

Crown Lands compliance strategy 2025–2030

October 2025

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Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land, and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

Artist Statement – Kyara Fernando

Kyara's work tells the story of the enduring relationships between community, and the lands and waters that have sustained us for generations. The art depicts a central gathering place, surrounded by other communities showcasing the diversity of shared cultural traditions in NSW.

The concept emphasises the strength of bloodline connections, and the living history and collective identity of the state, while the incorporation of environmental elements including waterways and landscapes evokes imagery of ancestral lands, reminding us as a department of the importance of balancing program delivery with a connection to nature and Country. It is through connection and recognition of these landscapes that we can continue to honour and support the survival of cultural practices, places and peoples for many generations to come.



► Artwork by Kyara Fernando

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Crown Lands compliance strategy
2025–2030

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Who we are

1

The Department of Planning, Housing and Infrastructure – Crown Lands is a NSW Government agency that manages Crown land, waterways and Crown roads across the state in the public interest. Together, these make up the Crown estate.

Crown Land administers the Crown Land Management Act 2016 and the Roads Act 1993 to deliver modern, streamlined and transparent management of the Crown estate. We promote compliance with the legislation, so these lands are appropriately used and occupied. The Department is the regulator of Crown land in NSW.

Crown Lands is a diverse organisation divided into 7 administrative regions across NSW, as shown on the map below. We work together with our land managers, other Government agencies and the community to balance competing interests and challenges to protect Crown land on behalf of the NSW people. Crown Lands is responsible for the ownership, use and management of Crown land in NSW.



Figure 1: Map showing the seven administrative regions of Crown Lands across New South Wales.

Our vision

Crown Lands' Compliance Strategy 2025–30 (the strategy) aims to support lawful, proper and safe use of Crown land now and into the future. It aligns with the 10-year vision for Crown land within Crown Lands 2031 State Strategic Plan. It supports resilient, sustainable and prosperous communities across NSW and aligns with our obligations to meet the objects and principles of the Act.

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Our commitments

This strategy aims to guide our staff and external stakeholders in managing compliance matters on Crown land.

Crown Lands is committed to delivering our vision by:

1

Using laws, principles, policy and other relevant legislation as the basis for our decisions around land use and management.

2

Employing an outcomes-focused, risk-based regulatory framework that prioritises and targets its response to the most serious risks.

3

Using all available laws to protect public land.

4

Penalising those who significantly harm or threaten the environment or public safety.

5

Delivering a contemporary, responsive, efficient, transparent and collaborative approach to both compliance matters and overall land administration.

3

Our regulatory principles

Crown Lands' compliance functions are guided by the objects and principles of the Act. Crown Lands has developed a set of regulatory principles to guide our response to compliance matters on Crown land.



4

Outcomes-focused

Our regulatory efforts prioritise achieving specific outcomes related to sustainable land use, conservation, community benefit, equity, and economic development on Crown land. This ensures that all regulatory activities contribute positively to the management of Crown land. We ensure that our decision-making is aligned with the objectives of the Crown Land Management Act 2016.

Risk-based and intelligence-led

We apply a risk-based approach to regulatory activities, initiatives and decision-making. We focus our resources toward matters where there is higher potential for environmental degradation or misuse of Crown land. We ensure that regulatory actions are informed by evidence and targeted towards the most significant risks.

Fairness

By acting impartially and objectively, we ensure that all regulatory actions and decisions are fair and balanced, and consider the interest of all stakeholders, including the community, industry, and the environment. This principle promotes equity and impartiality in the management of Crown land.

Proportionate

Our response to non-compliance is relative to the severity of the identified compliance breach. Minor breaches may result in education or warnings, while serious breaches could lead to enforcement actions such as fines or prosecution. We promote voluntary compliance as an initial first step in many cases.

Consistent

We apply our compliance framework, and all our associated policies and procedures, to regulatory investigations to ensure correct process is followed and that our response is consistent across the Crown estate. We recognise that in doing so we build trust with stakeholders and ensure that similar circumstances lead to similar outcomes.

Aligned with the principles of Crown land management

All regulatory actions and decisions are consistent with the principles outlined in the Crown Land Management Act 2016. This includes observing environmental protection principles, conserving natural resources, encouraging public use and enjoyment, promoting multiple uses where appropriate, and ensuring that Crown land is managed in the best interests of the state.

