

"Land in the State of New South Wales was traditionally owned and occupied by Aborigines. Land is of spiritual, social, cultural and economic importance to Aborigines. It is fitting to acknowledge the importance of such land. It is the responsibility of the Government to ensure that the needs of Aborigines for land are met. It is accepted that as a result of past Government decisions the amount of land set aside for Aborigines has been progressively reduced without compensation."

fact sheet



New South Wales
Aboriginal Land Council
www.alc.org.au

LAND CLAIMS FACT SHEET #1: What is a land claim?

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It's our right

Claiming land within New South Wales is the right of every Local Aboriginal Land Council (LALC) and the NSW Aboriginal Land Council (NSWALC). Under the Aboriginal Land Rights Act (ALRA), our mob can claim land for the economic benefit of the state's Aboriginal people. Any crown land within NSW that is not used or needed is claimable.

Good reason

The Land Rights Act works on the premise that Aboriginal people, the country's original land owners, have no other avenue of compensation for our loss of land.

What land can be granted?

Aboriginal people cannot be granted privately owned land (i.e. freehold) or crown land which is being used or is needed for residential or essential public purposes, such as a park or recreation area.

Aboriginal people have never been granted claims over land lawfully used or needed by other New South Wales citizens.

Commonly held myths

Myth: To claim back land in NSW, it must have cultural or historic significance to local mob.

Truth: This is incorrect. LALCs and NSWALC are entitled to any land that's not used or needed, regardless of its significance to any one group. One of the key aims of land rights is to advance dispossessed Aboriginal people economically.

Myth: 'Aboriginal people are going to claim my backyard and my kid's school.'

Truth: Again, this is completely false. Whilst entitled to make a claim on any piece of land in the state, the ALRA prevents and rejects any claims made over land already lawfully in use, i.e. parks, recreation reserves, homes, farms, schools etc.

Myth: Aboriginal land councils like NSWALC are major land holders in NSW, wielding unchecked power and influence.

Truth: Again, this is an old wives' tale. NSWALC and LALCs currently own 0.01 percent of the total NSW land mass. That equates to approximately 80,000 acres, or roughly the size of a mid-sized grazing property in regional NSW.