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PLAN OF MANAGEMENT

MURRUMBATEMAN OLD SCHOOL HOUSE AND LIBRARY RESERVE 97127



This Plan of Management has been prepared by Council and provides direction as to the asset management of the Old School House site and land situated on Crown Reserve 97127.

Plans of Management provide information about the reserves and their users, and state what, why, how and by whom the values of a reserve are being managed. Plans of Management are statements about how the reserve is to be managed in line with its purpose.

This Plan of Management has been prepared in accordance with the provisions of the *Crown Land Management Act 2016* and the *Local Government Act 1993* to provide a framework for the future management, use and development of the Old Murrumbateman School House and Library Reserve site for which Council is the Crown Land Manager pursuant to the relevant provisions of the *Crown Land Management Act 2016*.

The date of adoption for this Plan of Management is

2. INTRODUCTION

Murrumbateman is 20km south of Yass via the Barton Highway and 39km north of Canberra. At the 2021 census, Murrumbateman had a population of 3,607 people.



Council is responsible for the care and control of many parcels of community land and with the introduction of the *Crown Land Management Act 2016*, Crown reserves which Council is the Crown Land Manager for, will generally be managed under the provisions of the *Local Government Act 1993* as public land. A plan of Management is required for all council managed Crown reserves on community land. The process for preparing a plan of management is set out in Appendix 1.

2.1 Land to which this plan applies

	Reserve	Gazetted Date	Lot and DP	Purpose
Murrumbateman Old School House and Library Reserve	97127	6/1/1984	Lot 55 DP754900	Preservation of Historical Sites and Buildings (additional purpose – Community Purposes gazetted 19 July 2024)



Old Murrumbateman School

2.2 Owner of the land

Reserve 97127 is owned by the Crown and are managed by Council as Crown Land Manager under the Crown Land Management Act 2016.

3. RELEVANT LEGISLATION, POLICIES AND PROCEDURES

3.1 Local Government Act 1993

Under section 36 (1) of the *Local Government Act 1993*, Plans of Management must be prepared for all community land. Community land is land which is kept for use of the general public.

Clause 101 (2) of the *Local Government (General) Regulation 2021* requires Council to have regard to the guidelines for categorisation of community land set out in Clauses 102 to 111 of that Regulation.

This Plan of Management has been prepared in accordance with the *Local Government Act 1993* using the land categories approved by the Minister administering the *Crown Land Management Act 2016*.

The minimum requirements for a Plan of Management are set out under section 36 (3) of the *Local Government Act 1993*. A Plan of Management must identify the category of the land, the objective and performance targets of the plan with respect to the land, how Council proposes to assess its performance, and what activities may require the approval of the Council for carrying out on the land.

Section 36 (3A) specifies that Plans of Management that are specific to one area of land, must also describe the condition of the land as at the adoption of the plan, describe the buildings on the land as at adoption, describe the use of the buildings and the land as at adoption and state the purposes for which the land will be allowed to be used, and the scale and intensity of that use.

Sections 36E – 36N of the *Local Government Act 1993* specify the core objectives for the management of each category of community land.

3.2 Crown Land Management Act 2016

Division 3.6 of the *Crown Lands Management Act 2016* deals with the requirements that Council must meet in relation to the Plans of Management and other Plans.

Section 3.23(6) of the *Crown Land Management Act 2016* requires Council Crown Land Managers to adopt a Plan of Management for any Crown reserve for which it is appointed Crown Land Manager, and that is classified as community land under the *Local Government Act 1993*.

3.3 Categorisation of the reserve

Under section 3.23(2) of the *Crown Land Management Act 2016* Council Crown Land Managers must assign to all Crown Land under their management one or more initial categories of community land referred to in section 36 of the *Local Government Act 1993*.

The degree to which the reserve purpose relates to the assigned category of the land is important for ongoing management of the land as Council must obtain Native Title Manager advice as to the validity of the activities that they wish to undertake on the land prior to dealing with the land. Irrespective of whether native title has been determined on a Crown reserve, council is still required to manage the reserve for the purpose for the purpose it was reserved under the *Crown Land Management Act 2016*.

Both the *Aboriginal Land Rights Act 1983* and the *Native Title Act (NSW) 1994* recognises the intent of the original reserve purpose of the land so that complying activity can be considered lawful or validated, particularly under Section J of the Commonwealth *Native Title Act 1993*.

The category 'General Community Use' was approved by the Minister administering the *Crown Land Management Act 2016* in relation to the Old Murrumbateman Schoolhouse Reserve (Reserve 97127) on the 20 April 2021; the purpose of 'Preservation of Historical Sites and Buildings', having been gazetted on 6 January 1984. An additional purpose of 'Community Purposes' and an extended area, to include the entirety of Lot 55 were gazetted on 19 July 2024. Detailed information relating to the category applicable to each reserve is presented in a separate section in this Plan of Management.



Reserve: 97127

Purpose: Preservation of Historical Sites and Buildings and Community Purposes

Category: 'General Community Use'

Activities on the land will need to reflect the intent of the public purpose and will be assessed for compliance with the relevant Local Government and Crown Lands legislation including assessment of the activity under the *Native Title Act (NSW) 1994* and registered claims under the *Aboriginal Land Rights Act 1983*.

Use of the land for any activity is subject to assessment and approval where required. Assessment will consider compliance with the objectives and relationship to and impact upon the public purpose for the land. Other uses that do not comply with the plan of management or zoning of the land under Council's LEP will not be considered.

Other relevant legislation and statutory controls

3.4.1 Native Title Act 1993 (Commonwealth)

All activities on the land must address the issue of native title. Whilst a successful claim for native title will lead to official recognition of native title rights, native title rights are considered to pre-date such recognition.

Native title can therefore be relevant to activities carried out on the land even if no native title claim has been made or registered.

The native title process must be considered for each activity on the land and a native title assessment must be undertaken. Almost all activities and public works carried out on the land will affect native title and require validation by Council's Native Title Manager.

Confirmation has been provided by Council's Native Title Manager on 31 July 2024 that this Plan of Management complies with the requirements of the *Native Title Act 1993*. Upon the inclusion of the extended area and additional use of the reserve, being for community purposes, Council satisfied itself that these actions did not result in a change of intended purposes and the extended area had no additional impact than that of the existing reserve use and purpose. In accordance with Section 24JA(1)(e)(i) and (ii) of the *Native Title Act 1993 (Cwlth)* the making of the Plan of Management is a valid act for the purposes of the *Native Title Act, 1993*.

