

Mr Peter Hallahan  
Secretary  
Legal and Constitutional References Committee  
Parliament House  
CANBERRA ACT 2600



Dear Mr Hallahan

Thank you for your letter of 11 September 2002 inviting a submission to the References Committee inquiry on the Progress Towards National Reconciliation.

The Department of Transport and Regional Services has administrative responsibility for the Jervis Bay Territory. However, the Wreck Bay Aboriginal Community Council (WBACC) is the primary landowner within the Territory and manages and administers their own operations, including commercial operations through Wreck Bay Enterprises Ltd. The Wreck Bay Community has approximately 170 residents. Attached is a map of the land tenure arrangements in the Jervis Bay Territory.

Given the autonomous nature of the WBACC we are providing some background material to assist the Committee's deliberations rather than making a formal submission.

### **Consultation and involvement**

The WBACC is regularly consulted on a range of issues. In response to the Aboriginal Deaths in Custody Report, DOTARS convened a Justice Issues Group (JIG) comprising both public officials and representatives of WBACC to facilitate the delivery of justice outcomes in the Jervis Bay Territory comparable to those available elsewhere in the region.

A Community Focus Group was also formed which has representatives of key stakeholders in the Jervis Bay Territory and focuses on 'community building' activities.

An example of recent community consultation relates to health services and their delivery. The design of the new health centre (currently under construction) followed community consultation and has included specifically designed specifications that reflect the wishes of the community.

### **Awareness and recognition of indigenous issues**

The Jervis Bay Territory section of the DOTARS website has a section on the history of Aboriginal culture in the Territory and a link to the Booderee National Park website. The name of the Jervis Bay National Park was changed to Booderee National Park in July 1998 to reflect the Aboriginal heritage of the area; Booderee meaning "bay of plenty".

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DOTARS is working closely with the WBACC and the Jervis Bay Territory Chief Magistrate to examine the scope to introduce circle sentencing in the Jervis Bay Territory. Circle sentencing would allow traditional laws to be taken into account in sentencing for some criminal matters.

The ACT Department of Education, Youth and Family Services, on behalf of DOTARS, delivers education services in the Jervis Bay Territory. The Jervis Bay School has a very high proportion of indigenous students and has a strong focus on indigenous culture and issues. The school is often the focal point of health programmes such as the Healthy Eating Programme and immunisation programmes.

Other health services in the Wreck Bay Community have been developed and designed specifically to address special health and cultural needs.

### **Practical programmes, services and outcomes**

DOTARS is reviewing funding arrangements with WBACC to ensure delivery of services meet local needs and are sufficiently flexible. DOTARS is also seeking to increase the control WBACC has over service delivery funding and ensure that reporting mechanisms suit the services delivered.

The Jervis Bay Territory Administration provides work experience placements for members of the Wreck Bay Community and participates in the Booderee National Park trainee programme. This programme provides training and work placements to members of the local community.

### **Autonomy**

All of the land comprising Booderee National Park is owned by the WBACC. It has been leased back to the Commonwealth for a period of ninety-nine years to be jointly managed by Environment Australia and WBACC. In addition, the WBACC owns four hundred and three hectares of land around Wreck Bay Village, making the community the largest landholder in the Territory.

The Wreck Bay Community is largely autonomous and elects representatives to the WBACC. The *Aboriginal Land Grant (Jervis Bay Territory) Act 1986* allows the Council to make by-laws on a range of issues.

