

NAILSMA



**NORTH AUSTRALIAN
INDIGENOUS
LAND AND SEA
MANAGEMENT
ALLIANCE**

Knowledge Series

Issue: 020/2013
Policy Paper

An Indigenous prospectus for northern development: setting the agenda

A policy from the Second Forum

**North Australian Indigenous Experts Forum
on Sustainable Economic Development**

About NAILSMA Ltd

The North Australian Indigenous Land and Sea Management Alliance Ltd (NAILSMA) is an Indigenous led not-for-profit company with a decade of experience delivering large-scale initiatives across north Australia. NAILSMA is committed to finding practical solutions that support Indigenous people in the management of their lands and seas for future generations. Our **culture-based economy approach** aims to assist Indigenous people through livelihoods and employment on their country. NAILSMA has a strong track record of delivering award-winning programs in challenging and complex settings.

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About the Indigenous Experts Panel

The Indigenous Experts Panel provides advice and leadership to the North Australian Indigenous Experts Forum on Sustainable Economic Development. The Forum advocates Indigenous people's interests and rights relevant to the Northern Australia Ministerial Forum's strategic focus to establish new development pathways for economic progress. The Forum chair is Patrick Dodson and the Deputy Chair is Peter Yu.

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An Indigenous prospectus for northern development: setting the agenda

A position from the Second Forum

Position Paper

**North Australian Indigenous Experts Forum
on Sustainable Economic Development**

April 2013

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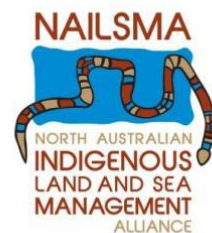
NAILSMA provides the secretariat to the North Australian Indigenous Experts Forum on Sustainable Economic Development, and facilitates the delivery of panel meetings and major forums.

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CONTENTS

Summary	1
Background	2
Improved process for Indigenous engagement in northern development.....	4
Why focus on a Prospectus?	6
Building a Prospectus.....	9
Deploying the Prospectus.....	11
Indigenous Engagement – Theme 1 Forum.....	14
A Strengthened Indigenous Expert Forum’s Role – Theme 2 Forum	16
Strengthening Relationships– Theme 3 Forum.....	17
The Way Forward – Theme 4 Forum	19
Attachment 1	21
Securing Indigenous advancement through northern development.....	21
Attachment 2	59
Form and contents of a prospectus	59
Attachment 3	63
Indigenous enterprise and agricultural land development in the Asian Century	63
Attachment 4	66
Indigenous-managed tourism in the Asian Century: an industry development pathway for north Australia	66
Attachment 5	69
Indigenous involvement in wild-catch fisheries.....	69
Attachment 6	71
Indigenous pastoralism: new options in intensification and diversification	71
Attachment 7	74
Indigenous engagement in aquaculture.....	74
Attachment 8	76
Indigenous enterprise and employment in environmental services.....	76

Summary

The 2009 report of the Northern Australian Land and Water Taskforce (Taskforce) set out a vision for Indigenous people as leaders and key beneficiaries of northern development. Notwithstanding support for the establishment of the North Australian Indigenous Experts Forum (Indigenous Experts Forum), governments' treatment of opportunities to foster full participation of Indigenous people has been disappointing.

The North Australian Ministerial Forum (NAMF) has interpreted its brief narrowly, so that it has been unable to respond effectively to Indigenous Experts Forum calls for necessary change across portfolios. In matters within portfolio responsibilities, such as roll out of the North Australian Sustainable Futures Program (NASF), agency engagement with relevant Indigenous groups has been weak, with a tendency to treat Indigenous interests as problem rather than opportunity. Major policy developments such as Asian Century and its subordinate initiatives have sent mixed messages: on the one hand promoting environmental credentials, Indigenous culture, and equitable access to development benefits as critical issues for better access to Asian markets, but on the other treating environmental and Indigenous matters as issues to be "managed" rather than embraced and positively deployed.

After carefully considering the present position, the North Australian Indigenous Experts Panel (Panel) has concluded that present structures and processes, which attempt to fit Indigenous interests to frameworks developed by and for other interests, are not working and arguably cannot work. The Panel believes that Indigenous people must take a much stronger position. We must determine the conditions under which we will invest our land, knowledge and futures in commercial ventures and, just as critically, the conditions that co-investors will need to meet to gain access to Indigenous assets.

The Panel therefore proposes development of an *Indigenous Prospectus for Northern Development* (Prospectus). The Prospectus will set out the benefits that Indigenous investors seek from their lands and waters; the ways that co-investors can also benefit; the conditions under which investments will be sought and accepted; the role that government should play in framing supportive policy in all its areas of responsibility; and the strategies and plans needed to realise national benefits from full Indigenous participation in northern development.

This paper outlines the shape and essential features of such a Prospectus, building from the vision and principles you developed at the first Forum at the Mary River in June 2012 and adding new layers to take account of policy developments and Panel work occurring since. It also sets out the

complementary actions from government and industry necessary to realise opportunities identified in the Prospectus.

It is proposed that the Forum review and refine this outline. In addition, we seek your support to identify situations that may be investment-ready or offer particularly attractive opportunities. The most compelling of these examples may be included in the Prospectus or submitted immediately to government and industry to seek co-investment.

The revised outline will then be used in three ways. First, to brief the NAMF on Indigenous Experts Forum's views of performance so far and the arguments for fundamental change. Second, to provide clear instructions for preparation of a well-crafted proposition, setting out pathways for improving Indigenous well-being through active participation in northern development, in the Prospectus and an associated business plan. Third, to identify the most accessible opportunities to make the case for prompt co-investment in development and implementation.

Background

The report of the Northern Australia Land and Water Taskforce of 2009 offered an opportunity to break a longstanding Australian tradition: chasing agricultural booms in northern Australia, and then suffering disillusionment as the challenges of a difficult climate, poor soils, pests and distance from markets took their toll. The Taskforce report, backed by the best available science and analysis, identified a number of options for significant development, but rejected illusions of instant riches from limitless lands and endless supplies of otherwise "wasted" water. In delineating the opportunities, the vision presented by the authors also highlighted the role that Indigenous people must play in sustainable northern development.

In responding to the report, the Australian Government provided funds to establish a Northern Australia Ministerial Forum (NAMF), comprising the federal Minister for Regional Australia and equivalents in the north Australia state and territory jurisdictions. Ministers are supported by a Northern Australia Indigenous Experts Forum (Indigenous Experts Forum), also funded by the Australian Government, to provide advice on Indigenous interests and issues. The NAMF oversees the North Australian Sustainable Futures program (NASF)¹ with a core budget of \$6 million and a small suite of projects to advance development in a number of principally agricultural industries.

These steps offered unprecedented potential for coordinating programs across northern Australia and for addressing seriously the needs and aspirations of Indigenous Australians, who make up the

¹ <http://www.regional.gov.au/regional/ona/nasf.aspx>

bulk of the population and are the major landholding demographic outside the major urban centres. Unfortunately, as demonstrated in other papers (Attachment 1), that opportunity has not been fully realised.

Key decisions on choice, design and implementation of most NASF projects appeared to have been made before the Indigenous Experts Forum was operational, and engagement with local people was perfunctory, even where the principal focus was on matters of particular interest to Indigenous people. The NAMF's interpretation of its responsibilities meant that much of the more conceptual work done by the Indigenous Experts Forum on the changes necessary to secure Indigenous participation and benefit was seen to fall outside their remit. There was little apparent support to secure serious attention from other portfolios.

Major policy commitments like Closing the Gap did not appear to influence either design or process. For example, the North Queensland Irrigated Agriculture Strategy - despite native title interests in the land under consideration - relegated Indigenous interests to assessment of Indigenous values in water rather than serious involvement in exploring an economic opportunity. The gulf between policy and process widened with the release of the Asian Century White Paper (Australian Government 2012), which on the one hand promotes environmental credentials, Indigenous culture, and equitable access to development benefits as critical issues for better access to Asian markets, but on the other treats environmental and Indigenous matters as issues to be "managed" (DFAT 2012) rather than viewed and used positively.

The Panel, who do much of the preparatory work for Forum meetings, acknowledge the great significance of the 2009 Taskforce report and importance of the government processes it stimulated. And the Panel has welcomed and sought to make the best possible use of access to senior representatives of government that the process has facilitated. Nonetheless, the Panel concludes that, irrespective of the future form of NAMF and its advisory bodies, the Indigenous community must take a larger, more independent, role in setting directions for northern development. As major landholders, the Indigenous role must be primary, flowing from Indigenous aspirations, capabilities and decisions to invest effort and resources, rather than accept the secondary and unsatisfactory position of responding to the agendas of others.

The Panel therefore seeks Forum endorsement of a process for developing what might be described as an *Indigenous Prospectus for Northern Development*.

Such a document (see Attachment 2) could set out the benefits that Indigenous investors seek from their lands and waters; the ways that co-investors can also benefit; the conditions under which investments will be sought and accepted; the role that government should play in framing

supportive policy in all its areas of responsibility; and the strategies and plans needed to realise national benefits from full Indigenous participation in northern development. Over time, different documents would be developed for particular sectors (e.g. mosaic agriculture, tourism) and regions.

But before worrying too much about form and content of documents, we need to agree that stronger Indigenous leadership is needed to explore options for using Indigenous assets in land, human capability and knowledge to improve well-being; and work out how to assert that leadership.

This paper outlines some of the processes necessary to take a leading role and bring together the commitment and skills needed to present an Indigenous agenda for northern development. It builds on the vision and principles developed in the Indigenous Futures Framework at the First Forum held at Mary River in the NT 2012, and adds new layers to take account of policy developments and Panel work occurring since. It also suggests complementary actions from government and industry to support more positive engagement with Indigenous interests.

It is proposed that the Forum review and refine these proposals about structure and process and then consider the form and content of a Prospectus.

The revised outline will then be used in three ways. First to brief the NAMF on the Indigenous Experts Forum's views of performance so far and the arguments for fundamental change, including access to the sorts of capabilities needed to take a proactive role. Second, to provide clear instructions for preparing a well-crafted proposition, setting out pathways for improving Indigenous well-being through active participation in northern development, in a Prospectus and an associated business plan. Third, to identify the most accessible opportunities to make the case for prompt co-investment in development and implementation.

Improved process for Indigenous engagement in northern development

Some weaknesses in NAMF and the Indigenous Experts Forum processes to secure real Indigenous engagement in northern development are described in Attachment 1. The most serious are:

- (1) completion of design of major NASF projects prior to Indigenous engagement
- (2) completion of joint industry/government strategy (Beef Industry) without serious Indigenous involvement
- (3) treatment of Indigenous interests in land and resources primarily as obstacle rather than opportunity

- (4) mismatch between policy rhetoric in documents like the Asian Century White Paper and treatment of Indigenous (and environmental) interests as incidental management issues in associated papers
- (5) NAMF's ability to address key issues affecting Indigenous capacity to participate in northern development was constrained because they fell outside members' portfolios and
- (6) related limitations on attention to major policy commitments in Closing the Gap or procedural obligations (e.g. Indigenous engagement standards) in NAMF-directed activity.

The proposal here for Indigenous people to take a proactive role in shaping northern development is a serious attempt to deal with many of all of these issues where they fall within the influence and competence of Indigenous organisations. But it is clear that complementary actions will be needed from government and industry to substantially improve performance. The proposals to follow outline the changes in process that the Panel considers necessary. They are predicated on the assumption that structures equivalent to NAMF will be maintained or strengthened after the forthcoming Federal election, and related commitments from the states and territories will also continue. However, issues such as the preparation of a Prospectus could be pursued whatever the formal arrangement with government.