3.4.2 Aboriginal Land Rights Act 1983

In New South Wales, Aboriginal Land Rights sits alongside native title and allows Aboriginal Land Council's to claim 'claimable' Crown Land.

Generally, the Aboriginal Land Rights Act is directed at allowing Land Council's to claim Crown Land that is unlawfully used or occupied. If a claim is successful, the freehold estate of the land is transferred to the Land Council.

Council should be mindful that any activity on Crown land is lawful in relation to the reserve purpose of the land, Council should ensure that Crown Land under its control is at all times lawfully used and occupied.

When planning an activity of the land such as the issue of a lease or licence or any public works, Council should request a search to determine whether an Aboriginal Land Rights claim has been made in relation to the land. If a claim is registered the activity must be postponed until the claim is resolved.

At the time this POM was prepared, there was an undetermined claim on this reserve.

3.4.3 Biodiversity Conservation Act 2016

The purpose of this Act is to support biodiversity conservation in the context of a changing climate, and to avoid, minimise and offset the impacts of proposed development and land use change on biodiversity.

3.4.4 Environment Planning and Assessment Act 1979

Under the Yass Valley Local Environmental Plan 2013 the land is zoned as:

Reserve	Zone	Objectives
97127	RU5 Village	<ul style="list-style-type: none">● To provide for a range of land uses, services and facilities that are associated with a rural village● To ensure that development is compatible with a village character and amenity.● To ensure that development is provided with adequate water supply and the disposal of sewage.

3.4.5 Council Plans, Strategies, Policies and Procedures

This Plan of Management is to be used in conjunction with the appropriate Council plans, policies and procedures that govern the use and management of community land and any facilities located on the land.

Additional Council policies, plans and strategies adopted after the date of this plan that have relevance to the planning, use and management of community land will apply as though they were in force at the date of adoption of the Plan of Management.

3.4.6 Legislation and Statutory Controls

This Plan of Management does not overrule existing legislation that also applies to the management of community land. Other legislation and policies to be considered in the management process include but are not limited to the following:

- Yass Valley Strategic Weeds Plan
- Park and Playground Strategy
- Yass Valley Open Space Strategy
- Community Engagement Strategy

3.4.7 Review of this plan

The use and management of the Murrumbateman Old School House and Library Reserve are regulated by this Plan of Management. Whilst the guidelines and principles outlined in the plan may be suitable at present, the plan will require regular review to align with community values and changing community needs as well the changing priorities of Council. The review should take place within 5 years of adoption of this plan.

3.4.8 Community consultation

This Plan of Management was placed on public exhibition from xxxx to xxxx in accordance with the requirements of Section 39 of the *Local Government Act 1993*. In addition to general exhibition, the Murrumbateman Community Association, Murrumbateman Landcare and Onerwal Local Aboriginal Land Council were contacted. A total of xx submissions were received. Council considered these submissions prior to adopting the Plan.

The draft Plan of Management was referred to the Department – Crown Lands as representatives of the state of NSW which is the owner of the Reserve. Council has included in the Plan comments and provisions as required by the Department – Crown Lands.

4 CULTURALLY SIGNIFICANT LAND

4.1 Indigenous Significance

The Ngunnawal people of this region were its first inhabitants and were known to walk this land. Other peoples and families also have a traditional connection to the lands of the Yass Valley. The site is not mapped as having indigenous significance and is not declared under section 84 of the *National Park and Wildlife Act 1974*.

4.2 Non-indigenous Significance

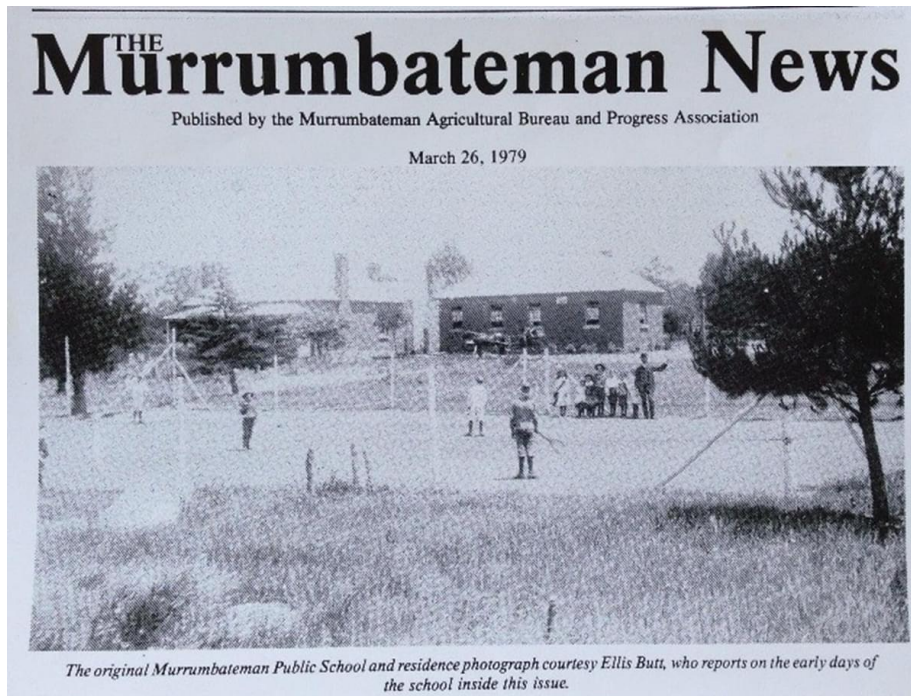
The Murrumbateman School and Schoolhouse (former) are items of environmental heritage listed in Schedule 5 of Yass Valley Local Environmental Plan 2013. The site and the buildings are considered to be assets of social, aesthetic and historical significance. The assessment of significance supporting the item indicates that the remaining trees are important to the heritage significance of the site and should be retained.

