

ATTACHMENT BOOKLET 1

ORDINARY COUNCIL MEETING
30 AUGUST 2023

CONTENTS

	PAGE	
COM 04	DRAFT PLAN OF MANAGEMENT PHILLIPS PARK, LURNEA	
<i>Attachment 1</i>	<i>Attachment B Native Title Advice</i>	<i>3</i>
<i>Attachment 2</i>	<i>Draft Phillips Park Plan of Management</i>	<i>33</i>
OPER 01	WSROC WASTE AND SUSTAINABLE MATERIALS STRATEGY 2022 – 2027	
<i>Attachment 1</i>	<i>Western Sydney Regional Waste and Sustainable Materials Strategy 2022-2027</i>	<i>133</i>
CTTE 02	MINUTES OF THE LIVERPOOL LOCAL TRAFFIC MEETING HELD ON 19 JULY 2023	
<i>Attachment 1</i>	<i>Liverpool Local Traffic Committee Meeting Minutes - 19 July 2023</i>	<i>179</i>
<i>Attachment 2</i>	<i>Attachment Booklet</i>	<i>220</i>

**CGM PLANNING**Experienced land use planning specialists
for government and private sector**DRAFT NATIVE TITLE MANAGER ADVICE****Draft Plan of Management for Phillip Park (R83052)****Liverpool City Council**Native Title Manager: Carl Malmberg
Accredited: February 2020

9 August 2023

DRAFT

CONTENTS	PAGE
Executive Summary	1
1. Introduction	3
1.1 <i>Crown Land Management Act 2016</i>	3
1.2 Native Title and Liverpool City Council	3
1.3 Written Native Title Manager advice	3
2. The Land	4
2.1 Identification of the Crown land, reserve and purpose	4
<i>Native Title Manager advice 1.</i>	6
2.2 Is the Land excluded land as defined by the CLM Act ?	6
i. Native Title Claims	6
ii. Native Title Determinations	7
iii. Register of Indigenous Land Use Agreements	7
iv. Section 31 Agreements	7
v. Native Title Future Act Applications and Determinations	7
vi. Native Title Certificate	7
<i>Native Title Manager advice 2.</i>	7
3. Valid Creation of the Phillip Park Reserve (R83052)	7
<i>Native Title Manager advice 3.</i>	8
4. Previous acts inconsistent with continued presence of Native Title - Previous Exclusive Possession Acts	8
<i>Native Title Manager advice 4.</i>	10
5. The Plan of Management	10
5.1 Future Acts Regime	11
5.2 Extinguishment Effect	11
5.3 Validity of 'future acts' and the draft plan of management	12
5.4 Procedural rights	14
<i>Native Title Manager Advice 5</i>	14
6. Conclusion	14
6.1 Native title and excluded land	14
6.2 Valid Creation of the Reserve	14
6.3 Previous exclusionary possession acts	15
6.4 Validity of Future Acts	15
6.5 The Plan of Management	15
6.6 Outcome of advice	15
Figures	
Figure 1: Location Map	4
Figure 2: Phillip Park Reservation (R83052)	5
Tables	
Table 1: Land Status - Phillip Park Reservation (R83052)	5
Table 2: Extinguishing effect of previous exclusive possession acts (PEPAs)	9
Table 3: Previous Exclusive Possession Acts (PEPAs)	9
Table 4: Overview of future acts regime subdivisions (stopping at Subdivision J)	12
Table 5: Requirements for validity of future acts under Subdivision J - areas subject to a reservation	13
Appendices	16
Appendix A: Reserve Summary – Title, Gazette Notices, Diagrams, Parish Map, Crown Plan	17
Appendix B: Relevant <i>Native Title Act 1993</i> (Cwlth) definitions	26
Appendix C: Native Title Manager letter of accreditation	28

