



NORTHERN LAND COUNCIL

Our Land, Our Sea, Our Life

Access to tidal waters on Aboriginal land in the NLC region

The Full Council of the Northern Land Council has given notice that it will end the 'interim' inter-tidal fishing access arrangement with the Northern Territory Government, because it has continued for too long without any significant benefit to Traditional Aboriginal Owners, especially management rights over their sea country.

Aboriginal land is privately owned. Around 84% or 6,050km of the coastline is owned by Traditional Aboriginal Owners. It is not Crown land and it is not public land. Permission must be obtained before going onto Aboriginal Land, in accordance with the *Aboriginal Land Act* and *Aboriginal Land Rights (Northern Territory) Act 1976*. This includes access to tidal waters over Aboriginal land.

The NLC's decision will not affect the existing agreements with the Northern Territory Government which allow permit-free access for commercial and recreational fishers in 'high value' fishing areas. The 'interim' arrangement has allowed access for recreational and commercial fishers to the remaining inter-tidal waters over Aboriginal land and was first agreed in March 2007; since then it has been extended 11 times.

The current arrangement expires on 31 December 2016 and will not be renewed by the Full Council.

This Public Notice promulgates a six (6) month period to transition to requirements under the *Aboriginal Land Act*.

Negotiations towards a permanent and comprehensive settlement will continue over that period between the NLC and the Northern Territory Government and commercial and recreational fishers.

For further information about inter-tidal access arrangements, visit the NLC website at www.nlc.org.au

Notice Under Section 5(8) Of The Aboriginal Land Act

1. The Northern Land Council (NLC) gives notice, pursuant to section 5(8) of the *Aboriginal Land Act*, and subject to the restrictions or conditions in paragraphs [3], [4] and [5] below, that for a period of six months from 12:00am (CST) on 1 January 2017 until 12:00am (CST) on 1 July 2017, the NLC waives the requirement for a permit to enter from the seaward side, the waters overlying Aboriginal land and which, more specifically, lie within the inter-tidal zone, being between the low water mark and the high water mark.
2. The areas where the NLC waives the requirement for a permit are delineated in yellow on the map entitled "Sea Country Access Arrangements in the Northern Land Council Region" which can be found on the NLC's website at www.nlc.org.au/articles/info/574.
3. A permit is required in relation to the areas marked in red on the Sea Country Access Arrangements in the Northern Land Council Region map, being:
 - (a) those parts of the Daly River Port Keats Aboriginal Land Trust more particularly described as Cape Scott; and
 - (b) those parts of the Delissaville/Wagait/Larrakia Aboriginal Land Trust, more particularly described as the upper Finnis River.
4. A permit is required to enter and remain on Aboriginal land if that entry is by land.
5. Access to the waters overlying Aboriginal land described at paragraph [1] above is subject to:
 - (a) any restricted access to sacred sites in accordance with the *Northern Territory Aboriginal Sacred Sites Act* (refer to www.aapant.org.au/sacred-sites for information);
 - (b) closed sea areas adjoining and within 2 kilometres of Aboriginal land in accordance with section 12 of the *Aboriginal Land Act*, as hatched in red on the NLC Sea Country Access Arrangements in the Northern Land Council Region map; and
 - (c) existing leases and licences granted pursuant to section 19 of the *Aboriginal Land Rights Act (Northern Territory) 1976*.
6. Permit free access to the waters overlying Aboriginal land continues in those areas where access agreements are in force, as delineated in green on the NLC Sea Country Access Arrangements in the Northern Land Council Region map and that continued access is unaffected by this notice.
7. There are special arrangements that apply to the Cox Peninsula – Kenbi Aboriginal Land Trust area – see the notice and map at www.nlc.org.au/articles/info/kenbimap.

Warning: Persons enter Aboriginal land at their own risk. The relevant Aboriginal Land Trust and NLC accept no liability concerning this access to Aboriginal land.

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