

# LEX LOCI'S TRAVELS

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*An irregular one-pager from The Public Land Consultancy*

## Lex gets Blown Away At Neds Corner Station



Whenever our friend Lex Loci goes to Mildura, he enjoys a trip up the Sturt Highway to Neds Corner.

**There was a time when Melbourne people didn't need to travel to the Mallee, because the Mallee came to them. Some 50,000 tonnes of it.**

The date was 8 February 1983. The sky went black, and schoolkids asked their teachers if it was the end of the world.

These days we get bushfires and floods, but it's a while since we've had such a dust-storm. Are they a thing of the past? Climate change may be getting worse, but let's hope that farming practices are getting better.

At Neds Corner Station, a century and a half of over-grazing has now ceased. Land husbandry has reverted to the practices of the traditional owners, the Ngintait people. And legal ownership of the land is about to follow.

**So, asks Lex, is Neds Corner public land or private land? Or Native Title land?**

Trust for Nature has held freehold title to the land (30,000 ha of it), since 2002, thanks to public donors and the Federal Government. And shortly, title will be formally transferred to the First People of

the Millewa-Mallee Aboriginal Corp, as representatives of the Ngintait people.

**That sets Lex thinking about the various forms of legal arrangements available for shared land management.**

The *Transfer of Land Act 1958* allows for joint ownership of freehold land; the *Planning and Environment Act 1986* sets up '173 Agreements' between landowners and municipal councils; the *Conservation, Forests and Lands Act 1987* (section 69) sets up agreements between landowners and DELWP. The *Parks Victoria Act 2020* (at section 12) provides for agreements whereby PV may manage freehold land.

But what we are seeing at Neds Corner takes us to things called Trust for Nature covenants, made under Section 3A of the *Victorian Conservation Trust Act 1972*.

**To his surprise, Lex finds nothing in the *Traditional Owner Settlement Act 2010* of relevance to Neds Corner. Plenty about First Nation peoples' recognition on Crown land, but nothing equivalent relating to freehold land.**

Much land legislation is currently under review, so perhaps we shall see change.

When the dust has settled. ♦

**See you there! Lex Loci**