The first school at Murrumbateman was a provisional school opened in either June or July 1886, with an enrolment of 30 pupils. The Inspector from Goulburn visited the school on 28th March, 1870 and stated: *The building is constructed of split slabs and bark. Fencing, hat pegs, a map of the world, a blackboard, and an additional room to the teacher's residence are required. There is a fair supply of furniture and books, the general discipline is good, and the progress of the pupils in learning, for the short time they have been under instruction, is tolerably satisfactory.*

By 1872 the school was elevated to the status of a public school and a new brick building was erected. This brick building still stands beside the original school house which became the teacher's residence and remained in service until 1954, a period of 82 years. The orchard is estimated to be planted around 1906 as part of a development of gardens, records indicated that 12 fruits trees were planted along with vegetables and flowers, most likely by schoolchildren as part of Arbor Day activities. Gardening activities were an integral part of the school curriculum

at the time with the Murrumbateman School Exhibit, featuring produce from the trees, winning first prize at the 1909 Yass Show. Many of the fruit trees have been removed, with only a few remaining.

Physical activity was also an important part of the school curriculum with the school having an onsite tennis court on the flat area closer to the Barton Highway.



The buildings and grounds have significance for the present community, many of whom attended during their childhood. To this end the community would like to see the school bell, purchased in 1874, reinstated on the site, having been removed to a Council facility for safe keeping.

More recently the Old Schoolhouse was used as the Murrumbateman Library branch until 2022 when it was acknowledged that buildings did not meet the current accessibility and fire safety standards for public buildings.



Students and teachers outside Murrumbateman School 1895



Murrumbateman School Exhibit, including produce from fruit trees won first prize at the 1909 Yass Show

Many of the exotic trees, including pine trees, were planted by schoolchildren and teachers. Similarly, the plane trees along the Barton Highway adjacent the site were planted by school children in memory of those who service in the two world wars. Trees on a neighbouring parcel of Crown land were planted in memory of school children who had passed away.

The Murrumbateman Community Association (including under former names) has had substantial involvement with the old schoolhouse, including the maintenance of historic records (site and town). The records indicate that the existing post and rail fencing around the informal carpark area is the original fencing from the Murrumbateman Oval that was built by the community in the 1930s. The Murrumbateman Community Association has been instrumental in the return of the building on the site to the community in 1987. The Association actively maintained and cared for the site in its role as a committee established under Section 355 of the *Local Government Act, 1993* until the abolishment of that committee in 2017. Many members of the community, including the MCA, have familial ties to the site through attendees of the school.



The post and rail fencing was part of the original Murrumbateman Oval fencing

5 DEVELOPMENT AND USE

The General Community Use category will enable flexibility in the future community use of the buildings and surrounding land.

5.1 Condition of the land and structures on adoption of the plan

At the date of adoption of this plan, the Old Murrumbateman School House buildings are structurally sound, in a reasonable condition, given the age of the buildings and the unoccupied state for the past several years. There

have been previous issues with leaking roofs, deteriorating window sills and bowing of the eastern wall of the schoolhouse. It is noted that restoration activities were undertaken in by the Murrumbateman Community Association in 1988 as part of the bicentennial grant program.

- The Old School building is of brick exterior with a metal roof. The building is in reasonable condition with some brick rendering required on the western side to ensure that further deterioration of the brickwork due to rising damp and exposure to sun and wind. The building is in reasonable condition considering its age.
- The Old School House is in reasonable repair, recent improvements to the building have seen modifications to the bathrooms and painting and carpeting throughout the interior.
- The exterior of the building has been maintained and the front wooden steps were replaced in recent years. The galvanised roof is showing signs of aging and will require painting or replacement in the future.
- The original underground water tank is now disused, as an above ground tank now services the Old School House. Whilst the underground tank is part of the history of the school it is recommended that the underground tank area be securely fenced to eliminate any future risk/danger to the community.
- The eucalypt trees on site are potentially hollow bearing and have significance to the heritage and scenic values of the site.
- The accessway from the Barton Highway with informal carparking area is located within Reserve 97127.
- Plans for a playground to be constructed in 2025 consists of natural play equipment, a modular unit, flying fox, public amenities and open space elements.

It is acknowledged that the buildings do not meet current accessibility and fire safety requirements as contained in the *National Construction Code*, associated Australian Standards and legislation specifically designed to enable building accessibility. Any works required to ensure the buildings are accessibility compliant and have appropriate fire safety features must be undertaken in a manner that is respectful of the heritage significance of the buildings. Such works should be undertaken only after consultation and engagement with Council’s Heritage Advisor.

5.2 Use of the land and structures at the date of adoption of the plan

At the date of adoption of this plan the buildings on Reserve 97127 are vacant and not in use.

5.3 Permitted use and future use

Community land is valued for its important role in the social, intellectual, spiritual and physical enrichment of residents, workers, and visitors to the Yass Valley Council area. The intrinsic value of community land is also recognised, as is the important role this land plays in biodiversity conservation and ecosystem function.

The categorisation of the Murrumbateman Old School House and Library Reserve is General Community Use (Preservation of Historic Sites and Buildings and Community Purposes) under the *Crown Land Management Act 2016*.

Guidelines and Core Objectives for the applicable Community Land Category

Guidelines – from the Local Government Act (General) Regulation 2021	Core objectives from the Local Government Act 1993
<p>Clause 106 – General Community Use:</p> <p>Land that may be made available for use for any purpose for which community land may be used, and does not satisfy the definition of natural area, sportsground, park or area of cultural significance.</p>	<p>Category General Community Use (Section 361):</p> <ul style="list-style-type: none"> • to promote, encourage and provide for the use of the land • to provide facilities on the land, to meet the current and future needs of the local community and of the wider public: <p>(a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and</p>

(b) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

Council is the Crown land manager of the Crown reserves described in this plan of management in accordance with the legislation and conditions imposed by the Minister administering the *Crown Land Management Act 2016*. The use of the land described in this plan of management must:

- be consistent with the purpose for which the land was dedicated or reserved
- consider native title rights and interests and be consistent with the provisions of the *Commonwealth Native Title Act 1993*
- consider the inchoate interests of Aboriginal people where an undetermined Aboriginal Land Claim exists
- consider and not be in conflict with any interests and rights granted under the *Crown Land Management Act 2016*
- consider any interests held on title.

Buildings and amenities may be provided where consistent with the need to facilitate the purpose of the reserve, provided that a Native Title assessment has been carried out by Council’s Native Title Manager, the land is not subject to a claim under the *Aboriginal Land Rights Act 1983* and the provisions of the *Local Government Act 1993* and the *Crown Land Management Act 2016* have been complied with.

Council encourages a wide range of uses of community land and intends to facilitate uses which increase the activation of its land, where appropriate. The use of community land is often supported by appropriate ancillary development such as playground equipment, amenity blocks or food kiosks. The general types of uses which may occur on community land categorised as General Community Use and the forms of development generally associated with those uses, are set out below. The facilities on community land may change over time, reflecting the needs of the community.

