



NORTHERN TERRITORY OF AUSTRALIA

No. 36 of 1991

AN ACT

to amend the *Crown Lands Act*

[Assented to 26 September 1991]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Crown Lands Amendment Act 1991*.

2. COMMENCEMENT

This Act shall be deemed to have come into operation immediately after the commencement of the *Miscellaneous Acts Amendment (Aboriginal Community Living Areas) Act 1989*.

3. APPLICATION FOR GRANT OF LIVING AREA

Section 102A of the *Crown Lands Act* is amended -

(a) by omitting from subsection (1) "Subject to subsection (2)" and substituting "Subject to subsections (1A) and (2)"; and

(b) by inserting after subsection (1) the following:

"(1A) An Aboriginal is not, or would not be, qualified as an applicant for the purposes of subsection (1) in respect of an area of land all or any part of which is within 2 kilometres of a homestead as defined in section 24(5) unless -

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- (a) he or she, at the time of making the application or being included amongst those on whose behalf the application was made, as the case may be, was entitled under section 24(4) to reside within 2 kilometres of the homestead; or
- (b) not being so entitled but being a person referred to in paragraph (a)(i) of the definition of 'applicant' in section 94 in relation to the pastoral lease, he or she has the written consent of the owner of the pastoral lease to make the application or to be included amongst those on whose behalf it is made."

4. RECOMMENDATION, &c., TO MINISTER IN OTHER CASES

Section 102J(1)(b) of the *Crown Lands Act* is amended by inserting after subparagraph (ii) the following:

- "(iiA) the likely effect of the use of the proposed community living area on the privacy of others residing on the pastoral lease or neighbouring areas;"
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