1. Aboriginal people and Torres Strait Islanders living in Queensland’s 34 Aboriginal or Torres Strait Islander communities cannot currently obtain freehold title. Land in these communities is held by a trustee under communal land title and development and individual interests are created by leasing.
2. The Aboriginal and Torres Strait Islander Land (Providing Freehold) and Other Legislation Amendment Bill 2014 (the Bill) introduces the option of freehold title into these communities to provide Aboriginal people and Torres Strait islanders with the same access to freehold that is available throughout Queensland.
3. The Bill provides that Aboriginal and Torres Strait Islander communities can choose to take up the option of freehold title in their communities. The decision to take up freehold is made by the trustee for the land, in consultation with the community and native title holders. The Bill provides that the option of freehold title is only available to eligible individuals within a community, not corporations or government, and that land made available for freehold is limited to the town area and areas identified for future urban development in the relevant local government planning scheme.
4. The Bill applies the freehold option to Aurukun and Mornington Island communities, former shire leases under the *Aurukun and Mornington Shire Leases Act 1978*. Following the transfer of the final part of Aurukun to Aboriginal freehold, the Bill will repeal the *Aurukun and Mornington Shire Leases Act 1978* as it will no longer be required.
5. Leasing and land transfers will still be an option for land that is not to be made available for freehold. The Bill also simplifies the leasing framework and removes unnecessary restrictions on the terms and purposes of non-home ownership leasing on Indigenous land, giving Indigenous communities more flexibility in the way they manage their lands.
6. The Bill also provides for all Indigenous Local Government Areas to be subject to statutory valuations from 30 June 2016; a necessary step in giving Indigenous local governments the same revenue raising powers as all other local governments.
7. The Bill also includes a proposal for a conditional right of public access to be declared over private land where due to erosion, access along the area of beach has been compromised by the private ownership of the beach area.
8. Cabinet approved the introduction of the Aboriginal and Torres Strait Islander Land (Providing Freehold) and Other Legislation Amendment Bill 2014 into the Legislative Assembly.
9. *Attachments*
* [Aboriginal and Torres Strait Islander Land (Providing Freehold) and Other Legislation Amendment Bill 2014](Attachments/Bill.pdf)
* [Explanatory Notes](Attachments/ExNotes.pdf)