Committed to best regulatory practice

We are strongly committed to ensuring regulatory practices are effective, efficient, and aligned with contemporary standards. We adopt the best regulatory practices by continuously improving regulatory frameworks, staying updated with industry standards, and incorporating feedback from stakeholders.

Timely

We act on issues promptly and strive to ensure that regulatory actions and decisions are made in a timely manner to provide certainty for stakeholders.

Our regulatory policy and supporting guidance

The Act includes compliance and enforcement powers to protect Crown land from potential damage and degradation, as well as to ensure equity in public use and enjoyment. Our Compliance and Enforcement policy and guidelines outline our approach to achieve compliance and, where needed, take regulatory action. They align with our regulatory principles and give stakeholders confidence that they will receive consistent and fair treatment.

How will the strategy help?

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This strategy is a practical guide for our people and the communities we work with. It will:

- encourage voluntary compliance with the laws governing the use of Crown land, waterways and Crown roads
- build stronger partnerships with other agencies and organisations to manage and protect Crown land
- take proportionate action to ensure the use of Crown land, waterways and Crown public roads is lawful, appropriate, and safe
- contribute to the development of easy-to-find guidance so the people we work with can be self-sufficient.

We have a strong commitment to ensuring our regulatory practices are effective, efficient and aligned with contemporary standards. We adopt best regulatory practices by continuously improving regulatory frameworks, staying updated with industry standards, and incorporating feedback from stakeholders into our practices.

Clear regulatory priorities and focus areas are a core part of a regulator's operational standards and good practice. We set them openly and explain why, so our staff, partners and the public understand our decisions.

Our priorities



6

Continuing priorities 2025–2030

Six priorities have been chosen for the term of the strategy:

1

Applying a proportionate, clear and consistent response to compliance matters.

2

Using the compliance powers available to meet our responsibilities to protect Crown land.

3

Supporting our Crown land managers in protecting Crown land.

4

Connecting with our customers and the NSW community.

5

Fostering strong networks and collaboration with other NSW government agencies.

6

Recognising the importance of Aboriginal land rights and native title interests.

These priorities reflect both contemporary matters affecting Crown land management, along with Crown Lands' recurrent stakeholder and operational responsibilities.

Annual priorities

Each year, Crown Lands establishes a small number of projects, with clear outcomes, for delivery within a 12-month period. Each of these projects link to one or more of the ongoing priorities. These projects can be adjusted throughout the year to respond to emerging issues.

Six priorities



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Priority 1 – Applying a proportionate, clear and consistent response to compliance matters



We are focused on managing reports of illegal activities appropriately, in a timely and consistently manner across the Crown estate. A core component of delivering this is through the full implementation of the Crown Lands risk management framework.

The framework ensures our regulatory response is proportionate to the risk it presents to public safety and the environment. By making this a focus area, we aim to minimise the administrative burden of reported alleged illegal activities and improve the efficiency of managing unlawful land use or occupation.

The framework offers a variety of compliance responses depending on the nature of the complaint. This ranges from taking no further action on low-risk matters through to prosecution for more serious offences.

When deciding what action to take, we consider:

- the type of offence and how serious it is
- the severity of harm that may be caused
- other relevant factors such as repeated non-compliance and whether proceeding with an investigation is in the public interest.

Achieving this priority will shorten the time taken to assess new reports and reduce compliance backlogs. It will also free up our staff to focus on matters posing a moderate to high risk to public safety or the environment.

