



Byron Bay indigenous land use agreements backgrounder

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The two indigenous land use agreements (ILUAs)* celebrated at Cape Byron in northern New South Wales today deliver a range of practical benefits to the Bundjalung People of Byron Bay and provide certainty to the parties about the use and management of the agreement area.

This outcome builds on an earlier agreement reached between the Bundjalung People of Byron Bay and the New South Wales Government in 2001, under which the Arakwal National Park was created.

Negotiations

Native title claims lodged by the Bundjalung People of Byron Bay triggered negotiations over the areas where the group was seeking legal recognition of their native title rights and interests. The National Native Title Tribunal convened mediation meetings between the native title claimants and the State Government to identify the issues to be resolved and worked with the parties to help them reach agreement.

Native title claims lodged

The Bundjalung People of Byron Bay lodged their first claim in 1995 seeking recognition of their native title rights and interests in various areas of Crown land, beaches and coastal waters between Belongil Creek at Byron Bay and Jews Point on the north coast of NSW. In 1997 they lodged another claim over more land in the Byron Shire.

In 2000 the State entered into an ILUA with the group to partly settle the first claim and fully settle the second claim. This



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For definitions of specific native title words and terms see the Glossary.

agreement, signed in 2001, led to the establishment of the Arakwal National Park, with employment, training and co-management opportunities created for the native title claimants.

Evidence provided by the claimants during the negotiations over the first two claims appeared to apply to areas beyond the boundaries of their existing claims. Therefore in 2001 they lodged a third claim. The group claimed to hold native title in and around Byron Bay, as far north as Brunswick Heads, as far south as Broken Head, westward to Mullumbimby and Bangalow and approximately three nautical miles east of the mean high water mark. Negotiations over this third claim and their initial claim led to the development of the two ILUAs being celebrated today.

Agreement area

The agreement area comprises approximately 245 hectares of Crown land in and around Byron Bay on the northern coast of New South Wales.

Benefits and terms of the agreement

Under the agreement the Bundjalung People of Byron Bay will have opportunities for employment, training, management and economic development.

Economic development:

- Two parcels of land will be transferred in freehold to the group
- The Broken Head Caravan Park will be transferred to the group in freehold for ongoing management and future income.

Management:

Altogether 14 parcels of Crown land, amounting to approximately 124 hectares, will be co-managed by the National Parks and Wildlife Service (NPWS), the Department of Environment and Conservation and committees including Bundjalung People of Byron Bay members. Some of this land, 74 hectares, will be added to the Arakwal National Park, Cumbebin Swamp Nature Reserve and Broken Head Nature Reserve. The remaining 50 hectares will become an Aboriginal Area and will be managed as a Nature Reserve.

Employment and training:

- Jobs will be created for Indigenous persons in the management of the transferred lands.
- Funds have been set aside for an ongoing Aboriginal Training Program.

An existing corporation, the Arakwal Corporation, will hold these benefits on behalf of the Bundjalung People of Byron Bay

Registration of the ILUAs

Now that the parties have signed the ILUAs, they must lodge the agreements with the Tribunal for registration. The registration of the ILUAs is the final step in the process. Once the agreements have been registered the parties can then begin working together to implement them under the agreed terms.

**ILUAs are voluntary, legally binding agreements about the use and management of land, made between Indigenous groups and others with interests in a particular area. ILUAs are practical and flexible as they are developed to suite the different needs of the groups and the land use issues they're working through.*

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