General community use	
<p>Purpose/Use Providing a location for, and supporting, the gathering of groups for a range of social, cultural or recreational purposes. Providing multi-purpose buildings (e.g. community halls and centres) with specialised community uses such as:</p> <ul style="list-style-type: none"> • casual or informal recreation • meetings (including for social, recreational, educational or cultural purposes) • functions • concerts, including all musical genres • performances (including film and stage) • exhibitions • fairs and parades • workshops • leisure or training classes • childcare (e.g. before and after school care, vacation care) • designated group use (e.g. scout and girl guide use) • educational centres, including libraries, information and resource centres • entertainment facilities. 	<p>Development to facilitate uses Development for the purposes of social, community, cultural and recreational activities – such as libraries, childcare centres, youth services, aged services, men’s sheds, health services, sports. Development includes:</p> <ul style="list-style-type: none"> • provision of buildings or other amenity areas to facilitate use and enjoyment by the community • development (particularly within buildings) for the purposes of addressing the needs of a particular group (e.g. a stage) • landscaping and finishes, improving access, amenity and the visual character of the general community area • water saving initiatives such as rain gardens • energy saving initiatives such as solar lights and solar panels • carparking and loading areas • advertising structures and signage (such as A-frames and banners) that: <ul style="list-style-type: none"> - relate to approved uses/activities - are discreet and temporary - are approved by the council

	• locational, directional, and regulatory signage.
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The Murrumbateman Old School House and Library on Reserve **97127** may be used as follows as per the land use definitions within the *Yass Valley LEP 2013*:

community facility means a building or place—

- (a) owned or controlled by a public authority or non-profit community organisation, and
- (b) used for the physical, social, cultural or intellectual development or welfare of the community,

but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

early education and care facility means a building or place used for the education and care of children, and includes any of the following—

- (a) a centre-based child care facility,
- (b) home-based child care,
- (c) school-based child care.

environmental facility means a building or place that provides for the recreational use or scientific study of natural systems, and includes walking tracks, seating, shelters, board walks, observation decks, bird hides or the like, and associated display structures

filming means recording images (whether on film or video tape or electronically or by other means) for exhibition or broadcast (such as by cinema, television or the internet or by other means), but does not include—

- (a) still photography, or
- (b) recording images of a wedding ceremony or other private celebration or event principally for the purpose of making a record for the participants in the ceremony, celebration or event, or
- (c) recording images as a visitor or tourist for non-commercial purposes, or
- (d) recording for the immediate purposes of a television program that provides information by way of current affairs or daily news.

information and education facility means a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like.

recreation area means a place used for outdoor recreation that is normally open to the public, and includes—

- (a) a children's playground, or
- (b) an area used for community sporting activities, or
- (c) a public park, reserve or garden or the like,

and any ancillary buildings, but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor).

restaurant or cafe means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided.

5.4 Future Infrastructure and Facilities

Subject to budget availability, Council may construct, or approve construction by others, works which comprise maintenance or refurbishment of the existing buildings provided they are consistent with the Reserve Purpose Preservation of Historical Sites and Buildings and Community Purposes. Council may also construct or approve

construction by others, works which comprise facilities to support the provision of community purposes, including but not limited to playgrounds, community facilities, information and education facilities, amenities, and the like. The provisions of the *Local Government Act 1993*, the *Crown Land Management Act 2016* and the *Native Title Act 1993* must also be complied with. Other infrastructure or works which are not required for the Preservation of Historical Sites and Buildings and Community Purposes or support the use of the reserve for community purposes will not be permitted.

The purpose of the facilities shall be to support activities and uses that are consistent with the core objectives of the land category (General Community Use), the reserve purpose (Preservation of Historical Sites and Buildings, Access and Community Purposes) and shall not materially harm the land for the purpose for which it was dedicated or reserved.

Proposed projects by community groups must be in line with Council's Community Strategic Plan and depending on the scope or the project, Council may request that a written proposal be submitted outlining a description of the project and proposed location, estimated costs, scaled plans, justification for the proposed works, future maintenance requirements and other elements relevant to the project. These must have Council's Native Title Manager's prior written advice in relation to Native Title and Aboriginal Land Claims and must be approved by Council in writing on every occasion.

Infrastructure may be provided where consistent with the need to facilitate the use of the land, the provisions of the *Local Government Act 1993* and the *Crown Land Management Act 2016* have been complied with. Services and utilities such as water supply, sewerage, electricity supply, gas and telecommunications may be constructed, maintained or repaired on the land.

Measures shall be taken to improve the energy efficiency of all buildings and activities carried out on the land. Measures shall include use of energy efficient lighting, periodic auditing of energy use, and appropriate orientation of any new buildings to incorporate passive solar design principles.

5.5 Crown Reserves Improvement Fund Program (CRIF)

The CRIF provides financial support for the development, maintenance and protection of Crown Reserves. As the Crown Land Manager to the Reserves, Council can apply for the CRIF and support user groups in their application. Project types on the Murrumbateman Old School House and Library (Reserve 97127) may include:

- Upgrades to the Old School House to meet Building Code of Australia (BCA) requirements.
- Replacement/renewal of building components e.g. bathrooms, kitchen, fence, windows, watertank.
- Upgrades to improve water and energy efficiency as well as improving the comfort of users eg solar panels.
- Improvements to vehicle access to the site
- Installation of playground equipment, shelters, amenities
- Provision of information, community and interpretative signage

5.6 Leases, Licences and Other Estates

Under section 46(1)(b) of the LG Act, leases, licences and other estates formalise the use of community land. A lease, licence or other estate may be granted to organisations and persons, community groups, sports clubs and associations, non-government organisations, charities, community welfare services, non-profit organisations and government authorities.

