

Plans of management prepared by non-council CLMs

Non-council CLMs should conduct regular community engagement about reserve management operations and the services provided. If through this engagement non-council CLMs identify a need to prepare a draft plan of management, they are required under the Act to seek consent from the minister to prepare one. Non-council CLMs should not engage about a proposed draft plan of management before obtaining ministerial consent.

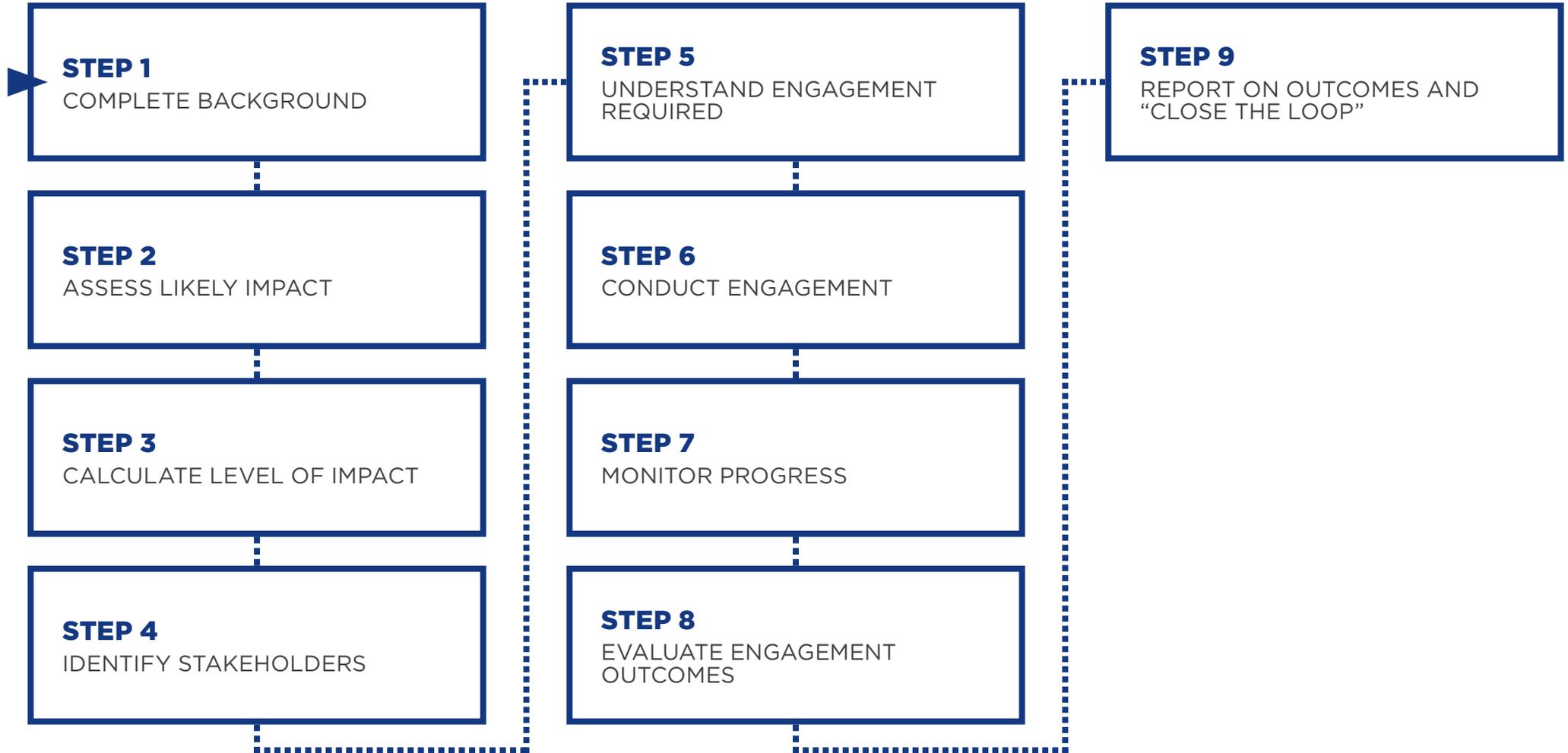
As part of the conditions of consent, the Minister may direct non-council CLMs to carry out community engagement to better understand the community's views about current services, how they use and value the reserve, and any improvements they may like to see. This may be because the site is considered contentious, a significant change is proposed, there are multiple users of the site or competing interests. The minister may also direct that non-council CLMs engage with Aboriginal peoples and communities, in line with the guidance in section C1 of this document.

Plans of management initiated by the minister

In the same way that the minister may direct community engagement prior to non-council CLMs drafting a plan of management, the minister may also direct the department to conduct engagement before drafting a plan of management. This will be decided on a case by case basis and will depend on individual circumstances.

CROWN LAND PLAN OF MANAGEMENT ENGAGEMENT ASSESSMENT TEMPLATE

ENGAGEMENT ASSESSMENT PROCESS



STEP 1

BACKGROUND INFORMATION

➤ Responsible officer or non-council CLM

➤ Details of adjoining sites

➤ Site location

➤ Have obligations under native title legislation been discharged (if any)?

YES

NO

➤ Site tenure

➤ Is there a land claim on the site?

YES

NO

➤ How is the site currently used?

➤ Local considerations

➤ Who currently uses the site?

STEP 2

ASSESS LIKELY IMPACT



It is a **mandatory requirement** that responsible persons decide whether the impact on current community use and enjoyment is minimal, moderate or high by considering the degree to which current community use and enjoyment is reduced. This refers to both the way land can be used and the times it can be accessed, and the proportion of the local or broader community that will be affected.

Complete this step to ensure you meet this mandatory requirement.

	ASSESS IMPACT ON CURRENT COMMUNITY USE AND ENJOYMENT	YES	NO	'YES' SCORE WEIGHTING
V	Site is currently used and enjoyed by many members of the community and the proposed draft plan of management is, or would be, likely to have a significantly adverse impact on current public access to or through the site			5
				OR
V	Site is currently used and enjoyed by many members of the community and the proposed draft plan of management is, or would be, likely to have a moderately adverse impact on current public access to or through the site			3
				OR
V	Site is currently used and enjoyed by many members of the community and the proposed draft plan of management is, or would be, likely to have minimal adverse impact on current public access to or through the site			1
V	Site has been the subject of recent community engagement and/or contestation (i.e. within the past two years) and the same contestation is likely to arise due to the proposed draft plan of management's impact on current community use and enjoyment			4

STEP 2

ASSESS LIKELY IMPACT

	ASSESS IMPACT ON CURRENT COMMUNITY USE AND ENJOYMENT	YES	NO	'YES' SCORE WEIGHTING
V	Site is currently used and enjoyed by many members of the community and the proposed draft plan of management is, or would be, likely to result in a permanent or long-term restriction in the times during which the community can access the site.			4
V	Site is currently licenced for use, or otherwise used, by multiple groups whose use and enjoyment of the site would be adversely impacted by the proposed draft plan of management.			3
V	Proposed draft plan of management would introduce a requirement for the community to pay a significant amount for access to a site where payment has not previously been required and there is no commensurate improvement to local services or amenity			3
V	Proposed draft plan of management would introduce a requirement for the community to pay a reasonable amount for access to a site where payment has not previously been required and there is a commensurate improvement to local services or amenity.			1
V	Proposed draft plan of management is, or would be, of significant interest to directly abutting landowners and/or surrounding landowners/residents whose current use and enjoyment of the site may be impacted by the dealing			1

OR

▶ Calculate likely impact score based on weighting for each 'yes' response

Total

B6

STEP 3

CALCULATE LEVEL OF IMPACT



Use the likely impact score from the previous step, together with local considerations of the site, to assess the impact on current community use and enjoyment of the proposed draft plan of management.

IMPACT SCORE	LIKELY IMPACT ON CURRENT COMMUNITY USE AND ENJOYMENT	TICK WHICH APPLIES
0-9	 Minimal impact on current community use and enjoyment	
10-16	 Moderate impact on current community use and enjoyment	
17-20	 High impact on current community use and enjoyment	

STEP 3

CALCULATE LEVEL OF IMPACT



LOCAL CONSIDERATIONS

Even if the score indicates a likely minimal level of impact on current community use and enjoyment, please consider the following factors before proceeding and selecting your final level of impact which will inform the engagement approach and methods.

