



**Our Reference:** LMF21/306, 21/00383#35  
**Your Reference:** Crown Land Management (21/46150)

24<sup>th</sup> June 2021

Matthew Wood  
A/ General Manager  
Ballina Shire Council  
PO BOX 450  
Ballina NSW 2478

By Email: [council@ballina.nsw.gov.au](mailto:council@ballina.nsw.gov.au):

Dear Mr Wood,

**Re: Ballina Shire Council Request to Transfer Crown Land Lots 284 & 203 DP755684 and Lot 491 DP729381 at Ballina.**

The Department of Planning, Industry and Environment, Lands and Water (the department) refers to Ballina Shire Council's (the Council) letter dated 1<sup>st</sup> June 2021 to the Minister for Water, Property and Housing regarding Council's request to transfer Crown land lots 284 & 203 DP755684 and lot 491 DP729381 (the subject lands) to Council at a nominal value.

The Council should compulsorily acquire the subject lands under the *Land Acquisition (Just Terms Compensation) Act 1991* (the Just Terms Act). The Just Terms Act provides a statutory process for acquiring authorities to acquire any interest in Crown land.

Typically, Crown land has additional likely interest holders other than the registered proprietor. The right and interest of Aboriginal people and communities must be considered for any dealings on Crown land. The compulsory acquisition procedures of the Just Terms Act provide mechanism to identify and address the interest in Crown land.

The department has no objection for Council to compulsorily acquire the subject lands, in accordance with the provisions of the Just Terms Act.

The department does not hold delegation to accept compensation that is less than market value, therefore we can't agree to compensation for a nominal value

Further information about compulsory acquisition of Crown land, please click the link below.  
<https://www.industry.nsw.gov.au/lands/access/compulsory-acquisition>

Should you have further questions, please email [cl.acquisitions@crowland.nsw.gov.au](mailto:cl.acquisitions@crowland.nsw.gov.au)

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Aileen Salim', is written over a faint, light blue circular stamp or watermark.

Aileen Salim  
Property Development Project Officer  
**Strategic Sales & Disposal Unit – Customer & Systems**  
NSW Department of Planning, Industry and Environment – Crown Lands & Water Division