



**Rirratjingu
Aboriginal
Corporation**



**NORTHERN
TERRITORY
GOVERNMENT**

RioTinto



Australian Government
Department of the Prime Minister and Cabinet

Statement on the Future of the Gove Peninsula

Traditional Owner organisations, including Gumatj Corporation Ltd and the Rirratjingu Aboriginal Corporation, together with Northern Land Council, Rio Tinto, the Northern Territory Government and the Commonwealth Department of the Prime Minister and Cabinet, have committed to working together to achieve a positive future for Nhulunbuy and the Gove Peninsula post mining for the benefit of Yolngu land owners, local communities, businesses and industry.

Based on current plans, bauxite mining is expected to continue on the Gove Peninsula until approximately 2030. The cessation of mining is likely to have impacts on community, business, government services and the broader Gove Peninsula.

To support a positive regional transition, the Gove Peninsula Futures Reference Group ('GPRFG') has been formed to work collaboratively through a number of potential transitional issues and activities, and facilitate the planning for a positive future for Nhulunbuy and the Gove Peninsula.

The organisations understand the importance of providing stakeholders certainty about the future land tenure arrangements for Nhulunbuy and the provision of essential services, as well as facilitating potential economic development opportunities for the region. Addressing these matters as early as possible ahead of transition from mining will encourage new investment, industry growth and jobs creation.

Since curtailment in 2014, Nhulunbuy and the Gove Peninsula communities and businesses have shown great resilience and strength. The regional population has rebounded and there are more small and micro-enterprises and services on the Gove Peninsula than ever before. This step change in the regional economy has, and continues to be, supported through collaborative efforts between governments, Rio Tinto, local communities and businesses.

Building on the work to date, the GPRFG has committed to working collaboratively to achieve the aspirations of Traditional Owners and to support positive social and economic outcomes for Nhulunbuy and the Gove Peninsula.

As the work of the GPRFG progresses over the coming years, business, industry and communities will be given the opportunity to express their views and have input toward the planning process for the future of Nhulunbuy and the Gove Peninsula.



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History and context

In 1963, the Yolŋu Clan leaders from Yirrkala presented the Australian Parliament with the Yirrkala Bark Petitions seeking to have their land and rights returned after the Australian Parliament approved the removal of 300 square km of land on the Gove Peninsula from the Arnhem Land Reserve for the mining of bauxite. The parliamentary inquiry which followed recommended to Parliament in late 1963 that compensation for loss of livelihood be paid and that sacred sites be protected.

The Gove mining operations were subsequently established by the Mining (Gove Peninsula Nabalco Agreement) Ordinance 1968. Under this Ordinance, the then mine operators were authorised to develop and operate the mine and refinery and were issued with the Special Mineral Lease (SML 11) which covers the mine, refinery and conveyor, and a number of Special Purposes Leases (SPLs) which cover areas such as the Nhulunbuy township and Industrial Estate.

In 1971, Yolŋu leaders again petitioned the Australian Government in the Gove land rights court case; this time about mining activity taking place on their land without their consent. The Northern Territory Supreme Court acknowledged the Yolŋu people's ongoing relationship with the land and the established system of laws used by the people to govern the land, but the leaders lost the case because the Australian courts were still bound by legal principles that denied Indigenous peoples had laws and rights in relation to land.

This led to the enactment of the Commonwealth Aboriginal Land Rights (Northern Territory) Act 1976, under which all of the land in East Arnhem, including the underlying land of the Gove mine and township areas, was granted as freehold Aboriginal land.

Because the mining leases were in place, and are still, the grant to Traditional Owners of the mining areas and township of Nhulunbuy land continues to be held by the Northern Land Council and will be given to the Arnhem Land Aboriginal Land Trust when the mining leases terminate by or before 2053. When the mining and related leases terminate or expire, the Traditional Owners of the Gove Peninsula will own all of the Gove Peninsula area. Accordingly, the Traditional Owners will be the decision makers about the future of the Gove Peninsula beyond mining.