



Australian Government

**Department of Families, Housing,
Community Services and Indigenous Affairs**

Dr Ian Holland
Secretary
Standing Committee on Community Affairs
PO Box 6100
Parliament House
Canberra ACT 2600

Dear Dr Holland

Thank you for your letter of 14 May 2013 to the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) regarding the Northern Territory Government's submission to the current Senate Standing Committee on Community Affairs inquiry into the Aboriginal Land Rights and Other Legislation Amendment Bill 2013 (the Bill).

With regard to the technical matter of the treatment of land descriptions in the Bill, it should be noted that the Commonwealth did not change its position on the method of handling the land description for land adjoining Jabiru township. On 1 May 2013 FaHCSIA proposed a method of handling the land description for land adjoining Jabiru township to relevant Northern Territory Government officers as the information needed for inclusion of new land descriptions had not been provided by the Northern Territory Government.

The Northern Territory Government's submission provides the necessary information in relation to Northern Territory Portions 7126 and 7127 (formerly Northern Territory Portions 2271 and 2273 respectively). In light of this, FaHCSIA has continued its engagement with Northern Territory Government officers to progress work on drafting a Government Amendment to the Bill.

Please find attached for the Committee's information recent correspondence to the Northern Territory Government from the Minister for Families, Community Services and Indigenous Affairs, Minister for Disability Reform, the Hon Jenny Macklin MP on this matter. Pending final approval, the Government Amendment will be moved in the House of Representatives as soon as possible.

Northern Territory Government officers confirmed at a meeting in Darwin this morning that they are comfortable with the Commonwealth's intended approach to the handling of the land description for the Jabiru town land via a legislative instrument which would refer to a schedule comprising the list of lots provided in the Northern Territory Government's submission.

As previously advised by John Litchfield, in the event that the Committee decides to schedule public hearings, FaHCSIA officials will be available to attend and give evidence.

Yours sincerely

Kate Gumley
Group Manager
Land, Employment and Economic Development
Department of Families, Housing, Community Services and Indigenous Affairs

23 May 2013

Encl.



The Hon Jenny Macklin MP
Minister for Families, Community Services and Indigenous Affairs
Minister for Disability Reform

Parliament House
CANBERRA ACT 2600

Telephone: (02) 6277 7560
Facsimile: (02) 6273 4122

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22 MAY 2013

The Hon Peter Chandler MLA
Minister for Education
Minister for Lands, Planning and the Environment
GPO Box 3146
DARWIN NT 0801

The Hon John Elferink MLA
Attorney-General and Minister for Justice
Minister for Public Employment
Minister for Correctional Services
Minister for Statehood
GPO Box 3146
DARWIN NT 0801

Dear Minister and Attorney-General

Thank you for your joint letter of 13 May 2013 on the Aboriginal Land Rights and Other Legislation Amendment Bill 2013 (the Bill).

I am pleased that the Northern Territory Government maintains its support for the implementation of proposed alternative settlement arrangements for the native title claim to Jabiru township and two other adjoining areas in Kakadu National Park agreed with the previous Northern Territory Government.

With regard to the technical issue of the description in the Bill of the land adjoining Jabiru township, the Australian Government is considering a Government Amendment to the Bill to amend the land descriptions.

As previously advised by my Department to the relevant Northern Territory Government officers, the list of lots attached to your letter is not in a suitable form to include in the Bill or Schedule 1 to the *Aboriginal Land Rights (Northern Territory) Act 1976*. I intend to consult with the Northern Territory Government and other parties in preparation of a legislative instrument to specify the Jabiru town land as provided for in the Bill. I expect the legislative instrument would refer to a schedule comprising the list of lots.

My Department will provide a copy of this letter to the Senate Standing Committee on Community Affairs for its information.

My Department will also continue to engage with your departments on this matter and other matters relevant to the resolution of Jabiru native title settlement arrangements.

I look forward to continuing our Governments' joint work on finalising these innovative settlement arrangements as soon as possible.

Yours sincerely

JENNY MACKLIN MP