This will help provide a more nuanced understanding of local sentiment about the proposed draft plan of management and its potential to impact on current community use and enjoyment:

- Does the draft plan of management include a proposal for a new or expanded commercial business operating on a site with the potential to impact current community use and enjoyment?
- Is the site located within or immediately adjacent to a national park, caravan or camping park, beachside area or sportsground that is currently highly utilised by the community?
- Is the site within or adjacent to significant waterways or waterfront areas currently used and enjoyed by the community?
- Is the site within or adjacent to a densely populated residential area where the community's current use and enjoyment of the site may be impacted by the proposed change?
- Does the site hold social, environmental or cultural heritage characteristics that the local community reasonably identifies as being of value to them or their local identity?
- Could the change be perceived as inhibiting or discouraging multiple use of the reserve?

TICK WHICH APPLIES

Are there any local considerations that should be factored into the impact assessment?

YES

NO

If yes, please detail:

NOTE

You can only use local considerations to increase the level of impact. For example, if there are significant local considerations you may decide to increase your assessment from a minimal impact to a moderate impact.

STEP 3

**CALCULATE
LEVEL OF
IMPACT**

Use the likely impact score and local considerations to confirm the final impact assessment.

CONFIRM FINAL IMPACT ASSESSMENT

- Minimal impact on current community use and enjoyment
- Moderate impact on current community use and enjoyment
- High impact on current community use and enjoyment

STEP 4 IDENTIFY STAKEHOLDERS

A plan of management is a critical document for a wide range of stakeholders. While many users and stakeholders may be local, it is important to note that not everyone with an interest in dedicated or reserved Crown land will necessarily live in the local area or immediate vicinity of the land.

There should be wide engagement about the proposed draft plan of management with relevant community members, reserve users (formal and informal), community organisations, lessees and licensees, and Local Aboriginal Land Councils, traditional owners and the local Aboriginal community.

When planning engagement, it is important to consider who needs to be engaged. It may be useful to consider the following:

- Who has a direct interest in the land or the proposed draft plan of management?
- Who has an indirect interest in the land or the proposed draft plan of management?
- Who holds knowledge that may be of value?
- Who will be directly affected by the proposed draft plan of management?
- What is the best way to reach and hear from hard-to-reach groups?
- What is the best way to ensure engagement is culturally sensitive?
- What is the best way to encourage input from the broader community as well as organised and interested groups?



The following table provides an overview of potential stakeholders to consider when planning engagement for draft plans of management. It is not an exhaustive list and is provided for guidance and assistance only.

Please consider whether any other stakeholders are relevant. For instance, it will be important to identify interested local stakeholders. This could include people within a township or local government area, or it may be specific communities of interest.



Strengthening relationships and engagement with Aboriginal peoples and communities about Crown land is a priority for the Strategy.

Responsible persons should identify and acknowledge Aboriginal peoples and communities who may have an interest in, or be impacted by, a proposed dealing or activity early in the engagement process.

An early step will be to seek local advice from Aboriginal community groups and organisations, such as Prescribed Bodies Corporate, Local Aboriginal Land Councils, Aboriginal Land Rights Network, native title representative bodies, local Aboriginal service providers or traditional owner groups.

Together with Aboriginal community and traditional owner groups, they can provide guidance on cultural norms, values and sensitivities and other important local information.

Responsible persons should refer to the specific requirements for engaging with Aboriginal communities outlined in **section C1** of this document before commencing engagement, particularly if the reserve is recognised as being of significant local Aboriginal spiritual, cultural, social or economic importance.

STEP 4

IDENTIFY STAKEHOLDERS

The following table provides an overview of potential stakeholders to consider. It is not in priority order, is not an exhaustive list and is provided for guidance and assistance only.

STAKEHOLDER GROUP	POTENTIAL STAKEHOLDERS	TICK WHICH APPLIES
Aboriginal peoples and communities-local If selected, refer to section C1 for steps on engaging with Aboriginal peoples and communities	Local Aboriginal Land Council Native title holders/claimants Other local Aboriginal stakeholder groups Prescribed Bodies Corporate	
Aboriginal peoples and communities-state and regional If selected, refer to section C1 for steps on engaging with Aboriginal peoples and communities	NSW Aboriginal Land Council NTSCORP	
Business and commerce	Licensees e.g. grazing, pipelines, apiarists, sporting clubs Lessees Local chambers of commerce Local businesses and commercial operators	
Department of Industry-Lands & Water	Department staff e.g. regional staff	
Department of Industry	Department of Primary Industries Department staff e.g. communications unit	

STEP 4 IDENTIFY STAKEHOLDERS

STAKEHOLDER GROUP	POTENTIAL STAKEHOLDERS	TICK WHICH APPLIES
Environment and conservation	Conservation groups Heritage groups Nature conservation groups Historical societies and groups	
Government agencies	Aboriginal Affairs NSW Office of Environment and Heritage NSW Environment Protection Authority NSW Rural Fire Service NSW National Parks and Wildlife Service Roads and Maritime Services Department of Planning and Environment NSW State Emergency Service	
Local community	Reserve users—formal and informal (e.g. Scouts and Girl Guides) Sporting clubs and members (e.g. golf, tennis and bowling clubs) Local communities of interest	

STEP 4 IDENTIFY STAKEHOLDERS

STAKEHOLDER GROUP	POTENTIAL STAKEHOLDERS	TICK WHICH APPLIES
Local government	Council Crown land managers Office of Local Government Local Government NSW	
Non-council Crown land managers	Non-council Crown land managers (former trust managers) and their user groups and stakeholders	
Residents/neighbours	Affected and adjacent landowners Surrounding residents	
Tenure holders	Current and potential tenure holders	
Volunteer groups	Bushcare/Landcare groups 'Friends of' groups Cultural and heritage groups	

STEP 4 IDENTIFY STAKEHOLDERS

STAKEHOLDER GROUP	POTENTIAL STAKEHOLDERS	TICK WHICH APPLIES
Recreational organisations, peak bodies and interest groups	Agricultural Societies Council NSW Better Planning Network Bike/bicycle clubs Bird watching clubs Boating groups and clubs Bushwalking clubs Campervan and Motorhome Club Australia and operators Caravan and Camping Industry Association and operators Crown Land Our Land Fishing clubs Fitness clubs Horse riding clubs NSW Apiarists Association and members NSW Crown Holiday Parks Trust NSW Council Freshwater Anglers and members NSW Farmers and members Recreational Fishing Alliance of NSW and members Waterway action groups	
Other local stakeholders		

STEP 5

UNDERSTAND ENGAGEMENT REQUIREMENTS

The engagement approach adopted by the Strategy is based on the widely-recognised Organisation for Economic Co-operation and Development approach to government-citizen engagement.

The spectrum of government-citizen engagement approaches used in the Strategy are:

- inform
- consult
- participate.



Inform engagement is one-way communication providing reliable, balanced and objective information on dealings and activities.



Consult engagement is two-way communication designed to obtain feedback about ideas, proposals and important dealings and activities.



Participatory engagement is a two-way partnership process to help identify issues and views, particularly about high impact or sensitive dealings and activities.

MANDATORY REQUIREMENTS

It is a **mandatory requirement** of the Strategy that before a plan of management is adopted or altered under the Act the responsible person must:

- publicly exhibit a copy of the proposed plan of management on the department's website for 42 days
- allow submissions to be made about the draft plan of management during this exhibition period.

It is also a **mandatory requirement** that draft plans of management assessed by the responsible person to be **high impact** must, before the plan is adopted or altered, also carry out **at least one participate engagement activity**.



A description of inform, consult and participate engagement activities— together with individual strengths of each and how they can be used to inform decision-making—is in [section C2](#) of this document.

STEP 6 CONDUCT ENGAGEMENT

Conducting engagement

It is important that engagement activities are proportionate to the scale of Crown land dealings and their likely impact on current community use and enjoyment of individual Crown land dealings.

Not all dealings and activities will result in a significant impact on current community use and enjoyment, many may promote and encourage community use and enjoyment.

To ensure Crown land resources are used responsibly—and support compliance with non-council CLMs with the requirements of the **Community Engagement Strategy** it is important that engagement is commensurate with the likely level of impact and can be readily delivered.

Mandatory requirements

It is a **mandatory requirement** of the Strategy that before a plan of management is adopted or altered under the Act the responsible person must:

- publicly exhibit a copy of the proposed plan of management on the department's website for 42 days
- allow submissions to be made about the draft plan of management during this exhibition period.