A stronger Indigenous stance

An important function of the Indigenous Experts Forum and organisations like the Land Councils and NAILSMA Ltd. has been to develop and argue policy options to ensure that Indigenous people have a role in shaping direction in northern development: to access its benefits and minimise its social costs. Important as those activities are, it is apparent that they are insufficient when rates of development are accelerating. The evolution of policy in Indigenous affairs is slow and uncertain, subject to substantial setbacks, arguably advancing and achieving coherence primarily through litigation. There are real risks of being left behind and disempowered by strong pre-emptive actions taken by others. Whilst this policy work must continue, it appears necessary to take additional, stronger actions to guarantee a place at the northern development table.

At one level, Indigenous people are well-positioned to take a leadership role. We own a large part of the north Australian land mass and have rights to use much of the remainder for traditional purposes. We have detailed knowledge of the land and its attributes. We have strong incentives to develop ways of using the land to improve well-being and overcome sometimes severe disadvantage. But because land has only recently been recovered or is still being claimed, we have yet to consider fully and articulate ways of using those assets to secure greater benefits for present and future generations, while also meeting traditional obligations to lands, waters and people.

We acknowledge that filling this gap in articulation of aspirations and obligations is no simple task. As in all sectors of Australian society there will be competing views of desirable and unacceptable change. Nonetheless, we consider that a serious attempt must be made to document an Indigenous view of options for northern development, in language that can be understood by government and industry. Hence, the proposition to prepare an Indigenous Prospectus for northern development.

Why focus on a Prospectus?

A prospectus provides information that potential investors need to decide whether to put their resources into a proposal or project. Such a document sets out the outcomes (or products) the proponents are seeking, how they will be created, the scale of benefits estimated to be achievable, and costs. It will show how investors can become involved, the way investments would be used, the returns they can expect and the timeframes over which they will be delivered. Risks are also acknowledged and ways of managing them explored. Most formal proposals seeking funds for any purpose will contain many of these elements, but the Panel believes that adopting the language of business to present the case for investment in Indigenous development offers a number of advantages.

First, it makes absolutely clear that Indigenous people, as originators of an invitation to co-invest, seek a central role in all forms of economic development and that they will reject attempts to limit the scope of their interests. It obliges Indigenous people to set their own agendas and to seek investments on their terms, instead of responding solely or mostly to the ideas of others. Third, it imposes a level of discipline in exploring and making the case for co-investment and so encourages deeper debate and clearer thinking about opportunities.

Who are potential investors in northern development?

Such a Prospectus would be directed at anyone who may wish to invest in northern development. Investors bring a range of assets, expectations, and capabilities to negotiations. In considering the form of a Prospectus and what it might cover, it is useful to characterise investor “types”.

Indigenous investors

In reflecting on the experience with NASF and in other settings, the Panel has been dismayed by a continued tendency of government and industry to react to Indigenous interests, culture and the associated forms of land tenure and rights that recognise cultural obligations, as barriers to northern development: as inconveniences to be avoided or managed away.

A more productive and realistic starting point is to recognise Indigenous people as serious, indeed essential, investors in northern development. Not supplicants but co-investors, who control assets in land, water, commitment, knowledge and skill. It is essential that Indigenous land owners and managers and those with whom they seek partnerships see their relationships in this equitable and positive way.

Indigenous people are called upon to grapple with decisions about whether or how to invest their most fundamental assets – rights in land and renewable resources – in commercial ventures capable of transforming their lives and shaping those of their descendants: for good or ill. There could be no more vital decisions. To dismiss such questions as matters that can be dealt with casually or summarily or delayed until others have determined options is profoundly insulting; and obviously counterproductive in any serious negotiation.

The Prospectus must emphasise the status of Indigenous people as potential major investors in northern development. Investors who, like every other class of investor, have obligations to consider and determine carefully the conditions under which they might use their assets to deliver net benefits. And whether the benefits are sufficient to warrant the risk and compromise inherent in any change in land use and related transfer of rights to others.

A Prospectus, by emphasising the role of Indigenous people as investors with well-specified obligations and expectations, will help avoid continued misunderstanding of the central role of Indigenous landholding and native title interests in sustainable development of the north.

Government investors

Under prevailing neo-liberal ideologies, governments most frequently present their role in development as establishing macroeconomic conditions for effective operation of markets, which then see to the efficient allocation of resources and distribution of benefits from production. Nonetheless, various subsidies to industry may occur.

In the context of northern development, the most recent statement of intent from the Gillard government appears in the Asian Century White Paper, which envisages major agricultural development to meet the needs of Asia and attract investment from Asia (Australian Government 2012; DFAT 2012). NAMF has promoted the Asian Century agenda which emphasises taxation reforms, regulatory simplification, and investments in infrastructure and education. Despite celebration of Indigenous culture, references to Indigenous economic participation are chiefly rhetorical or confined to marginal slivers of economic activity such as Indigenous tourism. The present Opposition has prepared a short discussion paper which goes further than the 2010 election

commitments (Anon. 2010) and sets out an ambitious agenda for northern development emphasising removal of barriers to more efficient resource extraction and better infrastructure, including new impoundments for greatly increased water use for irrigated agriculture. It makes no overt references to Indigenous interests in development (Anon. 2013).

In addition to supporting industry in various direct and indirect ways, Government may also invest in facilities or services that promote or maintain quality of life in areas under development. Such investments could include creation of parks and reserves used by residents and tourists, or services for managing environments to maintain critical ecosystem services (e.g. clean water), protect human health and landscape aesthetics.

An Indigenous Prospectus for northern development will be important to assist government to target better its investments in services and infrastructure to encourage and support Indigenous investment and benefit. Government support for improved regional planning that helps different Indigenous groups to work together to jointly design or assess large scale development proposals could do much to reduce the confusion and conflict that compromises effective decision-making (Yu 2013) by both Indigenous and private investors.

Private investors

Private investors - local, interstate or international - with whom Indigenous people are most likely to interact can be considered in several more or less distinct streams.

Most seek access to resources that can be exploited in commercially viable ways or to provide services to resource users. The most conspicuous examples are major mines or oil or gas extractors and their service providers. Local people may gain employment with these resource users or find other enterprise niches in expanded regional economies. But because much of the benefit from such industries flows to major centres, local people sometimes gain few benefits but experience long-term costs through acute or enduring environmental or social impacts. Some large resource users may therefore also invest directly in environmentally and socially valuable facilities or activities, as part of a social licence to operate. In addition to returns from their investments in providing access to land, Indigenous people may be able to offer commercial services in these areas of social contract.

Other resource users seeking access to Indigenous land may have requirements that involve less significant change in land or resource abundance but may be more socially intrusive (e.g. lease of lands for tourism).

Environmental or philanthropic non-government organisations may also be significant investors in aspects of northern development. Philanthropic NGOs may invest in Indigenous social development by supporting Indigenous enterprise. In other cases they may seek to help overcome weaknesses in basic public services like education, especially in remote areas. Environmental NGOs may invest directly in supporting Indigenous people to manage their lands for conservation, or also support environmentally benign enterprise that supports land management capability more generally.

A Prospectus must offer information and opportunity to all of these classes of investors. In particular, it needs to provide clear understanding of how to initiate discussions and provide at least preliminary understanding of the conditions that favour or are likely to be attached to co-investment with Indigenous people in northern development.

Building a Prospectus

The preceding discussion suggests that a Prospectus on a subject as broad as Indigenous participation in northern development will differ in some important ways from a more routine financial proposal:

- benefits sought from both Indigenous and non-Indigenous investors often go beyond the strictly financial
- potential investors are likely to be diverse and include industry, philanthropic NGOs, environmental NGOs and all three levels of government
- clarity about expectations of co-investors may be hard to achieve given greater diversity of expectations
- benefits and costs may be estimated relatively imprecisely, adding to risk
- some benefits (e.g. in capability and confidence) and types of investments (e.g. in access to land) may be difficult to value in regions with little or no established private economy
- the level of risk may be higher because uncertainties in northern development are greater.

Rather than disabling the basic idea, these complications require that the Prospectus be pitched at a level of detail appropriate to the present levels of shared understanding and the sorts of negotiations it is expected to stimulate or facilitate. A key function of the Prospectus will be to increase understanding of Indigenous expectations; and the interactions around it to increase Indigenous understanding of the expectations of others. The Prospectus will necessarily be an evolving document and be revised at least annually in the light of experience and increased

understanding of the information needs of those who may seek to work with Indigenous people. It will need to be refreshed often with new ideas and opportunities if it is to continue to have impact.

The Prospectus might also need to show how benefits sought by the different classes of investors can be measured and convincingly demonstrated. This should help facilitate multiple investments where multiple benefits are achieved that interest different classes of investors.

It follows that the first version of the Prospectus should emphasise the expectations of Indigenous people about both ends and means: what they expect to gain and "rules" for equitable and productive engagement and negotiation. Some of the work necessary to build the Prospectus has already been done in developing the Indigenous Futures Framework (Attachment 3) which presented a vision and principles that should influence investments in Indigenous economic development. This work is relevant because it deals with the goals and expectations of the key investor group: Indigenous land owners and land and resource managers and their communities.

Complementary government actions

Developing the equivalent of an investment prospectus is a substantial undertaking, requiring access to good information on issues such as land capability and competent technical and financial analysis. NAEIF, NAILSMA and other Indigenous organisations have been positioned by NAMF support to begin the task of framing Indigenous expectations about the broad criteria that developments on their lands should meet. The proposed Prospectus will initially focus on presenting these requirements. However, expanded terms of reference and greater support will be needed if the Indigenous Experts Forum is to promote effectively preparation of prospectuses over the range of sectors in which Indigenous groups have interest.

Moreover, Indigenous organisations mostly lack the resources for the level of technical and financial analysis to make fully informed decisions and confidently invite co-investment in specific areas. It is desirable that governments partner with Indigenous organisations to provide access to and support joint analysis of the information they hold for competent land use planning at all spatial scales. This will require expansion and better resourcing of the sectoral working groups so far created under NAMF.

Complementary industry actions

Industry associations and similar organisations obviously possess detailed knowledge of their sectors' needs and the potential to invest in activities on Indigenous lands. Such knowledge would be invaluable to Indigenous landholders and managers in framing their approaches to future land

use. In addition, industry can influence government to ensure that Indigenous interests are invited to participate in and can influence framing of development directions, such as the Beef Industry Strategy. Although that strategy recognises Indigenous interests, it presently has little to say about ways of facilitating Indigenous landholder participation, and raises issues in land tenure. It is desirable that industry do more to understand and incorporate the interests of their Indigenous landholder colleagues in dealings with governments.

We therefore propose that the array of working groups be expanded to encompass all of agriculture, pastoralism, aquaculture, wild fisheries, tourism and environmental services (including carbon). Each working group would take on more active roles to provide access to information and analysis for building Indigenous proposals for favoured uses of land and waters and incorporating them into the Prospectus.

Deploying the Prospectus

Government, industry and Indigenous people share interests in seeing land used for socio-economic benefit where it can be done in environmentally and socially sustainable ways. That common interest will be most efficiently realised if all parties are positioned to participate fully and equally. This will require that Indigenous groups have access to the same quality of technical and financial analysis as all other parties.

Building human resources and other capability across the north to ensure fair participation in northern development planning and project implementation will be a long term undertaking. However, it will be possible to identify Indigenous groups with developing ideas who, with focused support, may be positioned to make sound early decisions to seek co-investment.

To provide that support we propose an Indigenous Land Use Planning Support program and associated fund for those situations where Indigenous landowners, government and industry agree that conditions favour sustainable development. The Prospectus will play an important role in working through options to identify the most favourable.

Indigenous Land Use Planning Support Program

We propose land development pilot projects, which would draw on the same community support as the successful development of land and sea management ranger groups, but have a strong commercial focus.

In brief, the program, which would be facilitated by the Indigenous Experts Forum, will:

- empower Indigenous people to develop land use plans, including pilot projects, capable of attracting co-investment
- design programs for implementation of projects at scales large enough to test their contribution to well-defined and measurable outcomes
- negotiate conditions of Indigenous, government and industry investments in those pilots
- implement and conduct formal joint review by Indigenous leadership, government and industry
- apply lessons to other Indigenous-identified opportunities in north Australian jurisdictions.

