

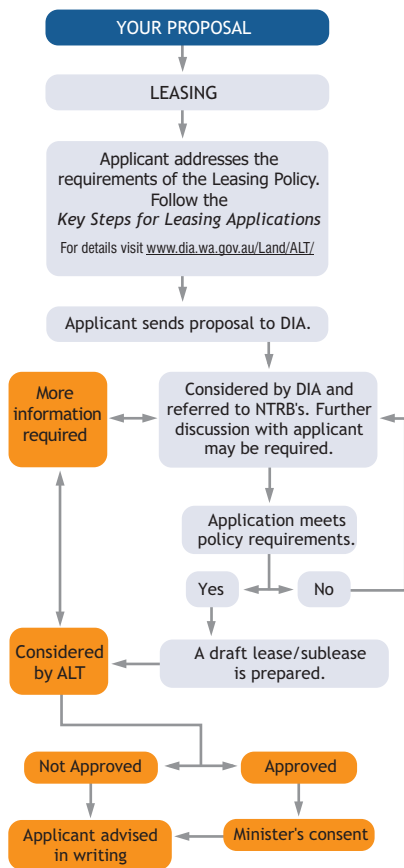
Aboriginal Lands Trust
Policy & Guideline
Series

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Policy Leasing of Land on the ALT Estate



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Department of
Indigenous Affairs

DEPARTMENT OF INDIGENOUS AFFAIRS

Policy

Leasing of Land on the ALT Estate

Aboriginal Lands Trust WA

The Aboriginal Lands Trust (ALT) has adopted the following policy in respect to the leasing of its lands.

Lease terms can be flexible but the principle of not having land tied up unnecessarily applies with the maximum lease term being 50 years.

Other factors to take into account when determining the lease term are:

- Purpose of the lease,
- Any terms set by funding agencies and,
- Use for commercial purposes benefiting Aboriginal people.

Leases issued may include options for lease extensions rather than issuing long term leases in the first instances.

Leases will seek to protect any native title rights and reconcile traditional and historical interests.

The ALT can offer multiple leases over a parcel of land, however a lease cannot encroach over another lease.

Leases are generally issued to legally durable and constitutionally fair Aboriginal organisations and in certain circumstances to individuals.

Lessees will be required to meet statutory and management costs associated with the lease.

Lessees will be required to comply with the ALT's Land Use and Development Policy on ALT land.

Lease applications from non-Indigenous and commercial interests will be required to clearly demonstrate that the lease will be for the use and benefit of the Aboriginal community with the application to be supported by the appropriate parties - Traditional Owners, native title claimants and resident communities.

Environment or cultural issues will be considered by the ALT before issuing a lease.

The ALT will always endeavour to issue a lease in accordance with any Memoranda of Understanding reached with the Native Title Representative Body representing the native title claimants/Traditional Owners. However, the ALT and the Minister for Indigenous Affairs will ultimately determine the granting of a lease.

Leases will only be granted to Aboriginal organisations or in some instances individuals who can demonstrate a capacity to take on the lease including conditions relating to the repair and maintenance of buildings and improvement on the leased premises.

To accept an offer to lease from the ALT, lessees must sign and return the lease documents to the Land Branch, Department of Indigenous Affairs within 6 months of receiving them. Failure to do so will mean that the lease offer will be automatically withdrawn.

Where it is intended to Transfer or Surrender an existing lease, parties are required to settle any outstanding charges over the leased property (e.g. water, power bills, etc.) prior to transferring or surrendering the lease.