

Moving forward, the Aboriginal people of Tasmania engage in an inclusive and respectful manner regarding Aboriginal land with a clearly defined process of land return and access which allows all Tasmanian Aboriginal people to be involved if they wish, so long as their involvement meets applicable rules of engagement and use of the land. There are to be clearly defined protocols and guidelines which are decided upon in an inclusive and respectful manner. These protocols, rules, and guidelines outline the agreed purposes and use of the land.

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...For example, considering health and including physical, mental, spiritual, cultural, and family wellbeing, tangible and non-tangible, housing, and economic outcomes. However, economic outcomes, housing and other options must not be in detriment to the health of the Country environmentally, physically, spiritually, culturally, or in a way that would undermine such forms of significance.

Concepts such as Mining, Logging and other forms of unsustainable and detrimental use of the land cannot be included and does not align with acceptable use of the Land.

Sea Country has similar significance and must not be utilised in a way that is detrimental to the Health and Wellbeing of the Country.

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Equal representation as elected Council members from across the wider spectrum of Tasmanian Aboriginal people, Corporations and Families is of utmost importance. This may require a larger number of elected Council members.

Aboriginality must be determined via correct process prior to enrolment and election.

Candidates and electors must be distinctly of Tasmanian Aboriginality only, active, and respectful in accordance with the clearly defined protocols and guidelines.

Avoidance of inappropriate, vested, and other interests not aligned to the values of the Tasmanian Aboriginal Communities and Country, is necessary.

Aboriginal people have a responsibility, as caretakers and custodians, to be involved in the process of caring for and acting on behalf of the land as necessary in accordance with best practice and with the intent to 'do no harm'. Aboriginality can be measured by one's connection to Country, Spirit, and the internal desire to protect Country rather than to exploit.

There is and has been an issue of both voting and elected members being representative of multiple Tasmanian Aboriginal Corporations, Organisations, and/or Communities. This has undermined the democratic procedure and effectiveness of the ALCT.

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Importantly, the new instrument would be disallowable – that is, it would be valid unless **rightfully** disallowed by either House of Parliament within a specific time. This means there would be an opportunity for debate and decision in the Parliament if any member moves to disallow a transfer of Land, **so long as the reason given by the member of Parliament is known to be for and of the best interests of the Tasmanian Aboriginal people. This would be the case also with the public exposure and consultation...**

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Some local or regional Aboriginal groups have raised concerns around being effectively excluded from Aboriginal land...

**Moving forward, the Aboriginal people of Tasmania engage in an inclusive and respectful manner regarding Aboriginal land with a clearly defined process of land return and access which allows all Tasmanian Aboriginal people to be involved if they wish, so long as their involvement meets applicable and agreed rules of engagement and use of the land. There are to be clearly defined protocols and guidelines which are decided upon in an inclusive and respectful manner. These protocols, rules, and guidelines outline the agreed purposes and use of the land. In addition, there may be ethics of Custodianship and Caretaker roles within the negotiated Land parcel, which is monitored by the ALCT if required. All Land and Sea Country is Aboriginal land, and therefore all Aboriginal people have a responsibility, as caretakers and custodians, to be involved in the process of caring for and acting on behalf of the land as necessary in accordance with best practice and with the intent to 'do no harm'. Aboriginality can be measured by one's connection to Country and the internal desire to protect Country rather than to exploit.**

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An improved model for returning land to Tasmania's Aboriginal people.  
Discussion notes.

Lyndon O'Neil  
MTWAC  
Kennedy Family

REDACTED

Values consist of Tangible and Intangible, including but not limited to Cultural, Heritage, Environmental, Spiritual, Community.

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It is important that the ALCT must have, and maintain, representation from all Regional Organisations, corporations and interested parties who must also meet the Tasmanian Aboriginality definition. There must not be misrepresentation. I see no requirement for Non Aboriginal person representation on the Council.

Transfer of current Aboriginal Land held in Trust by other than ALCT may also require management for greater transparency.