

1986

THE PARLIAMENT OF THE COMMONWEALTH

OF AUSTRALIA

HOUSE OF REPRESENTATIVES

ABORIGINAL LAND GRANT (JERVIS BAY TERRITORY)

BILL 1986

EXPLANATORY MEMORANDUM

(Circulated by authority of the
Minister for Aboriginal Affairs, the Hon A.C. Holding, M.P.)

OUTLINE

The Aboriginal Land Grant (Jervis Bay Territory) Bill 1986 will provide for the grant of inalienable freehold title to a portion of the Jervis Bay Territory to the Wreck Bay Aboriginal Community by: -

- (1) Establishing a Community Council to be known as the Wreck Bay Aboriginal Community Council to hold title to land granted under this Bill and to have other powers and functions as set out (Clauses 4-7)
- (2) Providing for an initial grant of land to the Community Council and allowing for future grants of land adjoining the initial grant (Clauses 8-11)
- (3) Providing for buildings or amenities on the land granted to become the property of the Community Council unless the Commonwealth continues its use of those buildings or amenities (Clauses 12 and 13)
- (4) Establishing an office of Registrar of the Community Council who will prepare the initial Register of Members and attempt the resolution of disputes between the Community Council and its members (Clauses 15-17, 50)
- (5) Establishing a Register of Members of the Community Council (Clauses 17-19)
- (6) Requiring there to be general meetings of the Community Council (Clauses 20-26)

(7) Providing for three officeholders of the Community Council and a nine (9) member executive three of whose members will be the officeholders (Clauses 28-34)

(8) Empowering the Community Council to lease land for a number of purposes some of which require the consent of the Minister (Clauses 37-42)

(9) Providing that mining on land granted will take place only with the agreement of the Commonwealth, Community Council and the intending miner (Clauses 43 and 44)

(10) Protecting significant sites (Clauses 48)

(11) Protecting public access to areas to which the public already has access (Clause 49)

(12) Providing for consequential amendment to the Jervis Bay Territory Acceptance Act 1915 (Clauses 54 & 55).

FINANCIAL IMPACT

Other than the transfer of assets and small costs associated with the administration of the land granted it is anticipated that there will be no additional or new costs associated with the provision of Government services to the Wreck Bay Community.

NOTES ON CLAUSES

PART I - PRELIMINARY

Clause 1

1. This clause provides for the short title to the Bill. The Bill will come into force 28 days after it receives Royal Assent in accordance with s.5(1A) of the Acts Interpretation Act 1901

Clause 2 : Interpretation

2. A number of terms are defined in this clause. Of particular significance are the following

"Aboriginal" means a person who is a member of the Aboriginal race of Australia

"Community" is defined to mean the community known as the Wreck Bay Aboriginal Community

"Council" means the Wreck Bay Aboriginal Community Council established under this Bill

3. The following words are also defined;

"Aboriginal Land", "annual general meeting", "Authority", "Chairperson", "Deputy Chairperson", "executive committee", "executive member", "minerals", "Register", "registered member", "Registrar", "Secretary", "special general meeting", and "Territory".

4. The Chairperson may be referred to as the Chairman or Chairwoman as the case may be, similarly the Deputy Chairperson.

Clause 3 : Act to bind Crown

5. This clause will ensure that the Act binds the Crown in right of the Commonwealth. However nothing in the Act will render the Crown in right of the Commonwealth liable to be prosecuted for an offence against, or arising under, the Act.

PART II - ESTABLISHMENT, CONSTITUTION, FUNCTIONS AND POWERS OF COUNCIL

Clause 4 : Establishment of Council

6. This clause establishes the Wreck Bay Aboriginal Community Council (the Council). The Council is a body corporate with perpetual succession, it will have a common seal and may sue and be sued in its corporate name. All persons holding judicial office will take judicial notice of the imprint of the common seal of the Council and presume that any document to which the seal is fixed is duly sealed.

Clause 5 : Constitution of Council

7. The Council shall consist at any given time of the persons who have their names entered on the Register of Members at that time. (see clause 17)

Clause 6 : Functions of Council

8. The functions of the Council under this Bill will be to hold title to the Aboriginal Land granted to it under this Act and to exercise its powers as owners of the land for the benefit of the community. It also may make representations to the Minister in relation to other land in the Jervis Bay Territory that the Council considers should become Aboriginal Land. It also has any other functions which are conferred on the Council by a provision of this Act, for example the functions relating to significant sites contained in clause 48 and such other functions as may be

conferred on the Council by any regulation passed under this Act.