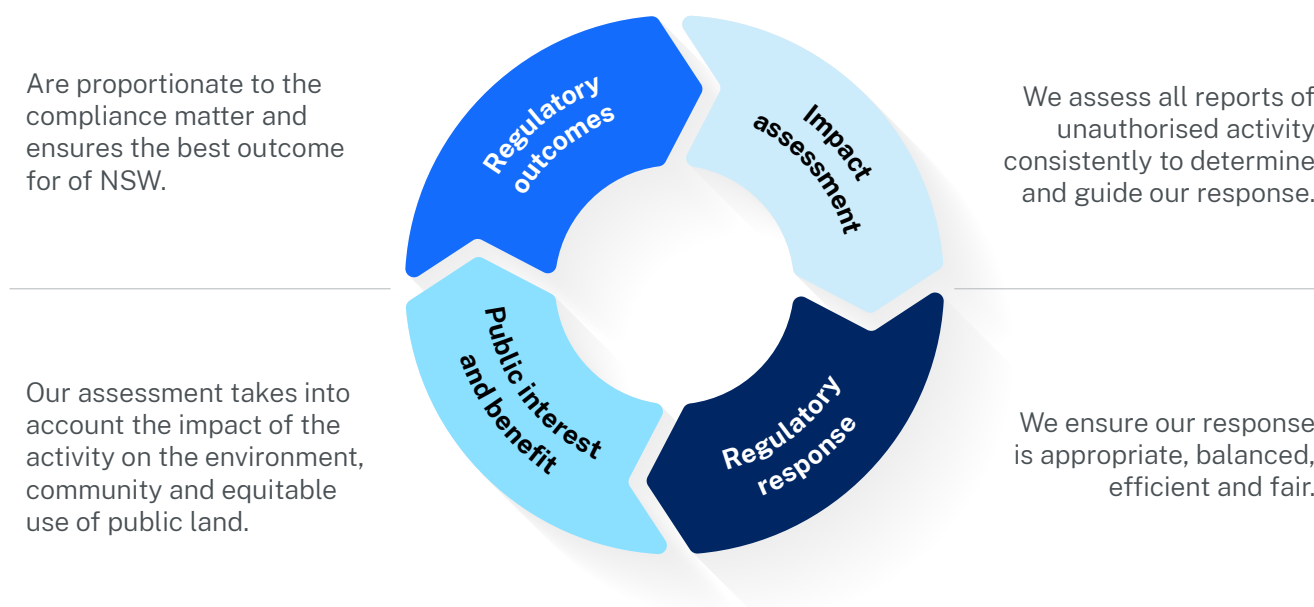


Figure 2: The risk-based framework for compliance and enforcement action on Crown land.

The framework will be reviewed and updated as needed to ensure it meets emerging issues and continues to be fit for purpose.

Priority 2 – Using the compliance powers available to meet our responsibilities to protect Crown land

2

We will use the full range of powers in the Crown Land Management Act 2016, and other relevant legislation, to prevent harm, stop unlawful activity, and take corrective action on Crown land, waterways and Crown roads. This includes investigating matters and, where appropriate, issuing directions and notices, setting or varying licence conditions, issuing penalty notices, seeking remediation, and pursuing court action for serious offences.

We select the most appropriate compliance approach from the Crown Lands Risk Management Framework (see Priority 1). The level of risk to public safety and the environment guides what we do and how quickly we act. We will use other laws if they are better suited to a problem. For example the Public Spaces (Unattended Property) Act 2021 is used to address unattended items, such as motor vehicles on Crown land.

The Crown Land Management Act 2016 sets out who can exercise compliance powers. Some powers are reserved for the Minister. Other powers can be delegated or executed by authorised officers, including Crown Lands staff, other Government agencies, local councils and Crown land managers. We support authorised officers to use these powers lawfully, proportionately and consistently.

Under this priority we will:

- review and update the Crown Land Compliance and Enforcement Policy and supporting materials
- provide clear, practical guidance and templates so authorised officers know what powers are available and when to use them
- deliver training and legal support to lift capability and consistency
- monitor the timely and proportionate use of powers
- implement any reforms arising from the five-year review of the Crown Land Management Act 2016 through our annual priorities over the life of this strategy.

As of 2025, Crown Lands is in the final stages of a five-year review of the Crown Land Management Act 2016. This review is identifying reforms aimed at strengthening and improving the management of the Crown estate. While current compliance and enforcement measures under the Act are strong, the review is an opportunity to refine them, ensuring they are best-practice and will provide adequate protection of Crown land in the future. Implementation of the reforms resulting from the review will be addressed within the annual priorities.



Priority 3 – Supporting our Crown Land Managers in protecting Crown land

3

Crown Land Managers (CLMs) are responsible for the care, control and management of Crown reserves on behalf of the people of NSW. Because a range of organisations can be appointed as a CLM, communities can have a direct role in managing land to provide services that best meet local community needs.

Crown Lands recognises the invaluable contribution of CLMs. Crown reserves are managed based on a partnership between the NSW Government and the community, with CLMs responsible for the day-to-day running of the reserve. CLMs have additional responsibilities in managing the land and assets under other legislation, such as planning, development, and environmental laws, and are accountable to their community for important public facilities.

