

Section 102A Authorisation

under the

Crown Lands Act 1989

I, NIALL MARK BLAIR, MLC, the Minister for Primary Industries, and Minister for Lands and Water, authorise Byron Shire Council acting in its capacity as reserve trust manager to grant leases for the permitted use of surf life saving club and associated activities in pursuance of section 102A of the *Crown Lands Act 1989*, subject to the conditions outlined below in Schedule 1.

Dated this Twenty First day of January, 2016.

NIALL MARK BLAIR, MLC
Minister for Primary Industries
Minister for Lands and Water

1. This instrument authorises council-managed reserve trusts to grant leases for the permitted use of “surf life saving clubs and associated activities”. The leases must comply with the terms of this instrument.
2. The council-managed reserve trust must ensure that:
 - (a) The lease is consistent with the standard surf life saving club lease, with only those changes that are permitted by the completion notes in the standard surf life saving club lease.
 - (b) The standard surf life saving club lease is consistent with the declared purpose of the Crown reserve.
 - (c) The standard surf life saving club lease complies with all requirements of the Act

(d) The standard surf life saving club lease either does not affect native title or is a valid future act under native title legislation.

(e) The requirements of the native title legislation have been followed in the granting of the standard surf life saving club lease, including but not limited to any notification requirements.

(f) The standard surf life saving club lease is not granted on land affected by an

(d) The standard surf life saving club lease either does not affect native title or is a valid future act under native title legislation.

(e) The requirements of the native title legislation have been followed in the granting of the standard surf life saving club lease, including but not limited to any notification requirements.

(f) The standard surf life saving club lease is not granted on land affected by an unresolved land claim under the *Aboriginal Land Rights Act 1983*.

(g) In relation to a standard surf life saving club lease for a term exceeding 5 years (including any option), 14 days have elapsed since notice of intention to grant the standard surf life saving club lease has been published in a newspaper circulating in the locality in which the land is situated or in a newspaper circulating generally in the State.

3. An electronic copy of the negotiated standard surf life saving club lease must be provided to Crown Lands within 14 days of execution, but failure to do so will not be a failure to comply with the terms of this instrument.

4. In this instrument:

a. “native title legislation” means the Commonwealth *Native Title Act 1993* and the *Native Title (New South Wales) Act 1994*;

b. “standard surf life saving club lease” means the lease in the form attached to this instrument at schedule 1;

c. “the Act” means the *Crown Lands Act 1989*.