The program would be supported by an Indigenous Economic Participation Fund. The Indigenous Experts Forum would play a primary role in managing the use of the fund.

Indigenous Economic Participation Fund

This fund would provide the resources needed to drive Indigenous economic development as a centrepiece of northern development, recognised as pivotal in the Asian Century White Paper. We envisage that a Fund with the scale necessary to make a significant difference would provide support for:

- expanded and strengthened roles for the Indigenous Experts Forum and the Office of Northern Australia (ONA) for facilitating land use plans and development proposals from Indigenous groups
- new and improved sectoral working groups with full Indigenous participation
- skilled and readily accessed technical and administrative support
- several major initiatives to develop and implement (as pilots) options for Indigenous land development in key sectors
- strong processes for review of performance and adaptation to embed lessons learned in both Indigenous organisations and government agencies
- enterprise development that brings old and new generations together, generates high levels of skills, employment and an economy, and promotes additional benefits – cultural and customary.

We suggest initial funding of \$10 million, with additional ongoing funding of \$10 million pa over a minimum of 6 years for specific projects. Flexibility should be available for carryover of funding from year to year to reduce pressure to make decisions ahead of sound planning and review of proposals.

Structures and processes for the Indigenous Land Use Planning Support Program

To consult on, support design and carry through early mover projects, we propose:

- (1) permanent Indigenous working groups on **Agriculture** (including pastoralism), **Fisheries** (including wild fisheries and aquaculture), **Tourism** and **Carbon, Water and Other Ecosystem Services** constituted under the authority of NAMF or its equivalent
- (2) technical support for these groups from relevant commonwealth, state and territory agencies, including formal and informal access to members of the NAMF Expert Advisory Panel
- (3) Indigenous Experts Forum development of a work program for all of these groups, with timetables and milestones, to be carried out under Indigenous Experts Forum supervision and culminating in contributions to the Prospectus
- (4) formalisation of the ongoing role of the Indigenous Experts Forum as the Indigenous equivalent of the Expert Advisory Group, including obligation to provide Indigenous perspectives on all matters put to the Expert Advisory Panel by NAMF
- (5) Indigenous Experts Forum accountability to NAMF for delivery of pilots under the program and other outcomes from the various working groups and
- (6) formalisation of roles of other portfolios in NAMF processes through nomination of senior agency staff (at least head of Policy group level) from DEEWR, DRET, FACSIA, SEWPAC and others as necessary, to a Policy Coordination Panel as a component of the Expert Advisory Group with obligations to align social and NRM policy to facilitate the Indigenous Land Use Planning Support Program (ILUPS) and implementation of its outcomes.

As the Indigenous Experts Forum has already identified in its work for the Ministerial Forum, strong Indigenous participation in northern development will require improved understanding of the obligations that accompany access to national and local government support for improved livelihoods. These working groups and their interactions with communities will play essential roles in reorientation to reduced dependency and active deployment of land and other resources to create sustainable livelihoods. Accordingly, these obligations will feature strongly in the Terms of Reference for the working groups.

A positive response from communities and landowners will, however, depend on evidence that demonstrations of Indigenous commitment and of financial, cultural and environmental feasibility of local developments will be followed by real investment to secure opportunities. Many groups suffer "consultation fatigue" following completion of work to explore options that trigger no follow up on even promising development pathways. It is ironic that the major exception to this experience is in the area of conservation work, where indefinite dependence on public funding is inherent in the continuing failure of markets to value environmental services (with the recent exception of the Carbon Farming Initiative - CFI).

Commitments are desperately needed from government to follow up on options that show real prospects of leading to private investments: through bridging public investments, taxation policies or other incentives. But at present support schemes are poorly matched to the timeframes and types of support needed to achieve Indigenous involvement.

The ILUPS and fund are critical to the active pursuit of development opportunities by presently marginalised Indigenous groups, as are commitments to greatly improved processes for engagement with Indigenous communities and their representatives.

Indigenous Engagement – Theme 1 Forum

Implementation of the NASF departed so far from good practice in Indigenous community engagement that it is clear additional attention to effective consultation and genuine engagement is required. We propose that NAMF adopt detailed protocols and require that all agencies and other parties to the activities summarised here observe them scrupulously.

Protocols for Indigenous Economic Participation

Some possible provisions for improved protocols include:

1. All jurisdictions agree that northern development and Indigenous socio-economic development must be pursued together and that neither is genuinely sustainable without the other.
2. All jurisdictions agree to foster meaningful Indigenous participation in northern development planning, programs and projects.
3. Northern development programs and projects will always address employment and enterprise targets for Closing the Gap through creating and sustaining Indigenous livelihoods.
4. Access by state and territory governments or industry to federal funds for northern development programs or projects will require binding agreement to apply these protocols and other measures necessary to achieve full Indigenous participation.
5. Indigenous aspirations in northern development will not be assumed or circumscribed by other parties in any way. Indigenous people will be supported to participate fully in all related planning, policy development, project design and implementation activities.
6. Obligations in international and Australian law for full prior and informed consent will be interpreted to include:
 - participation in program and project design wherever there is potential to impact positively or negatively on Indigenous interests
 - participation of all recognised Indigenous interests

- financial and in-kind support to Indigenous organisations to meet reasonable costs in ensuring proper participation
7. Government agencies and industry agree to seek Indigenous participation in development planning and related project design from the outset of discussions.
 8. Governments recognise the value of developing structures and processes for managing northern development that are considered legitimate by Indigenous communities and will actively support building of robust Indigenous institutions at all relevant levels.
 9. Indigenous people will use their existing organisations to manage participation in northern development activities, but may choose to develop and seek support for new arrangements where necessary to secure full and equitable representation and shared understanding of issues, interests, attitudes and proposals.
 10. Governments and industry acknowledge that most existing Indigenous organisations were not created for planning and design for accelerated northern development, and so will require additional financial and technical support to secure full and genuine participation.
 11. Indigenous individuals and organisations participating in northern development activities agree to accord high priority to such work. They will engage in good faith, recognise the legitimate interests of other participants and collaborate to secure positive national, regional and local outcomes as well as Indigenous benefits and protection of Indigenous rights.
 12. Indigenous knowledge is relevant to all aspects of northern development involving land, water and other resource use. Parties will take account of Indigenous knowledge and practices in development planning.
 13. Processes and formulae for allocation of and access to water and living resources will recognise the contribution of Indigenous lands and land managers to water availability and quality and productivity of lands and waters, and the obligations this contribution creates for other users.
 14. Where proposals for large-scale development compromise suitability of Indigenous lands for maintaining Indigenous use and culture, rights will extend to withholding of consent.
 15. Indigenous landholders will be offered first opportunity to generate environmental or social (licence to operate) offsets for resource extraction, agricultural or other developments.
 16. All jurisdictions will formally adopt these protocols and take all necessary steps to ensure that their agencies and staff apply them in good faith to all northern development activities.

ONA would play a particularly important role in negotiating agreement on such protocols, securing approval and then facilitating their productive application. The Indigenous Experts Forum will also have important obligations to promote agreement and observance among Indigenous interests. A particularly important conceptual issue here is to avoid any suggestion that Indigenous interests are

narrower than other segments of the community or can be conveniently predicted without genuine engagement. For example, the Indigenous Experts Forum welcomes in principle proposals for Indigenous involvement in developing management plans for proposed marine reserves, but would be concerned if that input was channelled exclusively into conservation roles to the exclusion of options for sustainable commercial use of some resources. The Indigenous Experts Forum and its members will play an active role in negotiating agreed protocols.

A Strengthened Indigenous Expert Forum's Role – Theme 2 Forum

The Indigenous Experts Forum accepts that there must be symmetry in the quality of commitment of Indigenous and non-Indigenous partners in strengthening policy and practice in Indigenous economic participation. NAMF endorsement of a larger role for the Indigenous Experts Forum will provide focus for a concerted effort from Indigenous people in northern Australia to seriously explore the economic development options available to them, particularly around commercial use and management of land and resources.

An expanded Indigenous Experts Forum role could include these elements:

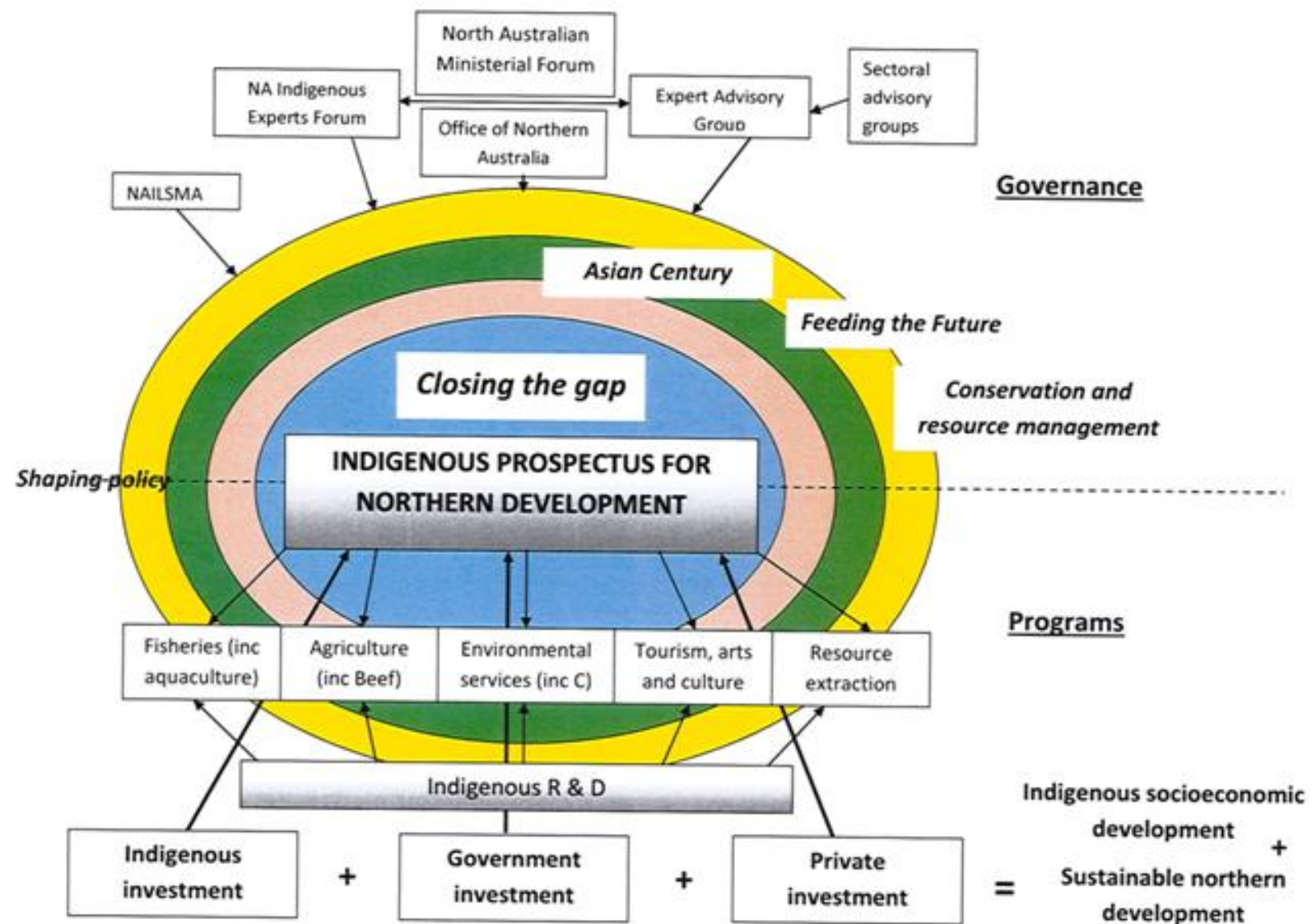
1. Analyse government policies for northern and Indigenous economic and social development and make connections among them to optimise Indigenous benefits, emphasising economic participation issues including livelihoods through employment and enterprise development.
2. Inform Indigenous organisations and communities about those policies and their implications for Indigenous development
3. Undertake, with Indigenous networks, review of policies and develop proposals for change to better match Indigenous needs and aspirations.
4. Promote community awareness of development options with immediate or longer-term potential to influence their regions and interests, and encourage productive participation in relevant decision-making forums and processes.
5. Assist NAMF to achieve meaningful Indigenous participation in all its programs, projects and related forums and their contribution to connected initiatives including implementation of the Asian Century White Paper, in ways that are considered legitimate by affected Indigenous interests.
6. Support building and refinement of Indigenous institutions for considering and reacting to economic and social opportunities in northern development and to strengthen Indigenous influence within existing structures and processes.