This plan of management expressly authorises the issue of Leases, Licences and other Estates for part, or the entirety of, the Murrumbateman Old School House Reserve (Reserve 97127) (Purpose: Preservation of Historical Sites and Buildings, Community Purposes, Category: General Community Use) provided that:

- It is consistent with the reserve purpose of the land
- It is consistent with the core objectives for the category of the land
- The lease, licence or other estate is for a permitted purpose listed in the *Local Government Act 1993* or the *Local Government (General) Regulations 2021*
- The issue of the lease, licence or other estate and the provisions of the lease, licence of other estate can be validated by the provisions of the *Native Title Act 1993*
- The land is not subject to claim under the *Aboriginal Land Rights Act 1983*
- The lease, licence or other estate is granted and notified in accordance with the provisions of the *Local Government Act 1993* or the *Local Government (General) Regulations 2021*
- The issue of the lease, licence or other estate will not materially harm the use of the land for any of the purposes for which it was dedicated or reserved
- Occupation of the land other than by lease or licence or other estate or for a permitted purpose listed in the *Local Government (General) Regulations 2021* is prohibited.
- The terms of the authorisation for the lease, licence or other estate should include Native Title assessment and validation under the *Native Title Act 1993*, a search to conclude that the land is not affected by a claim under the *Aboriginal Land Rights Act, 1983* and should ensure the proper management and maintenance of the land and that the interests of Council and the public are protected.

Areas held under lease, licence or regular occupancy shall be maintained by the user. The user will be responsible for maintenance and outgoings as defined in the lease or licence or agreement for use.

Any lease, licence or estate on community land must be granted in accordance with the notification requirements under Part 2, Division 2 of the *Local Government Act 1993*.

A lease or licence for a term exceeding 5 years may be granted only by tender, unless granted to a non-profit organisation.

A lease or licence for a period exceeding 21 years requires the consent of the Minister.

Community land covered	Maximum term	Purpose for which tenure may be granted
Leases		
General Community Use	-	<ul style="list-style-type: none"> - childcare or vacation care - health or medical practitioners associated with the relevant facility (e.g. nutrition, physiotherapy) - educational purposes, including libraries, education classes, workshops - cultural purposes, including concerts, dramatic productions and galleries - recreational purposes, including fitness classes, dance classes and games - sporting uses developed/operated by a private operator - kiosk, café and refreshment purposes - commercial retail uses associated with the facility (e.g. sale or hire of sports goods)
Licences		

General Community Use	-	<ul style="list-style-type: none"> - social purposes (including childcare, vacation care) - educational purposes, including libraries, education classes, workshops - recreational purposes, including fitness classes, dance classes - café/kiosk areas
Other Estates		
All community land and buildings		This Plan allows Council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to facility of Council or public utility provider on the community land in accordance with the <i>Local Government Act, 1993</i>

Below is listed the current leases, licences and estates affecting the land covered by this Plan of Management.

Reserve 97127	
Current Leases, Licences and Estates	
	No leases, licences and other estates exist on this reserve at the date of adoption.
Proposed Leases, Licences and Estates	
	<p>Future tenures which comply with the reserve purpose and</p> <ul style="list-style-type: none"> • Sections 46, 46A, 47, 47A, 47AA, 47C and 47D of the <i>Local Government Act 1993</i> • the <i>Local Government (General) Regulation 2021</i> • Division 5.5 or 5.6 of the <i>Crown Land Management Act 2016</i> <p>Short term licences can be issued under:</p> <ul style="list-style-type: none"> • Sections 2.20 and 3.17 of the <i>Crown Land Management Act 2016</i>. Clause 31 of the <i>Crown Land Management Regulation 2018</i> specifies the purposes for which a short term licence may be granted. • Section 116 of the <i>Local Government (General) Regulation 2021</i>

Short term licences and bookings may be used to allow Council to program different uses of community land at different times. Fees for short term casual bookings will be charged in accordance with Council's adopted fees and charges at the time. Short term licences issued under Clause 116 of the *Local Government (General) Regulation 2021* are authorised for the purposes of:

- (a) the playing of a musical instrument, or singing, for fee or reward
- (b) engaging in a trade or business
- (c) the playing of a lawful game or sport
- (d) the delivery of a public address
- (e) commercial photographic sessions

- (f) picnics and private celebrations such as weddings and family gatherings
- (g) filming sessions

Additionally, this Plan expressly authorises Council to issue short-term licences (for up to 12 months) under s2.20 of the *Crown Land Management Act 2016* for the prescribed purposes listed in Clause 31 of the *Crown Land Management Regulation 2018*. Short-term licences granted under s2.20 of the CLM Act are authorised for the following prescribed purposes:

- (a) access through a reserve,
- (b) advertising,
- (c) catering,
- (d) community, training or education,
- (e) emergency occupation,
- (f) entertainment,
- (g) environmental protection, conservation or restoration or environmental studies,
- (h) exhibitions,
- (i) filming (as defined in the Local Government Act 1993),
- (j) functions,
- (k) hiring of equipment,
- (l) markets,
- (m) meetings,
- (n) sales,
- (o) shows,
- (p) site investigations,
- (q) organised recreational activities,
- (r) storage.

6 POM ADMINISTRATION AND MANAGEMENT

The general objectives of this Plan of Management are:

GENERAL PLAN OF MANAGEMENT OBJECTIVES	
1.	To inform Council staff and the community of the way the land will be managed.
2.	To make provisions for appropriate leases, licences and agreements in respond to the land.
3.	To ensure that the development management of the land is not likely to materially harm the use of the land for any of the purposes for which it is dedicated or reserved.

6.1 Management Authority

For the purposes of this plan, the management authority is Yass Valley Council, in accordance with the provisions of the *Crown Land Management Act 2016* and the *Local Government Act 1993*.

Where Council's responsibilities have been delegated, the provisions of this management plan continue to apply.

6.2 Management Issues

The management of the land must take into account the reserve purpose (Preservation of Historical Sites and Buildings and Community Purposes) and the Category (General Community Use). To this end any activity, license, lease, other estate, or works must be cognisant and respectful of the heritage values associated with the site and structures and be undertaken in accordance with the advice provided by Council's Heritage Advisor at the time.

6.3 Action Plan

The Plan of Management specifies performance targets and priorities for actions to be taken in relation to the land to which the plan applies.

