



## Let's Talk... Land Rights

**2016 marked 50 years since the Wave Hill walk-off on Gurindji traditional lands in the Northern Territory and 40 years since the passing of the *Aboriginal Land Rights (Northern Territory) Act 1976*. These were pivotal moments in the nation's land rights movement of which all Australians can be proud.**

### The Wave Hill walk-off

On 23 August 1966, Aboriginal stockmen at the Wave Hill cattle station in the Northern Territory walked off the job as they were not paid equally to their white counterparts. While the walk-off was initially focused on working conditions and equal pay, it soon became about broader land rights and was the precursor to the first land rights legislation in Australia.

The *Aboriginal Land Rights (Northern Territory) Act 1976* followed 10 years later. The Act was the first legislation by the Australian government to legally award Aboriginal land rights. Similar land rights legislation was later established in New South Wales and South Australia.

### Did you know?

- Wave Hill station is located roughly 600 kilometres south of Darwin, near Kalkaringi.
- Land rights recognise Aboriginal and Torres Strait Islander peoples' ownership and spiritual connection to Country and provide an economic base for long-term planning and development.
- [Native title](#) is another form of land law in Australia and can co-exist with land rights legislation. Native title recognises traditional rights through customary law, whereas land rights legislation allows Aboriginal ownership of land.<sup>1</sup>
- Land rights legislation and native title have led to important agreement-making processes with Aboriginal and Torres Strait Islander peoples in relation to land, resources, health, education and research.<sup>2</sup>

<sup>1</sup> <http://www.clc.org.au/articles/info/what-is-the-native-title/>

<sup>2</sup> Reconciliation Australia, *The State of Reconciliation in Australia*. The full report can be accessed [here](#).

## Meet Vincent Lingiari

Vincent Lingiari is famously known as the leader of the Wave Hill walk off. Lingiari was the head stockman working on Lord Vestey's cattle station at Wave Hill. He was a Gurindji elder born in 1919 in the Northern Territory, and passed away in 1988.<sup>3</sup>

When Lingiari could no longer tolerate the unequal treatment of Aboriginal people in their own country, he encouraged fellow workers and their families to 'walk-off' Wave Hill station. He initially demanded better pay, rations and protection of Aboriginal women, but soon became the leader for Aboriginal land rights.<sup>4</sup>

Lingiari was named a Member of the Order of Australia for his services to Aboriginal peoples in 1976. In 2001, the Lingiari Foundation was formed to promote reconciliation and to develop Aboriginal leadership. Vincent Lingiari has a Northern Territory Federal electorate named after him and a memorial dedicated to him at Reconciliation Place in Canberra.



Prime Minister Gough Whitlam pours soil into the hand of Vincent Lingiari on 16 August 1975, the day when over 3,200 square kilometres of land at Wave Hill was transferred by leasehold title back to the Gurindji people.

### Quick statistics

- Aboriginal workers at Wave Hill were paid less than five shillings per day, which is the equivalent to being paid six dollars now. This was less than the minimum wage set for Aboriginal people<sup>5</sup> and one-fifth of a non-Indigenous worker's wage.<sup>6</sup> The workmen also experienced poor housing, no running water and scarce food rations.
- Over 200 Aboriginal workers and their families walked off Lord Vestey's station at Wave Hill.<sup>7</sup>
- As of September 2015, Traditional Owners and Aboriginal and Torres Strait Islander groups hold native title, leasehold title and freehold title over 40 per cent of Australia's land mass.<sup>8</sup>
- Almost 50 per cent of land in the Northern Territory has been returned to Aboriginal peoples under the *Aboriginal Land Rights (Northern Territory) Act 1972*.<sup>9</sup>

<sup>3</sup> <http://ia.anu.edu.au/biography/lingiari-vincent-14178>

<sup>4</sup> <http://ia.anu.edu.au/biography/lingiari-vincent-14178>

<sup>5</sup> <http://australianmuseum.net.au/indigenous-australia-timeline-1901-to-1969>

<sup>6</sup> <https://digitalcollections.anu.edu.au/bitstream/1885/42696/2/Aborigines.pdf>

<sup>7</sup> <http://www.naa.gov.au/collection/fact-sheets/fs224.aspx>

<sup>8</sup> <https://www.dpmc.gov.au/indigenous-affairs/land>

<sup>9</sup> <http://aiatsis.gov.au/explore/articles/land-rights>

## The history of Aboriginal land rights

**1963** The Yolngu people at Yirrkala in north-east Arnhem Land sent bark-petitions to the House of Representatives, protesting against the seizure of more than 300 square kilometres of Aboriginal land for bauxite mining.<sup>10</sup> Although the mine went ahead, the petitions were a significant step in the pursuit of Aboriginal land rights. The bark petitions are today housed in Parliament House, along with the Magna Carta and the Australian Constitution.

**1966** On 23 August, Gurindji Elder Vincent Lingiari led the walk-off from Wave Hill cattle station protesting against low wages and poor working conditions.