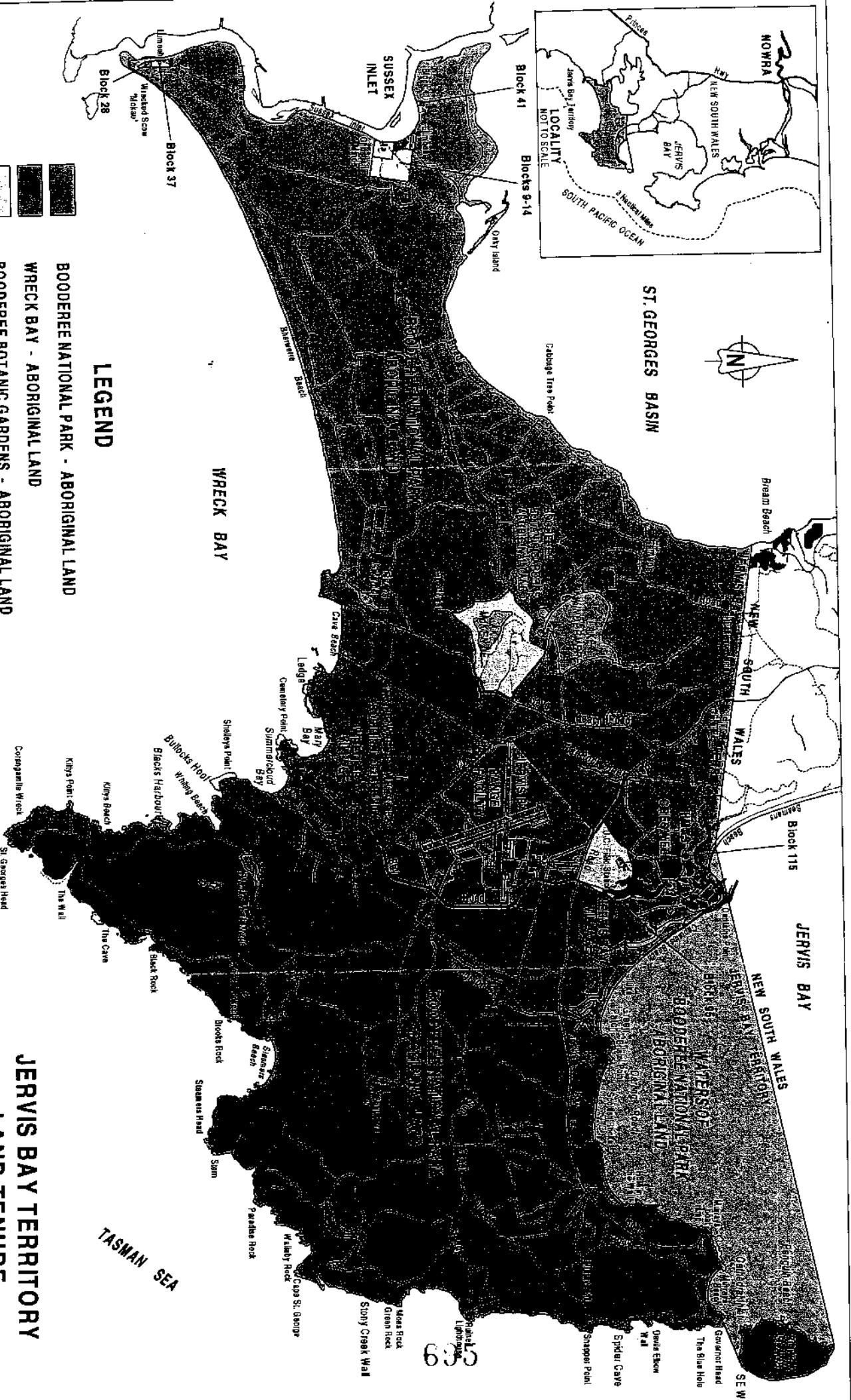
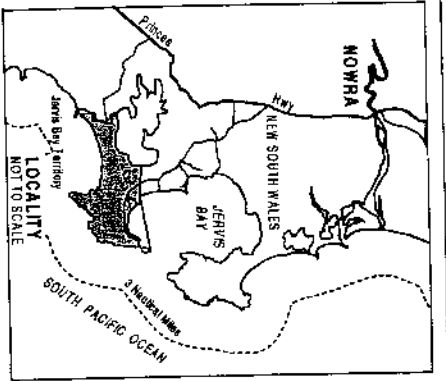
I trust that the above information provides some useful background for the Committee's deliberations.

Yours sincerely









for  
Mike Mrdak  
First Assistant Secretary  
Territories and Local Government Division

3/ October 2002



**LEGEND**

-  BOODEREE NATIONAL PARK - ABORIGINAL LAND
-  WRECK BAY - ABORIGINAL LAND
-  BOODEREE BOTANIC GARDENS - ABORIGINAL LAND
-  DEPARTMENT OF DEFENCE (NAVY) LAND
-  TERRITORY LAND
-  LEASES

**JERVIS BAY TERRITORY  
LAND TENURE**

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