Assessment of achievement of the objectives of the plan is to be undertaken. A summary of indicators and targets for major objectives is outlined in the table:

Objectives and Performance Targets of the Plan in respect to the land	Means by which the Council proposes to achieve the Plan's Objectives and Performance Targets	Manner in which Council proposes to assess its performance with respect to the Plan's Objectives and Performance Targets
GENERAL		
To inform Council staff and the community of the way the land will be managed.	The Plan is exhibited in accordance with the <i>Local Government Act 1993</i> and Council's Community Engagement Strategy.	The Plan is exhibited and adopted by Council. Plan is reviewed every 5 years.
To make provision for leases, licences and agreements in respect of the land.	The Plan of Management authorises the provision of leases, licences and agreements where appropriate.	Any leases are prepared, exhibited and adopted in accordance with the provisions of the <i>Local Government Act 1993</i> and the <i>Crown Land Management Act 2016</i> . Native Title Manager advice and a check for a claim under the <i>Aboriginal Land Rights Act 1983</i> is received for all proposed leases and licences.
To ensure that the development and management of the land is not likely to material harm the use of the land for any of the purposes for which it is dedicated or reserved.	Council to undertake regular inspections of the Old School House and Library.	Ensure only uses and works permitted under this plan take place on the reserve.
GENERAL COMMUNITY USE (<i>Local Government Act 1993</i>)		
<p>To promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:</p> <p>In relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public; and</p> <p>In relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public</p>	<p>The land is developed and used in accordance with this plan, within Council's Annual budget allocation.</p> <p>Facilities/Building maintained in accordance with this plan within Council's Annual Budget allocation.</p>	<p>The Murrumbateman Old School House buildings and surrounds are accessible and used regularly by the community and visitors to Murrumbateman.</p> <p>The condition of the buildings established during annual asset inspections.</p>

utilities and works associated with or ancillary to public utilities		
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6.4 Environmental Assessment of Activities

The environmental impact of activities carried out on the land will be assessed having regard to the requirements under the *Environmental Planning and Assessment Act 1979*, including heritage values.

6.5 Contract and Volunteer Labour

In managing the land Council may use contract and volunteer labour but shall ensure that supervisors have appropriate qualification and/or experience and are made aware of the requirements of this plan.

6.6 Delegation of Management Responsibilities

Where management responsibilities are delegated by the Council a requirement of the delegation shall be that the provisions of this Plan of Management are complied with.

6.7 Easements

The Council may grant easements for the provision of services over, or on the land provided that the native title assessment has been carried out by Council's Native Title Manager.

The land is not subject to a claim under the Aboriginal Land Rights Act 1983 and the provisions of the *Local Government Act 1993* and the *Crown Land Managements Act 2016* have been complied with.

6.8 Public Liability

Council will maintain public liability insurance for the land. All users of the land will be required to take out public liability insurance for a sum of not less than \$20m.

6.9 Commercial Activities

Commercial activities may be carried out on the land, provided that the activity is ancillary to the purpose of the land or for a purpose authorised under this Plan of Management. Any commercial activity is subject to prior Council approval.

6.10 Emergencies

This Plan of Management authorises necessary activities to be carried out during declared emergencies as may be decided by the Chief Executive Officer or delegate. Following carrying out of any activities, periodic monitoring will be undertaken, and rehabilitation works undertaken if necessary.

6.11 Community Monitoring

Surveys of visitation and/or satisfaction with the facilities may be undertaken to facilitate the management and use of the land.

7 MANAGEMENT GUIDELINES

7.1 Section 68 Activities for Community Land

Approval for activities under Part D, s68 *Local Government Act 1993*:

- Engage in a trade or business
- Direct or procure a theatrical, musical or other entertainment for the public
- Construct a temporary enclosure for the purpose of entertainment
- For fee or reward, play a musical instrument or sing
- Set up, operate or use a loudspeaker or sound amplifying device
- Deliver a public address or hold a religious service or public meeting

is not required on Reserve 97127 provided the following requirements are met:

- The event has a maximum of 200 patrons on site at any one time, and a duration of no more than three consecutive days

- Caterers, food stalls or mobile food vans comply with any requirements under the *Food Act 2003*
- Temporary structures are “Exempt or Complying Development” under the *SEPP (Exempt & Complying Development Codes) 2008*
- *Protection of Environment Operations Act 1997* regulatory and compliance provisions must be observed
- Details of the event, risk assessment, and proof of any required insurances are provided at the time of booking the facility

This is to be applied as a local approvals policy specific to Reserve 97127 under s158 *Local Government Act 1993*.

7.2 Alcohol

The sale of alcohol requires the approval of Liquor & Gaming NSW through the issue of a licence. The licence should be provided to Council in each instance. When making a request for the use of the reserve if the sale of alcohol is intended, applicants are required to comply with any requirements of both the Liquor & Gaming NSW and Council.

7.3 Parking

Parking is available at the front of the reserve accessed from the Barton Highway and this is available as a public parking area.

7.4 Access

Access to and any bookings of the Old School House will be managed by the Yass Valley Council unless there is a lease or licence in place.

7.5 Trees and Landscaping

Trees will be maintained, as will maintenance of appropriate growing conditions involving management of soil compaction and other encroachments, in accordance with Council’s relevant vegetation management guidelines. Vegetation on the site will be managed in accordance with NSW RFS guidelines for bushfire hazard reduction.

Weed management will be undertaken in accordance with the *Yass Valley Strategic Weeds Plan*.

Appendix 1 – Process for Preparing the Plan of Management (PoM)

Step 1	Drafting the plan of management <ul style="list-style-type: none">• The PoM must meet all the minimum requirements outlined in section 36(3) of the LG Act and identify the owner of the land.• Any activities (including tenure or development) to be undertaken on the reserve must be expressly authorised in the PoM to be lawfully authorised.• Councils must obtain written advice from a qualified native title manager that the PoM and the activities under the PoM comply with the NT Act.
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Step 2	Notifying the landowner and seek Minister's consent to adopt <ul style="list-style-type: none">• The department as the landowner is to be notified of the draft PoM prior to public exhibition of the PoM under s.39 of the LG Act.• Councils are also required to seek the Minister's written consent to adopt the draft PoM (under clause 70B of CLM Regulation). The Minister's consent can be sought at the same time as notifying the landowners (the department) of the draft PoM.• Ministerial consent to adopt a PoM will be provided to council by the department for each PoM via a formal letter. Council cannot adopt a PoM until Ministerial consent has been formally received via letter• Note: in certain circumstances, Council may only be provided with consent to proceed to public exhibition. Following public exhibition, Council will be required to re-submit the draft PoM for a final review where Minister's consent to adopt the draft PoM will be provided
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Step 3	Community consultation <ul style="list-style-type: none">• Councils are required to publicly notify and exhibit PoM under section 38 of the LG Act• Councils are <u>not</u> required to hold a public hearing for Crown Land under section 40A of the LG Act (exemption under clause 70A of the CLM Regulation).
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Step 4	Adopting a PoM <ul style="list-style-type: none">• If there are any changes to the draft PoM following public exhibition (or in circumstances when consent to adopt was not previously provided), council must seek the Minister's consent to adopt the PoM.• A council resolution of a PoM that covers Crown land should note that the PoM is adopted pursuant to section 40 of the LG Act in accordance with 3.23(6) of the CLM Act.• When a council has adopted the PoM, a copy of the adopted PoM and minutes of the council resolution should be sent to the department: council.clm@crowland.nsw.gov.au.
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Appendix 2 – Plan of Management Legislative Framework

The primary legislation that impacts on how community land is managed or used is briefly described below. You can find further information regarding these acts at www.legislation.nsw.gov.au.

