



**MEDIA
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Wik Decision No Effect on Land Values

An expert report released today, says the *Wik* decision of the High Court will have no significant impact on the valuation of pastoral leases and that there is no need for any legislative response to the decision.

The report, *Native Title: Implications for Land Management*, is written by land planning and valuation experts, Ed Wensing, National Policy Director, Royal Australian Planning Institute, and John Sheehan, Native Title Spokesman for the Australian Institute of Valuers and Land Economists. Between them, the authors have over 50 years experience in land planning, management and valuation issues.

“There are no planning or land use management reasons for legislation to extinguish native title on pastoral leases”, said Mr Wensing. “The issues are not about land ownership but about proper land use management.”

“Pastoralists have been spooked into believing that their properties and livelihoods have been jeopardised by the High Court decision, but the property rights of pastoral lessees are no less secure than they have always been. Furthermore, the *Wik* decision has no major ramifications for the valuation of pastoral leases”, said Mr Wensing.

“Native title holders are entitled to compensation for any loss or impairment of their native title rights on “just terms”, consistent with Section 51 of the Constitution. Such claims for compensation need to be treated individually and on their merits”, said Mr Sheehan.

“As yet there are no Australian court decisions on compensation for elements of cultural or spiritual value. If such compensation is to be paid, this will break new ground for both the courts and the property professions”, said Mr Sheehan.

“There is only one fair solution to the conflict, and that is negotiation among the various stakeholders in a spirit of good will. Australians owe it to Aboriginal people to recognise their special attachment to the land. This acknowledgement will make a huge contribution to reconciliation in the 21st century”, said Mr Wensing.

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