We provide practical support and guidance to CLMs, so they meet their obligations in protecting Crown land, as set out in our Compliance and Enforcement Guideline. We place emphasis on non-council CLMs who deliver services directly to the public, including tourism and recreation, so they can prevent, detect and respond to non-compliance quickly and safely. CLMs routinely deal with activities that conflict with the reserve purpose, from anti-social to criminal activities. Recent

feedback highlights recurring issues such as vandalism, unauthorised vehicle access, theft, unlawful camping or occupation, waste dumping, and other behaviour that undermines safety, amenity and environmental values.

Understanding and applying multiple legislation can be complex and time consuming. Many non-council CLMs do not have the resources or specialist regulatory knowledge to do this alone. We engage proactively with these managers and provide extra support where needed.

Under this priority, we listen to issues and build understanding so CLMs can make confident, independent decisions across all aspects of reserve management. This will include training opportunities and targeted resources to assist in achieving compliance.

Progress in this priority area will give CLMs the confidence to manage compliance issues, using the tools available to them under the Crown Land Management Act 2016. This will allow Crown Lands to focus on more complex, high risk compliance issues affecting Crown land.



Priority 4 – Connecting with our customers and the NSW community

4

Crown Lands' 2023 and 2024 customer service survey results identified several opportunities for improvement. Customers find it challenging to access and understand information, there is a lack of applicant progress updates, and long delays and complex processes are experienced during interactions.

Crown Lands has a diverse customer base, and the development and implementation of a Customer Service Strategy is building capability and an internal culture that places the customer at the centre. This strategy assists in growing employees' understanding of their customers and their needs, and improving public awareness of what Crown Lands is responsible for and therefore accountable for, when administering Crown land under the Act.

Given 70 per cent of the NSW public regularly use Crown land, it is important that the public has a clear understanding of Crown Lands' regulatory role. This includes how the public can contribute to a shared responsibility for the protection of Crown land, the environment and its resources. An emphasis on ensuring our licence and lease holders understand their responsibilities as tenure holders is an important part of this too.

An action plan has commenced to simplify website navigation to enable self-serve, simplified steps to access services and provide proactive Crown Lands updates.



Priority 5 – Fostering strong networks and collaboration with other NSW Government agencies

