



Northern Land Council

MEDIA RELEASE

NLC calls for postponement of Senate amendments

4 August 2006

Northern Land Council (NLC) Chairman, John Daly, today expressed deep surprise and disappointment that the Indigenous Affairs Minister, Mal Brough, intends to force amendments to the *Aboriginal Land Rights (Northern Territory) Act 1976* through the Senate on Tuesday 8 August 2006 - rather than resolving remaining issues by agreement.

“Considerable common ground means there is a landmark opportunity to promptly achieve an agreed outcome with the Commonwealth Government”, Mr Daly said.

“This outcome would ensure that major projects including community leasing, mining, and the storage of radioactive waste, cannot be jeopardised by uninformed concerns or inflaming of community anxieties - especially regarding these amendments.”

“I am deeply disappointed, and surprised, that the Minister seems hell bent on forcing amendments through the Senate this Tuesday”, Mr Daly said.

“This is especially so given that the Minerals Council of Australia shares the NLC's concerns, and that Government Senators on the Community Affairs Committee have called for a bipartisan approach and reported that the time available 'to do justice to complex issues' is 'totally inadequate'.”

“The Minister wants his own colleagues to take on trust new laws which have not been thought through, and have been rushed through both Houses of Parliament”, Mr Daly said.

“The NLC has received private support from several Government members who understand the complexity of the issues, and the importance of getting it right.”

“There is simply no need to be a bull at the gate”, Mr Daly said.

“Getting it wrong is bad for development, bad for remote communities, bad for the economy, bad for the Northern Territory, and for Australia.”

“I urge the Minister to reconsider his position regarding the amendments, with a view to postponing Senate consideration and committing to an agreed resolution of remaining issues”, Mr Daly said.

The Minerals Council of Australia told the Senate Committee on 21 July 2006 of its concerns as to 'increased cost shifting to the minerals industry', and as to an 'extraordinary unintended consequence' whereby a developer must negotiate with multiple institutions responsible for

making the same or related decisions regarding the same land - the result being 'disjunctive processes, increased complexity, and inefficiencies to the detriment of all interested parties.'

The NLC expressed very serious concerns to the Committee regarding amendments which:

- * ...appear to breach and/or impliedly repeal the *Racial Discrimination Act 1975* (which appear to be unforeseen consequences which can be readily remedied);
- * ...appear directed at effectively implementing the 1998 Reeves report model by breaking up Land Councils and by removing financial independence (through removal of a statutory funding guarantee), and forcing them (in effect) to publicly disclose confidential minutes and to “delegate” or divest functions to small and unrepresentative corporations;
- * ...terminate non-contiguous land claims to the intertidal zone and rivers (so as to limit the ambit of current Federal Court proceedings regarding fishing rights at Blue Mud Bay in Arnhem Land), and enable termination of claims to NT Land Corporation land.
- * ...enable the NT Government to meet its rental and administration costs for community leasing from the Aboriginal Benefits Account (generated from mining royalties on Aboriginal land).