7. Acting on behalf of Indigenous Experts Forum networks, frame proposals to NAMF for innovations in northern development particularly relating to economic use of Indigenous lands. Collaborate with the Indigenous Land Corporation on these issues.
8. Advise NAMF on the most productive investments in building governance systems and capability in Indigenous groups and communities to increase interest and capacity in participation in regional economic development.
9. Increase international awareness of issues and opportunities in northern development and their potential contribution to Indigenous well-being.
10. In collaboration with community innovators, develop and implement a suite of pilot projects designed to test new policy and practice in Indigenous livelihoods development, supported by an Indigenous Economic Development Fund.
11. Develop, with other Indigenous organisations, proposals for an Indigenous-led research consortium with a particular focus on extracting enduring benefits in livelihoods from Indigenous land ownership and land and resource management and reviewing and drawing lessons from pilot programs (below).
12. As the Indigenous-led equivalent of the Expert Advisory Group, support NAMF by accepting referrals and providing evidence-based analysis and reporting on issues referred.

This expanded role will also require dedicated and skilled support from ONA, especially in developing proposals to the Cooperative Research Centres program or the Australian Research Council. ONA should also play an important role in seeking funding to support planning and project implementation designed to make real advances at a number of sites while also providing for rigorous tests of benefits.

Strengthening Relationships– Theme 3 Forum

Relationships among all of these issues and the structures and processes needed for effective implementation are summarised in the schematic below.



The Way Forward – Theme 4 Forum

Experience with the implementation of the NASF program confirm more comprehensive independent analysis showing that present models for remote and Indigenous participation in regional development programs do not work and arguably cannot work. Fundamental change is required to achieve genuine participation in the opportunities that arise from the present focus on northern development.

To foster positive change, the Indigenous Experts Forum will:

- facilitate preparation of an Indigenous Prospectus for Northern Development setting out the aspirations and conditions favouring co-investment by Indigenous people

To support this important Indigenous initiative, the Indigenous Experts Forum proposes that NAMF Ministers:

- (1) acknowledge that new approaches are required to achieve genuine Indigenous participation in northern development;
- (2) adopt and apply to all programs developed under NAMEF, Protocols for Indigenous Economic Participation, incorporating the essential features summarised in a preceding section;
- (3) immediately seek, in their respective jurisdictions, whole of government (Cabinet) endorsement and application of agreed Protocols;
- (4) support the Indigenous Experts Forum to produce an Indigenous Prospectus for Northern Development setting out the conditions under which Indigenous land owners will invest their lands and effort in development projects and seeking co-investments;
- (5) seek creation of an Indigenous Economic Participation Fund to support projects identified as high priority by Indigenous interests, government and industry, under the management of the Indigenous Experts Forum (see Attachments 4A-F for a few examples of potential areas of focus) and also support the related institution arrangements proposed here;
- (6) strengthen the role of the Indigenous Experts Forum to:
 - build relationships and institutions to promote serious engagement of Indigenous groups with northern development initiatives, in part through development of the Prospectus

- act as the Indigenous equivalent of the Expert Advisory Group to provide evidence-based analysis of issues referred by NAMF
 - oversight delivery of the Indigenous Land Use Planning program and other aspects of the Prospectus
 - take a central role in allocation of funds to pilot projects (relating to both NAMF and Indigenous-identified priorities for northern development);
- (7) strengthen the role of ONA to promote greater focus among federal agencies on their roles in delivering Closing the Gap targets in their responses to northern development opportunities;
- (8) instruct ONA to examine, in conjunction with the Indigenous Experts Forum, options for creation and funding of an Indigenous-led research consortium to undertake analysis, support refinement of the Prospectus and design of pilot projects and review their performance to identify improvements in Indigenous livelihoods and economic development; and
- (9) seek, in all jurisdictions, whole-of-government approval and related funding support for all of these actions.

Work required from the Forum

It is recommended that the Forum:

- (1) endorse preparation of an Indigenous Prospectus for Northern Development to set out:
- the aspirations of Indigenous people to participate in and share the benefits of northern development
 - the conditions under which landowners may consider co-investment in commercial use of lands
 - invite co-investment from industry, NGOs and government
 - ultimately cover the sectors agriculture, pastoralism, fisheries (including aquaculture), environmental services, and tourism
- (2) determine the initial form and content of the Prospectus
- (3) identify options for inviting co-investment in the short term
- (4) endorse other proposals to the NAMF Ministers (items 1 to 9 in the preceding section)
- (5) determine who will comprise and chair the leadership group to take these issues including the Prospectus forward and
- (6) determine who will provide institutional support to the leadership group.

ATTACHMENT 1

Securing Indigenous advancement through northern development

**a brief assessment of progress and the role of the Northern Australia Ministerial
Forum**

19 April 2013

**Prepared by the North Australian Indigenous Land and Sea Management Alliance Ltd
for the 4th Indigenous Experts Panel Meeting**

Introduction

The Northern Australia Land and Water Taskforce was commissioned by the Rudd Government to report on options for northern development and particularly to consider how apparently abundant water resources might contribute to sustainable development. Their work was supported by CSIRO and research conducted in parallel by the Tropical Rivers and Coastal Knowledge consortium (TRaCK)².

The Taskforce investigations and additional detailed studies by TRaCK debunked the notion of large volumes of "excess" or "wasted" water as a driver of northern development. The Taskforce nonetheless identified substantial development opportunities and set out a vision of the directions that genuinely sustainable development might take, including options for expansion of irrigated agriculture. Importantly that vision recognised the central role that Indigenous people would necessarily play, consistent with the "demographic, economic and political reality in the north" (Ross et al. 2009, p. vii).

² <http://www.track.org.au/>

The Northern Australian Sustainable Futures program (NASF) grew out of that report³. The program included establishment of the Northern Australia Ministerial Forum (NAMF) charged to, among other things, "(enhance) Indigenous and community engagement in policy and planning" and "(develop) ... sustainable careers and business opportunities for Indigenous people in ... remote communities". The NAMF first met in December 2010 and established the Indigenous Experts Forum (NAIEF) soon after, as a vehicle for receiving advice and developing options for Indigenous participation in northern development. Funding for the NAIEF will cease in June 2013.

Given more than 2 years of operation of the NAMF and imminent withdrawal of Australian Government support for this form of engagement, it is time to review the extent to which these arrangements contributed to effective action on Indigenous economic development.

The purpose of this paper is to offer a brief assessment of the influence of NAMF on the advancement of Indigenous interests. Specifically it considers:

- (1) statements of priority from NAMF and their relevance to Indigenous interests
- (2) Indigenous Experts Panel /NAIEF reactions to those priorities including alternatives proposals and the manner in which NAMF handled Indigenous input
- (3) roll-out of the Northern Australian Sustainable Futures program and the manner in which Indigenous interests in the program were handled
- (4) the policy environment in which NAMF was operating and NASF was designed and delivered, and the compatibility of actions with policy directions
- (5) implications of all of the above for Indigenous participation in northern development.

Additional background

The Northern Australia Ministerial Forum (NAMF) was established to provide leadership and strategic focus for genuinely sustainable regional development in northern Australia. The Forum directs the Northern Australian Sustainable Futures Program and application of associated funding of \$17 million, within an eight element program⁴. Sectors presently emphasised include pastoralism and irrigated agriculture.

³ <http://www.regional.gov.au/regional/ona/nasf.aspx>

⁴ <http://www.regional.gov.au/regional/ona/nasf.aspx>

Only minor elements of the program are directed explicitly to Indigenous economic futures or the role of Indigenous people in setting directions for northern development. The program does, however, raise many additional issues with the potential to affect Indigenous interests in land and other resources, and present opportunities for Indigenous benefit, if appropriately handled. Clearly, it is essential that Indigenous people - as a large and rapidly growing proportion of the resident north Australian population and major landowners - understand the program and are positioned to influence its direction and implementation.

Accordingly, Ministers agreed to establish an Indigenous Experts Panel and Forum (NAIEF)⁵ to work with the Office of Northern Australia (ONA) and North Australian Indigenous Land and Sea Management Alliance (NAILSMA). The Panel and Forum's strictly advisory roles are to:

- (1) identify policy issues of particular relevance to the lives and livelihoods of Indigenous people;
- (2) engage in meaningful dialogue on those issues; and
- (3) provide clear advice to Ministers.

Beginning in December 2010, the Ministerial Forum convened 5 times at approximately 6 month intervals. A summary of meeting dates and contents of communiqués from NAMF meetings is at Appendix 1A.

The Indigenous Experts Panel, made up of Indigenous leaders from each of the north Australian jurisdictions first met on 24 November 2011. The Indigenous Experts Panel contributed to three of the NAMF meetings (Mt Isa in December 2011, Alice Springs in July 2012 and Kununurra in November 2012), through participation of the chair Pat Dodson and vice-chair Peter Yu.

A wider cross section of north Australia's Indigenous communities shaped the advice offered to Ministers through participation in the first of 3 scheduled major Indigenous forums. At that first Forum, held at the Mary River in June 2012, NAIEF adopted a comprehensive framework for recognising and assigning priorities to secure full Indigenous participation in and benefit from economic development in northern Australia: to build "resilient communities enjoying reliable prosperity". The first forum's deliberations were

⁵ <http://www.regional.gov.au/regional/ona/iefsed.aspx>

comprehensively documented (NAILSMA 2012) and presented to Ministers at the 4th NAMF meeting at Alice Springs in July 2012. Interactions between the NAMF and ONA and Indigenous Experts Panel have continued since in the lead-up to the second NAEIF scheduled for June 2013, when government financial support for the NAEIF will cease.

NAMF Priorities

NAMF set out its priorities before engagement with the Indigenous experts. They were:

- Indigenous employment and skills shortages in north Australia, particularly in resource extraction
- infrastructure developments - to support resource extraction and other established industries (e.g. beef)
- improved service delivery - to sustain viable communities
- water - clarifying access to and rights in water
- energy - extraction and processing of fossil fuels.

Whilst all of these issues are undoubtedly important in northern Australia, it was not obvious why they had been chosen or the processes NAMF proposed to deal with the issues they raised. It was therefore difficult for the Panel to respond comprehensively to these statements.

Indigenous Expert Panel propositions in response to statements of NAMF priorities

Initial advice to Ministers at the Mt Isa meeting focused on a response to the priorities that NAMF had set.

Indigenous employment and skills shortage

NAMF appeared to emphasise employment in resource extraction industries as an important option for Indigenous people. The Indigenous Experts Panel accepts that some individuals may be positioned to take up these opportunities or to train for them, but considers that many more are not. Other pathways, especially in land management, offer better and more immediate access and will help build capacity for other employment through time. The mining industry recognises that, whilst direct employment in mining is an important goal,

contributions made to wider capability for other forms of employment and enterprise development may be of longer term value to communities (MCA 2011), in part because extractive industries are by their nature, more or less temporary.

Infrastructure investment

NAEIP expressed concern at the apparent assumption that better community infrastructure will necessarily lead to better socio-economic outcomes. Whilst acknowledging the requirement for much better regional infrastructure, the Indigenous Experts Panel noted that this would achieve little for Indigenous people unless accompanied by other well-considered social development actions (OECD 2009).

