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Your ref:

March 7, 2013

Julie Dennett
Committee Secretary
THE SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
Parliament House
Canberra ACT 2600

By Email: legcon.sen@aph.gov.au

Dear Ms Dennett
Native Title Amendment Bill 2012

I would like to take this opportunity to apologise to the committee for my late attendance and ill preparedness on the day of the hearing. I would also like to make some additional comment and modify to my evidence in response to Senator Siewert's question on historical extinguishment, if that can be accepted.

Central Desert does support section 47C and sees it as a positive amendment on the whole. We do however believe the need to have the agreement of government parties renders the amendment less potent than it could be and was originally intended to be. Being dependent on government agreement could mean inconsistent outcomes over similar matters across the country and over time based on the position of the government of the day.

The current Western Australian Government is not likely to agree to disregard extinguishment on several of matters in our region that could be said to be tailor made for this amendment. The State is not negotiating on compensation over the first of these matters and consequently Central Desert is having to engage in an expensive and time-consuming compensation litigation process. This group has very strong and proven connection to country and the State's position on the matter is clearly not in the spirit of the preamble of the NTA.

I trust this adjustment can be included in the evidence and am happy to provide any further clarification if requested.

Yours sincerely

TAN RAWLINGS
CHIEF EXECUTIVE OFFICER