



Plan of Management

Community Land

Document Control

| Item | Detail |
|-----------------------------|--------------------------|
| ECM Number | |
| Department | Operations |
| Position | Manager Facilities |
| Review time frame | Each new term of Council |
| Next scheduled review date | 2027 |
| Adoption by Council | |
| Resolution / Minutes number | |

| Version History | |
|----------------------|---------------|
| Version 1 | 1 |
| Date changed | December 2023 |
| Modified by | Sharon Ross |
| Details and comments | Plan created |

Table of Contents

| | | |
|----------|--|----------|
| 1 | Plan Introduction | 4 |
| 1.1 | Introduction | 4 |
| 1.2 | Native Title Act and Crown Land Management Act | 4 |
| 1.3 | Native Title Manager Reports | 5 |

1 Plan Introduction

1.1 Introduction

Community Land Crown Reserves managed by Council are in areas traditionally occupied by the Wiradjuri Aboriginal people and lie within the area of the Wiradjuri Nation of the New South Wales Aboriginal Land Council.

Council embrace the fact that Aboriginal and Torres Strait Islander peoples' have existed continuously as distinct societies, with diverse and unique laws, cultures, knowledge and worldviews. Council 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.

Council recognise Aboriginal and Torres Strait Islander peoples' right to self determination. In exercising self-determination, Indigenous peoples have rights to strengthen their institutions, practice, teach and protect cultural traditions and knowledge systems and develop and use their lands and waters.

All decision making activities concerning Parkes Shire Council Crown Reserves shall proceed from an initial presumption of Indigenous authority as self determining peoples, and as rights holders, whose knowledge and contributions must be recognised, respected and valued.

Parkes Shire Council respects Aboriginal and Torres Strait Islander values and worldviews and acknowledges the wisdom and multiplicity of the Indigenous knowledge system.

The practical application of this Plan of Management shall be conducted with "Yindamarra", a Wiradjuri concept which means:

"To act with honour and respect, wisdom, to go slowly and act responsibly, be gentle and polite and honest with each other, be careful of the words and actions you put out to the world and understand the impact they have".

1.2 Native Title Act and Crown Land Management Act

The Commonwealth Native Title Act 1993 (NT Act) recognises and protects native title rights and interests. The objects of the NT Act are to:

- provide for the recognition and protection of native title
- establish ways in which future dealings affecting native title may proceed and to set standards for those dealings
- establish a mechanism for determining claims to native title
- provide for, or permit, the validation of past acts invalidated because of the existence of native title.

The NT Act may affect use of Crown land, particularly development and granting of tenure.

Specifically, the NSW State Legislation, the Crown Land Management Act makes it mandatory for council to engage or employ a native title manager. This role provides advice to council as to how the council's dealings and activities on Crown land can be valid or not valid in accordance with the NT Act.

Council must obtain the written advice from an accredited native title manager that Council complies with any applicable provisions of the native title legislation when:

1.3 Native Title Manager Reports

- granting leases, licences, permits, forestry rights, easements or rights of way over the land
- mortgaging the land or allowing it to be mortgaged
- imposing, requiring or agreeing to covenants, conditions or other restrictions on use (or removing or releasing, or agreeing to remove or release, covenants, conditions or other restrictions on use) in connection with dealings involving the land
- approving (or submitting for approval) a plan of management for the land that authorises or permits any of the kinds of dealings referred to above.

In line with the provisions of the Crown Land Management Act 2016, Section 8.6, Council has employed a Native Title Manager, who has attended the approved training provided by the Crown Solicitors Office.

Native Title Manager Reports have been authored by Council's Native Title Manager for each crown reserve managed by Parkes Shire Council.

Copies of the Native Title Manager Reports for each reserve are available by contacting Parkes Shire Council.

For more information
about this Plan of Management,
please contact:

Parkes Shire Council

T 02 6861 2333
council@parkes.nsw.gov.au