Clause 7 : Powers of Council

9. The Council has a general power to do all that is necessary or convenient for, or in connection with, the carrying out of any of its functions under this Act.
10. More specifically the Council will be empowered to acquire and hold or dispose of real and personal property, to enter into contracts for the purposes of this Act and to employ staff. These powers are limited by a number of restrictions, for example those relating to dealings in land contained in clauses 38 to 42. The powers are also limited in that the Council shall not enter into a contract involving the payment of an amount by the Council without the consent of the Minister in excess of \$1,000 or such higher amount as the Minister shall prescribe.

PART III - GRANT OF LAND TO COUNCIL

Clause 8 : Initial grant of land

11. As soon as is practicable after the first annual general meeting is held the Minister shall sign a written instrument declaring that the land contained in the Schedule to this Act shall become Aboriginal Land. He shall then give a copy of that instrument to the Chairperson of the Council and upon him giving that instrument to the Chairperson the land becomes Aboriginal Land.
12. The Minister must then cause a notice to be published in the Gazette stating that the Schedule Land has become Aboriginal Land, although any failure of the Minister not to so publish does not affect the transfer of the land to Aboriginal Land done by the giving of a copy of the instrument signed by the Minister to the Chairperson of the Council.

Clause 9 : Later grants of land

13. Where the Minister is satisfied, after he has made the initial grant of land, that other land which adjoins the Schedule Land is of significance to the Wreck Bay Aboriginal Community (the Community) and that it would be appropriate in all the circumstances to do so, the Minister may publish a notice in the Gazette declaring that the adjoining land shall become Aboriginal Land and title to that adjoining land will then vest in the Council.

Clause 10 : Vesting of land

14. Land which becomes Aboriginal Land under this Act shall vest in the Council, together with all rights, title and other interests, without any other form of conveyance, transfer or assignment being required.

Clause 11 : Registration of vesting

15. Where land has vested in the Council by virtue of this Act, the Secretary of the Department that deals with the administration of the Jervis Bay Territory (the Territory), on his or her becoming aware that land has so vested, shall take such action as he or she believes necessary to register that vesting in accordance with the laws in force in the Territory.

Clause 12 : Buildings and improvements vest automatically

16. Where land vests in the Council under this Act, buildings and other improvements on that land also vest in the Council subject to the rights of the Crown or an Authority contained in clause 13.

Clause 13 : Occupation by Crown or an Authority

17. Where Aboriginal Land has vested in the Council under this Act and that land or part of that land is being used or occupied by the Crown or an Authority of the Crown, the Crown or Authority is authorised to continue that occupation for such time as the land is required by the Crown or the Authority.
18. During the period that the Crown or Authority uses or occupies the land in accordance with this clause any buildings or improvements on the land shall be deemed to be the property of the Crown or Authority whichever is the user or occupier.
19. The Council may decide to grant a lease of the land occupied by the Crown or the Authority, as the case may be, in accordance with clause 38. If it does decide to do so then the provisions of this clause authorising the continued use and occupation of the land by the Crown or Authority will cease to apply to the land and the Crown or Authority takes its rights subject to the lease granted by the Council in accordance with clause 38.

Clause 14 : Reservation of minerals

20. Where land vests in the Council under this Act that vesting is subject to the reservation that the right to any minerals existing in their natural condition whether on or below the surface remains with the Commonwealth.
21. Minerals are defined in clause 2 to mean; gold, silver, copper, tin and other metals; coal, shale, petroleum, valuable earths and substances; mineral substances; gems and precious stones; and ores and other substances containing minerals, whether suspended in water or not, but does not include water.

PART IV - ADMINISTRATION OF COUNCIL

DIVISION 1 - REGISTRAR OF COUNCIL

Clause 15 : Registrar of Council

22. There is established by this clause a Registrar of the Wreck Bay Aboriginal Community Council. He or she has such functions as are conferred on him or her by this Act or the regulations.
23. The Registrar shall be a person who is an officer of the Department of Aboriginal Affairs appointed by the Minister in writing.