It is also a **mandatory requirement** that draft plans of management assessed by the responsible person to be **high impact** must, before the plan is adopted or altered, carry out **at least one participate engagement activity**.

STEP 6

CONDUCT ENGAGEMENT

Compliance

Failure to demonstrate compliance with the mandatory requirements may result in a decision about proposed activities being refused, challenged or overturned.

Additional engagement

While the mandatory requirements outlined above provide a valuable foundation for meaningful engagement, they do not limit responsible persons from conducting additional engagement activities designed for local circumstances and stakeholders.

This approach will support transparency and openness in decision-making and promote outcomes that consider a range of opinions.

The table later in this section provides a range of approved inform, consult and participate activities to support engagement about minimal-, moderate- and high-impact dealings.

When selecting engagement activities, it is useful to consider the following:

- the amount of time community may be able or willing to commit to engagement
- community access and use of technology
- flexibility when considering timing and location of engagement activities
- capacity of responsible persons to resource and support engagement activities.

STEP 6 CONDUCT ENGAGEMENT

Engagement tools and activities

A [glossary](#) of each engagement activity outlined in the following table—together with their individual strengths and how they can be used to inform decision-making—is in [section C2](#) of this document.

Communication material produced to support engagement activities should:

- be clear about the subject of engagement and how feedback will be considered
- include relevant contact details for enquiries and feedback
- use plain English and avoid jargon
- contain messages that are targeted and suitable to the audience.

When does engagement occur?

Engaging the community is required for all proposed draft plans of management, including new plans of management and alterations to existing plans of management..

Outcomes from engagement conducted will provide valuable input to the final decision made by the department or non-council CLM about the proposed draft plan of management.

Other inputs considered during the decision-making process are the objects of the Act, including the principles of Crown land management, and environmental, social, cultural heritage and economic values.

The community will be informed of completed plans of management through a notice posted to a designated site on the department’s website.

In the case of proposed draft plans of management conducted by non-council CLMs, the completed plan of management can also be posted to the relevant non-council CLM website, where such a website exists.

STEP 6 CONDUCT ENGAGEMENT

ENGAGEMENT FOR PLANS OF MANAGEMENT

		MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
Engagement preparation	Complete engagement checklist before starting engagement	✓		
	Complete engagement plan template before starting engagement		✓	✓
Mandatory requirement	It is a mandatory requirement that all plans of management must be publicly exhibited on the department’s website for 42 days before they are altered or adopted	✓	✓	✓
	It is a mandatory requirement that public submissions be called for all plans of management before they are altered or adopted	✓	✓	✓
	It is a mandatory requirement that all plans of management assessed by the responsible person to be high impact must have at least one participate engagement activity conducted from the list in this table			✓

STEP 6 CONDUCT ENGAGEMENT

	ENGAGEMENT ACTIVITIES	MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
 Inform activities (use tick boxes to show selected activities)	Exhibit on department website for 42 days (mandatory)			
	Publish advertisement/notice in local newspaper (where such a publication exists)			
	Fact sheet/FAQ			
	Letterbox drop advising of dealing/activity			
	Local signage (e.g. community hall, shop, library)			
	Site signage			

STEP 6

CONDUCT ENGAGEMENT

	ENGAGEMENT ACTIVITIES	MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
 <p>Consult activities (use tick boxes to show selected activities)</p>	<p>Call for public submissions (mandatory)</p>	<p><input checked="" type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>
	<p>Community information event (e.g. information session, workshop, public forum)</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>
	<p>NSW Government Have Your Say feedback website</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>
	<p>Online forum</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>
	<p>Survey</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>

STEP 6 CONDUCT ENGAGEMENT

**MINIMAL
IMPACT**

**MODERATE
IMPACT**

**HIGH
IMPACT**

Must select at least one participate activity

ENGAGEMENT ACTIVITIES



Participate activities
(use tick boxes to show selected activities)

Community advisory or consultative committee (either existing or establish new)

Interactive workshop

Targeted meetings/briefing

'Walkshop' onsite tour/visit

STEP 6

CONDUCT ENGAGEMENT

ENGAGEMENT ACTIVITIES		MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
Engagement evaluation and report back	Complete engagement findings report once engagement finished	✓	✓	✓
	Community informed of completed activity on department website	✓	✓	✓

STEP 7

MONITOR PROGRESS

One of the keys to successful engagement is to monitor engagement as it progresses.

This not only helps highlight successful engagement activities, it also allows quick responses to issues as they unfold. Circumstances can change and there may be developments that are difficult to predict and plan for.

Monitoring engagement is particularly important for proposed licences that have been assessed as having a moderate or high impact on current community use and enjoyment.

Techniques to support ongoing monitoring include:

- team discussion, such as a debriefing after an engagement event
- ongoing gathering and evaluating of local media, online forum responses, correspondence and emails, and submissions
- checking in with community members, stakeholders or members of local groups
- assessing whether enlisting input or joint activities with other agencies—such as Office of Environment and Heritage—would be of benefit when conducting engagement activities.

Signs that the engagement activities may need adjusting are:

- more or fewer people taking part in engagement activities than anticipated
- people are unable to take part in engagement activities. For example, if activities are scheduled at inconvenient times or in hard to reach locations
- engagement does not offer hard copy, online or face-to-face communications that suit local communities
- project is being consistently misrepresented or misunderstood locally or in media.



It may be necessary to review the original assessed level of impact on current community use and enjoyment of a proposed dealing or activity in light of information that emerges from the community engagement process.

If further engagement is required before a decision can be made about a proposed dealing or activity, it is recommended that the engagement approach is re-assessed and engagement activities extended or adapted to reach additional stakeholders.

STEP 8

EVALUATE ENGAGEMENT OUTCOMES

Evaluating engagement outcomes

Evaluating community engagement outcomes is an important step, particularly for moderate- and high-impact dealings.

For proposed draft plans of management with a minimal or moderate impact on current community use and enjoyment, evaluating engagement may be as straightforward as reviewing any correspondence received or considering feedback provided online or at community information events.

For proposed draft plans of management with a higher potential impact on current community use and enjoyment, the evaluation process may involve collating survey and feedback responses, reporting on workshop or consultative committee outcomes, and assessing whether special conditions could be applied to accommodate feedback.

Some questions to consider as the engagement process concludes are:

- Did the engagement meet its overall objectives?
- Did engagement reach the people it was meant to?
- Did engagement capture a range of perspectives from different groups or users?
- What formal and informal feedback was received?
- What engagement methods worked well and what could be improved next time?
- Has the engagement revealed any new uses or user groups on the location/site concerned?

Mandatory requirement

It is a **mandatory requirement** of this Strategy that the outcomes of community engagement must be considered by responsible persons and decision-makers as part of the final decision-making process.

STEP 8

EVALUATE ENGAGEMENT OUTCOMES

Engagement as an input to decision-making

Engaging the community during the decision-making process can reveal valuable local insights and support well-rounded decisions about Crown land.

While community engagement is an important contributor to the final decision-making process, it is not the determining factor.

Community input is just one of many important factors for decision-makers to consider when deciding whether a proposed dealing or activity should be approved.

For example, when making decisions about Crown land dealings responsible persons must consider the objects of the ACT, including the principles; environmental, social, cultural heritage and economic considerations; the benefit to the people of NSW; and the facilitation of use of Crown land by Aboriginal people.

Responsible persons must use an [engagement findings report template](#) to summarise the results of the engagement process, so that engagement outcomes can be consistently evaluated and considered during decision-making about a proposed dealing or activity.

Some questions to consider when you are summarising the engagement and determining the engagement findings:

- Did the engagement reveal additional issues that have not previously been considered?
- Did the engagement provide evidence that community use and enjoyment would be adversely impacted?

Engagement findings report

The responsible officer for the department or, where applicable, non-council CLMs, should complete the engagement findings report and submit it to the minister or minister's delegate to support decision-making and demonstrate that the mandatory requirements under the Strategy have been satisfied.

When compiling the report, be mindful of the confidentiality of information provided throughout the engagement process and ensure that people's privacy is respected and protected according to the *Privacy and Personal Information Protection Act 1998*.

There are two engagement findings report templates to choose from: one for summarising the [outcomes of engagement for high- and moderate-impact dealings and activities](#), and one for summarising the [outcomes of engagement for minimal-impact dealings and activities](#).

