

1. Thank you for making a submission - your name, or the name of the organisation you are making a submission on behalf of, is required.

With the exceptions listed below, and consistent with Tasmanian Government policy, it is intended that all submissions will be treated as public information and published on the Department of Natural Resources and Environment Tasmania website.

- In the absence of a clear indication that a submission (or parts of the submission) is intended to be treated as confidential the Department will treat the submission as public.
- No personal information other than an individual's or organisation's name will be published. Further information on confidentiality is available in the *Personal Information Protection Act 2004* and *Right to Information Act 2009*.
- If you would like your submission treated as confidential, whether in whole or in part, please indicate this in writing at the time of making your submission clearly identifying the parts of your submission you want to remain confidential and the reasons why. In this case, your submission will not be published to the extent of that request.
- Copyright in submissions remains with the author(s), not with the Tasmanian Government.
- Defamatory or offensive material will not be published.

Please enter your name, or the name of the organisation you represent, in the field below to continue. *

Sara Maynard - Aboriginal Community Member/ ALCT Board Member

2. Clarifying the scope and intent of the Act

It is proposed that the long title of the Act be amended and/or a Purpose and Objectives be added to expand the Act's scope and intent, to reflect the importance and significance of land to Tasmanian Aboriginal people.

The current long title for the Act is as follows:

An Act to promote reconciliation with the Tasmanian Aboriginal community by granting to Aboriginal people certain parcels of land of historic or cultural significance.

Previous feedback, as highlighted in the Consultation and Stakeholder Feedback Report, indicated that the use of 'land' in the Act appeared to only consider 'historic or cultural significance'. However, there was a clear view from many respondents that this should be expanded to capture and acknowledge a deeper understanding of 'land' to Aboriginal people. For example, health, wellbeing, housing and economic outcomes. Inclusion of water(s) in the scope of the Act may also be considered.

In keeping with this feedback, the Government considers that this broadening would be a more accurate reflection of the way that land return is regarded around Australia, as well as in Tasmania.

Critically, the Act should specify its intent to create a process by which Crown land can be more readily returned by the Government. Other forms of transfer, such as voluntary gifts or sales of land by private owners, will continue to be available.

Comments and suggestions are invited on how best to amend the Act and make this intent clear.

Simply select an option below, and add any further comments you wish to make in the 'Other' field. Please note there is a 1000 character limit.

- I agree with all aspects of the proposed approach.
- I agree/disagree with some aspects of the proposed approach, I will elaborate in the comment field below.
- I disagree with all aspects of the proposed approach.

3. Please add further comments here.

I disagree with the term of reconciliation.

Agree with inclusion of water ways/ sea rights

I agree with the intent of Crown Land being more readily returned to ALCT (Tasmanian Aboriginal community)

4. Revisions to the Tasmanian Aboriginal Land Council of Tasmania (ALCT) election process.

It is proposed that the Act would be amended to:

- remove the process for objecting to a person's enrolment on the ALCT Roll (s.10(3)(c) etc);
- apply a method consistent with the intent of the Government's Eligibility Policy to determine eligibility to participate in ALCT election processes, creating consistency with the practices of the Commonwealth and other jurisdictions; and
- implement appropriate procedural reforms to reflect a reduced role of the Electoral Commissioner.

Simply select an option below, and add any further comments you wish to make in the 'Other' field. Please note there is a 1000 character limit.

For background to these proposals visit page 8 of the Consultation Paper - add link

- I agree with all aspects of the proposed approach.
- I agree/disagree with some aspects of the proposed approach, I will elaborate in the comment field below.
- I disagree with all aspects of the proposed approach.

5. Please add further comments here.

I disagree with this proposal as the community does not want any revisions to the ALCT elections.

The current process allows Aboriginal people to challenge anyone applying to get on the roll who is not Aboriginal. Anyone challenged must prove their eligibility through an Aboriginal Panel appointed by the Tasmanian Electoral Commissioner. This is the most appropriate, transparent, and fair process.

If anyone applies for anything else, such as employment benefits or getting a driver's licence, they must prove who they are. This process should not be any different.

6. Simplification of land transfer process.

It is proposed that the Act would be amended to:

- create a new instrument of transfer for significant parcels of Crown land, including reserved land, which will simplify the process; and
- otherwise make greater use (for both freehold and unreserved Crown land acquired by ALCT) of the ability to declare land as 'Aboriginal land'.

Simply select an option below, and add any further comments you wish to make in the 'Other' field. Please note there is a 1000 character limit.

For background to these proposals visit page 11 of the Consultation Paper - add link

- I agree with all aspects of the proposed approach.
- I agree/disagree with some aspects of the proposed approach, I will elaborate in the comment field below.
- I disagree with all aspects of the proposed approach.