Local Government Act 1993

Section 35 of the LG Act provides that community land can only be **used** in accordance with:

- the plan of management applying to that area of community land, and
- any law permitting the use of the land for a specified purpose or otherwise regulating the use of the land, and
- the provisions of Division 2 of Chapter 6 of the Act.

Section 36 of the Act provides that a plan of management for community land must identify the following:

- a) the category of the land,
- b) the objectives and performance **targets** of the plan with respect to the land,
- c) the means by which the council proposes to **achieve** the plan's objectives and performance targets,
- d) the manner in which the council proposes **to assess its performance** with respect to the plan's objectives and performance targets,

and may require the prior approval of the council to the carrying out of any specified activity on the land.

A plan of management that applies to just one area of community land:

- a) must include a description of:
 - (i) the condition of the land, and of any buildings or other improvements on the land, as at the date of adoption of the plan of management, and
 - (ii) the use of the land and any such buildings or improvements as at that date, and
- b) must:
 - (i) specify the purposes for which the land, and any such buildings or improvements, will be permitted to be used, and
 - (ii) specify the purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise, and
 - (iii) describe the scale and intensity of any such permitted use or development.

Land is to be categorised as one or more of the following:

- a) a natural area
- b) a sportsground
- c) a park
- d) an area of cultural significance
- e) general community use.

Land that is categorised as a natural area is to be further categorised as one or more of the following:

- a) bushland
- b) wetland
- c) escarpment
- d) watercourse
- e) foreshore
- f) a category prescribed by the regulations.

Additionally, under section 36 of the *Local Government Act 1993* (LG Act), a site-specific PoM must be made for land declared:

- as critical habitat, or directly affected by a threat abatement plan or a recovery plan under threatened species laws (sections 36A(2) and 36B(3))
- by council to contain significant natural features (section 36C(2))
- by council to be of cultural significance (section 36D(2)).
- council should also consider a site-specific PoM for reserves that are complex.

Classification of public land

The LG Act requires classification of public land into either 'community' or 'operational' land (Section 26). The classification is generally made for council-owned public land by the council's Local Environmental Plan (LEP) or in some circumstances by a resolution of the council (Section 27).

Crown reserves managed by council as Crown land manager have been classified as community land upon commencement of the *Crown Land Management Act 2016* (the CLM Act). Councils may manage these Crown reserves as operational land if written consent is obtained from the Minister administering the CLM Act. Classification of land has a direct effect on the council's ability to dispose of or alienate land by sale, leasing, licensing or some other means. Under the LG Act, community land must not be sold (except for scheduled purposes), exchanged or otherwise disposed of by the council, and the land must be used and managed in accordance with an adopted PoM. In addition, community land is subject to strict controls relating to leases and licences (sections 45, 46, 46A and 47) of the LG Act.

By comparison, no such restrictions apply to operational land that is owned by councils. For example, operational land can be sold, disposed, exchanged or leased including exclusive use over the land, unencumbered by the requirements which control the use and management of community land. Crown reserves managed by council as operational land may generally be dealt with as other operational land but may not be sold or otherwise disposed of without the written consent of the Minister administering the CLM Act.

Operational land would usually include land held as a temporary asset or an investment, land which facilitates the council carrying out its functions or land which may not be open to the general public (for example, a works depot).

The classification or reclassification of council-owned public land will generally be achieved by a Local Environmental Plan (LEP) or by a resolution of council in accordance with sections 31, 32 and 33 of the LG Act. If land is not classified by resolution within a three-month period from acquisition it automatically becomes community land, regardless of whether it satisfies the objectives for community land as outlined in the LG Act.

For Crown land, Council cannot reclassify community land as operational land without consent of the Minister administering the CLM Act.

Crown Land Management Act 2016

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

Crown land is governed by the CLM Act, which provides a framework for the state government, local councils and members of the community to work together to provide care, control and management of Crown reserves.

Under the CLM Act, as Council Crown land managers, councils manage Crown land as if it were public land under the LG Act. However, it must still be managed in accordance with the purpose of the land and cannot be used for an activity incompatible with its purpose – for example, Crown land assigned the purpose of 'environmental protection' cannot be used in a way that compromises its environmental integrity.

Councils must also manage Crown land in accordance with the objects and principles of Crown land management outlined in the CLM Act. The objects and principles are the key values that guide Crown land management to benefit the community and to ensure that Crown land is managed for sustainable, multiple uses.

Principles of Crown land management

- Environmental protection principles are to be observed in the management and administration of Crown land.
- The natural resources of Crown land (including water, soil, flora, fauna and scenic quality) will be conserved wherever possible.
- Public use and enjoyment of appropriate Crown land are to be encouraged.

- Where appropriate, multiple uses of Crown land should be encouraged.
- Where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained.
- Crown land is to be occupied, used, sold, leased, licensed or otherwise dealt with in the best interests of the state of NSW, consistent with the above principles.

Crown land management compliance

In addition to management and use of Crown reserves that is aligned with the reserve purpose(s), there are other influences over council management of Crown reserves. For example, Crown land managers may have conditions attached to any appointment instruments, or councils may have to comply with specific or general Crown land management rules that may be published in the NSW Government Gazette. Councils must also comply with any Crown land regulations that may be made.

Native Title Act 1993

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 CLM 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:

- a) granting leases, licences, permits, forestry rights, easements or rights of way over the land
- b) mortgaging the land or allowing it to be mortgaged
- c) 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
- d) approving (or submitting for approval) a plan of management for the land that authorises or permits any of the kinds of dealings referred to in (a), (b) or (c).

Council plans and policies relating to this plan of management

Council has developed plans and policies that are concerned to some extent with the management of community land. These documents have been considered when preparing this PoM.

The following is a list of documents that have a direct association with this PoM:

Provide a list of all relevant council plans, policies and strategies

Other State and Commonwealth legislation

NSW State legislation

Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) provides the framework for planning and development across NSW and guides environmental planning instruments which provide a basis for development control.

