



Feedback from first round consultations

Round one consultations

The Department of Planning, Lands and Heritage completed a first round of public consultations between April and June 2022 at 13 regional locations across Western Australia.

Attendees were encouraged to make submissions and provide feedback on the proposed amendments. The feedback is being used to inform the drafting of the Amendment Bill.

Amendment	Summary of feedback
Allow Part 3 reserves to be divested to an Aboriginal corporation while retaining existing protections, including trespass offences by non-Aboriginal people, permit requirements and treatment under the <i>Mining Act 1978</i> .	Submissions were overwhelmingly supportive of the proposal to allow Part 3 reserves to be divested to an Aboriginal corporation.
Provide for the Minister to give Aboriginal entities the power to grant permits over divested Part 3 reserves.	Feedback received during consultation indicated that Aboriginal corporations want the authority to grant their own permits, aligning with the objectives of divestment and supporting the self determination of Aboriginal people.
Provide for a more streamlined process to divest Part 3 reserves and amend boundaries of Part 3 reserves to excise public utilities and roads.	Respondents largely agreed with the proposal to streamline the divestment of Part 3 reserves, emphasising the importance of allowing sufficient time for consultation and agreement between all Aboriginal stakeholders beforehand. Responses supported retaining existing parliamentary processes for all other amendments and cancellations of Part 3 reserves.

Feedback from first round consultations

Amendment	Summary of feedback
Clarify the ALT's duty to consult by including a definition of 'Aboriginal stakeholders' who must be consulted, consistent with current practice.	Submissions largely supported the proposal to define all Aboriginal stakeholders that the ALT must consult with in respect to any proposed divestment.
Other feedback from the consultation process.	There was a strong view that the power to proclaim new reserves under Part 3 of the Act should be retained. Respondents also emphasised the need to update the enforcement provisions relating to offences of trespass over Part 3 reserves. Broader feedback on the ALT divestment program included: • The need to ensure Aboriginal corporations are ready and have sufficient capacity support prior to divestment. • Views that divestment should not be subject to a fixed timeframe. • The importance of extensive consultation with all Aboriginal stakeholders before any divestment outcomes.