

**From:** Maur and Paul Docking [<mailto:maurandpaul@live.com.au>]

**Sent:** Thursday, 11 April 2013 4:40 PM

**To:** Kerry Finch

**Cc:** [tark1@bigpond.com](mailto:tark1@bigpond.com); Emma Lee; Jo Kennedy; Angela Maguire

**Subject:** The Aboriginal Lands Amendment Bill 2012

The Honourable Member  
Kerry Finch Second Deputy Chair of Committee's  
Chairman of Aboriginal Lands Amendment Bill

Dear Kerry,

As a member of the broader Tasmanian Aboriginal Community I write to the committee to ensure that a variety of opinions and views are taken into consideration upon the Aboriginal Lands Amendment Bill 2012. Having been a participant in the then Premier, Hon. Ray Groom's Aboriginal Forum in 1992 I hold long term interest in this states Aboriginal affairs and any effect on my local Community.

Having been objected to and the Administrative Appeals Tribunal subsequently determining my right to vote on the Tasmanian Land Council Elections I feel that I am justified to have a few concerns with any proposed amendments to the act. With a vocal minority representing approximately 13% of Tasmania's Aboriginal population the state government finds it easier to communicate with that single group which wields an unjust amount of influence on the parliament, rather than form a collective group, I forward the following concerns and options. In 1995 the Hon Tony Fletcher spent time discussing the then proposed Aboriginal Lands Bill 1995 with a range of stakeholders. At that time we were accepted and participated fully via the Mersey Leven Aboriginal Corporation, MLAC. In 2010 MLAC became Six Rivers Aboriginal Corporation now based in Latrobe.

While I applaud the continuing return of land to the Aboriginal Community I firstly ask;  
1) Has the committee visited any of the previously handed back lands without prior notice to the present caretakers?

In the **Aboriginal Lands Act 1995**,

Secondly In **Section 3 , Interpretation**,

The local Aboriginal Group is, in relation to an area of Aboriginal Lands means an Aboriginal group" nominated by the council for that area". This can easily discriminate against the Local residents ie Circular Head Aboriginal Corporation CHAC, of Smithton who are not recognised by TALC and the TAC as 1) being an Aboriginal Incorporated organisation, 2) having Aboriginal people as members and 3) being able to care for lands in their physical area of operation. The TALC has even prosecuted against a Community member in CHAC for trespass on Preminghana, Mt Cameron west. I am concerned this can happen to the a member of the broader Aboriginal Community as this can affect the caring, management of and access to any and all returned lands within Tasmania. I have already made comment to the proposed Aboriginal Heritage Legislation in relation to who may have access to lands which may have some impact on this Bill also.

### **Section 19 Review of Council's decisions.**

In point (1) A. involve local groups or persons in the management of lands.

C. Any other matter

(2) request for review to be signed by 50 aboriginal person's and

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### **Section 32 Management Plans**

(1) If an Individual or local group prepare a draft management plan. There needs to be a compulsory requirement to acknowledge a locally produced and prepared review of all management plans with if necessary an independent review from appropriately qualified persons that may be able to facilitate a plan for the benefit of country firstly and other parties secondly. Thereby accepting local input, irrelevant of personal acceptance or denial of the individual stakeholder or local organisation.

Unfortunately recognition of Aboriginal People in this state is a divisive and problematic fact. We all need to accept that the Tasmanian Aboriginal Community is diverse and we are unable to know everybody. But a large number of us care for the continuation of our heritage, our culture and our responsibility to care for country.

How do local people get to have a voice on issues when they are denied access and the ability to vote members onto statutory bodies that make decisions on these returned lands.

We must accept that the whole area of Tasmania's landmass and many off shore islands was before and still is the home of my ancestors and other extended family members but we don't have control of those area's. Any and all lands returned must be acknowledged as returning to descendants of the original inhabitants and be financially supported in some way to allow proper care for country. This would bring many benefits not only to the Indigenous Community but to anyone who visits these areas and offers a large range of funding options to support the proposal. There may be the employment of caretaker's, employment and learning programs for Indigenous Parks Officers to be on site, and tourism operations could be supported through seed funding until such time as they become self funding, which may take some years. We have a distinct story to tell of our heritage.

These returned lands cannot be allowed to fall into disrepair and that may require adherence to management plans and government funding to adhere to regulations. These funds may come via the allocation of lands tax funds for the area that would normally be collected into state revenue to be granted to a more inclusive body, or the revised Aboriginal Heritage Council or some other regulated body to oversee the present and any additional lands.

My thanks for your considerations and contemplation of this important issue.

yours sincerely

Paul Docking  
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11/04/2013