Both templates are provided in the Resources section of this document.

STEP 9

REPORT ON OUTCOMES AND “CLOSE THE LOOP”



It is important to ‘close the loop’ on engagement and inform people about the decision about the plan of management. The community will be informed through a notice posted to the department’s website. The final plan of management will also be published to the department’s website. In the case of non-council plans of management, this information can also be posted to the relevant non-council CLMs website, where such a website exists. The table below provides an overview of activities to help ‘close the loop’ on engagement.

ACTIVITY	MINIMAL IMPACT	MODERATE IMPACT	HIGH IMPACT
✓ Complete <u>engagement findings report</u> once engagement processes are finished	✓	✓	✓
✓ Inform community of completed plan of management through a notice on the <u>department’s website</u>	✓	✓	✓
✓ Consider whether engagement outcomes have resulted in a need for proponents to comply with or conduct future engagement activities, or any other conditions that may be imposed to promote community use and enjoyment of a site	✓	✓	✓
✓ Remove any outdated information about engagement activities from websites and other online platforms	✓	✓	✓
✓ Inform people who may have registered for information or updates about the decision or outcome	✓	✓	✓
✓ Inform community of the final decision by local media, social media or other mechanisms if practical to do so	✓	✓	✓
✓ Other: [provide details here]			

B7

STATE STRATEGIC PLAN FOR CROWN LAND ENGAGEMENT ASSESSMENT TEMPLATE

STATE STRATEGIC PLAN ENGAGEMENT ASSESSMENT TEMPLATE

STATE STRATEGIC PLAN FOR CROWN LAND

What is the state strategic plan for Crown land?

A State strategic plan (the Plan) for Crown land sets the vision, priorities and overarching strategy for the management of Crown land in NSW, having regard to the objects of the Act and environmental, social, cultural heritage and economic considerations.

How is the state strategic plan for Crown land prepared?

The draft Plan is prepared by the department Secretary, who must consider:

- any state priorities for Crown land
- objects of the Act
- the need to engage with the community, including the Aboriginal community.

Under the Act, the Plan must contain the following elements:

- the outcomes that are expected to be achieved by the implementation of the Plan and the timeframes for achieving those outcomes
- requirements for reporting on whether those outcomes and timeframes have been achieved
- any other matters the minister directs to be included.



Engagement requirements

When preparing the draft Plan, the minister must undertake the community engagement requirements outlined in the Strategy.

It is a **mandatory requirement** of the Strategy that notice of the draft State strategic plan is to be posted to the department's website for **42 days** and the public invited to make a **submission**.

A key purpose of the public submissions process will be to develop a deeper understanding of community views about the vision, priorities and overarching strategy for managing Crown land in the draft Plan.

The mandatory requirements provide a foundation for engaging with the community and stakeholders about the draft Plan—it does not preclude additional engagement being conducted to suit local circumstances and stakeholders.

In addition to the above mandatory requirements of the Strategy, the regulations to the Act require that notice is sent to certain specified entities. This requirement of the regulations does not preclude additional community engagement being conducted, including sending notice of the draft Plan to other stakeholders.

Engagement as an input to finalising the state strategic plan

Engaging the community can reveal valuable local insights and support well-rounded decisions about Crown land. However, while community engagement is an important contributor to the final decision-making process, it is not the determining factor.

Community input is just one of many crucial factors for decision-makers to consider. For example, when making decisions about Crown land the department must consider the objects of the Act, including the principles; environmental, social, cultural heritage and economic considerations; the benefit to the people of NSW; and the facilitation of use of Crown land by Aboriginal people.

It should be noted that in addition to the requirements of the Strategy, the Regulation also requires that the minister seek advice on the draft State strategic plan from the following organisations:

- Office of Local Government
- NSWALC
- NTSCORP
- Office of Environment and Heritage
- Department of Planning and Environment
- Registrar General.

After the public submissions and engagement process, an engagement findings report must be prepared and provided as an official record to the minister or minister’s delegate to consider during decision-making and to demonstrate that the mandatory requirements under the Strategy have been satisfied.

Approval and publication

Approval of the draft Plan is subject to the minister being satisfied that it promotes state priorities for Crown land and that both the objects of the Act and the mandatory requirements of the Strategy have been fulfilled.

When the Plan has been approved by the minister, it **must be published** on the department’s website. The minister may also stipulate additional measures to ensure the final Plan is made readily accessible to the community.

The state strategic plan for Crown land has effect for 10 years, unless otherwise prescribed in the regulations.

ENGAGING WITH ABORIGINAL PEOPLES AND COMMUNITIES

ENGAGEMENT TOOLS GLOSSARY

ENGAGEMENT CHECKLIST FOR MINIMAL IMPACT
DEALINGS AND ACTIVITIES

ENGAGEMENT PLAN TEMPLATE FOR MODERATE-
AND HIGH-IMPACT DEALINGS AND ACTIVITIES

ENGAGEMENT FINDINGS REPORT TEMPLATE

IMPROVING INFORMING AND NOTIFYING

PART C

RESOURCES

C1

ENGAGING WITH ABORIGINAL COMMUNITIES

ENGAGING WITH ABORIGINAL COMMUNITIES

For the first time, Crown land legislation explicitly recognises and supports Aboriginal land rights, native title rights and interests, and Aboriginal people's involvement in the management of Crown land.

One of the objects of the Act is to facilitate the use of Crown land by Aboriginal people and, where appropriate, enable the co-management of reserved Crown land. The objects also acknowledge the spiritual, social, cultural and economic importance of Crown land to Aboriginal people.

Strengthening relationships and ensuring genuine and respectful engagement with Aboriginal people, organisations and communities is a priority for the Strategy and engagement requirements for Crown land dealings and activities in this Guidance and Resources document reflect this deep commitment.

In considering the engagement requirements for local Aboriginal peoples and communities—including Local Aboriginal Land Councils, stakeholder groups and native title holders and claimants—responsible persons should seek the advice of organisations such as the NSW Aboriginal Land Council and NTSCORP for advice on best practice engagement.

The Strategy respects and acknowledges existing consultation rights under the *Native Title Act 1993* and any Indigenous Land Use Agreements and engagement under the Strategy must be conducted in addition to these existing engagement arrangements.

ADDITIONAL GUIDANCE FOR CONDUCTING CULTURALLY SENSITIVE ENGAGEMENT

1. Identify and acknowledge all relevant affected Aboriginal peoples and communities who may have an interest in or be impacted by the dealing or activity as early as possible in the engagement process. Note that there may be more than one relevant Aboriginal community or traditional owner group.
2. As part of Step 1 in the engagement assessment templates in this Guidance and Resources document, consider 'Aboriginal owners' on the register established under the Aboriginal Land Rights Act 1983.
3. Seek initial advice on how to identify relevant Aboriginal stakeholders from Local Aboriginal Land Councils, Prescribed Bodies Corporate (PBCs), Native Title Representative Bodies, state offices, the National Native Title Tribunal or local Aboriginal service providers.
4. Consider whether Aboriginal stakeholders are represented by an organisation that can speak on their behalf, or whether direct engagement with individuals and communities is appropriate.

5. Engage with Aboriginal groups early in the process. The following suggestions may help to ensure that engagement with Aboriginal people and communities is culturally safe and sensitive:
 - Identify any specific language and communication needs, including the possible need for a cultural interpreter or Aboriginal facilitator
 - Identify any cultural protocols to adhere to, along with any relevant local processes, issues and sensitivities
 - Respect Aboriginal peoples' and communities' right to choose the time and location for meetings
 - Be clear about the purpose and scale of the engagement
 - Understand that Aboriginal ways of communicating are often narrative-based
 - Minimise bureaucratic language, jargon and acronyms
 - Prepare to be flexible and adaptable to local and cultural needs.



6. Prior to engaging, ensure you have a good understanding of the Aboriginal land rights and native title relating to the dealing or activity.

NEED MORE INFORMATION?

For more information about conducting engagement with Aboriginal peoples and communities that is genuine, respectful and culturally sensitive, please contact the following organisations:

NSW ABORIGINAL LAND COUNCIL

(Includes maps and contact details for Local Aboriginal Land Councils)

alc.org.au

02 9689 4444

NTSCORP

www.ntscorp.com.au

02 9310 3188

THE OFFICE OF THE REGISTRAR - ABORIGINAL LAND RIGHTS ACT 1983

www.oralra.nsw.gov.au

02 8633 1266

C2

ENGAGEMENT TOOLS GLOSSARY

ENGAGEMENT TOOLS GLOSSARY

A range of tools for communicating and engaging with members of the community and other stakeholders are described in this attachment.