7. Please add further comments here.

I agree with a simpler instrument for Crown Land to be returned to ALCT (Tasmanian Aboriginal Community).

8. A land management role for local or regional Aboriginal community organisations.

It is proposed that the Act would be amended to provide, as part of the new instrument of transfer:

- o the option to specify a land manager or co-manager, in addition to ALCT, including where appropriate a local Aboriginal group; and
- o consolidated details of access rights, ensuring that Aboriginal land vested in ALCT would be (as far as practicable) freely available to access by Tasmanian Aboriginal people and organisations.

Simply select an option below, and add any further comments you wish to make in the 'Other' field. Please note there is a 1000 character limit.

For background to these proposals visit page 12 of the Consultation Paper - add link

- I agree with all aspects of the proposed approach.
- I agree/disagree with some aspects of the proposed approach, I will elaborate in the comment field below.
- I disagree with all aspects of the proposed approach.

9. Please add further comments here.

I disagree with all aspects to this approach. All Aboriginal land managers who look after Aboriginal land, are experienced, and have the deep knowledge and expertise to care for our country and its resources.

The Tasmanian Aboriginal community should have the right to care for country in a united way to maintain cultural resources and access for all Aboriginal people in lutruwita/ Tasmania.

The myth that all Aboriginal people do not have access to Aboriginal land is false. There are current policies in place, developed and reviewed by the Tasmanian Aboriginal community which not only supports Aboriginal people having access to returned land but also encourages and supports Aboriginal land use and the Aboriginal community having an ongoing connection to significant parcels of returned land.

10. Identification of land suitable for transfer.

It is proposed that the Act would be amended to provide for:

- clear identification of the values, and the significance to Tasmanian Aboriginal people, of any land proposed for transfer;
- a way of identifying whether the significance is primarily to all Tasmanian Aboriginal people (ie, statewide) or is specifically local/regional; and
- development of clear criteria to support future evaluation of land nominated for return.

Simply select an option below, and add any further comments you wish to make in the 'Other' field. Please note there is a 1000 character limit.

For background to these proposals visit page 13 of the Consultation Paper - add link

- I agree with all aspects of the proposed approach.
- I agree/disagree with some aspects of the proposed approach, I will elaborate in the comment field below.
- I disagree with all aspects of the proposed approach.

11. Please add further comments here.

This question is not clear and misleading. I feel that these questions are aimed at returning land to self identified organisations rather than the Tasmanian Aboriginal community as a collective.

Note some of these identified organisations have members that would not be eligible for Aboriginal services and have a very small membership. The proposal is unethical and goes against the UN Declaration of Indigenous Rights for determining who is a part of our own community.

12. Governance issues.

It is proposed that the Act would be amended to:

- require management plans to be prepared and published that are proportionate for the size or complexity of the land parcel involved; and
- require ALCT to publish an annual report to support transparency and accountability to Tasmanian Aboriginal people on whose behalf they hold and manage land, and to increase understanding and appreciation among the broader Tasmanian community of the work that ALCT and other Aboriginal land managers undertake.

Simply select an option below, and add any further comments you wish to make in the 'Other' field. Please note there is a 1000 character limit.

For background to these proposals visit page 14 of the Consultation Paper - add link

- I agree with all aspects of the proposed approach.
- I agree/disagree with some aspects of the proposed approach, I will elaborate in the comment field below.
- I disagree with all aspects of the proposed approach.

13. Please add further comments here.

As a current ALCT board member, I fundamentally reject the statements above.

ALCT is an open and transparent statutory organisation that is immersed in the Tasmanian Aboriginal community across the state, including truwana/ Cape Barren and Flinders Islands. ALCT regularly attends Aboriginal community meetings, reports at local branch meetings and attends community events as well as hosting community discussions and forums to encourage health conversations to promote Aboriginal land use.

The role of ALCT is to be responsible to the Tasmanian Aboriginal Community. Note ALCT still receives a minimal budget for the work we do.

14. Thank you for your submission. If there are any final comments you would like to make, please do so in the space below.

I am disgusted by the proposals put forward by Roger Jaensch and the State Government and how they have handled this review. Noting there has been competing consultations and the Aboriginal community nation wide hearing up for NAIDOC Week.

It is clear that this review and consultation has been designed for a specific outcome to benefit small groups of people, rather than the Tasmanian Aboriginal community.

Many Aboriginal community members would struggle to provide feedback for this review. This is due to the lack of accountability for the lack of consultation measures that should have been put in place for the "actual" Tasmanian Aboriginal community, rather than hand selected groups by Roger Jaensch (in particular a group in his electorate) and the State Government.