

we, the indigenous social justice association, fully endorse the full submission of the 'concerned australians' relative to the community living areas of the traditional owners of their lands within the northern territory, as excerpted below. we believe that this legislated theft of control by the traditional owners is but a continuation of the land grab being perpetrated by the gillard government to allow mining and other government sanctioned industries into the traditional lands. not for the benefit of those who live on and own the land but only for the financial benefit of the australian governments but more voraciously for the multi-national mining companies.

it is sadly ironic that it was a whitlam labor government (and pushed through into law by the malcolm fraser liberal government) that gave solid land rights to our aboriginal territorians whilst it is now a gillard labor government ( ably supported by the then john howard liberal government and the current liberal opposition) that is criminally and shamefully removing the certainty and correctness of the nt lands right act.

access and usage of the traditional lands must only be agreed to by the traditional owners of their lands and if that choice is to allow only cultural use of their lands then that decision must be not only honoured by the federal and nt governments but must also be binding upon them.

native title is not land rights and the complete social bastardry that is native title must be recognised by all governments and oppositions in australia that have prospered on the theft of the lands of the aboriginal nations.

this is our submission.

for koori justice

ray jackson  
president  
indigenous social justice association

[Redacted]

[www.isja.org.au](http://www.isja.org.au)

we live and work on the stolen lands of the gadigal people.

sovereignty treaty social justice

## Community Living Areas (CLAs)

CLA Media Release by the government <<http://jennymacklin.fahcsia.gov.au/node/2273>>

CLA Discussion Paper <<http://www.fahcsia.gov.au/community-living-area-land-reform-in-the-northern-territory>>

Rather than providing certainty and support to Aboriginal people in Community Living Areas (CLAs) in the NT, the Federal Government continues its obsessive march to remove control from Aboriginal Peoples.

It is understood that current leases for CLAs need to be less restrictive, and there is evidence for this from some of the larger CLAs. The Federal Government, however, intends to use this opportunity to take control over future development in these areas through sections 35 (4) and 35 (5) to the Stronger Futures legislation which allow changes to regulations without consultation with owners and where their consent is not required.

Such loss of control will deny certainty for those living in CLAs and deny them the right to self-determination.

This is disgraceful legislation and in breach of Australia's commitments under international law. The controls that have been set are arbitrary and there is no avenue for appeal.

## The Stronger Futures Legislation on Land Reform

35 (4) Before making regulations for the purposes of subsection (1) in relation to a community living area, the Minister must consult with:

- (a) the Government of the Northern Territory; and
- (b) if the owner of the land that is the community living area requests to be consulted about the making of regulations for the purposes of subsection (1)—the owner; and
- (c) the Land Council (within the meaning of the Aboriginal Land Rights (Northern Territory) Act 1976) in whose area the community living area is located; and
- (d) any other person the Minister considers appropriate to consult.

35 (5) A failure to comply with subsection (4) does not affect the validity of the regulations.

Submission by 'concerned Australians' on CLAs – April 2013

<[http://concernedaustralians.com.au/media/cla/ca\\_submission\\_on\\_CLAs.pdf](http://concernedaustralians.com.au/media/cla/ca_submission_on_CLAs.pdf)>

Submission by 'concerned Australians' on Stronger Futures Land Reform - January 2012

<[http://concernedaustralians.com.au/media/cla/ca\\_submission\\_Land\\_Reform\\_Section\\_SF.pdf](http://concernedaustralians.com.au/media/cla/ca_submission_Land_Reform_Section_SF.pdf)>

Disempowerment in NT Communities Driven by Arrogant Policy and Inept Processes

<[http://concernedaustralians.com.au/media/cla/Disempowerment\\_in\\_NT\\_Communities.pdf](http://concernedaustralians.com.au/media/cla/Disempowerment_in_NT_Communities.pdf)>

(April 2013)

List of Community Living Areas in the NT as shown on the FaHCSIA website

<[http://concernedaustralians.com.au/media/cla/List\\_of\\_Community\\_Living\\_Areas.pdf](http://concernedaustralians.com.au/media/cla/List_of_Community_Living_Areas.pdf)>