



## Schedule 4 Low Native Title Impact Activities

This Schedule contains classes of Activities which have a Low Native Title Impact

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 a Local Government's ownership, care or control.</p> <p>Examples - 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>comprises signage or fencing which does not prevent the exercise of Native Title;</li> <li>replaces, in the same location, previously existing infrastructure, structures, improvements and earthworks;</li> <li>responds to an emergency or threats to public health and safety;</li> <li>is located wholly in an area which is a Reserve and is consistent with the purpose of the Reserve; or</li> <li>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 Native Title Act.</li> </ul> <p>Examples - 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 a Local Government of any approval, consent or permission under any Law.</p> <p>Examples - Ministerial approval of a trustee lease, environmental approvals, permits under Local Laws.</p>
Low Impact Tenure Grants	<p>Anything which involves, or which permits or requires, the granting, issuing, dedicating, renewal, or making by or to a Local Government of an interest in land or waters (includes an interest in the nature of a trust) (including a Permitted Lease) but does not include a High Impact Tenure Grant.</p> <p>Examples - Trustee lease by a Local Government to a sporting club over a reserve, Permit to Occupy, easements</p>
Invalid Past Acts	<p>Anything which involves, or which permits or requires, the granting, issuing or making of anything which rectifies an Invalid Past Act.</p> <p>Example - Gazettal of a road reserve over an off alignment road.</p>
Pest Control	<p>Anything which permits, requires or consists of the management, control or elimination of pests.</p> <p>Examples - Removing weeds, eradicating feral animals.</p>
Contractual Interests	<p>Anything which permits, requires or consists of the granting or making by or to a Local Government of a contractual interest relating to the management or use of land or waters for a public purpose.</p> <p>Examples - A Local Government entering into a contract with a Third Party for the mowing or maintenance of public places, licence to a community group to use land or waters under a Local Government's management or control.</p>
Operational Activities	<p>Anything which permits, requires or consists of the carrying out of the operational functions of a Local Government and which is not an Activity which has a High Native Title Impact.</p>



Short Description	Class of Activities
	Examples - Storage and stockpile of gravel, civic functions on land or waters, carrying out enforcement actions regarding alleged breaches of Local Laws, Local Planning Instrument and legislation.
Access and Site Investigation	Access and site investigation activities which do not require major excavations or earthworks.  Examples - Inspecting an area, surveying an area, conducting geotechnical testing, water quality testing.
Emergencies	Anything which is undertaken for the purpose of preventing or minimising physical harm or the threat of physical harm to persons or public property.  Examples - Constructing a fire break or a safety barrier.
Contractual Interests with Third Parties	Anything which involves, or which permits or requires, the granting, issuing or making of a contract or agreement.  Examples - A management agreement, maintenance contract, permit or agreement entered into in accordance with the Law.
Low Impact Works/infrastructure Otherwise Agreed at a Capital Works Forum	Anything which involves the construction or establishment of infrastructure, structures, improvements or earthworks and which is decided to be low impact for purposes of Native Title at a Capital Works Forum.  Note: Clause 32 has more information about how this decision is made at a Capital Works Forum.