Opportunities to improve service delivery

The Indigenous Experts Panel identified improved local services as critical, but considered that innovation in modes of delivery, including accountable local management, would be necessary to optimise benefit.

Water and energy

NAEIP welcomed opportunities to increase Indigenous participation in water policy development and planning of water allocation and use.

Statement of Indigenous priorities

In addition to these responses, the Indigenous Experts Panel proposed that NAMF take a role in Indigenous-identified priorities to enable genuine Indigenous participation in northern development. Those priorities relate to:

Governance: institutions for exercising rights in land and resources with full transparency and accountability.

Cultural and customary law and knowledge: proper recognition and exercise of authority and leadership.

Land tenure reform: coherent treatment of native title and associated rights in resources.

Environmental services: fostering involvement of Indigenous people in natural resource management for commercial delivery of environmental and social benefits.

Markets: more comprehensive markets in ecosystems services, including carbon, water and biodiversity.

Health and wellbeing: dealing with history of trauma and dislocation and recognising contributions to well-being additional to physical health.

Workable fiscal arrangements: greater local influence over direction of funding and better local control over use of funds to maximise benefit from both public and private investments.

Planning: genuine community influence through bottom-up processes.

The Indigenous Experts Panel also argued that management of carbon stocks offered significant immediate opportunity for Indigenous people and was a serious omission from NAMF priorities. The Panel also emphasised the need to engage Indigenous people in all aspects of the NAMF process, including membership of all related working groups (Standing Committee, Beef Industry, Infrastructure Priorities). Full standing in all NAMF meeting and out-of-meeting communications was sought.

More comprehensive advice to NAMF4 at Alice Springs in July 2012 focused on outputs from the June 2012 Mary River Indigenous Experts Forum. They included a vision, supporting policy statements and an action-based planning framework, noting that more work would be required from the Indigenous Experts Panel to put meat on these bones.

A productive approach to Indigenous and northern development

An important product of the forum was a statement of features required in approaches to northern development to meet Indigenous needs and aspirations, which included:

- directly addressing Indigenous disadvantage and opportunity
- designing public investments in northern Australia specifically to, in addition to other benefits, improve Indigenous well-being
- acknowledging and working with customary connections between people and country
- working with communal title to land and finding new ways to secure capital for enterprise creation
- supporting local, bottom-up planning for generating incomes from Indigenous land
- linking Indigenous rights in resources, including commercial use, to ownership of land

- in land use planning, recognising and giving weight to new commercial uses like carbon farming and their integration with orthodox use
- requiring existing and new industries seeking public support and approvals to work collaboratively for Indigenous enterprise and employment
- drawing on the strengths of Indigenous culture and working with rather than against cultural norms
- charting pathways to reduced dependence on government, in part by actively building capacity in Indigenous communities.

This statement from the full Indigenous Experts Forum confirmed Indigenous Experts Panel concerns about gaps in the NAMF priorities and approach, namely:

- failure to deal with fiscal policy, specifically the way in which public funds are invested to support northern and Indigenous economic development
- weak recognition of Indigenous interests in land and resources as determining factors in northern development
- limited consideration of emerging economic opportunities like carbon farming and other offset industries
- no apparent commitment to deal with the idiosyncratic and sometimes conflicting approaches from different portfolios that compromise effective programs
- absent or weak strategies to engage corporates in Indigenous economic development
- in program design, no overt attention to the maintenance of Indigenous culture and its role in enterprise and reducing dependence on government
- too little investment in Indigenous leadership and
- no apparent strategy for formalising deeper and ongoing Indigenous involvement in decision-making for northern development.

To advance thinking about ways of filling these gaps, NAIEF constructed an Indigenous Futures Framework (IFF) which sets out principles and identifies areas where strategic action is required to strengthen capacity to take up and build conditions supporting sustainable development: in economic and commercial opportunity; protecting and using to advantage culture and heritage; conservation philosophy and practice; employment and infrastructure (including institutions); and in governance for and within Indigenous communities.

Given statements from NAMF highlighting the narrow remit within which they operate (see below), NAIEF also acknowledged an obligation to move beyond the conceptual and to identify specific projects or programs that, if adequately supported, would demonstrate how to operate within the IFF and show the many advantages accruing from its application.

NAIEF therefore put to NAMF seven specific proposals, five addressing directly commercial developments in:

- biosecurity services, focused on Torres Strait, Qld
- art and culture, focused on Turkey Creek, WA
- beef industry, focused on developing management skills in Indigenous enterprises across the north
- mapping of cultural values and options for land-based industry, and
- tourism, focused on Ngukurr, NT.

The proposals were put in the broad to NAMF4.

Ministers' responses to NAIEF propositions

The formal response from Ministers to NAIEF's initial propositions was first to note limitations on the NAMF remit to deal with many of the raised issues. They proposed that issues considered to fall outside their brief should be handled out of session and then primarily by referring NAIEF to relevant agencies.

Decisions were, however, made on some specific NAMF operational issues, namely Indigenous membership of the Beef Industry (BIWG) and Infrastructure Priorities (IPWG) Working Groups, acknowledgement of the significance of carbon farming and creation of a Carbon Farming Advisory Group. Ministers noted that they particularly sought propositions that clearly and directly connected with the Forum's role and on which they could take action in the short term. The offer to deal out of session with other, more fundamental cross-portfolio issues, does not appear to have resulted in any specific action from the Office of Northern Australia or approaches to NAIEF or NAILSMA from other relevant line agencies.

The response from NAMF to specific proposals put to Ministers in NAMF4 and NAMF5 was to support three projects, at least in principle:

1. Biosecurity and border control: Ministers acknowledged that this was a significant area of Indigenous opportunity and asked the Indigenous Experts Panel to work with DAFF to scope potential.

2. Beef Industry Strategy: Ministers indicated that opportunities should be sought within the existing BIWG programs.

3. Tourism: Despite in principle endorsement by Minister Crean, response was again to direct NAIEF to another agency (DRET) about access to existing funding programs.

In regard to cultural and natural resource mapping, NAIEF was asked to work with WA Department of Regional Development and Lands and the Expert Advisory Panel to scope links with other projects and opportunities under the NAMF. There was no direct response to the arts and culture proposal.

Other matters raised by NAIEF on which Ministers expressed views or raised issues included:

Ongoing relationship: Ministers agreed on the need for a plan or structure for Indigenous people to work in partnership to transform the north. They noted the need to continue and to strengthen the relationship with NAIEF but offered no guidance on mechanisms.

Aboriginal land trusts: Ministers raised the need for investments from trusts holding funds, including the Aboriginal Benefits Account administered by the federal government. It was not clear whether or how NAIEF might take action on these suggestions.

Public investment: Ministers acknowledged the need for ongoing public funding to meet Indigenous needs in remote areas and indicated that they would welcome NAIEF advice on design to take better account of cultural and social factors.

Infrastructure: Ministers recognised that infrastructure investments must go beyond immediate economic objectives and basic services to include facilities that help build social capital. They noted that hypothecation of taxes to specific purposes was outside the NAMF competence. There was no indication that Ministers would entertain propositions from NAIEF on infrastructure investments designed to build social capital (e.g. digital studios for producing images or sound, visual or performing arts spaces, other communication facilities). The absence of reaction to the proposal for arts development at Turkey Creek suggests not.

Indigenous role in decision-making: Ministers argued that commitment was evidenced by the substantial expenditure on NAIEF. That this arrangement was put in place after the NASF program was designed and approved was not discussed. Ministers regarded referral of rights in water and land tenure issues to the Expert Advisory Panel as a response to Indigenous input. WA sought greater involvement of Indigenous people on regional development commissions and related bodies.

Indigenous Futures Framework: Ministers agreed with the "balance" of framework principles and that successful programs would need to respond to local historical and social contexts.

Key Strategic Areas: Ministers noted the strong overlap between forum priorities and NAIEF identification of key areas for strategic action and agreed to support NAIEF to further develop their views.

In addition, at NAMF5, Minister Crean highlighted the strong connections between northern development and the government's commitments in the Asian Century White Paper (Australian Government 2012). This connection was highlighted in the formal forum communiqué (see Attachment 1A).

Whilst generally positive, Ministers' responses to NAIEF propositions did not extend to discussion of the mechanisms or processes for NAIEF and relevant agencies to work together to progress areas of broad agreement. For example, it was not clear whether ONA would take an active role in facilitating interactions with other agencies. Such ambiguity is undesirable, but it does provide an opportunity for NAIEF to frame options for wider and deeper engagement of Indigenous people in shaping northern development.

Evaluation of existing Northern Australian Sustainable Futures projects

The difficulties all governments experience in working effectively with Indigenous and remote communities have been well documented in many contexts (see summaries in Walker et al. 2012). Given Ministers' views that various components of the existing NASF program offer appropriate opportunities for Indigenous engagement and benefit, it may be useful to review briefly the most directly relevant components and connected activities. The elements considered here are:

- (1) Northern Australia Beef Industry Strategy
- (2) Sustainable development: building markets in environmental and land management services
- (3) North Queensland Irrigated Agriculture Strategy

Northern Australian Beef Industry Strategy⁶

This project has several more or less distinct components.

Assessment of contemporary risks and opportunities facing the northern beef industry: A desktop analysis completed by ABARES⁷. In regard to Indigenous interests, the report notes that the weakening of live export markets and constraints on diversification particularly compromise viability of Indigenous enterprises (Gleeson et al. 2012).

Indigenous Pastoral Project: Delivered by the Rural Industries Research and Development Corporation, this project develops a step-by-step framework to guide Indigenous pastoral businesses on how to become commercially viable and is expected to be complete in late 2013. The project is not presently funded to apply the framework to particular sites or groups.

Assessment of the sustainability and prospectivity of mosaic agriculture in northern Australia: This work is being done by CSIRO, who have been studying related issues for some years⁸, in conjunction with the Cooperative Research Centre for Irrigation Futures. No new reports appear to have been produced in 2012. In any event, it is unlikely that novel generalisations for northern Australia absent from earlier work will flow from a new desktop study. More relevant insights may be gained through site-specific studies where risks and benefits of particular options can be better compared (like the proposed Gilbert and Flinders Rivers studies).

Optimising livestock industry logistics and productivity improvements: This project considers logistic and other influences on productivity. It has evolved to include a component on land tenure reform, including "bankability" of Aboriginal tenures and impacts of current arrangements on investment (Anon. 2012). The tenure issue has been referred to the NAMF's Expert Advisory Panel for initial comment. It is unclear how far the task will go in

⁶ <http://www.regional.gov.au/regional/ona/nabis.aspx>

⁷ <http://www.regional.gov.au/regional/ona/files/20120621-abares-final-report.pdf>

⁸ see for example <http://www.clw.csiro.au/naif/documents/2008/RB-IrrigationMosaics.pdf> for a short summary

examining related issues like the operation of the *Native Title Act* or how Indigenous perspectives will be determined, or where the Panel will access other relevant expertise.

Supporting the development of meat processing capacity in northern Australia: This study, of the economic and operational feasibility of a north Queensland facility, is complete and concluded that a viable operation is plausible at Cloncurry to service a substantial "catchment", including large parts of the Queensland Gulf region. AACo is committed to development of a larger-scale facility south of Darwin.

Issues raised by project design and execution

Issues for Indigenous people in the design and conduct of the beef industry project as a whole (including matters arising from it) include:

- designed to deliver predominantly to existing industry participants
- no Indigenous involvement in initial selection and design
- belated Indigenous representation on the Beef Industry Working Group
- absence of commitments to support Indigenous pastoral enterprises to implement outputs from tasks like the RIRDC framework for commercial viability
- uncertainty about the scope and criteria for initial examination of tenure issues by the Expert Advisory Panel, particularly as they relate to native title and the status of other forms of Indigenous title. There appears to be some risk that directions could be set to particular agendas by a body ill-equipped to deal with such issues⁹.
- uncertainty about the matters that will be considered in analysis of the benefits and costs of changes in pastoral practice, even where , like mosaic irrigation, they involve potentially heavy use of water resources of critical interest to Indigenous people.
(Design of the Flinders and Gilbert Agricultural Resource Assessment suggests a narrow view of Indigenous interests and hence limited potential roles in decision-making.)