They are presented under the three types of engagement discussed in the Strategy: inform; consult; and participate. For each, the key strengths and weaknesses are discussed.

Inform engagement activities

Notice posted to department website for 28 or 42 days (mandatory)

Publish advertisement/notice in local newspaper

(where such a publication exists)

Fact sheet/FAQ

Letterbox drop advising of dealing/activity¹

Local signage (e.g. community hall, shop, library)

Site signage

Consult engagement activities

Community information event (e.g. information session, workshop, public forum)

NSW Government Have Your Say feedback website

Online forum

Public submissions

Survey

¹ If the letterbox drop engagement method is selected as the mandatory inform method, a failure for the letter to reach each resident in the catchment area does not nullify the exercise or leave the dealing/activity open to challenge, as long as there has been a genuine attempt to reach residents.

Participate engagement activities

Community advisory or consultative committee (either existing or establish new)

Interactive workshop

Targeted meetings/briefings

'Walkshop' onsite tour/visit

Further information, ideas and case studies on engagement methods can be found at:

[The Digital Engagement Guide](#)

[International Association for Public Participation Australasia](#)

[U.S. Public Participation Playbook](#)

INFORM ENGAGEMENT ACTIVITIES

NOTICE POSTED TO DEPARTMENT WEBSITE FOR 28 OR 42 DAYS (MANDATORY)

LEVEL OF ENGAGEMENT ➤ INFORM

Description

A notice must be posted to the department's website for all relevant dealings or activities, as identified in the Strategy.

The notice should clearly communicate key information about the dealing or activity concisely and in a way that is consistent with the department's guidance.

Each notice will appear on the department's website for a period of either 28 or 42 days, as specified by the Strategy. Members of the community and other stakeholders will be able to provide feedback on the dealing or activity during that time if they wish. Public feedback will be invited through email or written submissions.

Strengths

- Useful for sharing information with multiple audiences across a wide geographic area in a timely and cost-effective manner
- Easy to use for all interested parties
- Consistent approach for all relevant dealings
- Information is searchable by dealing or activity type, location etc.

Weaknesses

- Maintaining and updating is resource intensive and must be reliable
- Should not be relied on as the only source of information.

INFORM ENGAGEMENT ACTIVITIES

ADVERTISEMENT/NOTICE IN LOCAL NEWSPAPER

LEVEL OF ENGAGEMENT ➤ INFORM

Description

Local newspapers are a good way to raise awareness about a dealing or to invite the community to have their say by participating in an engagement process.

Newspapers are widely available within the community and often include a regular noticeboard to draw people's attention to government related initiatives.

In some cases, the department may use radio advertising to communicate about an engagement process.

Strengths

- Useful for sharing information with multiple audiences in a timely and cost-effective manner
- Newspaper advertising is an established method of engaging the community and stakeholders.

Weaknesses

- Not all residents and stakeholders will read or have ready access to local newspapers
- Not all regions have local newspapers.

INFORM ENGAGEMENT ACTIVITIES

FACT SHEET/FREQUENTLY ASKED QUESTIONS (FAQS)

LEVEL OF ENGAGEMENT ➤ INFORM

Description

Fact sheets are generally one-to-two page A4 documents that provide a concise overview of relevant information about a particular policy, project or dealing.

Layout is best kept simple, with bullet points, subheadings and graphics used to support readability.

Fact sheets are an effective way to highlight the most important information so the reader can get a basic understanding of the proposal without spending a lot of time reading more detailed documents.

Fact sheets present an opportunity to engage members of the community who may not otherwise understand more wordy or technical material relating to your proposal.

When preparing a fact sheet, try to answer the most common questions that a member of the community would be likely to ask, and address any key issues relating to the proposal.

Include contact details so the reader can ask questions about the proposal or provide further input into the process.

Remember to factor in time for editing, layout, printing and distribution if the fact sheet is being mailed out to the community. Determine when the fact sheet will be required, then work backwards to establish when you will need to have the first draft ready.

Fact sheets and FAQs relating to the management of Crown land in NSW are available on the department website.

Strengths

- Easily distributed to a wide audience across a range of platforms (e.g. website, email, letterbox drop)
- Integrates well with other engagement techniques
- For more complex processes, a series of fact sheets can be used to tell the story (e.g. with each one uploaded to an accessible website).

Weaknesses

- Space limitations apply to content
- Making it eye catching can be challenging; graphics can help to attract attention.

INFORM ENGAGEMENT ACTIVITIES

LETTERBOX DROP

LEVEL OF ENGAGEMENT ➤ INFORM

Description

A letterbox drop may involve distribution of a letter, flyer or notice to homes and or businesses within a specific catchment area. Letters can be personalised and addressed or distributed to ‘the householder’ or ‘business owner/operator’.

Direct mail outs and letterbox drops involve the distribution of a leaflet or letter to residents and businesses in the area you have identified as relevant or impacted. Direct mail outs and letterbox drops are an effective method for distributing information to a geographically determined audience. If your project impacts a local community, a direct mail out or mailbox drop allows you to inform them about the proposal and, when relevant, provide them with details about how to provide feedback.

For direct mailouts you will need to know the names and postal addresses of the people you are communicating with.

For letterbox drops you will need to identify the postcode ranges and boundaries, and arrange a distribution company to deliver the flyers or letters. These companies may use a tracking system to help guarantee the delivery of information within the identified catchment area.

When preparing information for a letterbox drop, keep messages clear, simple and direct. Always include contact details so the reader can ask questions or provide feedback.

If the letterbox drop engagement method is selected as the mandatory inform method, a failure for the letter to reach each resident in the catchment area does not nullify the exercise or leave the dealing/activity open to challenge, as there has been a genuine attempt to reach each resident.

Strengths

- Easy to reach residents and businesses
- Appeals to a broad audience
- Useful for targeting an audience that is determined by geographic location
- Can be an inexpensive and effective method for targeting only the specific residents/businesses who may be impacted by an activity or proposal.

Weaknesses

- Does not allow you to target specific demographic groups
- People may not read it.

INFORM ENGAGEMENT ACTIVITIES

ONSITE INFORMATION (INCLUDING SITE SIGNAGE, SITE VISIT, LOCAL SIGNAGE)

LEVEL OF ENGAGEMENT ➤ INFORM

Description

Information about a particular dealing or activity may be displayed onsite, or in other public places such as the foyer of a government building or in a local community outlet (such as a library, community hall, local shop or neighbourhood centre).

Information may be displayed as a permanent or temporary sign, or on a hoarding or noticeboard (e.g. using a poster or flyers).

Documents and reports can also be made available in key public places and spaces, such as libraries. In small towns and villages, other meeting places such as the local corner store shop or hairdresser may be good places to make information about your proposal available to members of the local community.

Strengths

- Useful for sharing information with people who use the site as well as the wider community
- Relatively cheap and easy to do
- Can be used to visibly communicate the outcome of a decision into the future and serve an educative function.

Weaknesses

- Will not reach members of the community who do not visit the site
- Not everyone will stop to read a poster or noticeboard
- Relies on the quality of the communication—use of imagery/graphics and engaging copy writing is recommended.

CONSULT ENGAGEMENT ACTIVITIES

COMMUNITY INFORMATION EVENT (E.G. PUBLIC INFORMATION SESSION, PUBLIC FORUM)

LEVEL OF ENGAGEMENT ➤ CONSULT

Description

A community information event such as a public information session or forum is usually held for several hours in a central location that people can easily access.

It can be held as part of a community event (such as a festival or show) or in a public place (such as a town hall or park).

Councils often hold events that attract large numbers of community members. This can be an opportune time to set up a stall, distribute information and speak to members of the community.

As part of a public information session, the community and stakeholders are invited to view an information display (including text and graphics). Information can be presented on large display boards that people gather around and read. If the content is complex, it can be useful to have a team member give a short summary at regular intervals.

These events give responsible persons an opportunity to build rapport with members of the community. This can help to support constructive communications and engagement on future dealings and activities that involve the same stakeholders or community.

Detailed information and conversation about specific issues will provide responsible persons with insights into community perspectives. Feedback can be captured using a feedback form, survey or notes.

