Aboriginal Land Rights (Northern Territory) Amendment Bill 1994
Guide to Index of Digests: Bills Digests are numbered according to the year in which they are prepared. An index, listing Bills Digests alphabetically, appears at the end of each Bills Digest.
Caution:

Unless otherwise stated, each Bills Digest reflects the provisions of the legislation as initially presented. Digests should not be read as a complete guide to the relevant legislation and do not constitute legal advice.

Further Assistance:

More information on the background to and content of legislative proposals can be obtained from the Parliamentary Research Service officer identified on the last page of the Digest and from staff of the Bills Digest Service (BDS) on (06) 2772439 and (06) 2772438.

Additional copies of digests are available from the BDS on (06) 2772646. Each Digest may also be accessed readily via the Parliamentary Data Base Service (PDBS).
This Digest has been prepared for general distribution to Members of the Australian Parliament. Readers outside the Parliament are reminded that this is not an Australian Government document, but a document prepared by the Bills Digest Service and published by the Parliamentary Research Service to contribute to consideration of the issues by Members and Senators. The views expressed in this document are those of the Bills Digest Service and do not necessarily reflect those of the Parliamentary Research Service and are not to be attributed to the Department of the Parliamentary Library.
Aboriginal Land Rights (Northern Territory) Amendment Bill 1994

Date Introduced: 2 February 1994
House: House of Representatives
Portfolio: Aboriginal and Torres Strait Islander Affairs
Commencement: Royal Assent

Purpose

To add one parcel of land to those granted to Aboriginal Land Councils in the Northern Territory. The addition results from agreements between the parties wishing to access the land and its resources.

Background

The Aboriginal Land Rights (Northern Territory) Act 1976 (the Principal Act) provides a scheme for the grant of Northern Territory land to Aborigines. The central features of the Principal Act include:

* Aboriginal Land Trusts:- Title to land granted under the Principal Act is vested in the relevant Aboriginal Land Trust. These trusts hold land for the benefit of Aboriginal people entitled by Aboriginal tradition to the use or occupation of the land. Members of Land Trusts are appointed by the Minister.

* Land claims process:- The Principal Act provides a land claims process for unalienated Crown land in the Northern Territory. Basically, the Principal Act requires that Aboriginal people making a claim must show that they are entitled by Aboriginal tradition to the use or occupation of the land concerned.

* Minerals exploration and mining rights:- The Principal Act requires that anyone wishing to explore for minerals or acquire mining interests over land granted to Aboriginal owners must negotiate with the appropriate Land Council and may not directly approach the traditional Aboriginal owners.

The Bill proposes to include one additional parcel of land of an area of 1238 km², in the Wave Hill locality of the Northern Territory, in Schedule 1 of the Principal Act which describes land covered by the Principal Act. The inclusion follows agreement between the Northern Territory Government, the Central Land Council and Gambamora Industries Pty. Ltd. to settle a standard land claim over the area.

The area of land is to the far North West of Tennant Creek in the Northern Territory and was originally the subject of a land claim over a much larger tract of land, east of the Wampana area by the Walmanpa people. The original land claim failed and pursuant to the land rights legislation, a repeat claim was made for the smaller area. The area is dry, arid vacant Crown land and due to its limited commercial value and remoteness, has never been the subject of a pastoral lease. There were concerns on the part of the adjoining landowner, Gambamora Pty. Ltd. which owned the Cattle Creek Station regarding fencing erected which appeared to encroach on to the land the subject of the claim. Before the hearing before the Aboriginal Lands Commissioner had concluded, the parties reached agreement, and concessions were also made in relation to the fencing issue.

As a result of the agreement, the Northern Territory Government agreed to request the Commonwealth to grant the claim area to the traditional owners by scheduling the area under the Principal Act.
Main Provision

Clause 3 adds the Wave Hill locality area, as defined by lines of distance, to Part 4 of Schedule 1 of the Principal Act.

Endnotes

1. Information provided by Brian Stacey, Acting Manager Land Rights Legislation Section, ATSIC.

Marco Bini Ph. 06 277 2476
Bills Digest Service
Parliamentary Research Service

29 March 1994

This Digest does not have any official legal status. Other sources should be consulted to determine the subsequent official status of the Bill.

Except to the extent of the uses permitted under the Copyright Act 1968, no part of this publication may be reproduced or transmitted in any form or by any means, including information storage and retrieval systems, without the prior written consent of the Parliamentary Library, other than by Members of the Australian Parliament in the course of their official duties.

Published by the Department of the Parliamentary Library, 1994.