Clause 16 : Delegation by Registrar

24. The Registrar is empowered by this clause to delegate in writing all or any of his or her functions under this Act to another officer of the Department who is approved by the Secretary to the Department for that purpose.
25. Where a function is delegated and the delegated officer performs or exercises a function such performance or exercise shall be deemed to have been performed by the Registrar. The Registrar may continue to perform his or her functions notwithstanding that he or she has delegated any of his or her functions under this clause.

DIVISION 2 - REGISTER OF MEMBERS OF COUNCIL

Clause 17 : Register

26. This clause requires the preparation and maintenance of a register of members to be known as the Register of Members of the Wreck Bay Aboriginal Community Council.

27. The Department must prepare and give to the Registrar a list of persons who the Department is satisfied are Aborigines who lived in the Territory on 24 May 1986 and have reached 18 years of age. This list is to be prepared as soon as practicable after the commencement of this Act.
28. As soon as practicable after the Registrar receives the list from the Department, the Registrar shall prepare the Register and enter onto it the names of those on the list. After the first annual general meeting, the Register shall be kept by the Secretary of the Council.

Clause 18 : Variation of Register

29. A person's name may be added to the Register by the passing of a motion, in accordance with clause 26, at a general meeting, that the person is an Aboriginal member of the community. Upon the passing of that resolution, the Secretary of the Council must enter that person's name on to the Register. The Secretary shall only enter that person's name on the Register if he or she is satisfied that the person has reached 18 years of age.
30. A person's name may be removed from the Register by the passing of a motion, in accordance with clause 26, at a general meeting that that person is not an Aboriginal member of the community. The Secretary shall remove that person's name accordingly. Where the Secretary is satisfied that a person has died or is not of 18 years of age or over he or she shall remove the name of that person from the Register.

Clause 19 : Particulars on Register

31. Where the Secretary must enter a person's name on the Register and he or she believes that the name of the person does not identify the person sufficiently the Secretary shall enter such particulars next to the name of the person

as are sufficient to identify the person. The Registrar may enter the residential address of that person next to the person's name on the Register.

DIVISION 3 - MEETINGS OF COUNCIL

Clause 20 : First annual general meeting

32. The first annual general meeting shall be called by the Registrar as soon as practicable after the preparation by the Registrar of the Register. He or she must give 30 days notice before this meeting of the day, time and place of the meeting to all registered members. The Registrar will preside at the first meeting until a Chairperson is declared elected.

Clause 21 : Convening of subsequent annual general meetings

33. The Chairperson must convene an annual general meeting 30 days before the expiration of 12 months from the previous annual general meeting. If the Registrar believes that the offices of Chairperson and Deputy Chairperson are vacant or those officers are unable to carry out their duties the Registrar may convene the meeting.
34. The person convening the meeting must give 30 days notice before the day of the meeting. The notice will state the day, time and place of the meeting in the manner determined by the Council or if no manner has been determined in such manner as the person considers appropriate.

Clause 22 : Purpose of annual general meeting

35. The annual general meeting shall conduct elections of the executive members of the Council in accordance with Division 4 of this Part. The meeting may also deal with any other matters relating to the functions of the Council.

Clause 23 : Convening of special general meetings

36. A special general meeting may be convened by the Chairperson or the Minister. The Chairperson shall convene a special general meeting if he or she receives a request in writing signed by at least 20 of the registered members. At least 30 days notice of the day, time and place of the meeting must be given by the person convening the meeting to all registered members in the manner determined by the Council or if there is no such determination in such manner as the person convening the meeting believes appropriate.

Clause 24 : Purpose of special general meetings

37. A special general meeting of the Council may deal with any matters which relate to any of the functions of the Council.

Clause 25 : Procedure at general meetings

38. Registered members and any persons that the meeting resolves to invite to attend may attend a general meeting. Where the Chairperson is present he or she shall preside at the meeting. Where he or she is not present the Deputy Chairperson shall preside or if the Deputy Chairperson is not present the meeting must elect one of their number to preside. A quorum of a general meeting is a majority of the registered members. Subject to other provisions of this Act the Council may determine what procedure will be followed at a general meeting.

Clause 26 : Voting on motions at general meetings

39. Most motions moved at a general meeting shall be determined by a simple majority of the votes of those registered members present and voting. A motion to add or remove a person's name from the Register shall be passed only if supported by at least two-thirds of the registered members present and voting. The person who presides at a meeting has a deliberative vote and, except where a motion to add or

remove a person's name from the Register is moved, also has a casting vote where the number of votes on a motion are tied. A motion to add or remove a person's name from the Register cannot be moved unless notice of that motion was given at the time of the notice of the general meeting.

