



Australian Government



Five-Year Leases on Aboriginal Land

The Australian Government currently holds five-year leases over 64 Northern Territory communities. The five-year leases enable Government to provide prompt access for the delivery of services, repair of buildings and development of infrastructure in communities as part of the Northern Territory Emergency Response.



The Communities

Acacia Larrakia	Milikapiti
Ali Curung	Milingimbi
Alpurrurulam	Minjilang
Amoonguna	Minyerri
Ampilatwatja	Mt Liebig
Amanbidji	Ngukurr
Areyonga	Nturiya
Atitjere	Numbulwar
Barunga	Nyirripi
Belyuen	Palumpa
Beswick	Peppimenarti
Binjari	Pigeon Hole
Bulla	Pirlangimpi
Bulman	Papunya
Canteen Creek	Pmara Jutunta
Daguragu	Ramingining
Engawala	Rittarangu
Galiwinku	Robinson River
Gapuwiyak	Santa Teresa
Gunbalanya	Tara
Gunyangara	Titjikala
Haasts Bluff	Wadeye
Hermannsburg	Wallace Rockhole
Imangara	Warruwi
Imanpa	Weemol
Jilkminggan	Willowra
Kaltukatjara	Wilora
Kintore	Wufunugurra
Lajamanu	Yirrkala
Laramba	Yarralin
Maningrida	Yuelamu
Manyallaluk	Yuendumu

How is a community affected by a five-year lease?

Anyone wishing to use land within a five-year leased community for a new or changed purpose requires Australian Government approval. This approval allows a party to use the land for a particular purpose. Further approval is required for a changed use or purpose.

A new or changed purpose includes:

- the construction of new buildings;
- the expansion of existing buildings;
- the demolition of buildings;
- a change in who occupies a building (including evictions); or
- a change in who is responsible for a building.

Everyone must seek approval. This includes:

- Australian Government departments;
- Northern Territory Government departments;
- Northern Territory shire councils;
- government service providers;
- non-government organisations;
- private businesses (profit and not-for-profit); and
- individuals.

Those using land or buildings prior to the introduction of five-year leases do not need to seek approval if the use or purpose has not changed.

Land use approval does not usually enable a party to enter additional land use arrangements with a third party without further approval.

Frequently asked questions

How do I request a land use approval?

Land use requests and enquiries should be sent to 5yearleases@fahcsia.gov.au.

What information does the five-year leases team need to process my land use request?

Five-year leases staff will assist you with your application. Information required includes:

- lot number or description of land;
- what you want to do and why;
- whether the proposed use will involve the clearing of land;
- who will be responsible for carrying out any works;
- who will be responsible for the ongoing maintenance of the land/buildings;
- details of any potential environmental issues;
- how long the land/buildings will be required for; and
- any important planning, construction or timing issues.

What types of land use approvals are there?

There are two types of land use approvals - a general land use authorisation and a Deed of Licence. General land use authorisations are the most common approvals issued and are used for activities including changes in occupancy, upgrades to buildings and minor construction work. Licences may be used for activities with a higher degree of risk, such as the operation of commercial activities or major construction work.

When do land use approvals end?

Land use approvals must end on or before the expiry of the five-year leases in August 2012.

Who owns five-year leased land and assets on the land?

Community corporations and land trusts still own the land and any fixed infrastructure on it. Five-year leases do not alter the underlying title. Land use approval is not a secure lease and does not grant ownership to the approved party.

What happens at the end of the five-year leases?

At the expiration of the five-year leases, land and infrastructure not subject to a longer term lease will revert back to the land owners. This includes where parties have constructed or renovated buildings or infrastructure. Constructing a building or investing money in a building on five-year leased land does not equate to ownership.

How are longer term leases secured?

The Australian Government encourages parties to negotiate longer term leases with the relevant land owners through the relevant land council.

Does the Government pay rent to Aboriginal owners?

Yes. In response to the Northern Territory Emergency Response Review Board's recommendation that rent be paid to the Aboriginal owners of five-year leased land, the Government requested that the Northern Territory Valuer-General make a determination as to the amount of rent to be paid. Rent payments have commenced.

More information

To ask a question, request a factsheet or seek land use approval please contact us at 5yearleases@fahcsia.gov.au or freecall 1800 558 449.



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