



NORTHERN
LAND COUNCIL

MEDIA RELEASE

Our Land, Our Sea, Our Life

“Enough is enough” – legal proceedings launched to challenge decision to permit more land clearing at Auvergne Station

12 February 2023

Legal proceedings were commenced on Friday 10 February 2023 in the Supreme Court of the Northern Territory, challenging a decision made on 25 November 2022 by a delegate of the Pastoral Land Board to grant a permit to clear native vegetation over at least 923 hectares of land at Auvergne Station.

Auvergne Station is located west of the town of Timber Creek in the Victoria River District of the Top End. The plaintiffs are three senior members of the Ngarinyman-Wulayi group, who hold native title over the country that is to be cleared. They are joined in the proceedings by the Northern Land Council and the native title holders’ prescribed body corporate.

The challenge is made on the grounds that the rights and interests of native title holders and sacred site custodians – including their traditional rights to use the land, which are reserved under the terms of the pastoral lease – were not properly considered. The native title holders also claim that the decision-making process was procedurally unfair, and that a purpose of the land clearing is to grow cotton, which is not a permitted pastoral activity.

The NLC is concerned that sacred sites are regularly put at risk by land clearing on cattle stations because the Pastoral Land Board does not require the holders of land clearing permits to obtain a sacred site clearance as part of the application process.

This legal challenge follows the NLC’s repeated expressions of concern to the NT Government and the Pastoral Land Board about deficiencies in the decision-making processes for pastoral land clearing activities across the Northern Territory.

Quotes attributable to Northern Land Council Chief Executive Officer, Joe Martin-Jard:

“The NLC is not opposed to development but it must be done in a sustainable and respectful way. It’s not good enough that Aboriginal Territorians with legal rights on country subject to pastoral leases have no opportunity to have their voices heard before land clearing is permitted. Native title holders are now having to turn to the courts to try to have their rights and interests acknowledged and respected.”

“The Pastoral Land Board appears to be treating cotton growing as a pastoral activity. That cannot be right. Growing cotton requires different regulation than pastoral activities. Growing cotton should be regulated by the Northern Territory Government as a non-pastoral use of land.”

“The land that is being cleared across the Northern Territory is not forgotten land that no one cares about. It belongs to Aboriginal people. There are legal rights over that land that must be respected.”

“All Territorians should be concerned about how pastoral lands are managed on their behalf by leaseholders and the NT Government. Enough is enough. We need to ensure that the pastoral estate is properly managed for future generations.”