DIVISION 4 - EXECUTIVE COMMITTEE

Clause 27 : Officers

40. This clause creates the offices of Chairperson, Deputy Chairperson and Secretary of the Council.

Clause 28 : Executive committee

41. This clause establishes an executive committee which has certain functions under the Act and those delegated to it by the Council under clause 36.
42. The executive committee shall consist of the officers of the Council and 6 other members. (see clause 27)

Clause 29 : Executive members

43. This clause provides that a person must be a registered member of the Council to be eligible for election as an executive member. Except where vacancies occur an executive member shall be elected at an annual general meeting.
44. Where a vacancy occurs in the office of an executive member earlier than 30 days before the next annual general meeting provision is made for the Chairperson or if no Chairperson the Minister to convene a special general meeting and to hold an election to fill the vacancy at the meeting.
45. An executive member is eligible for re-election.

46. The Secretary of the Council shall have the functions conferred on the Secretary by this Act (see clauses 17, 18 & 19) and such other functions as are delegated by the Council or the executive as thought necessary or desirable.

Clause 30 : Election of executive members

47. The executive members at a meeting of the executive committee may by unanimous resolution appoint a person to conduct an election. If the committee is unable to pass such a resolution, or the person appointed is unable to conduct the election the Registrar may convene the election.
48. Provision is made for the nomination of a person for office, at least 24 hours before the general meeting at which the election is to take place. Such nomination is to be in writing and given to the person conducting the election.
49. If only one person is nominated then that person shall be taken to be elected. Each registered member at a meeting shall have one vote. In the event of a drawn ballot the election will be determined by lot.

Clause 31 : Deputy Chairperson to act as Chairperson

50. Provision is made for the Deputy Chairperson to act as Chairperson when the Chairperson is unable to perform the duties of the office or the office is vacant.
51. The validity of the actions of the Deputy Chairperson under this clause shall not be called into question on the grounds that his or her authority under this clause had not arisen or had ceased.

Clause 32 : Resignation

52. An executive member may resign his or her office by a statement in writing signed by that member and given to the Registrar.

Clause 33 : Removal of executive members

53. The Minister may remove an executive member from office for misbehaviour or physical or mental incapacity.

Clause 34 : Meetings of executive committee

54. Provision is made for the convening of meetings of the executive committee by the Chairperson, or by written request of at least 4 executive committee members or the Minister.
55. The Chairperson shall preside at all executive committee meetings at which he or she is present. In the absence of the Chairperson, the Deputy Chairperson or if he or she is not present the executive members present shall appoint one of their number to preside at that meeting.
56. A quorum of an executive committee will be 5 executive members. All members present shall have a vote and questions shall be determined by a majority with the person presiding having a casting vote.

DIVISION 5 - MISCELLANEOUS

Clause 35 : Committees

57. The Council may by resolution establish such committees as the Council considers necessary or desirable for the purposes of the Act. Provision is made for the Chairperson or the Deputy Chairperson or an elected member to preside at a committee meeting, as appropriate. A member of a committee may resign in writing by giving the resignation to the executive committee.

Clause 36 : Delegation

58. The Council may by resolution delegate all or any of its powers under this Act other than the power of delegation, to the executive committee or a committee established under clause 35.

PART V - DEALINGS WITH ABORIGINAL LAND

Clause 37 : Interpretation

59. A number of terms are defined which specify the range of persons who will be regarded as being related to a registered member for the purposes of this Act. They are
- a) "adopted" child means a child who is adopted under a law of any State or Territory or adopted under any overseas law if that adoption would be recognised in this country;
 - b) "relative" means parent, grandparent, lineal descendant of the person or of the person's spouse, the spouse of the person, or a child of the person;
 - c) "spouse" includes someone who is living with a person in a bona fide domestic relationship.
60. In this Part of the Act Aboriginal Land is taken to be used for domestic purposes, unless a sub-lease has been granted, if those who hold the lease over the land live on the land or intend as soon as practicable to live on the land or, where a sub-lease has been granted, those who hold the sub-lease are living or intend to live on the land as soon as practicable.
61. Further in relation to this Part of the Act Aboriginal Land is taken to be used for a business purpose if, unless a sub-lease has been granted, those who hold the lease conduct or intend as soon as practicable to conduct a business on the

leased land, or in the case of a sub-lease, those who hold the sub-lease conduct or intend as soon as practicable to conduct a business on that land.

