

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 In this case, your submission will not be published to the extent of that request.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- Defamatory or offensive material will not be published.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. *

Darrell Maynard - Aboriginal Elder

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.

Unsure of why Reconciliation would be used as a term. All crown and available land should be returned to the Aboriginal community easily and not groups of people or organisations that the Tasmanian Aboriginal community have every heard of under ORIC? I don't know why the Tasmanian Government would change their eligibility policy to include groups set up under ORIC that are not Aboriginal. I agree with with inclusions of sea rights and water ways.

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.

My people do not want to amend the ALCT election process. The current process is an inclusive and fair system for the Tasmanian Aboriginal community. The government need to support ALCT with further funds to help boost the election process, not change it.

The Government's Eligibility Policy is failing my people. Since this policy has come into place by the Hodgman Government, it has undermined my community to have the right to self determination. Roger Jaensch and his government should be degusted with themselves for allowing this to happen and continue. It is fraudulent.

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.

We have not had any land returned by the Tasmanian Government since around 2005. It is time for a simple pathway process to return Crown Land to the Tasmanian Aboriginal community through ALCT.

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 of this approach as it undermines the expertise of Aboriginal land managers and the Tasmanian Aboriginal community.

My people have access to returned land. We have a community led and endorsed land management policy. We also have elected members to have discussions with and and opportunity to attend regular meetings to work through matters.

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.

I feel that these questions is aimed at returning Aboriginal land to hand selected groups of people that the Minister Jaensch selects (which includes his own electorate) who are not Aboriginal. The Tasmanian Government must return land to the Tasmanian Aboriginal community as a collective through the current ALCT process, not groups of people with small memberships that my people don't know but the Government endorse as they need their votes.

The Governments proposal is unethical and goes against our rights as an Aboriginal community to make our own decisions about how we want land returned and how we identify it.

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.

I wholeheartedly reject the statements above.

ALCT is an open and transparent statutory organisation that represents the whole Tasmanian Aboriginal community and is a part of community meetings across the state around land return, Aboriginal land use and projects.

ALCT was set up in the interest of looking after land returned to the Aboriginal community. Not the broader community. The land that we have had returned (especially from parks and wildlife) have been returned in very poor condition.

The Government provides more funding to TRACCA who is made up of people that are not Aboriginal (and in Minister Jaensch elected area) and that does not represent the Tasmanian Aboriginal community's interest, than it does to ALCT and the Aboriginal community. The Government needs to take some responsibility for not supporting ALCT and in-turn the Aboriginal community with funding and meaningful relationship.

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 outraged about the lack of respect from Minister Jaensch and his Government for listening to small groups of people and organisations rather than the whole Aboriginal community.