Think carefully about who your community is before deciding when to hold your event. Ask yourself whether they are most likely to be available on the weekend, weekdays, or a combination of both.

It is recommended to hold more than one session to help ensure you capture a range of views.

Holding your session at the same time as another community event, such as festivals, will maximise attendance without incurring a large cost.

Strengths

- Responsible persons can interact with people informally on a one-on-one basis and build rapport with the community
- Enables people to come and go at their convenience
- Less risk of particular individuals dominating
- Participants can provide their contact details and be kept in touch with information updates
- Can be conducted in association with other engagement activities, e.g. survey
- Allows community members to engage in meaningful conversations, ask questions and provide feedback.

Weaknesses

- Difficult to set a time that suits everyone
- Some stakeholders prefer a more structured opportunity to share their views
- Can be expensive to prepare information materials (e.g. if you are only holding one session)
- Can be expensive and difficult to arrange to have experts on hand to answer questions
- Can generate a large amount of feedback that requires analysis.

CONSULT ENGAGEMENT ACTIVITIES

NSW GOVERNMENT HAVE YOUR SAY WEBSITE

LEVEL OF ENGAGEMENT ➤ CONSULT

Description

The department's website will include an information register where stakeholders can access information on Crown land dealings and activities and related updates.

If you choose to use the website to list a dealing or activity, you must then determine the appropriate level of engagement. For example, do you want to just provide information, or gather information as well?

Talk to the IT team so they can advise you on the best method to use. Doing this before finalising your content will help avoid the need for changes at a later stage. Discuss timeframes at this early stage so you know the deadline for providing approved content to IT, to ensure it is uploaded when you need it to be.

Strengths

- Key component of a contemporary communications process
- Easy to use
- Accessible to multiple audiences across a wide geographic area
- Information can be presented in written, audio and visual formats
- Allows interactive elements
- Provides a large amount of information about Crown land dealings and activities.

Weaknesses

- Maintenance is resource-intensive
- Can be difficult to keep information organised and easy to navigate as the website grows
- Should not be relied on as the only source of information

CONSULT ENGAGEMENT ACTIVITIES

ONLINE FORUM

LEVEL OF ENGAGEMENT ➤ CONSULT

Description

An online forum is created by posting a topic or series of questions to a discussion forum for comment and discussion by the community. This could be a departmental website or a website hosted by the non-council CLM.

Online forums require a host and moderator, and can be secured to require approval for users to post new comments, or respond to comments posted by others.

The level of moderation may vary from low (e.g. only removing offensive language) to high (e.g. reviewing content and checking for posts that are off topic).

Online forums allow responsible persons to better understand the range of views among the community and stakeholders and how these relate to one another.

A discussion forum can be available for a specific time period, or if appropriate, it may be kept open indefinitely.

Online techniques should always form part of a suite of engagement methods to help ensure you capture a range of views across the wider community. Online forums should be complemented by other information and updates about your proposal.

Strengths

- Transparent form of engagement
- Allows interested people and organisations to express their views directly and to interact with each other
- Allows users to make posts in their own time
- Gives responsible persons the ability to intervene and provide clarification if misinformation is gaining credibility
- Creates a focus point for discussion about the proposal and a source of information for future participants.

Weaknesses

- Not all community members are comfortable participating in online forums
- Can be time-consuming and expensive to maintain
- Usually requires participants to create an account requiring some level of personal information (e.g. email address and name).

CONSULT ENGAGEMENT ACTIVITIES

PUBLIC SUBMISSIONS (MAY BE MANDATORY)

LEVEL OF ENGAGEMENT ➤ CONSULT

Description

Public submissions may be invited in response to a dealing or activity as part of a public exhibition process. A submission may be long or short, with the latter commonly including email feedback and other written comments up to one page in length.

A submissions template can be developed and made publicly available, to help members of the community and other stakeholders to prepare their submission, guided by a consistent approach/format. A standard template can also be useful to help streamline analysis of submissions received.

Strengths

- Transparent form of engagement
- Allows interested people and organisations to express their views directly
- Allows people to provide brief or more detailed feedback in their own time
- Can provide feedback from a large number of people efficiently.

Weaknesses

- Not all community members are comfortable making a submission
- Can be resource intensive
- The number and quality of submissions may be limited so consider providing a simple submissions template or guide.

CONSULT ENGAGEMENT ACTIVITIES

SURVEYS

LEVEL OF ENGAGEMENT ➤ CONSULT

Description

A survey is a structured method of collecting feedback on a particular proposal.

It can be conducted face-to-face, online, in paper-based format or by phone.

A survey provides responses to a set of already constructed questions, usually from a large range of participants.

Include demographic questions in all surveys to build a profile of survey respondents and to cross-tabulate survey results by key variables (e.g. age or locality).

Talk to key stakeholders when developing a survey to ensure it can be used to successfully engage with the relevant audience/s.

Strengths

- Can be representative of a group of people or community, or self-selecting
- Can engage people who might not participate in face-to-face engagement activities
- Can provide feedback from a large number of people efficiently
- Favoured by people who are time poor.

Weaknesses

- Does not create dialogue or build consensus
- Can be resource-intensive
- May attract a low response rate
- Results are primarily quantitative.

PARTICIPATE ENGAGEMENT ACTIVITIES

COMMUNITY ADVISORY OR CONSULTATIVE COMMITTEE

LEVEL OF ENGAGEMENT ➤ PARTICIPATE

Description

Advisory committees or groups often comprise representatives from external stakeholder groups, such as relevant community, environmental and business groups. They may also include representatives from government agencies.

Generally, an advisory group includes 10-12 members. It can provide input to the development of policies, plans, programs or services, as well as to the engagement process itself.

For higher-profile or higher-impact dealings, a specific advisory group may be created. These are generally formed in the early stages and run throughout the course of the decision-making and related engagement processes.

Strengths

- Brings diverse stakeholders with a high level of interest 'into the tent'
- Captures diverse expertise
- Provides an opportunity to build understanding, relationships and consensus over time
- Members will often formally or informally champion the process.

Weaknesses

- Can perpetuate existing dialogues
- Can require careful management of strongly opposing views
- Not statistically representative, although if members are carefully selected can represent a variety of views
- Needs to be well chaired
- Requires ongoing resourcing (e.g. preparation and distribution of meeting agendas and minutes)
- Need to manage any actual or perceived conflicts of interest.

PARTICIPATE ENGAGEMENT ACTIVITIES

INTERACTIVE WORKSHOP

LEVEL OF ENGAGEMENT ➤ PARTICIPATE

Description

Deliberative workshops differ from traditional workshops in several ways. They aim to build a deep, and preferably shared, understanding of a proposal or issue and to build consensus on the preferred approach or solution.

Deliberative workshop processes generally:

- involve a series of two or more workshops, or alternatively, workshops held over two or more days; this allows participants to consider and develop their understanding and views between events
- provide a large amount of information to participants in clear and understandable ways, both ahead of and during the workshops.

Deliberative workshops usually involve 30 or more participants. Some use targeted recruitment to select some or all participants.

These interactive workshops include a variety of tasks and activities, such as presentations, expert panel discussions and game playing.

In design-based workshops, the information presented and interactive exercises are focused on a design problem. For instance, participant feedback may be generated to support discussion and deliberation about options for the use of a particular Crown land site.

Small group work is often a feature of a deliberative workshop, with each small group reporting back on their perspectives to the whole room (from their 'table').

It is preferable for each small group discussion to be facilitated by a member of the project team or a participant who has been trained or briefed in advance of the session.

Reporting back from small groups can be done verbally or using technology such as electronic keypads or mobile phones.

Strengths

- Develops a deep understanding of the proposal and highly informed input
- Can be used to build relationships and consensus
- Participants may formally or informally champion the process
- Can result in a generally agreed approach or solution to a previously contentious issue.

Weaknesses

- Requires a significant time commitment from participants
- Can require careful management of strongly opposing views
- Needs to be very well structured and facilitated
- Requires significant lead time, preparatory work and resourcing.

PARTICIPATE ENGAGEMENT ACTIVITIES

TARGETED MEETINGS/BRIEFINGS

LEVEL OF ENGAGEMENT ➤ PARTICIPATE

Description

A meeting or briefing can be held on site or in the community (in a central and easily accessible location) to discuss the proposal.

