

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

SENATE ESTIMATES SESSION

Supplementary Budget Estimates 18-22 November 2013

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Outcome/Program: 1.1 Prime Minister and Cabinet

Topic: Office of Township Leasing

Senator: Senator the Hon Jan McLucas

Question reference number: 324

Type of Question: Written

Date set by the committee for the return of answer: 17 January 2014

Number of pages: 1

Question:

Could you provide a list of signatories for all Memorandums of Understanding to negotiate a lease with the Government since the election?

Answer: Two Statements of Commitment to negotiate township leases have been signed since the Election at Gunbalanya and Yirrkala and are at Attachment A including the signatories.

Statement of Commitment

Joint acknowledgement of agreement to township lease negotiations at Gunbalanya

Subject to the requirements of section 19A of the *Aboriginal Land Rights (Northern Territory) Act 1976* the traditional owners of the township of Gunbalanya and the Australian Government ('the parties') acknowledge that they are committed to township lease negotiations for the community of Gunbalanya.

Commitment to Traditional Owners

The Australian Government is committed to township lease negotiations with Gunbalanya traditional owners in good faith and subject to the requirements of the *Aboriginal Land Rights (Northern Territory) Act 1976*.

Commitment from Traditional Owners

Gunbalanya traditional owners commit to township lease negotiations in good faith and in full knowledge of the intent and purpose of a township lease. Gunbalanya traditional owners commit to consider the benefits of a township lease for the whole community in the course of negotiations.

Commitment to Economic Development and Home Ownership

The parties are committed to achieving greater opportunities for economic development and home ownership in Gunbalanya and are committed to land administration which leverages traditional owners' great land wealth to support greater economic opportunities for traditional owners and the community.

Commitment to Township Lease Negotiations

The parties agree that a ninety-nine year township lease is the most effective way of achieving economic and commercial development in Gunbalanya.

Gunbalanya traditional owners agree to consider a revised township lease proposal put forward by the Australian Government in the next month.

The parties agree to commence the process for the negotiation of a township lease.

The parties agree to finalise negotiations for a township lease and execute a township lease, if agreed to, prior to 30 June 2014.

Legal relationship

The parties acknowledge and agree that no binding legal relationship will arise between them unless and until all the details of the agreement are settled and the township lease is executed by the township lease entity and the Arnhem Land Aboriginal Land Trust under section 19A of the *Aboriginal Land Rights (Northern Territory) Act 1976*.

SIGNED AS AN AGREEMENT BY

Senator the Honourable Nigel Scullion,
Minister for Indigenous Affairs,
on behalf of the Commonwealth of Australia



.....

AND

Gunbalanya traditional owners

.....
Clara Gumurdul

.....
Helen Nauurridj

.....
Susan Gumurdul

.....
Anne Gumurdul

.....
Awaraw Gumurdul

.....
John Gumurdul

.....
VICTOR GUMURDUL

.....

.....
Margaret Gumurdul

.....

.....
Ilaanda

.....

.....

Wed 16th Oct 2013

Statement of Commitment

Joint acknowledgement of agreement to township lease negotiations at Yirrkala

Subject to the requirements of section 19A of the *Aboriginal Land Rights (Northern Territory) Act 1976* the traditional owners of the township of Yirrkala and the Australian Government ("the parties") acknowledge that they are committed to township lease negotiations for the community of Yirrkala.

Commitment to Traditional Owners

The Australian Government is committed to township lease negotiations with Yirrkala traditional owners in good faith and subject to the requirements of the *Aboriginal Land Rights (Northern Territory) Act 1976*.

Commitment from Traditional Owners

Yirrkala traditional owners commit to township lease negotiations in good faith and with knowledge of the intent and purpose of a township lease. Yirrkala traditional owners commit to consider the benefits of a township lease for the whole community in the course of negotiations.

Commitment to Economic Development and Home Ownership

The parties are committed to achieving greater opportunities for economic development and home ownership in Yirrkala and are committed to land administration which leverages traditional owners' great land wealth to support greater economic opportunities for traditional owners and the community.

Commitment to Township Lease Negotiations

The parties agree that a ninety-nine year township lease is an effective way of achieving economic and commercial development in Yirrkala.

Yirrkala traditional owners agree to consider a township lease proposal put forward by the Australian Government in the next 60 days.

The parties agree to commence the process for the negotiation of a township lease.

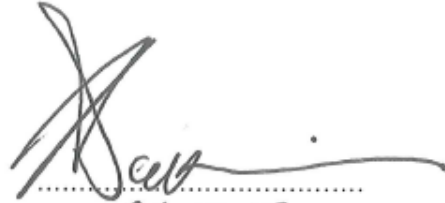
The parties agree to finalise negotiations for a township lease and execute a township lease, if agreed to, prior to prior to 30 September 2014.

Legal relationship

The parties acknowledge and agree that this statement of commitment is not legally binding and is subject to the requirements of section 19A of the *Aboriginal Land Rights (Northern Territory) Act 1976* and all related consents, approvals and directions.

SIGNED BY



Senator the Honourable Nigel Scullion,
Minister for Indigenous Affairs,
on behalf of the Australian Government

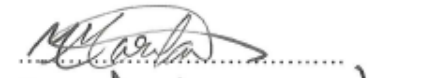


.....
29.10.13

AND

Yirrkala traditional owners

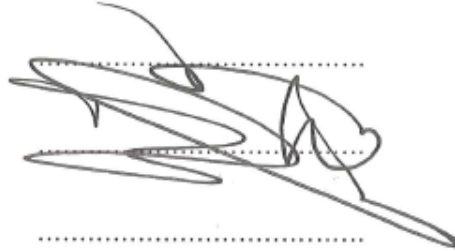

.....


.....

.....


.....
Panda Marika

.....

Yalumul Marika
.....



Mangatjais
Gurupingu
.....


.....
.....
.....
.....

Djarrakzal
.....

EDDIE MARIKA
.....

Witjirra Marika
.....


.....

.....
Wurrulja Marika

RECEIVED BY

Member of the Honorable High Council
Ministry of Indigenous Affairs
on behalf of the Australian Government

[Signature]
29.10.13

AND

Yokoh International Center

LAKLAK Marika
Wanyibi Marika
Glarika
BRUNO MARIKA

[Signature]
Lalaita

[Signature]
Mimung

[Signature]
Yakumul Marika

[Signature]
Mangafay
Mungafay

[Signature]
Djarrkimal
EDNE MARIKA

[Signature]
Mungafay Marika

[Signature]
Mungafay

[Signature]
Wanyibi Marika

[Signature]