

OUTPUT GROUP 2

LAND CLAIMS & ACQUISITION SUPPORT

The Central Land Council aims to provide Aboriginal landowners with information, advice and support to enable them to manage their land in a sustainable and productive way.

OUTPUT

2.1 LAND CLAIMS

2.2 OTHER LAND ACQUISITION

OUTCOMES

Enhanced social, political and economic participation and equity for Aboriginal people in the Central Land Council's area as a result of the promotion, protection and advancement of their land rights, other rights and interests.

OUTPUT 2.1

LAND CLAIMS

WAKAYA ALYAWERR

This land claim was originally heard in 1989 and while the Northern Territory and the CLC, on behalf of the claimants, reached agreement-in-principle on the basis for settlement several years ago, the tenure details within the area of the Canteen Creek community have prevented a final resolution and remain under negotiation between the parties.

The CLC convened several meetings with the Northern Territory Government and with the directors of the Owairtilla Canteen Creek Aboriginal Community in the first half of 2013 with a view to narrowing and finally resolving

the outstanding issues. A further meeting of traditional landowners on 8 May 2013 provided instructions to the CLC on the settlement. The CLC is awaiting consideration by the Northern Territory Government of the final settlement provisions and remains committed to a resolution of the claim as soon as practicable. It continues to be a great concern to the CLC and a particular source of frustration to community members that construction of the new store in the Canteen Creek community has been delayed due to government tenure policies and the time taken to finally resolve the land claim.

FRANCES WELL

On behalf of the claimants the CLC had requested that this matter be scheduled for a land claim hearing before the Aboriginal Land Commissioner as the detriment issues with the claim remained unresolved, largely as between the Northern Territory Government and the owners of Maryvale PPL. A comprehensive set of land claim documentation including tenure materials and an

anthropology report was prepared by the Legal and Anthropology units with the assistance of a consultant anthropologist and provided to the Aboriginal Land Commissioner, the Northern Territory Government and the Maryvale pastoralist in late 2012.

The land claim hearing is scheduled to take place on site on Wednesday 17 July 2013.

BROOKES SOAK

The area of the claim contains the soakage known to the claimants as Yurkurru and, while small, it is of further significance due to its central role in the events that became known as the Coniston Massacre.

The report of the Aboriginal Land Commissioner into this land claim was published in April 1992; however, the matter has remained unresolved due to the detriment asserted by the proprietors of Mt Denison Pastoral Lease, which surrounds the claim area. In November 2011 the CLC forwarded

a detailed submission to the Minister for Families, Community Services and Indigenous Affairs in support of a request that the Minister recommend the grant of the claim area to a land trust. The Minister subsequently requested and received submissions from the Mt Denison proprietors and the Northern Territory Government and the CLC has continued to provide information to facilitate the final disposition of the land claim.

The parties are now awaiting the decision of the Minister.

ALCOOTA

The Alcoota Pastoral Lease, PL1032, was purchased by Alcoota Aboriginal Corporation on 18 March 1993. The application pursuant to Section 50(1)(a) of the *Aboriginal Land Rights (Northern Territory) Act 1976* was dated 18 March 1993 and was lodged with the Office of the Aboriginal Land Commissioner the same day. Following protracted

court proceedings in the NT Supreme Court the Aboriginal Land Commissioner was able to hand down his land claim recommendations in May 2007.

Following resolution of the detriment issues the handover of the area formerly held under pastoral lease was made to the Alkwert Aboriginal Land Trust on 18 July 2012.

LOVES CREEK

Loves Creek Pastoral Lease was bought in November 1992 and the land claim was lodged shortly thereafter. The land claim hearing took place in 1996 and an offer to settle the land claim was accepted and eventually a Deed of Agreement

was reached with the NT Government to put the settlement into effect.

Handover of the area formerly held under pastoral lease was made to the Arletherre Aboriginal Land Trust on 18 July 2012.

CROWN HILL

This small claim contained the site Irrinjirrinjirri on the north-eastern boundary of the Yalpirakinu Aboriginal Land Trust and Mt Denison Pastoral Lease. The butte, known as Crown Hill, was divided in two by the boundary between those properties and its southern half, amounting to 2421 square metres of land, was available for

claim on the basis of the findings in the Mount Allan Land Claim heard in 1982 by the Aboriginal Land Commissioner Mr Justice Kearney.