Meetings and briefings should be organised at least seven to 10 days in advance. They should provide the community and other stakeholders with relevant information and an opportunity to ask questions about the proposal.

One-on-one meetings and briefings provide the department and non-council CLMs with an opportunity to understand community perspectives early in the process.

Ensure participants are provided with contact details for follow up. Participants may be invited to register their interest in receiving further information about the proposal as it becomes available, via the stakeholder register database.

Strengths

- Enables one-on-one discussion
- Provides an upfront understanding of likely issues relating to the proposal
- Particularly useful for engaging key stakeholders.

Weaknesses

- Resource intensive
- Meetings and briefings may only be held with a small number of stakeholders (e.g. up to 10).

PARTICIPATE ENGAGEMENT ACTIVITIES

'WALKSHOP' ONSITE TOUR/VISIT

LEVEL OF ENGAGEMENT ➤ PARTICIPATE

Description

A 'walkshop' or onsite tour/visit can be held on site as a standalone activity, or in conjunction with a meeting, briefing or community event such as a community information session. These walking conversations are usually conducted early in the process to provide the community and other stakeholders with information and an opportunity to ask subject matter experts (department staff/non-council CLMs) questions about the dealing or activity.

Onsite engagement provides the department and non-council CLMs with an opportunity to understand community perspectives as they relate to specific features of the site and the surrounding area.

A walkshop can be around 20–30 minutes long, sometimes with a number of walkshops held over the course of a particular day. For high-impact, complex sites or dealings and activities, they may be longer. Ensure participants are provided with relevant information about how to get there, available parking, what to wear (consistent with work health and safety requirements), as well as contact details for follow-up. Participants may be invited to register their interest in receiving further information about the proposal as it becomes available.

Strengths

- Enables one-on-one discussion
- Provides an upfront understanding of the site (to participants) and likely issues relating to the proposal (to the department and non-council CLMs)
- Particularly useful for engaging key stakeholders
- May be held with a large or smaller number of stakeholders (e.g. up to 15–20 per group)
- Can attract people with a range of interests and perspectives in the engagement process.

Weaknesses

- Not always possible, depending on access issues and location of interested parties
- Can be resource intensive (e.g. if multiple walkshops/visits are conducted).

C3

ENGAGEMENT CHECKLIST FOR MINIMAL-IMPACT DEALINGS AND ACTIVITIES

ENGAGEMENT CHECKLIST FOR MINIMAL-IMPACT DEALINGS AND ACTIVITIES

ENGAGEMENT CHECKLIST TO BE COMPLETED FOR MINIMAL-IMPACT ENGAGEMENT

1

What is the dealing/activity?

2

Is there an associated change to a reserve or dedication?

YES

NO

3

What are the key dates?

4

What is the intended level of engagement?

(Please tick one box)

LEVEL OF ENGAGEMENT AND IMPACT

Inform (minimal impact)



5

How will you report on the engagement outcomes and close the loop?

ENGAGEMENT ACTIVITIES

Have you satisfied the mandatory requirement of notifying the community of the proposed dealing or activity via a notice on the department's website?

YES N/A

--	--

How long was this notification for?

28-DAY 42-DAY

--	--

Please detail any other 'inform' engagement activities conducted:

REPORTING

Will the community be informed of the completed dealing or activity on the department's website?

YES N/A

--	--

Have you completed an engagement findings report?

YES N/A

--	--

CLOSING THE LOOP

Have you informed the community of the outcome of the decision via the department's website?

YES **N/A**

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Have you ensured that record keeping of engagement activities and outcomes is up to date, including public submissions and correspondence received?

YES **N/A**

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Have you selected any other methods for closing the loop?

YES **N/A**

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C4

ENGAGEMENT PLAN TEMPLATE FOR MODERATE- AND HIGH-IMPACT DEALINGS AND ACTIVITIES

ENGAGEMENT PLAN TEMPLATE FOR MODERATE- AND HIGH-IMPACT DEALINGS AND ACTIVITIES

This template provides a starting point for preparing your engagement plan. The headings in the template relate directly to the step-by-step guide.

You are encouraged to adapt this template to best meet the needs of your dealing/activity and specific circumstances. For example, it is expected that an engagement plan for a high-impact dealing will be more detailed than one for a moderate-impact dealing.

➤ 1. INTRODUCTION

This section should include a short description of the project:

- background
- objectives
- timing.

➤ 2. ENGAGEMENT APPROACH

In this section, you should describe the:

- engagement purpose
- engagement level.

➤ 3. STAKEHOLDER ANALYSIS

In this section, you should describe the stakeholders you intend to target as part of your engagement process.

➤ 4. METHODS

Describe the methods you will be using as part of your engagement process. These should be linked to your engagement timing.

➤ 5. TIMING

This section should outline the timeline for your engagement activities, including the lead times and internal sign offs required. The timeline should be aligned to the methods.

➤ 6. MONITORING

In this section, describe how you will go about monitoring and evaluating the engagement process relating to your dealing/activity.

7. ENGAGEMENT SUMMARY

- Complete an [engagement findings report](#) template to summarise outcomes of engagement.
-

C5

ENGAGEMENT FINDINGS REPORT TEMPLATE

ENGAGEMENT FINDINGS REPORT TEMPLATE

An engagement findings report should be completed by the responsible officer for the department or, where applicable, non-council CLMs, and submitted to the minister or minister's delegate to support decision-making and demonstrate that the mandatory requirements of the Strategy have been met.

The engagement findings report templates provide responsible persons with a consistent tool for recording what engagement was conducted with the community and what the outcomes were.

There are two templates to choose from: one for summarising the outcomes of engagement for high and moderate-impact dealings and activities, and one for summarising the outcomes of engagement for minimal-impact dealings and activities.

Engagement outcomes should be evaluated and subsequently considered as part of broader decision-making about a proposed dealing or activity.

Community input is just one of many important factors for decision-makers to consider when making a decision about whether a proposed dealing or activity should proceed.

Through engagement, the department and non-council CLMs can develop a more detailed and nuanced understanding of how the community now uses and enjoys a site and community perspectives on how this may be affected.

When compiling the report, responsible persons must be mindful of the confidentiality of information provided throughout the engagement process and ensure that people's privacy is respected and protected according to the *Privacy and Personal Information Protection Act 1998*.

MODERATE- AND HIGH-IMPACT DEALINGS AND ACTIVITIES

ENGAGEMENT FINDINGS REPORT FOR MODERATE- AND HIGH-IMPACT DEALINGS AND ACTIVITIES

1 BACKGROUND INFORMATION



Reporting officer/
non-council CLM



Details of dealing/activity



Is there an associated change
to a reserve or dedication?

YES

NO



Level of assessed impact of dealing/activity (select which applies)

MODERATE

HIGH

ENGAGEMENT FINDINGS REPORT FOR MODERATE- AND HIGH-IMPACT DEALINGS AND ACTIVITIES

2

ENGAGEMENT ACTIVITY CONDUCTED

(Select engagement activities conducted and describe action taken below)

ENGAGEMENT ACTIVITY	DESCRIPTION OF ACTION TAKEN	SUMMARY OF PARTICIPATION
INFORM ENGAGEMENT		
V	Department website 28-day notification (mandatory)	
V	Department website 42-day notification (mandatory)	
V	Advertisement/notice in local media	
V	Fact sheet/FAQ	

ENGAGEMENT FINDINGS REPORT FOR MODERATE- AND HIGH-IMPACT DEALINGS AND ACTIVITIES

ENGAGEMENT ACTIVITY	DESCRIPTION OF ACTION TAKEN	SUMMARY OF PARTICIPATION
INFORM ENGAGEMENT		
V	Letterbox drop	
V	Local signage	
V	Site signage	

ENGAGEMENT FINDINGS REPORT FOR MODERATE- AND HIGH-IMPACT DEALINGS AND ACTIVITIES

ENGAGEMENT ACTIVITY	DESCRIPTION OF ACTION TAKEN	SUMMARY OF PARTICIPATION
CONSULT ENGAGEMENT		
V	Community information event	
V	NSW Have Your Say feedback website	
V	Online forum	

ENGAGEMENT FINDINGS REPORT FOR MODERATE- AND HIGH-IMPACT DEALINGS AND ACTIVITIES

ENGAGEMENT ACTIVITY	DESCRIPTION OF ACTION TAKEN	SUMMARY OF PARTICIPATION
CONSULT ENGAGEMENT		
V	Public submissions (may be mandatory)	
V	Survey	
PARTICIPATE ENGAGEMENT		
V	Community advisory or consultative committee	