62. These purposes relate to the dealings in Community land by the Council contained in clause 38.

Clause 38 : Dealings in Aboriginal Land by Council

63. The Council can only deal with Aboriginal Land in accordance with this Part of the Act. Under this clause the Council may grant a lease of Aboriginal Land to
- i) a registered member or members for domestic purposes, business purposes or for the benefit of the community,
 - ii) persons not registered members for domestic purposes or business purpose with the approval of the Minister, or
 - iii) to the Commonwealth or an Authority.
64. Unless the Minister consents the duration of a lease shall not exceed the following periods of time; for situations where a lease is granted to registered members for a domestic purpose - 99 years, for other leases to registered members - 25 years, or for any other lease granted - 15 years.
65. The Council may grant a licence to any person to use Aboriginal Land. This would cover such things as agreements for rights of access across Aboriginal Land for areas over which the public does not have a right of access immediately before the commencement of the Act. Where a lease or licence is granted to the Commonwealth or an Authority, rent or any other amount payable under that lease or licence shall be such amounts as the Minister determines.

Clause 39 : Surrender of Aboriginal Land

66. The Council may surrender to the Commonwealth the whole of its estate or interest in any part of the Aboriginal Land granted to it under this Act with the consent in writing of the Minister. This provision would allow the Council to surrender part of the Aboriginal Land for such things as the construction of a public road. Nothing in this clause obliges a Council to so surrender.

Clause 40 : Rights of existing occupiers

67. Where a registered member was in occupation of a part of the Aboriginal Land granted under this Act immediately prior to the land becoming Aboriginal Land and that registered member had the consent of the Commonwealth or an Authority to occupy that land the Council must, in accordance with the provisions in clause 38, grant that registered member a lease of that land. The term of that lease will be 99 years if given for residential purposes or 25 years if given for business purposes.
68. The terms and conditions of that lease may include a term approved by the Minister that the registered member pay to the Council the value of the fixed improvements on that land, at the time it became Aboriginal Land, less any value of fixed improvements erected at the cost of the registered member who is to hold the lease.

Clause 41 : Dealings in land leased from Council

69. Where the Council has granted a lease of Aboriginal Land to a person, that person may sub-lease that land, for the same purpose that relates to the lease, to a registered member, the Commonwealth or an Authority. If the person wishes to lease to anyone other than a registered member, the Commonwealth or an Authority, the person cannot do so

without the Minister's consent and that sub-lease must also be for the same purpose that relates to the lease. A person may sub-lease land for a purpose different from the purpose of the lease if the Minister consents.

Clause 42 : Devise of interests in Aboriginal Land

70. Where a registered member has the benefit, or a share in the benefit, of a lease or sub-lease for domestic purposes that registered member is authorised by this clause to pass on that interest under a will, or the benefit may pass, under any law relating to intestacy in force in the Territory, to a relative of that member. Where the benefit is transmitted to a relative the purpose of the lease will remain the same.

PART VI - MISCELLANEOUS

Clause 43 : Laws relating to mining

71. Any law authorising mining or exploration for minerals does not apply to Aboriginal Land so as to authorise the entry or remaining of any person on Aboriginal Land or the doing of any act by a person on that land. This provision also relates to miner's rights in that such a right does not give a person authority to be or remain on Aboriginal Land.

Clause 44 : Mining operations

72. If minerals in their natural state and capable of being exploited for commercial purposes are discovered, no operation for the recovery of the minerals shall be carried on by a person otherwise than in accordance with an agreement to which the Commonwealth, the Council and that person are parties. (See clause 14 which reserves ownership of any minerals in their natural condition for the Commonwealth.)

Clause 45 : Exemption from rates

73. The Council is not liable to pay any rates or other taxes in respect of Aboriginal Land under a law in force in the Territory. The operative term is "in respect of Aboriginal Land" and it is contemplated that the Council will be liable to pay taxes in regard to services provided to the Community. This clause will not affect an individual's liability to pay taxes under a law in force in the Territory.