Following submissions by the CLC the area was finally handed over to the Irrinjirrinjirri Aboriginal Land Trust on 18 July 2012.



The Hon Jenny Macklin MP, Minister for Families, Community Services and Indigenous Affairs, looks on as Arrernte traditional owners receive title to Loves Creek.

OUTPUT 2.2

LAND ACQUISITION

Pursue all other appropriate avenues to achieve the acquisition of land for the benefit of Aboriginal people.

PASTORAL LEASES

Henbury

The CLC continued to represent traditional owner concerns and interests following the transfer of ownership of Henbury PPL to R.M. Williams Agricultural Holdings (RMWAH), a private company which purchased the property for carbon-farming purposes with Australian Government assistance through the National Reserve System.

A meeting of the Pertame traditional owners of Henbury Station was convened in September 2012 to discuss progress in negotiations and matters arising from the terms of a proposed Indigenous Land Use Agreement put forward by RMWAH. A change in RMWAH management of the project in October provided the basis for more constructive communications and the change in the relationship became evident in early 2013 as regular discussions were instigated in order to assist RMWAH to engage constructively with the Pertame traditional owners in the ongoing management of Henbury and to explore the potential for title transfer. A number of significant steps were undertaken in 2013 that included the following:

- A meeting between the CLC and RMWAH was held on 10 January to discuss an agreed MOU for Henbury Station to refine and document the relationship between the company and traditional owners.
- Meetings were held on 23 January and 7 March 2013 between representatives of the CLC, RMWAH and SEWPaC in Alice Springs to progress discussions around the vision for Henbury and the details of an ongoing partnership with the traditional owners with the CLC as their representatives.
- A meeting held on 8 March 2013 in Alice Springs with a representative group of traditional owners, CLC and RMWAH staff to discuss processes for a management partnership and/or transfer of title to traditional owners.

- A meeting with RMWAH, ILC, SEWPaC and the CLC was held in Sydney on 18 March 2013 to progress negotiations for the tenure and management of Henbury PPL.
- On 10 April 2013 a meeting was held at the Henbury homestead attended by approximately 100 traditional owners and RMWAH where the details of the draft memorandum of understanding between RMWAH, R.M. Williams Agricultural Co. Landscape Management Pty Ltd (RMWCLM) and the CLC was presented for approval. A traditional owner reference group was established and the CLC was instructed to sign the MOU on its behalf.
- On 11 April 2013 the MOU between RMWAH, RMWCLM and the CLC was signed by the parties, demonstrating commitment to a process to 'implement an agreed vision for Henbury Station regarding future ownership'.
- The CLC facilitated a meeting of the traditional owner reference group on 27 May 2013 providing an update of negotiations with RMWAH and the ILC and other matters relevant to the management of Henbury.
- A detailed land acquisition application for assistance was prepared by the CLC and submitted to the ILC under its land acquisition (cultural and environmental) program on 14 June 2013 on behalf of the Henbury traditional owners.

Other Pastoral Land Acquisition Interests

The CLC developed and submitted a conditional Expression of Interest for an identified priority land acquisition in the southern Alice Springs region and commenced preliminary discussions with the vendor, agent and potential funding source representatives.

LAND ACQUISITION – NATIONAL PARKS

A significant achievement of this period was the finalisation of all the requirements with FaHCSIA and the NT Government to facilitate title handovers for the two remaining parks to be granted title under joint management arrangements with the NT Government:

- Aboriginal freehold title was issued to the Tyurretye ALT for the West MacDonnell National Park by the Minister for Families, Community Services and Indigenous Affairs, Jenny Macklin, at Simpsons Gap on 18 July 2012.
- NT Parks freehold title was issued to the Watarrka PFLT on 25 July 2012 for the Watarrka (Kings Canyon) National Park at Watarrka. A memorial plaque was unveiled on the day commemorating the efforts of the members of the Luritja Land Association in pursuing the land interests of Luritja people in this area since the 1970s.



Women perform inma (traditional song and dance) to celebrate the handback of Watarrka National Park.