

CLAUSE NOTES

Aboriginal Lands Amendment Bill 2012

Clause 1: Short Title

This provides the short title to be used when citing the Act for any legal purpose.

Clause 2: Commencement

The Act commences on the day it receives Royal Assent.

Clause 3: Principal Act

The Principal Act, which this Bill amends, is the *Aboriginal Lands Act 1995*.

Clause 4 – Section 27 amended (Land Vested in Council)

This Clause sets out the amendments that will be made to Section 27 of the Principal Act, which specifies any special provisions in relation to lands included in Schedule 3. All the Section 27 amendments in this Bill relate to Eddystone Point Lighthouse Historic Site, item 16 in the amended Schedule 3.

Sub-clause (8C) specifies the right of public pedestrian access during daylight hours to:

- Sub-clause (8C)(a) – the “Access Road to Lighthouse” described on Plan 9466 in the Central Register Plan, and notes that access is not permitted to the Lighthouse when a significant Aboriginal cultural event is being held;
- Sub-clause (8C)(b) - the strip of land extending 15 metres from and above the high water mark. (This is a standard provision applying to other coastal lands in Schedule 3: see Sections 27(8), 27(8A) and 27(8B)(c).)

Sub-Clause (8D) specifies public vehicular and pedestrian access to a part of the land indicated by the points A-C-D-E-F-A on Plan 9466 in the Central Plan Register. (This covers the land outside the gate, and used by vehicles accessing the boat ramp.)

Clause 5 – Schedule 3 amended (Land Vested in the Council)

This Clause specifies the names and the Central Plan Register plan numbers of the two parcels of land to be vested in the Aboriginal Land Council of Tasmania and provides for their inclusion in Schedule 3 of the Principal Act, which lists all the land vested in the Council by amendment to the Principal Act.

Clause 6 – Repeal of Act

Once the Act has commenced and the amendments have been incorporated into the Principal Act, the Act will be repealed. This will occur on the ninetieth day from the day on which the Act commenced.