ENGAGEMENT FINDINGS REPORT FOR MODERATE- AND HIGH-IMPACT DEALINGS AND ACTIVITIES

ENGAGEMENT ACTIVITY	DESCRIPTION OF ACTION TAKEN	SUMMARY OF PARTICIPATION
PARTICIPATE ENGAGEMENT		
V	Interactive workshop	
V	Targeted meeting/ briefing	
V	'Walkshop' onsite tour/visit	

ENGAGEMENT FINDINGS REPORT FOR MODERATE- AND HIGH-IMPACT DEALINGS AND ACTIVITIES

3

ENGAGEMENT ACTIVITY SUMMARY

V

Number of participants

Where applicable

Inform activities

Consult activities

Participate activities

V

Number of public submissions received

ENGAGEMENT FINDINGS REPORT FOR MODERATE- AND HIGH-IMPACT DEALINGS AND ACTIVITIES



**Number
of emails
received**



**Number
of survey
responses
received**

ENGAGEMENT FINDINGS REPORT FOR MODERATE- AND HIGH-IMPACT DEALINGS AND ACTIVITIES

4 ENGAGEMENT OUTCOMES SUMMARY



Amount/number of comments or public submissions expressing overall support for the dealing or activity



Amount/number of comments or public submissions expressing overall opposition to the dealing or activity



Number of comments/feedback focusing largely on policy matters (e.g. selling Crown land) rather than matters relating to current community use and enjoyment of the dealing or activity

ENGAGEMENT FINDINGS REPORT FOR MODERATE- AND HIGH-IMPACT DEALINGS AND ACTIVITIES

5

COMMUNITY USE AND ENJOYMENT ISSUES RAISED

V

How did people describe the way they use and enjoy the site?
(Select which apply)

Passive recreation (e.g. social gatherings, meetings, picnics)

Visual appeal

Cultural heritage value

Active recreation (e.g. walking, bushwalking, cycling, boating)

Landscape value

Environmental value

V

How did people describe their community use and enjoyment as being adversely impacted by the dealing/activity?
(Select which apply)

Loss of access

Limited time/window for other uses

Impact on cultural heritage, landscape or environmental values

'Commercialisation' of public space

Increase in exclusive use at the expense of multiple use

Fewer local services

ENGAGEMENT FINDINGS REPORT FOR MODERATE- AND HIGH-IMPACT DEALINGS AND ACTIVITIES



How did people describe their community use and enjoyment as being positively impacted by the dealing/activity? (Select which apply)

Improved access
Increased/better services
Improvements to cultural heritage, landscape or environmental values

Improved amenity
More opportunities for multiple use
Increased/better landscape value



As the responsible officer, in your assessment does the proposed dealing or activity affect current community use and enjoyment as described in the feedback received?

INPUT TO DECISION-MAKING

The information in this engagement findings report will be used as an input to broader decision-making about the proposed activity or dealing.

While community engagement is an important contributor to decision-making about Crown land, it is not the determining factor. When making decisions about Crown land activities and dealings, the department and non-council CLMs must also consider:

- objects of the Act, including the principles of:
 - › environmental, social, cultural heritage and economic considerations
 - › benefit to the people of NSW
 - › facilitation of use of Crown land by Aboriginal people
- other provisions of the Act including specific requirements and restrictions that apply to different dealings and activities
- other relevant matters, for example *Aboriginal Land Rights Act 1983*, *Native Title Act 1993* and other environmental protection and planning laws
- any other relevant departmental policies and procedures.

MINIMAL-IMPACT DEALINGS AND ACTIVITIES

ENGAGEMENT FINDINGS REPORT MINIMAL-IMPACT DEALINGS AND ACTIVITIES

1 BACKGROUND INFORMATION

V Reporting officer/non-council CLM

V Details of dealing/activity

V Is there an associated change to a reserve or dedication

YES

NO

V Level of assessed impact of dealing/activity

LOW

ENGAGEMENT FINDINGS REPORT MINIMAL-IMPACT DEALINGS AND ACTIVITIES

2

ENGAGEMENT ACTIVITY CONDUCTED

(Select inform engagement activities conducted, including pre-decision notification on department website)

ENGAGEMENT ACTIVITY	DESCRIPTION OF ACTION TAKEN	SUMMARY OF PARTICIPATION
INFORM ENGAGEMENT		
V	Department website 28-day or 42-day notification (mandatory)	
V	Advertisement/notice	
V	Fact sheet/FAQ	

ENGAGEMENT FINDINGS REPORT MINIMAL-IMPACT DEALINGS AND ACTIVITIES

ENGAGEMENT ACTIVITY	DESCRIPTION OF ACTION TAKEN	SUMMARY OF PARTICIPATION
INFORM ENGAGEMENT		
✓	Letterbox drop	
✓	Local signage	
✓	Site signage	
✓	Other [detail]:	

ENGAGEMENT FINDINGS REPORT MINIMAL-IMPACT DEALINGS AND ACTIVITIES

3

ENGAGEMENT OUTCOMES SUMMARY

V

Were comments received
during notification period?

If yes, proceed to Step 4 below

If no, proceed to Step 5 below

ENGAGEMENT FINDINGS REPORT MINIMAL-IMPACT DEALINGS AND ACTIVITIES

4 CURRENT COMMUNITY USE AND ENJOYMENT ISSUES RAISED



How did people describe the way they use and enjoy the site?
(Select which apply)

Passive recreation (e.g. social gatherings, meetings, picnics)

Visual appeal

Cultural heritage value

Active recreation (e.g. walking, bushwalking, cycling, boating)

Landscape value

Environmental value



How did people describe their community use and enjoyment as being adversely impacted by the dealing/activity?
(Select which apply)

Loss of access

Limited time/window for other uses

Impact on cultural heritage, landscape or environmental values

'Commercialisation' of public space

Increase in exclusive use at the expense of multiple use

Fewer local services

ENGAGEMENT FINDINGS REPORT MINIMAL-IMPACT DEALINGS AND ACTIVITIES



How did people describe their community use and enjoyment as being positively impacted by the dealing/activity? (Select which apply)

Improved access
Increased/better services
Improvements to cultural heritage, landscape or environmental values

Improved amenity
More opportunities for multiple use
Increased/better landscape value



As the responsible officer, in your assessment does the proposed dealing or activity affect community current use and enjoyment as described in the feedback received?

ENGAGEMENT FINDINGS REPORT MINIMAL-IMPACT DEALINGS AND ACTIVITIES

5

NEXT STEPS

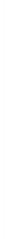
V

Are there options to incorporate measures into the proposed dealing or activity to address any concerns raised about ongoing community use and enjoyment?



V

Is further engagement required before community engagement about this dealing or activity can be closed?



INPUT TO DECISION-MAKING

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- any other relevant departmental policies and procedures.

C6

HOW WE INFORM AND NOTIFY

IMPROVING HOW WE INFORM AND NOTIFY

TIPS FOR PREPARING EFFECTIVE NOTIFICATIONS

➤ **1. Use graphics such as a simple map to show the site you are informing people about.** Remember to label the map with nearby street names or any key landmarks to help communicate the local context.

➤ **2. Use everyday language that can be easily understood by people with no technical knowledge of Crown land management.** This is crucial for getting the reader engaged. Avoid technical language and jargon.

➤ **3. In communities with high levels of cultural and linguistic diversity, consider including the details of a relevant translating and interpreting service,** for instance, the Australian Government Translating and Interpreting Service (TIS). www.tisnational.gov.au

➤ **4. Clearly state what is being proposed.** The purpose of informing or notifying the community is to clearly communicate the nature of the proposed dealing or activity and any change to the status quo. Communications should clearly describe this information.

➤ **5. Tailor the communication to the relevant phase of engagement.** The communication should clearly describe the decision-making process relating to the dealing or activity, opportunities for the community to have their say, the next steps in the process, and overall timeframe for decision-making.

➤ **6. Enable the community to respond.** Provide members of the community and other stakeholders with a contact phone number and or email address for any questions or concerns they may have relating to the dealing. Do not assume your readers will know how to take action or contact the department or non-council CLM.



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The information contained in this publication is based on knowledge and understanding at the time of writing (April 2018).

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

IMAGES

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