The EP&A Act ensures that effects on the natural environment, along with social and economic factors, are considered by the council when granting approval for or undertaking works, developments or activities.

This Act is also the enabling legislation for planning policies which may have a direct influence on open space management. On a state-wide level there are State Environmental Planning Policies (SEPPs). On a regional level there are Regional Environmental Plans (REPs). On a local level there are Local Environmental Plans (LEPs) as well as Development Control Plans (DCPs).

Aboriginal Land Rights Act 1983

The *Aboriginal Land Rights Act 1983* (ALR Act) is important legislation that recognises the rights of Aboriginal people in NSW. It recognises the need of Aboriginal people for land and acknowledges that land for Aboriginal people in the past was progressively reduced without compensation. Crown land meeting certain criteria may be granted to an Aboriginal Land Council. This Act may affect dealings with Crown land that is potentially claimable.

Biodiversity Conservation Act 2016

Note: This Act repealed several pieces of legislation including the *Native Vegetation Act 2003*, *Threatened Species Conservation Act 1995*, the *Nature Conservation Trust Act 2001*, and the animal and plant provisions of the *National Parks and Wildlife Act 1974*.

This Act covers conservation of threatened species, populations and ecological communities, the protection of native flora and fauna. This Act primarily relates to community land categorised as natural area. However, other categories may also be affected.

The *Threatened Species Conservation Act 1995* has been repealed and superseded by the *Biodiversity Conservation Act 2016*. However, references to the former legislation remain in the LG Act and are therefore retained in this guideline.

The Department's Energy, Environment and Science division advises that recovery plans and threat abatement plans made under the *Threatened Species Conservation Act 1995* were repealed on the commencement of the *Biodiversity Conservation Act* in 2017. These plans have not been preserved by any savings and transitional arrangement under the Biodiversity Conservation Act or LG Act, meaning pre-existing plans have no legal effect.

For this reason, requirements relating to recovery plans and threat abatement plans for local councils preparing plans of management under section 36B of the LG Act are now redundant. Councils will be advised if future amendments are made to the LG Act to enable these mechanisms.

Certain weeds are also declared noxious under this Act, which prescribes categories to which the weeds are assigned, and these control categories identify the course of action which needs to be carried out on the weeds. A weed may be declared noxious in part or all of the state.

Rural Fires Act 1997

This Act contains provisions for bushfire risk management and the establishment of a Bushfire Management Committee. It also includes direction on development in bushfire prone lands.

Water Management Act 2000

This Act is based on the concept of ecologically sustainable development, and its objective is to provide for the sustainable and integrated management of the water sources of the state for the benefit of both present and future generations. The Act recognises:

- the fundamental health of our rivers and groundwater systems and associated wetlands, floodplains, estuaries has to be protected
- the management of water must be integrated with other natural resources such as vegetation, native fauna, soils and land
- to be properly effective, water management must be a shared responsibility between the government and the community

- water management decisions must involve consideration of environmental, social, economic, cultural and heritage aspects
- social and economic benefits to the state will result from the sustainable and efficient use of water.

Heritage Act 1977

This Act contains provisions for the conservation of items of heritage and may relate to community land categorised as cultural significance or natural area.

Commonwealth legislation

Environmental Protection and Biodiversity Conservation Management Act 1999

This Act enables the Australian Government to join with the states and territories in providing a national scheme of environment and heritage protection and biodiversity conservation. It incorporates threatened species on a national level and with relevance to Matters of National Environmental Significance.

Telecommunications Act 1997

This Act provides for telecommunication facilities being permitted on community land without authorisation in a PoM.

State Environmental Planning Policies

State Environmental Planning Policy (Transport & Infrastructure) 2021

This planning policy lists development allowed with consent or without consent on community land.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

This policy deals with clearing of native vegetation in urban areas and land zoned for environmental protection.

Other relevant legislation, policies and plans

Biosecurity Act 2015

Catchment Management Authorities Act 2003

Companion Animals Act 1998

Disability Discrimination Act 1992

Local Land Services Act 2013

Pesticides Act 1999

Protection of the Environment Operations Act 1997

Retail Leases Act 1994

Soil Conservation Act 1938

NSW Invasive Species Plan 2015-2022

National Local Government Biodiversity Strategy

NSW Biodiversity Strategy

Australian Natural Heritage Charter

Appendix 3 – Aboriginal interests in Crown Land

Crown land has significant spiritual, social, cultural and economic importance to the Aboriginal peoples of NSW. The CLM Act recognises and supports Aboriginal rights, interests and involvement in Crown land.

The management of Crown land can be impacted by the *Native Title Act 1993* (Cth) and the *Aboriginal Land Rights Act 1983* (NSW).

Native Title

Native title describes the rights and interests that Aboriginal and Torres Strait Islander people have in land and waters according to their traditional law and customs. Native title is governed by the Commonwealth *Native Title Act 1993* (NT Act).

Native title does not transfer the land to the native title holder, but recognises the right to land and water by providing access to the land and, if applicable, compensation for any loss, diminution, impairment or other effect of the act on their native title rights and interests.

All Crown land in NSW can be subject to a native title claim under the NT Act. A native title claim does not generally affect Crown land where native title has been extinguished or it is considered excluded land.

When preparing a Plan of Management, Council is required to employ or engage a qualified native title manager to provide advice and validate acts (developments and tenures) over the reserve, in line with the NT Act. The most effective way to validate acts under the NT Act is to ensure all activities align with the reserve purpose.

If native title rights are found to exist on Crown land, council Crown land managers may be liable to pay compensation for acts that impact on native title rights and interests. This compensation liability arises for local councils whether or not the act was validated under the NT Act.

For further information about native title and the future acts framework see the [Crown lands website](#).

Aboriginal Land Rights

The *Aboriginal Land Rights Act 1983* (ALR Act) seeks to compensate Aboriginal peoples for past dispossession, dislocation and removal of land in NSW (who may or may not also be native title holders).

Aboriginal land claims may be placed on any Crown land in NSW. The Department of Planning, Housing and Infrastructure (Crown Lands) is responsible for investigating claims as defined in the ALR Act. If a claim is established, the land is transferred to the Aboriginal Land Council as freehold land.

At the time of preparing this plan of management, this reserve is affected by an undetermined Aboriginal land claim. Council has considered the claim(s) in development of this plan of management.