Clause 46 : Application of laws of Territory to Aboriginal Land

74. Any law in force in the Territory will apply to Aboriginal Land to the extent that that law is capable of operating concurrently with this Act. This provision is inserted to make it clear that the granting of the Aboriginal Land to the Council has no other effect on the applicability of the general law of the Territory than as provided by specific legislative enactment in this Act.

Clause 47 : Protection of environment

75. The Council shall have regard to the preservation of the environment. This is a mandatory obligation on the Council to have regard to preserving the environment and accordingly address its mind to the impact of proposals on the environment.
76. The Council is obliged to give the Minister particulars in writing of proposals to carry out any work or projects that could have significant effect on the environment.
77. In this clause the term "environment" includes all aspects of the surroundings of a natural person whether it affects the person individually or as a member of a social group. The term "environment" is not limited to the environment of the Aboriginal Land.

Clause 48 : Significant sites

78. Where the Minister is satisfied that a place on Aboriginal Land is of special significance to members of the community the Minister may, by notice published in the Gazette specifying the place, declare that that place is a significant site for the purposes of the Act.
79. Where the Minister makes a declaration of a significant site, the Council may cause signs to be displayed near the place stating that entry on it by persons other than members of the Community is prohibited by this Act.
80. Except in performance of functions under the Act or otherwise authorised by law in force in the Territory, or with the consent of the Council, it will be an offence for a person to enter or remain in any place in relation to which a sign is displayed as authorised by this clause. A penalty of a thousand dollars (\$1,000) is provided.
81. A person shall not damage or disturb any significant site on which a sign is displayed. A penalty of \$5,000 or 2 years imprisonment or both is provided. An act by a person which damages or disturbs a significant site is an act which adversely affects the special significance of the place to Aboriginal members of the Community.
82. A person shall not be convicted of both offences of entry onto a significant site and damage or disturb a significant site. They are alternative penalties.
83. A place of special significance to the Aboriginal community is not limited to sites of religious significance but will include places which are of significance either socially or historically to the Community. The provision is a special measure taken for the sole purpose of protecting the Community's special relationship with the Aboriginal Land whether historical or social.

Clause 49 : Public access

84. Where the Minister is satisfied that it is desirable that the public should continue to have access to a place to which the public had access before the place became Aboriginal Land he may make a declaration that the public have access to that place. The Minister may not declare public access to a place which is a significant site under clause 48 or to a lease for a domestic purpose lease within the meaning of Part V. In this clause a place includes a road, path or trail.
85. The clause will provide for public access to places on Aboriginal Land but that access shall be subject to regulation. (See clause 53)

Clause 50 : Registrar may inquire into grievances

86. This clause provides for a grievance mechanism whereby the Registrar may inquire into action taken by the Council at the request of the person aggrieved. The Registrar may inform the Minister or the Council of the result of the inquiries. The person aggrieved must be a registered member or have been a registered member to make the application to the Registrar.

Clause 51 : Financial records

87. The Council is obliged to keep proper accounts and records of the financial affairs of the Council.

Clause 52 : Annual statements

88. The Council shall prepare after each financial year financial statements of that year in such form as the Minister approves and furnish a copy of the statements to the Minister.

89. The financial statements will be prepared by a person with recognised qualifications appointed by the Council. That person shall report to the Council on whether the accounts are in proper order.

Clause 53 : Regulations

90. The Governor-General may make regulations not inconsistent with this Act, on matters required or permitted by this Act or those necessary or convenient for carrying out or giving effect to this Act.
91. The power to make regulations governing public access under clause 49 shall be used only on advice of the Executive Council being advice that has considered any representations made to the Minister by the Council or the executive committee relating to access by the public to that place.

PART VII - AMENDMENT OF JERVIS BAY TERRITORY ACCEPTANCE ACT 1915.

Clause 54 : Principal Act

92. The Jervis Bay Territory Acceptance Act 1915 is in this Part referred to as the Principal Act.

Clause 55 : Repeal of Section 5 and insertion of new section

93. Section 5 of the Principal Act is repealed and a new section 5 is inserted. This new section prohibits the sale or disposal of any estate of freehold in any Crown lands in the Territory subject to this Act. Part III of this Act grants land to the Council and provides for later grants of land in certain circumstances.

Schedule

94. The schedule describes the land referred to in clause 8 which is to become Aboriginal Land. The description is for an area of land of 403 hectares more or less excluding certain public roads.