

## Respecting native title and Aboriginal cultural heritage on Crown lands

The City acknowledges the Gadigal of the Eora Nation as the Traditional Custodians of this place we now call Sydney, and we acknowledge their continued connection to Country. We pay respect to Aboriginal and Torres Strait Islander Elders past, present and emerging.

The City of Sydney invites Aboriginal and Torres Strait Islander people to give feedback on new plans of management for Crown lands in our local area.

We manage 45 Crown land reserves including Hyde Park, Wentworth Park, Victoria Park, Observatory Hill, Martin Place and many smaller areas.

Recent changes in the legislation that governs how NSW Crown land is managed mean councils now have more responsibility for these reserves.

We are preparing plans of management to ensure we look after these reserves based on community, environment and heritage needs.

You can help shape these plans. We invite you to share your insights into why these places are important to you and your ideas for how they should be managed now and in the future.

### **Respecting native title on Crown lands**

Our new plans of management must comply with native title legislation.

This means we need to consider how any activities on Crown lands may affect native title.

In the majority of cases we are required to notify and give an opportunity to comment to native title bodies before construction works take place on Crown lands.

### **About native title**

Native title is the communal, group or individual rights and interests that Aboriginal and Torres Strait Islander peoples hold for land and waters.

Lands can include Crown land, national parks and state forests. Waters can include marine parks, seas and seabeds, rivers, lakes and other inland waterways.

Rights and interests vary according to the traditional laws and customs of the particular Aboriginal or Torres Strait Islander community.

Examples include the right to live and camp in an area, conduct ceremonies, hunt and fish, collect food, build shelters and visit places of cultural importance.

Native title is recognised by the Australian legal system.

## **About Aboriginal land rights and cultural heritage**

Native title is different to Aboriginal Land Rights. Native title legislation is about recognising Aboriginal and Torres Strait Islander peoples' traditional connection and rights to land and water. Aboriginal land rights legislation in NSW is about compensating Aboriginal people for past dispossession, dislocation and removal of land.

Crown land which is not used, occupied or required for an essential purpose can be granted as freehold land to Aboriginal land councils by the Minister under the NSW Aboriginal Land Rights Act.

In some situations, parties such as native title bodies, Aboriginal land councils and other groups can sign agreements for the use and management of Crown Land (with approval from the Minister for Crown Land).

## **About the native title act and native title claims**

The native title act guides government and other authorities on managing land and waters where native title may exist. This may include how land and water is used, accessed or built on.

The act also allows Aboriginal or Torres Strait Islander groups of people to seek recognition of their traditional rights and interests in a defined area. This is called a native title claim.

The Federal Court of Australia makes determinations on native title claims. The City of Sydney does not determine native title. There are no current native title claims in the City of Sydney area.

## **How to have your say**

See [sydneyyoursay.com.au](http://sydneyyoursay.com.au) where you can do an online survey, host a discussion with your organisation or group or request a meeting with the project team. To discuss the City of Sydney consultation on Crown land plans of management contact: David Beaumont, [sydneyyoursay@cityofsydney.nsw.gov.au](mailto:sydneyyoursay@cityofsydney.nsw.gov.au) / 02 9265 9333.

## **More about native title**

For information on native title, including how to make a claim, contact the Native Title Services Corporation. See [ntscorp.com.au](http://ntscorp.com.au), call 1800 111 844 or email [information@ntscorp.com.au](mailto:information@ntscorp.com.au).

## **More about Aboriginal land rights**

For more information on land rights and the role of Aboriginal land councils contact the Metropolitan Local Aboriginal Land Council.

See [metrolalc.org.au](http://metrolalc.org.au).