**1973** Following the seven-year strike at Wave Hill, Prime Minister Gough Whitlam appointed Mr Justice Woodward to lead the Woodward Royal Commission into Aboriginal Land Rights to determine how best to recognise Aboriginal land rights in the Northern Territory.

**1975** On 16 August, over 3,200 square kilometres of land at Wave Hill was transferred by leasehold title back to the Gurindji people by Prime Minister Whitlam.<sup>11</sup> The iconic photo of Prime Minister Whitlam handing soil to Vincent Lingiari captures this historic moment.

**1976** On 16 December, the *Aboriginal Land Rights (Northern Territory) Act 1976* was passed through federal parliament, leading to the establishment of Land Rights legislation in some Australian states over the following decades.<sup>12</sup>

**1977** A specialist lobby group on Aboriginal land rights was established in NSW. The non-statutory group, known as the Aboriginal Land Council, was formed when Aboriginal community members met for three days in Redfern to discuss land rights.<sup>13</sup> This was an important moment for land rights legislation in NSW.

**1981** The *Pitjantjatjara Land Rights Act 1981* was passed in South Australia, followed by the *Maralinga Tjarutja Land Rights Act* in 1984. These acts allowed land to be vested to Aboriginal communities.

**1983** The *Aboriginal Land Rights Act 1983* was passed in NSW. This act recognises land rights of Aboriginal people and the spiritual, cultural and economic importance of the land to Aboriginal people.<sup>14</sup>

**1985** On 26 October, the government handed Uluru (formally known as Ayers Rock) and Kata Tjuta (the Olgas) to the Anangu Traditional Owners.<sup>15</sup> It became one of the first parks in the world to be managed by a board with a majority of Traditional Owners.

**1986** The leasehold title that the Gurindji people had been granted at Wave Hill was converted to freehold title.<sup>16</sup>

---

<sup>10</sup> <http://www.foundingdocs.gov.au/item-did-104.html>

<sup>11</sup> <http://www.50yearjourney.aiatsis.gov.au/stage3/item3.htm>

<sup>12</sup> Reconciliation Australia, *The State of Reconciliation in Australia*.

<sup>13</sup> <http://www.alc.org.au/about-nswalc/our-history.aspx>

<sup>14</sup> <http://www.aboriginalaffairs.nsw.gov.au/alra/>

<sup>15</sup> [http://www.nma.gov.au/exhibitions/symbols\\_of\\_australia/uluru](http://www.nma.gov.au/exhibitions/symbols_of_australia/uluru)

<sup>16</sup> <http://www.clc.org.au/land-won-back/info/daguragu-station-land-claim/>

**1992** On 3 June, the High Court recognised native title in the landmark case *Mabo v Queensland (No. 2)* (1992).

**1993** The Australian Parliament passed the *Native Title Act 1993* (Cth).

## Recent success: Kenbi Land Claim

The Kenbi land claim was Australia's longest-running Aboriginal land claim and resulted in the handing back of the Cox Peninsula in the Northern Territory to six Larrakia Traditional Owners.<sup>17</sup> Lasting for 37 years, the claim commenced in 1979 and was resolved in April 2016. The land claim was the subject of extensive hearings, including three hearings by the Aboriginal Land Commissioner and two appeals to the High Court, making it one of the most complex land claims in Australian history.<sup>18</sup> On 21 June 2016, Prime Minister Malcolm Turnbull handed over the title deeds to the Traditional Owners.

Under the land claim, land on the Cox Peninsula cannot be bought or sold, but it can be leased with the consent of the Traditional Owners.<sup>19</sup> The success of the Kenbi land claim means that greater employment and economic opportunities will now be available to Larrakia families.<sup>20</sup>

## Take action

**Watch** [Putuparri and The Rainmakers](#), an Australian documentary that follows the journey of Tom 'Putuparri' Lawford. The film sees Putuparri uncover his traditional culture and deep connection to Country, as well as documenting the community's native title claim and the power of Aboriginal ritual at the ceremonial waterhole, Kurtal.

**Listen** to Paul Kelly and Kev Carmody's [From Little Things Big Things Grow](#), a song that tells the story of the Wave Hill walk-off and the struggle for Aboriginal land rights.

**Attend** the [Freedom Day Festival, running](#) from 19-21 August at Kalkaringi, Northern Territory. The festival is a celebration of the 50th anniversary of the Wave-Hill Walk Off.

**Learn** more by looking at information and publications provided by the [Northern Land Council](#) and [Central Land Council](#).

Released: August 2016

---

<sup>17</sup> <https://nt.gov.au/property/land/kenbi-land-claim-settlement>

<sup>18</sup> <https://www.reconciliation.org.au/news/land-claim-settlement-critical-to-reconciliation/>

<sup>19</sup> [http://www.nlc.org.au/files/pdfs/LRN\\_April\\_2016\\_web.pdf](http://www.nlc.org.au/files/pdfs/LRN_April_2016_web.pdf)

<sup>20</sup> <http://www.larrakia.com.au/wp-content/uploads/2016/04/LDC-Kenbi-Media-Release-FINAL-20160411.pdf>