



**CAPE YORK LAND COUNCIL  
ABORIGINAL CORPORATION**

ICN 1163  
ABN 22 965 382 705

32 Florence Street  
PO Box 2496  
CAIRNS QLD 4870  
Phone (07) 4053 9269  
Fax (07) 4051 0097

Your Ref:  
Our Ref:

Contact: Peter Callaghan  
Email: [pcallaghan@cylc.org.au](mailto:pcallaghan@cylc.org.au)

17 October 2012

Attorney-General's Department  
3-5 National Circuit  
BARTON ACT 2600

**By email: [native.title@ag.gov.au](mailto:native.title@ag.gov.au)**

**RE: proposed amendments to the *Native Title Act 1993* (Cth)**

Thank you for the opportunity to comment on the Exposure Draft of the Bill.

Cape York Land Council supports the proposed amendments, but makes the following comments:-

1. While the proposals may assist with some aspects of the native title process, they do not in our view go far enough in addressing the complexities and difficulties embedded in the native title system. There has been considerable media coverage and discussion amongst stakeholders within the system of the imbalances contained within the system and suggestions of ways in which the process could be improved. We urge the Attorney General to pursue more substantive changes, such as reversal of the onus of proof;
2. We support the proposed changes to the good faith provisions, but urge re-consideration of inclusion of the previously proposed amendments to the expedited procedure provisions;
3. We support the proposed inclusion of a new s.47C in relation to parks and reserves. However, as previously noted, we believe that the amendments should be expanded to include other tenures;
4. We also support the proposals for simplifying amendments to ILUAs, broadening the scope of body corporate ILUAs and improving authorisation and registration processes for ILUAs. We note that the requirements for opposing registration of an

Area ILUA may be determined by the Commonwealth Minister by legislative instrument. We would be interested in receiving further detail about this aspect.

Please let us know if you have any queries.

Yours faithfully  
CAPE YORK LAND COUNCIL

A handwritten signature in black ink, appearing to read 'Peter Callaghan', written in a cursive style.

PETER CALLAGHAN  
CHIEF EXECUTIVE OFFICER