Reference to pilot studies at a number of sites mentioned in earlier documentation (see Whitehead 2012) does not appear in the more recent joint government and beef industry strategy (Anon. 2012).

⁹ This task has subsequently been completed with participation of the Indigenous Experts Forum

Sustainable development: building markets in environmental and land management services¹⁰

This project is to develop "a proof of concept for establishing an economic market in environmental and land management services in northern Australia". The project will also identify barriers to participation for Indigenous communities in managing Australia's environment and cultural heritage. It will go beyond government sponsored programs to identify options to expand relevant markets, with a particular focus on the requirements for broader participation of Indigenous communities.

The project is believed to have begun some time ago with a review of national and international literature, but so far as we are aware, no products are yet available. There has recently been some tentative contact made with NAILSMA.

Issues raised by project design

Issues for Indigenous interests with the project as described are:

- tardy and weakly conceived, indicated by failure in the project description to acknowledge markets already established overseas and nationally through steps like the Carbon Farming Initiative (CFI) and various environmental offsetting arrangements
- no evidence of participation of the architects of the CFI, especially those working on Indigenous interests, or recognition of expertise in Indigenous groups or their organisations
- failure to engage early with Indigenous interests, including the Indigenous Land Corporation (ILC), who have been involved in establishing environmental services projects in northern Australia as an important addition to more orthodox land use and
- uncertainty about the criteria that will be used to assess economic or other viability, given strong interactions among operational capacity for commerce and related publicly-funded land management programs directed at national conservation targets. Previous NAILSMA experience in coordinating related research shows that ill-informed or arbitrary and incomplete benefit-cost analyses may be highly misleading¹¹.

¹⁰ <http://www.regional.gov.au/regional/ona/bmelms.aspx>

¹¹ PJ Whitehead, unpublished observations

North Queensland Irrigated Agriculture Strategy¹²

This large (\$10 million) project uses the bulk of the NASF program funds. It seeks to build capacity for future commercial agricultural development through practical on- ground research. It draws on scientific expertise with local and commercial experience to assess potential for new irrigated agriculture in the Flinders and Gilbert catchments of north Queensland.

In the language of the project description, the Strategy aims to deliver regional benefits for local, commercial and government stakeholders, including equitable management of public resources, consideration of environmental and cultural issues, and requirements of private investors. The central goal is to identify and evaluate water capture and storage options, test the commercial viability of irrigated agriculture opportunities, and thoroughly assess environmental, economic and cultural impacts and risks. Most of this technical work will be done by CSIRO.

The Strategy will also support commercial agricultural development and build capacity by:

- working with local producers on enterprise practices and systems to maximise long-term viability
- establishing commercial benchmarks and best practice farming systems suited to the soils, climate and geology, and
- publishing key data online, including interactive web mapping systems.

Much of this work will be done by Queensland government agencies.

A Program Governance Committee and a Program Steering Committee provide leadership and monitor project outcomes. The Governance Committee is chaired by the Australian Government Department of Regional Australia, Local Government, Arts and Sport and includes senior representatives from the Queensland Department of Agriculture, Fisheries and Forestry (Q DAFF) and CSIRO, along with independent specialists with local experience and expertise. Indigenous representation is not specified although it appears unlikely that it would have been seen as necessary by the project developer (see below).

¹² <http://www.regional.gov.au/regional/ona/nqias.aspx>

Issues raised by project design

Issues with this project include:

- design without apparent Indigenous involvement
- apparent absence of Indigenous representation or expertise on governing committees
- narrow interpretation of Indigenous interests as predominantly cultural (in CSIRO 2012), despite the wider project objectives clearly impinging on Indigenous interests
- no apparent commitment to improved water allocation practice to provide for Indigenous commercial interests, despite the large amount of federally-funded work done on these issues¹³
- acknowledgement in project issues¹⁴ of Indigenous interest only in respect of grazing leases and then as a potential barrier (through mention of need to deal with native title: there would appear to be a number of registered claims over parts of the catchment of both rivers).

Summary and Conclusion

This brief review of the projects from an Indigenous perspective highlights many recurring issues challenging effective engagement on livelihoods development, as raised by the Indigenous Experts Panel in early submissions and in NAIEF's articulation of the principles underpinning an Indigenous Futures Framework. For example:

- Indigenous perspectives on and interests in pastoral and other industry development were apparently seen as too peripheral or too difficult to ascertain in a timely way, to warrant early Indigenous participation in fundamental decisions about areas of NASF program focus and design.
- When Indigenous interests were recognised, they were narrowly interpreted: sometimes as cultural quirks able to be lumped with environmental concerns, rather than as broad and deep and fundamental to livelihoods as non-Indigenous members of north Australian society; or as problems to be managed. This is evidenced most strikingly in the Queensland Irrigated Agriculture Strategy. In the project's issues register, the only reference to Indigenous interests in such development is as barrier.

¹³ See <http://www.nailsma.org.au/water-resource-management-0>

¹⁴ http://www.regional.gov.au/regional/ona/files/issues_register_final-20120720.pdf

- Recognition of apparently successful processes for integrating opportunities for Indigenous participation (in schemes for regional development associated with the Ord River) do not appear to have carried over to other projects, like the Gilbert and Flinders Rivers proposal. It is unreasonable to argue that it is too early to engage during feasibility assessments and that Indigenous familiarisation can be left for later, while at the same time expressing concern at delays or other problems caused by difficulties in negotiations over related tenure issues.
- NAIEF played no part in selection of skills for the Expert Advisory Panel to which such critical issues as water rights and land tenure have been referred. These are obviously much more than technical issues and it is far from clear how the Panel as constructed can be expected to deal meaningfully and equitably with such referrals.
- Failure to recognise and make use of relevant expertise in Indigenous groups and their organisations is striking, even in areas like ecosystem services delivery and water policy where Indigenous leadership has been acknowledged by both regulators and research collaborators.

With the exception of the modest RIRDC component of the Northern Australian Beef Industry Strategy project, in none of this work is it clear how outputs will be deployed to increase Indigenous opportunity. And even there it is unclear how Indigenous pastoral interests might access resources for application of the RIRDC outputs.

In the absence of additional cogent initiatives from the agencies involved, there would be some value (albeit constrained) in NAIEF developing either adjustments that are plausible in the limited time left for these particular projects or, more likely, follow on work that can pick up on the advances made, whether or not they were shaped to accommodate Indigenous interests.

More generally, NAIEF should advise NAMF of the failure of process in the NASF program to address the deep systemic problems in developing Indigenous livelihoods development and wellbeing in remote Australia (Smyth and Whitehead 2012; Walker 2012; Walker et al. 2012). Arguably more importantly, NAIEF should also grasp the opportunity to develop and promote options to support NAMF in its efforts to drive northern development, focusing on

ways to increase prospects of Indigenous people sharing directly in the benefits, especially through employment and enterprise development.

Implications of NAMF/NAIEF interactions

Ministers participating in NAMF do not appear to be authorised to offer political or administrative innovation for advancing Indigenous futures. Despite acknowledgment of arguments put about the many benefits of taking a wider view, Ministers appear to anticipate that north Australia's Indigenous people will work out how to take advantage of NASF programs and projects, even though they were chosen without direct Indigenous involvement and appear to have been designed primarily to advance other interests. This pragmatic view is perhaps understandable given the modesty of the funds at NAMF disposal and the relatively short life of the associated program.

However, acknowledgment of the constraints under which NAMF presently operates does not mitigate the impacts of the unusually poor consultative practice demonstrated in initial construction of the NASF program, despite a stated goal of genuine community engagement. It would appear that in most initiatives, Indigenous people were not considered by project architects as an especially relevant part of the north Australian community when they were translating the recommendations from the Northern Australia Land and Water Task Force into program design.

This may help explain the apparently *ad hoc* treatment of and reactions to Indigenous issues in the various components of the program. For example, NAMF papers cite with apparent support the Miriung and Gajerrong native title agreement that led to release of additional land for irrigated cropping in the Ord River. Extension into the Northern Territory under similar arrangements has been proposed. However, project documentation shows no apparent consideration of engaging native title interests in irrigation proposals for the Gilbert and Flinders regions: to provide early exposure to the ideas, assist with design of related studies and, perhaps in the longer run, to facilitate timely resolution of land tenure issues of the sort achieved by the Miriung and Gajerrong in WA.

Reticence may also be connected to a professional discounting of the technical contribution that Indigenous expertise could make to program and project design. The most egregious example of this disregard has been shown in the project in studies of markets in environmental services, which north Australia's Indigenous people have played a key role in

developing over decades (Yibarbuk et al. 2001; Russell-Smith et al. 2009). Even if the prospects of Indigenous technical input were dismissed as unlikely or inconsequential by non-Indigenous experts, surely the long, arduous and well-documented experience of workers in community development should have been enough to encourage a collaborative approach to this and all other studies? If local Indigenous people are to take seriously and ultimately to adopt outputs from such studies, then their views of relevance and quality also need to be treated seriously (Smyth and Whitehead 2012).

This sort of discounting perhaps also explains important procedural ambiguities, with new references to groups like the Expert Advisory Panel on issues of critical interest to Indigenous people made without apparent obligation to engage the NAIEF (e.g. on land tenure matters).

Clearly, there remains a tendency for bureaucracies located outside the region to approach management of Indigenous interests and roles in northern Australia as an obligation that while ultimately unavoidable, is tangential, confusing or too difficult: and so best deferred until attention becomes inescapable.

Having strongly made and had apparent acceptance of a number of important principles related to these and other issues, rather than make major investments of time to substantially reshape the opportunity presented by existing NAMF supported projects, arguably it will be more productive for NAIEF to redouble efforts to frame specific projects that (1) make best possible use of the outcomes from the existing NASF program while (2) demonstrating the utility of the approaches packaged in the NAIEF's Indigenous Futures Framework and building arrangements to apply them consistently. An especially important focus of that work will be to identify gaps in policy and practice that contribute to poor performance in regional and remote development, and the part that Indigenous organisations and individuals can play in filling them.

Indigenous economic and social development and other policy settings

NAIEF assumes that policy and process for northern development, and hence the approach adopted by the NAMF, will seek to complement and, wherever reasonable, advance other areas of federal, state and territory government policy. Here we consider how the NASF

program has been deployed to advance other major national policy commitments relating to Indigenous livelihoods and well-being and how it and future NAMF-directed work might be adjusted or, more likely, re-designed to optimise the match in the future.

Closing the Gap

Closing the Gap is a major organising framework for federal, state and territory Indigenous affairs policy, coordinated through the Council of Australian Governments (CoAG). "It acknowledges that improving opportunities for Indigenous Australians requires intensive and sustained effort from all levels of government"¹⁵. In the National Indigenous Reform Agreement (CoAG 2012a, b) all jurisdictions agree to pursue objectives, including those for economic participation, "through the broadest possible spectrum of government action".

The National Partnership Agreement on Indigenous Economic Participation seeks to halve the gap in employment outcomes in a decade (from 2008). Three elements agreed to meet that commitment relate mostly to redefinition of forms of publicly-funded employment, jobs within government or contracted work in delivering government services. The fourth relates to incorporation of Indigenous employment strategies in all other areas of CoAG activity. The CoAG Reform Council (2012), in reviewing progress in July 2010, noted no progress in developing Indigenous workforce strategies to accompany other CoAG policy reforms.

Key features of NASF design and delivery confirm failure in treatment of northern development initiatives. There appears to have been no obligation to link access to federal or state/territory support for major projects to real steps to secure direct and substantial Indigenous benefit. In the worst case, no provisions appear to have been made even to offer Indigenous people exposure to the ideas and explore Indigenous interest through the project design and implementation process.