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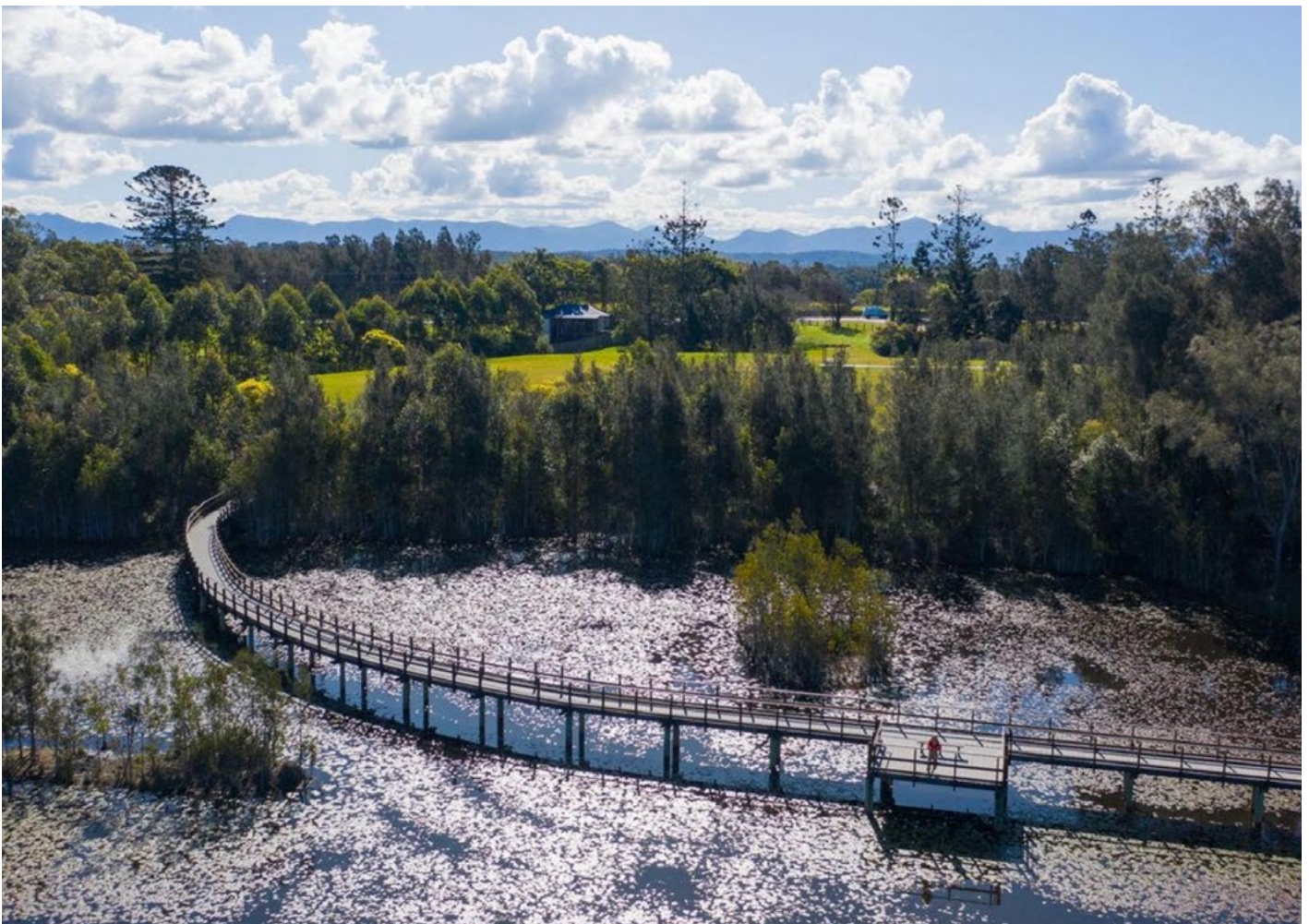
As a land manager, Crown Lands works closely with other agencies with responsibilities affecting Crown land, waterways and Crown roads. Key partnerships include the NSW Department of Primary Industries and Regional Development - Fisheries, Transport for NSW Maritime, Local Land Services, the NSW Environment Protection Authority (EPA), National Parks and Wildlife Service, NSW Police Force, the Natural Resource Access Regulator, and local government (both as planning authorities and as significant Crown land managers).

If a compliance breach falls outside the jurisdiction of Crown Lands, we refer it to the appropriate regulator to respond. For example, the Protection of the Environment Operations Act 1997 is used by the NSW Environment Protection Authority and local government to investigate and act on matters concerning air, noise

and water pollution, and waste management. Working together ensures public spaces and the environment are protected in a consistent, efficient way.

Under this priority, we will:

- aim to set clear referral pathways and single points of contact between agencies
- run joint inspections and operations where that will achieve better outcomes
- agree on who leads, who supports, and how information is shared to avoid duplication
- develop joint initiatives that remove unnecessary regulatory overlap and delays
- seek to establish working groups to regularly review roles, responsibilities and commitments so everyone understands who does what and why.



Priority 6 – Recognising the importance of Aboriginal land rights and native title interests

6

Crown Lands is committed to the continued establishment of internal policies and practices that assist in the recognition of Aboriginal land rights and native title legal rights and interests in Crown land.

We will continue delivering resources and training to build capability in our staff, Crown land managers, and users of Crown land about Aboriginal rights and interests which include cultural connections to Crown land.

We will also ensure Aboriginal rights and native title interests are considered in all relevant decision-making processes completed by Crown Lands. This will result in land rights and native title interests being maintained and respected on Crown land.





Monitoring and review

8

Crown Lands will actively monitor and reassess this strategy and the priorities during its five-year term based on new data or information from a variety of sources, including:

- monthly compliance reporting on the nature and processing of complaints, including case management timeframes
- new case law resulting from judgments and decisions of the NSW and Federal courts and tribunals
- customer feedback surveys
- our experiences with addressing compliance issues in partnership with Crown land managers, as well as other government agencies and Aboriginal people.

This will help ensure our response to compliance and land management matters on Crown land remain contemporary and effective.

Each year during the life of the strategy new projects will be developed, communicated and implemented to meet our priorities.

These projects and actions will then be reviewed at completion by project owners to assess the outcomes, results, any achievements and/or setbacks.

