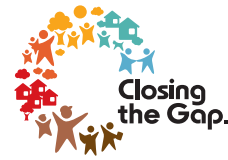




Australian Government



# Leases on Aboriginal Land in the Northern Territory



The Australian Government is working with traditional owners, communities, land councils and the NT Government to improve land use arrangements in townships on Aboriginal land in order to:

- deliver a system of improved housing, infrastructure and service delivery; and
- establish a platform to enable future economic development, to secure government and private investment and to foster home ownership.

It is our commitment that this is carried out in a manner that respects traditional ownership and cultural links to land.

## Types of leases on Aboriginal land

- **Whole-of-Township**
- **Housing Precinct**
- **Five-Year Leases**

## Voluntary long term leases

The majority of Indigenous communities in the Northern Territory are on 'Aboriginal Land' as defined in the *Aboriginal Land Rights (Northern Territory) Act 1976* (ALRA). The ALRA allows for long term leases such as whole-of-township leases and housing precinct leases.

### Whole-of-township leases (section 19A)

A whole-of-township lease is a lease taken over an entire township by the Executive Director of Township Leasing (EDTL) - an Australian Government statutory office holder established under the ALRA - whose role is to hold and administer township leases.

These leases establish a system where rent is generally paid through the EDTL to traditional owners in return for the use of land through sublease arrangements. This offers land users security over assets such as buildings for a long period of time, thus encouraging private and business investment.

During negotiations, the Australian Government considers rental payments to traditional owners for each whole-of-township lease. Leases negotiated to date, including Nguiu in the Tiwi Islands (for 99 years) and at Groote Eylandt (for 80 years), have

included an advance rental payment to cover the first 15 years of the lease. After that all rent paid for subleases is redirected to the traditional owners, less the costs of administration. A community benefits package may also be considered.

These arrangements can be complex and time consuming to negotiate. However, they create real opportunities for the township, its owners and residents to attract investment, encourage local business ventures and enable individual home ownership.

For more information on long term leasing please email [secure.tenure@fahcsia.gov.au](mailto:secure.tenure@fahcsia.gov.au).

### **Housing precinct leases (section 19)**

While the Government supports whole-of-township leasing for the broad economic benefits it can bring to communities, for the significant investment under the Strategic Indigenous Housing and Infrastructure Program (SIHIP), the minimum requirement is a 40 year lease over existing and future housing.

This type of lease ensures that Government has the ability to build new houses and to maintain new and existing public housing. Improving housing for Indigenous communities is an essential part of supporting the Council of Australian Governments' (COAG) agenda of Closing the Gap on Indigenous Disadvantage.

## **Five-year leases**

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.

Anyone wishing to use land within a five-year leased community for a new or changed purpose is required to

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

If a community has a whole-of-township lease in place, then it is not a five-year lease community. If a community has a housing precinct lease, then the part of the community covered by the housing precinct lease is not a five-year lease area. At the expiration of the five-year leases, land and infrastructure not subject to a voluntary long term lease will revert back to the land owners.

The Australian and Northern Territory Governments have a policy of transitioning five-year leases to longer term leasing arrangements. Land users are encouraged to investigate the benefits of negotiating a voluntary long term lease with the traditional owners or community organisations through the relevant land council.



### **More information**

**To ask a question, request a factsheet or seek land use approval please email [5yearleases@fahcsia.gov.au](mailto:5yearleases@fahcsia.gov.au) or freecall 1800 558 449.**



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