It could not reasonably be claimed that there was a serious attempt from the participating jurisdictions to make NASF a substantial and direct contributor to the Closing the Gap agenda. Failure to engage Indigenous interests early in the process is particularly disappointing. Community capacity to take up opportunity is powerfully influenced by the time provided to first build confidence, skills and institutions for positive and productive engagement with other sectors, including industry, for mutual benefit (Walker et al. 2012).

¹⁵ http://www.coag.gov.au/closing_the_gap_in_indigenous_disadvantage

At the very least, NASF could and should have made significant contributions to understanding and capacity in the remote regions where it is immediately focused.

Approaches to Community Engagement

There is an enormous international literature on approaches to community development (e.g. Chambers 1993, 1994; DFID 2001) and, more recently, application of international livelihoods frameworks to remote and regional Australia (e.g. LaFlamme 2011; Smyth 2011; Whitehead et al. 2008).

High rates of failure of top-down, expert-driven developments have been well recognised and documented over decades. Despite NAMF commitment to Indigenous participation, it would be hard to characterise agency execution of NASF as other than a striking local example of the failed and mostly abandoned approaches previously used for delivery of international development aid: whereby disadvantaged communities are expected to adopt or find ways of taking advantage of the results, even though they played no part in their design.

This characterisation is reinforced by an examination of the federal government's own publications on quality community engagement¹⁶. They urge those seeking productive partnerships to:

- know the outcomes sought from engagement: in particular are people just being consulted or expected to be motivated or equipped to act on the outcomes?
- work out clearly and comprehensively who has an interest or who might be impacted by the work
- actively address barriers to participation
- work out timeframes to suit participants
- provide the resources needed to achieve proper engagement
- know whether those chosen for engagement have authority to speak for others.

NAMF argues that commitment to Indigenous involvement is demonstrated by the substantial and ongoing expenditures on the NAIEF. However, the history of the NASF program in general and timing of NAIEF involvement in particular combine to create Indigenous roles chiefly as spectator and/or more or less informed commentator, rather

¹⁶ For example, http://www.fahcsia.gov.au/sites/default/files/documents/05_2012/what-is-good-engagement-factsheet1_0.pdf.

than genuine actor with decisive roles in shaping and driving project choice and design to match Indigenous interest and capacity. The former, lesser role accorded by the approach to engagement is clearly incompatible with Closing the Gap commitments entered by all governments, and the federal government's own guidance on good process.

It may be too late to do much about the conduct of NASF now, but NAIEF should grasp the opportunities to design much better systems and approaches for future, larger steps in promoting Indigenous economic and social development as a keystone for sustainable northern development.

The Asian Century

The Asian Century White Paper (2012) and its policy development offshoots (DFAT 2012) could present immediate opportunities.

Asian Century sets out Australia's ambitions to build stronger positive relationships with the many nations of Asia, to benefit from the extraordinary trade opportunities they offer and to enhance Australia's security and standing in the region. In considering the ways in which Australia can optimise benefit, government has raised many issues of interest to Indigenous people. The simplest way of summarising connections is to consider those of the 25 national objectives that are particularly relevant to northern development and Indigenous affairs. Our selection of the most important is set out in Appendix 1B.

Here we discuss an array of objectives under a number of headings.

(1) Northern lands as a source of trade goods and services (Objectives 15, 19 and 21)

The White Paper makes much of opportunities for northern Australia. "Strong demand from Asia will support development across northern Australia from Western Australia to Queensland, including in Darwin" (page 9). Objective 15 relating to adaptability to structural changes in the economy commits the federal government to "work together with business and the Northern Territory Government to accelerate Darwin's evolution as a sophisticated, liveable city built around a gateway to Asia, and a regional hub for a large number of goods and services, through coordinated infrastructure, planning and international engagement activities". Australia will "explore options to extend this strategy to other well-positioned, high-growth centres in northern Australia as well as other regions across Australia with growing links to Asia" (page 19).

Proposals to support agriculture are explicit: Australia will increase "participation in Asia's markets through providing services to assist food and agricultural exporters, and support two-way investment with the Asian region in food and food processing, related transport infrastructure, natural resource management and water conservation to drive the development of Australia's regional and remote areas, particularly across northern Australia...." (page 22). Bilateral investment (with China) in north Australia's "large tracts of unused or under-utilised areas" is a recurring theme in Feeding the Future (DFAT 2012), with "large scale agricultural water and soil resources developments" posited for each of the 3 jurisdictions (page 8). The paper suggests that the "Northern Australia Ministerial Forum should consider holding a joint meeting with counterpart Chinese provincial ministers... " (page 9).

The ambitions expressed here run a long way ahead of local awareness, given that there have been no meaningful discussions with Indigenous landowners in the regions most likely to be involved. Again Indigenous roles (and caring for the environment) are presented as obstacle rather than opportunity: "some potentially sensitive issues will need managing, such as indigenous land-use rights and environmental management" (DFAT 2012; page 44). Recognising these issues as sensitive does not appear to have translated into particularly nuanced framing, nor to embrace the reiteration of commitment to Closing the Gap made in the White Paper proper (page 19).

(2) Full economic participation for all Australians (Objectives 1, 2, 13, 15,16, 21)

Framing of enthusiasm for agriculture might reasonably have been expected to offer connections with social objectives put strongly in the White Paper, built around equitable participation in the benefits of trade-driven northern development. A commitment to support participation of the socio-economically disadvantaged Indigenous owners of much of north Australia's land - and holders of native title in much of the (pastoral) remainder - would have been entirely compatible with the active role for government set out in other areas, including various forms of public support for industry. Failure to include such programs in this major new initiative clearly does not match the Closing the Gap rhetoric calling for the "broadest possible spectrum of government action" to support Indigenous economic participation.

If governments do not see their propositions for large scale agricultural development as also a unique opportunity to support realisation of Indigenous economic benefits from land

ownership in northern Australia, it is difficult to imagine what would be seen to warrant targeted and enthusiastic support.

The White Paper acknowledges patchiness in the standing of some regions and sectors in the Australian economy and commits to assist with transitions. Unfortunately, much of Indigenous northern Australia has little to transit from: there is a desperate need to create at least modest local economies. To repeat: it is inconceivable that Australia would fail to embrace development of the northern Australia's food production capability as a unique opportunity to work closely with Indigenous interests and to explore thoroughly all plausible options for economic benefit.

(3) High quality, accessible education systems (Objectives 9, 10, 11)

Efforts to address the failure of educational systems in many parts of northern Australia must be redoubled if Indigenous disadvantage is to be overcome and capacity developed for full participation in the Asian Century. Otherwise achievement of goals for general improvement in national educational systems reiterated in the Asian Century White Paper risk widening the gap for those disadvantaged by weak regional and remote institutions.

(4) Australia as an exemplar of social cohesion and cultural diversity (Objectives 16, 23, 24, 25)

The White Paper makes much of the opportunity to use the benefits of the Asian Century to enhance social cohesion, strengthened by cultural diversity. Presenting such an image to Asian partners and the Australian public will obviously be compromised if the geographical sources of enhanced trade continue to be sites of entrenched disadvantage for a culturally distinct group. Strenuous efforts, including a well-supported and comprehensive (say) "Indigenous participation in northern agriculture" program - as one member of a suite of economic development initiatives - are needed to avoid that risk. There are too few alternatives for Indigenous people and government to allow the agricultural opportunity to pass to others without serious effort to involve Indigenous landowners. A tendency to treat Indigenous interests as obstacle cannot be allowed to stand in an initiative that seeks to position Australia as a preferred supplier of high quality food produced in environmentally and socially responsible ways.

(5) Darwin as a highly liveable city and export hub (Objectives 3, 15)

Darwin already enjoys advantages as a multicultural centre with a relatively cohesive society; and hence as an attractive destination for industry and their skilled workers (see p. 184 of ACWP 2012). But that status will be increasingly hard to maintain if drift of disadvantaged people to the major centres is driven by failure of regional development strategies. To sustain attractive regional centres also requires investments in remote communities and their local economic futures.

If the problems of remote Indigenous northern Australia are not ameliorated, then far from being showcases of Australian progress, social cohesion and fairness, northern cities like Darwin will offer increasingly distressing displays of inequality and socioeconomic failure.

(6) Cultural exchange (Objectives 23, 24, 25)

The paper argues that "arts, culture and creativity can broaden and strengthen Australia's relationships in Asia Indigenous arts "demonstrate the vitality and uniqueness of Australian culture, which in turn assists Australia's national interests Ongoing interaction between Asia and our Indigenous cultures is crucial and will lead to outcomes in tourism, economic growth and cultural exchange".

This sophisticated view of the role of cultural understanding and exchange for strengthening ties with nations with living memory of colonialism cannot be reconciled with a weak or dismissive treatment of Indigenous interests in northern development. Clumsy portrayal of Indigenous interests in land as cultural complications to be "managed" (DFAT 2012), rather than celebrated or treated (for example) as stimuli for innovation around products and their branding, is clearly incompatible with "highlighting Australia's unique cultural advantage as home to the world's oldest living culture and one that welcomes great diversity" (page 26).

If the world's oldest culture is to be celebrated sincerely and to play a significant role in relationships with Asia, then a more secure footing in Australian society is required. A substantial role in creating products and managing the resources used to generate them should extend beyond the strictly cultural to include a more diverse, albeit distinct, Indigenous role in the Australian economy.

(7) Environmental Sustainability (Objectives 7, 19, 21)

Australia seeks to be a world leader in sustainable food production methods, in sustainable water use, and in biodiversity conservation. As part of that commitment Australia aims to

reduce carbon emissions by at least 5 per cent below 2000 levels and has set much more ambitious long term targets.

These ambitions will be seriously challenged by the pulse of emissions inherent in substantial agricultural development in northern Australia, requiring creative new approaches to land development, to which Indigenous people are especially well positioned to contribute. Indigenous land managers are already making major contributions to reduction of emissions from fire in natural landscapes. It has been demonstrated that much larger contributions are made through the sequestration of carbon in better managed landscapes (Russell-Smith et al. 2009). Government has recognised the significance of Indigenous methods and their potential application internationally, including in parts of Asia¹⁷. AusAid and the Department of Climate Change have approved support for the first stage of a major project to adapt Indigenous Australian methods to other settings.

Complementary actions in natural landscapes will be essential to offset emissions from new agricultural development and protect their environmental credentials in all of carbon, biodiversity and water management. The role of Indigenous people in environmental stewardship in northern Australia is already extremely important, but will be indispensable in landscapes undergoing substantial structural change for agricultural or other development.

The significance of this role adds to the already compelling arguments for entering into genuine partnership on agricultural and other northern development now, in tandem with growth of Indigenous businesses in delivery of environmental services. Indigenous lands and Indigenous skills will make essential contributions to agricultural development, whether or not those developments are sited on their lands. And that role extends to the seas. The northern components of the world's largest marine reserve network (page 156) will not be manageable without the active involvement of northern Australia's mostly Indigenous coastal people.

(8) Tourism

Asia is now the biggest source of visitors for Australian tourism at about 40 per cent of visitor arrivals: continued growth is expected. Indigenous Australians could be well positioned to take advantage of increased numbers. The White Paper identifies

¹⁷ <http://www.climatechange.gov.au/~media/Files/minister/combet/2012/media/December/Combet-JointMediaRelease-325-12.pdf>

opportunities for new tourism hubs in northern Australia built around the growth of these new Asian markets.

However, tourism is challenging for individuals and communities with limited exposure to the demands of service industries and difficulties in accessing finance for high quality facilities.

Development of sustainable high quality tourism experiences with sufficient density and diversity of experience in an *ad hoc* fashion is problematic. Regional strategies are needed to bring together assessments of both natural and cultural attractions, and timetables for building a suite of complementary experiences perhaps through joint ventures that offer expertise in exchange for access to new Indigenous sites (including exclusivity in some cases) and their associated experiences.

