



## The Hon Natalie Hutchins MP

Minister for Government Services  
Minister for Treaty and First Peoples  
Minister for Prevention of Family Violence  
Minister for Women

GPO Box 4509  
Melbourne, Victoria 3001 Australia  
Telephone: +61 3 9095 4301

Mr Tony McAvoy SC  
Australian Law Reform Commission  
PO Box 209  
Flinders Lane  
MELBOURNE VIC 8009

BMIN-251000682

By email: [nativetitle@alrc.gov.au](mailto:nativetitle@alrc.gov.au)

Dear Mr McAvoy

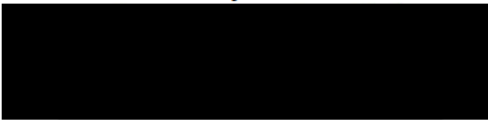
I am writing to provide a submission on behalf of the Victorian Government, in relation to the Australian Law Reform Commission's (ALRC) review of the future acts regime in the *Native Title Act 1993* (Cth) (NT Act).

I refer to the ALRC's Discussion Paper with respect to the review, published in May 2025. In that Discussion Paper, the ALRC acknowledged feedback from consultees and submissions regarding specific changes that could be made to the existing Part 2 Division 3 Subdivisions G-N of the NT Act. One of the suggestions noted was that the non-extinguishment principle should be applied to future acts validated under Subdivision J.

The Victorian Government supports an amendment to section 24JB(2)(a) of the NT Act, such that the effect of validation for acts consisting of public works under section 24JA would be the application of the non-extinguishment principle, rather than extinguishment. It is the Victorian Government's view that native title rights and interests should not be extinguished by public works validated by section 24JB(1). Such an amendment would align Subdivision J with the objects of the NT Act to protect native title, as set out in section 3(a) of the Act.

The Government does not have existing state policy on the additional reform proposals mentioned by the Review. I look forward to the review outcomes and continuing to work with the Commonwealth Government on reform to native title.

Yours sincerely

  
**The Hon Natalie Hutchins MP**  
Minister for Treaty and First Peoples

30 / 10 / 2025