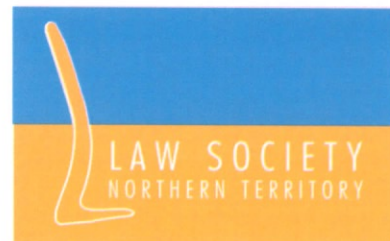


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7 September 2009

Dear Ms Edwards

### **Possible housing and infrastructure native title amendments**

The Law Society Northern Territory appreciates the opportunity to comment on the recent discussion paper. The suggestions for possible amendments have been considered by the Society's Indigenous Issues Committee.

The Society endorses in full the submission in this matter of the Law Council of Australia, a copy of which is attached. We have a number of concerns about the proposal. We consider such changes could have undesirable effects on the legal rights of native title holders and claimants.

### **The public housing and infrastructure proposal**

The discussion paper proposes to introduce a new mechanism to make it easier for the Government to exercise legal control over native title land, by granting itself long term leases. This is intended to facilitate efficient programs to build houses and infrastructure in Indigenous communities, which would help to reduce Indigenous disadvantage.

It is indeed the case that sub-standard housing and infrastructure are important contributing factors to Indigenous disadvantage, and the Society applauds any government which prioritises and commits funds to closing the gap in this area.

The Society understands that the Government has committed to providing adequate housing to remote Indigenous communities and that this will be done through a public housing model. We understand that Government policy is to secure any new investment in Indigenous housing by ensuring the Government has tenure over the land for at least the next 30 to 40 years. In the Northern Territory this policy is underway, with the Government negotiating long term leases under s 19 of the Aboriginal Land Rights (Northern Territory) Act 1976 (Cth) ("ALRA"). The leases are