

Ordinary Meeting

Meeting Date: Tuesday, 30 October, 2018
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5.00pm

Membership (Quorum - 7)
All Councillors

Addendum Agenda

Reports

Assets & Works

CL18.310 Notification to Minister for Lands & Forestry of appointed Council
Native Title Manager1

CL18.310 Notification to Minister for Lands & Forestry of appointed Council Native Title Manager

HPERM Ref: D18/375363

Group: Assets & Works Group
Section: Business & Property

Purpose / Summary

To provide Council with the opportunity to appoint the Manager, Property Unit as Shoalhaven City Council's native title manager as required under Section 8.6 of the Crown Land Management Act 2016 (CLM Act 2016) and provide notice of same to the Minister under Section 8.8 of the CLM Act 2016.

Recommendation

That Council confirm the engagement of the Manager, Property Unit as Shoalhaven City Council's Native Title Manager and advise the Minister for Lands and Forestry as required by Section 8.8 Crown Lands Management Act 2016.

Options

1. Resolve as recommended

Implications: Council will meet its statutory obligation to appoint a native title manager and provide notification to the Minister.

2. Not resolve as recommended

Implications: Council will need to notify the Minister a native title manager has not been appointed stating reasons why or notify the Minister Council is looking to appoint a different native title manager.

Background

The CLM Act 2106 commenced 1 July 2018. The practice of managing Crown Lands in the Shoalhaven has changed significantly to comply with the requirements under the CLM Act 2016. One of the changes relates to a need for each Council to nominate a qualified native title manager.

To be qualified as a native title manager, the person must attend a training session jointly provided by the Crown Solicitors Office and the Department of Industry (Crown Lands Office). The Manager Property Services, Trevor Cronk, attended this training on 21 May 2018 and attained the native title manager qualification.

Policy Implications

Section 8.8 of the CLM Act 2106 requires each Council to give notice to the Minister for Lands and Forestry of the name and contact details of any person the Council has engaged or employed as a native title manager. The notice must be given as soon as practicable after 30 June (but not later than 31 October) of each year.

Section 377(1) of the Local Government Act 1993 states that the giving of a notice to the Governor or Minister is a non-delegable function meaning a resolution of council is required.

CL18.310