

Schedules

**SCHEDULE 7 - LOW NATIVE TITLE IMPACT ACTIVITIES**

This Schedule contains classes of Activities which have a *Low Native Title Impact* (refer to Clause 32.1).

Short Description	Class of Activities
Maintenance	<p>Anything which involves the maintenance, repair, protection or making safe of existing infrastructure, structures, improvements, earthworks and areas under the <i>Local Government</i>' ownership, care or control.</p> <p><i>Examples</i> - Repairs to buildings, re-sealing roads and car parks, mowing parks, removing rubbish, restoring erosion.</p>
Low Impact Infrastructure	<p>Anything which involves the construction or establishment of infrastructure, structures, improvements and earthworks which:</p> <ul style="list-style-type: none"> <li>(a) comprises signage or fencing which does not prevent the exercise of <i>Native Title</i>;</li> <li>(b) replaces, in the same location, previously existing infrastructure, structures, improvements and earthworks;</li> <li>(c) responds to an emergency or threats to public health and safety;</li> <li>(d) is located wholly in an area which is a <i>Reserve</i> and is consistent with the purpose of the <i>Reserve</i>; or</li> <li>(e) consists of the construction, operation, use, maintenance or repair of any of the things listed from time to time in Section 24KA(2) of the <i>Native Title Act</i>.</li> </ul> <p><i>Examples</i> - Street signs, replacing an existing sewerage treatment plant, underground water pipeline.</p>
Statutory Approvals	<p>Anything which involves, or which permits or requires, the granting, issuing, making by or to the <i>Local Government</i> of any approval, consent or permission under any <i>Law</i>.</p> <p><i>Examples</i> - Ministerial approval of a trustee lease, environmental approvals, permits under <i>Local Laws</i>.</p>
Low Impact Tenure Grants	<p>Anything which involves, or which permits or requires, the granting, issuing, dedicating, renewal, or making by or to the <i>Local Government</i> of an interest in land or waters<sup>13</sup> (including a <i>Permitted Lease</i>) but does not include a <i>High Impact Tenure Grant</i>.</p> <p><i>Examples</i> - Trustee lease by the <i>Local Government</i> to a sporting club over a reserve, Permit to Occupy, easements</p>
Pest Control	<p>Anything which permits, requires or consists of the management, control or elimination of pests.</p> <p><i>Examples</i> - Removing weeds, eradicating feral animals.</p>

<sup>13</sup> Includes an interest in the nature of a trust.

Short Description	Class of Activities
Contractual Interests	<p>Anything which permits, requires or consists of the granting or making by or to the <i>Local Government</i> of a contractual interest relating to the management or use of land or waters for a public purpose.</p> <p><i>Examples</i> - The <i>Local Government</i> entering into a contract with a <i>Third Party</i> for the mowing or maintenance of public places, licence to a community group to use land or waters under the <i>Local Government'</i> management or control.</p>
Operational Activities	<p>Anything which permits, requires or consists of the carrying out of the operational functions of the <i>Local Government</i> and which is not an <i>Activity</i> which has a <i>High Native Title Impact</i>.</p> <p><i>Examples</i> - Storage and stockpile of gravel, civic functions on land or waters, carrying out enforcement actions regarding alleged breaches of <i>Local Laws</i>, <i>Local Planning Instrument</i> and legislation.</p>
Access and Site Investigation	<p>Access and site investigation activities which do not require major excavations or earthworks.</p> <p><i>Examples</i> - Inspecting an area, surveying an area, conducting geotechnical testing, water quality testing.</p>
Emergencies	<p>Anything which is undertaken for the purpose of preventing or minimising physical harm or the imminent threat of physical harm to persons or public property.</p> <p><i>Examples</i> - Constructing a fire break or a safety barrier.</p>
Low Impact Works/infrastructure Agreed at a <i>Capital Works Forum</i>	<p>Anything which involves the construction or establishment of infrastructure, structures, improvements or earthworks and which is decided to be low impact for purposes of <i>Native Title</i> at a <i>Capital Works Forum</i>.</p> <p><i>Note:</i> Clause 49 has more information about how this decision is made at a <i>Capital Works Forum</i>.</p>