

Consultation on refined proposals for amendment of the Aboriginal Lands Act and return of land to Tasmania's Aboriginal people

because the objection process for membership of the Land Councils Electoral Role might be removed, the process of determining Aboriginality must be conducted vigilantly and effectively. A concern around this might be that the inclusion of another amendment, namely :-

- Provide for a declaration of community recognition from any registered Aboriginal organisation to be sufficient evidence for the Electoral Commissioner that the applicant meets that part of the 3-part test.

The risk of 'any' Aboriginal org being able to declare recognition may not be risk free. I have concerns that not all Aboriginal orgs may have demonstrated an ability to negotiate this process appropriately and successfully. Perhaps this particular clause requires further consideration. Maybe the Org must meet certain criteria.

Another point of interest is the need for not only local Aboriginal Orgs, but for any and all Aboriginal Orgs, Communities and Persons to be eligible for inclusion in the management, access, and determination of Aboriginal land use, protection, and any other aspect which may exist or arise around the Land/Sea area/parcel in question. It is obvious that Tasmania is an Island with a diverse Aboriginal presence, local, regional and statewide. This diversity includes all aspects of interests, knowledge and experience. Not all local or regional areas within the Land/Sea areas of Tasmania have local Aboriginal people with the necessary knowlege, skills, experience or connection to Country, to enable an Appropriate engagement in processes that may have an impact on Country. This concern has been evident, for example, within engagement processes of corporate entities/interests which may take advantage of this fact.

Section 4: A land management role for local or regional Aboriginal community organisations What was 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

As Tasmanian Aboriginal people, we all have an interest and a likely Connection to the Island/land/sea, and therefore we all must be included in the discussions around access and management of Aboriginal land, the Island of Tasmania. There are 'Specialists' within our Communities within areas of interest, that may reside in an area outside of a location of relevance or concern. Just as a person may travell to Hobart from Ulverstone to recieve specialist medical attention, or vice versa. Or as an Engineer may be imported to be a part of a project in a certain

location because a person does not reside in the said location who has the skills, knowledge and/or experience. This is no different than an Aboriginal person from the Northwest coast of Tasmania being called upon to assist in a process of land management in an area other than where they reside, for example the East Coast or the Southwest, or vice versa.

As a process of Inclusion, Tasmanian Aboriginal persons and/or entities may/must be included in the application, planning and decision making around Land/Sea use for Commercial and all other activities.

Moving forward, and as part of the treaty process, appropriate consultation with Aboriginal Tasmanians must occur in all areas of land/Sea use, in a positive and meaningful way, enabling better outcomes for Country.

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