Federal, state and territory jurisdictions will need to play supporting roles (Wray et al. 2010) to generate coherent tourism development opportunities with the critical mass to sustain growth and reliably deliver high quality experiences in this and other remote parts of north Australia. It is particularly important that government and industry play active roles in dealing with critical issues that fall outside community responsibility or competence: government in infrastructure (particularly roads) and support with national and international exposure; and industry in design and branding of experiences, training and accreditation. Indigenous entrepreneurs will need to consider the sorts of experiences they are prepared to offer and ways of accessing capital to build robust businesses.

The Yolgnu Cultural Tourism MasterPlan¹⁸, which envisages a network of sites throughout Arnhem Land, maps a pathway to integrated and complementary experiences through partnerships.

Regional development planning

Over the last few years, various regional development plans, roadmaps and/or strategies have been developed through Regional Development Australia (RDA). RDA comprises a national network of committees supported by the Australian Government to bring together all levels of government. Early RDA plans for northern Australia were disappointing from an Indigenous perspective because, for example, they mostly catalogued existing programs and

¹⁸ <http://www.lirrwithtourism.com.au/tourism-masterplan.html>

had little to say about emerging opportunities (Whitehead 2012). Current plans are improved (e.g. RDAK 2012, RDAFNQ 2012, RDANT 2012), in part because they acknowledge challenges and propose some measures to deal with them.

However, their authors complain that the impact of RDAs is constrained by continuation of highly centralised government decision-making processes and weak coordination across agencies. Even when priorities of different levels of government are aligned, fragmented implementation is seen by regions as "disorder and waste" with little evidence of evolution towards greater local influence (e.g. RDANT 2012, p. 29). Weak development planning processes are exacerbated by conservation and resource allocation plans being done independently, often by different groups. Relationships with state or territory development institutions and their plans and strategies are ambiguous with, for example, the 2012 RDA plan for the Kimberley containing no mention of the WA Kimberley Development Commission except as a source of information. The RDAs themselves have no decision-making powers.

Ministers have asked NAIEF to promote greater involvement of Indigenous people in such forums. However, if roles are mostly symbolic, it would seem unwise to squander invaluable capability at the expense of on-ground or other more productive action.

Panel members and NAIEF participants are committed to support Indigenous individuals and organisations to play a strong and proactive part in regional development, especially in developing local capability for timely take up of opportunities. With access to unlimited capacity, Indigenous groups would involve themselves in all institutions with a direct or indirect, immediate or longer-term influence on northern development. But in the real world of tight constraints, Indigenous individuals and organisations are obliged to give priority to engagement where (1) influence is direct, immediate and substantial (2) potential benefits are well-matched to need and capability, and/or (3) participation efficiently builds real capacity to engage more effectively and on more fronts.

Government and community investments in individual capacity-building and, particularly, stronger and more effective regional and local Indigenous organisations can produce benefits relatively quickly through improved effectiveness¹⁹. Groups that take a strong role in local (country-based) planning (Smyth 2012) will be much better positioned to take advantage of funding programs for local development, whether organised under a northern

¹⁹ See papers at <http://www.aiatsis.gov.au/success.html>

regional development framework or more idiosyncratically. The significance of a coherent regional development commitment from government together with improvements in models for delivery of programs and local empowerment will be to give the confidence to locals and their institutions to invest more heavily in local initiatives.

Under present arrangements, greater engagement with bodies like RDAs may be seen as little more than frustrating distractions (Walker et al. 2012).

Summary of policy and planning context

The Asian Century White Paper indicates that Australia views Indigenous culture as an important asset in strengthening relationships in Asia. And Indigenous lands and land management skills will be essential to achieve both positive production and environmental outcomes from any serious development of agriculture as part of northern Australia's contribution to the Asian Century. Leaving Indigenous people out of the framing and implementation of northern development strategies or consigning them to largely symbolic roles will compromise the national economic interest and widen rather than narrow the socio-economic gap.

In promoting welcome recognition of the significance of Indigenous assets and improvement in mainstream educational and other performance, the ACWB also highlights the gulf that remains between realistic aspirations for mainstream Australia and residents of remote and regional Australia. Achieving many of the targets set or reiterated in the ACWB will "widen the gap" unless even greater progress is made regionally in the areas of Indigenous education, health, economic participation and well-being.

Given the ACWP's important acknowledgment of the significance of the Indigenous role in achieving Australia's national goals, it is distressing to see crude or tangential treatment of Indigenous issues - as already noted in some projects developed under the NASF - repeated in papers associated with Asia's interests in northern agricultural development (DFAT 2012). Offhand treatment by architects of these developments would appear to see Indigenous people, their culture and associated rights and obligations over land and resources as liabilities to be "managed", rather than as assets with the potential to make a critical contribution. These observations reinforce the extensive reviews of Walker et al. (2012) and their proposals for genuine change in the way that governments approach regional and remote development.

An arrangement like NAMF could play an important role in correcting flawed models through stronger protocols for engaging Indigenous people as full and valued partners in all aspects of northern development. The Asian Century White Paper would appear to add another layer of overarching policy authority, indeed obligation, for connections across portfolios and to drive real remote and Indigenous participation.

It has been argued frequently and convincingly that existing political and administrative structures and processes cannot accommodate the needs of remote Australia. The NAMF and its investments in NAIEF are important steps in a better direction, but the evidence suggests are not in themselves enough to bring other parties and agencies along far enough to make a real difference to Indigenous people.

Indigenous Futures in northern Australia: the roles of NAMF and NAIEF

A number of structures and institutions, ostensibly encouraging cross-jurisdictional approaches to the particular opportunities and challenges of remote and northern development, have come and gone, all having failed to make an enduring difference (Walker et al. 2012).

But so far as we are aware, there have been no arrangements equivalent to the creation and support for NAIEF and its close collaboration with a high level Ministerial forum. Support for NAIEF and the formal recognition of the greater priority that should be given to Indigenous Australians' interests in northern development are critical - and very welcome - developments.

However, as we have demonstrated, the NAMF/NAIEF experience to date illustrates some weaknesses in bridging the gap between the lived reality of north Australia's Indigenous peoples and the relevance of development options chosen and designed to meet the needs of other segments of mainstream society (especially those already active in a given sector) or to pursue predetermined government policy agendas. As has been recognised for decades in community development internationally, options accessible (for example) to experienced agriculturalists with access to substantial capital are not available to remote Indigenous landowners with little or no education and limited English and with different aspirations. It is necessary to build additional structures and processes designed carefully to

bridge these gaps, if Indigenous people are to deploy their lands and energies to help achieve northern development and foster Australia's ambitions for the Asian Century.

The Indigenous Futures Framework put together by the NAIEF identifies structures and processes needed to build some of the most important spans. Whilst the Framework remains a work in progress, it identifies some of the indispensable elements of a productive long term relationship among the Australian Government and the three north Australian jurisdictions and their Indigenous communities. Work should begin now on building strong foundations for optimal long-term engagement. And that engagement will require acceptance that retreat by government to a role mostly about setting macroeconomic context is not enough in remote regions. A much more active and intelligent partnership role is required.

Those foundations will necessarily include mechanisms for better supported and more regular exposure of Indigenous communities to the array of opportunities and challenges in accessing them. Capability will be built best by working through options and approaches conceptually and then through the experience of implementing well designed and well-supported projects. NAIEF or an equivalent body can develop and grow the networks needed for this proactive approach. But in tandem, much will need to be done by governments and industry to ensure that development pathways lead to durable outcomes and that those pathways are genuinely accessible to remote and Indigenous people.

An approach designed to secure the essential combination of Indigenous leadership and commitment and the active support of private interests and governments is set out in companion papers. These make no particular assumptions about the continuation of institutions like NAMF and its various advisory bodies. But they do assume enduring national commitment to northern development that is environmentally and socially sustainable **because** it is based on the full and equitable participation of the region's Indigenous people.

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ATTACHMENT 1A

Timetable of NAMF meetings and decisions

1st meeting Darwin 13 December 2010

- 1) Initial set of priorities
 - Indigenous employment and skills shortages
 - Infrastructure priorities
 - improved service delivery
 - water
 - energy
- 2) Announcement of Expert Advisory Panel and Indigenous Sustainable Development Forum (NAIEF)
- 3) agreement to use the "Commonwealth Government's *A framework for sustainable development of northern Australia* as the basis for a joint response to the taskforce report.

[note unable to locate a document of this title: perhaps means the NASF program]

2nd meeting Port Hedland, WA 28 July 2011

- 1) confirmed creation of IEF and naming of Chair and Deputy Chair, and expert advisory panel
- 2) agreement on coordinated approach to beef industry
- 3) identification of key issues for underpinning northern agriculture as:
 - flexibility of land use
 - availability of water
 - infrastructure
 - research focusing on east-west connections (?)
- 4) affirmation of obligation to engaging Indigenous Australians in development of the north.

3rd meeting Mt Isa, Qld 15 December 2011

- 1) acceptance of report on beef industry affirming importance of live export trade for north Australia

- 2) reiteration of commitment to work towards diversified production for a broad based and robust beef industry
- 3) agreement to develop a future work program with the forum
- 4) agreement to establish carbon farming advisory group, with NAIEF participation
- 5) proposal for integrated planning for infrastructure to promote northern development
- 6) seeking advice from Expert Panel on streamlining environmental approvals

4th meeting 5 July 2012, Alice Springs

- 1) restatement of priorities as:
 - broad-based strategy for sustainable Indigenous business and employment NAMF gave in principle support for 5 of 7 ideas presented
 - agreement to assist IEF to progress a number of key initiatives presented
 - Biosecurity and border control (to work with DAFF to scope potential)
 - Beef Industry Strategy (seek opportunities within BIWG)
 - Land use and cultural mapping (work with WA DG for Regional development and Chair of Expert Advisory Panel) to link with other projects
 - Tourism (scope opportunities through DRET funds under TQUAL extension)
 - Carbon (NAILSMA to scope opportunities through Greg Combet)
 - water for sustainable development
 - increased focus on cotton
 - Flinders and Gilbert catchments
 - expansion of Ord scheme into NT by TO interests
 - land tenure and water security to provide security for investment
 - partnership for planning and prioritising key infrastructure
 - timely release of land to support growth and ease cost pressures.

5th meeting Kununurra, 22 November 2012

- 1) development of agriculture a policy priority requiring commissioning of more work on opportunities and associated infrastructure needs
- 2) work done to "pave the way" for extension of the Ord scheme into NT: MoU signed
- 3) land access, land tenure, native title as next area of work for Expert Panel
- 4) agreement to release discussion paper on the carbon economy
- 5) discussion of a report and action plan for the beef industry

- 6) update from the Indigenous Experts Panel on progress with priority projects on "broad-based strategy to identifying and developing opportunities for sustainable Indigenous business and employment.

[note that sustainable seems to be used as code for not publicly-funded]

- 7) role of NAMF in advancing agricultural policy in the context of emerging Asian Century

ATTACHMENT 1B

Asian Century White Paper

The subset of objectives from the Asian Century White Paper (Australian Government 2012) that are arguably most relevant to Indigenous interests and roles in northern development.

Skills and education

1. All Australians will have the opportunity to acquire the skills and education they need to participate fully in a strong economy and a fairer society.

Innovation

2. Australia will have an innovation system, in the top 10 globally, that supports excellence and dynamism in business with a creative problem-solving culture that enhances our evolving areas of strength and attracts top researchers, companies and global partnerships.

Infrastructure

3. Australia will implement a systematic national framework for developing, financing and maintaining nationally significant infrastructure that will assist governments and the private sector to plan and prioritise infrastructure needs at least 20 years ahead.

4. Australia's communications infrastructure and markets will be world leading and support the rapid exchange and spread of ideas and commerce in the Asian region.

Tax system

5. Australia's tax and transfer system will be efficient and fair, encouraging continued investment in the capital base and greater participation in the workforce, while delivering sustainable revenues to support economic growth by meeting public and social needs.

Regulatory reform

6. Australia will be among the most efficiently regulated places in the world, in the top five globally, reducing business costs by billions of dollars a year.

Environmental sustainability

7. The Australian economy and our environmental assets will be managed sustainably to ensure the wellbeing of future generations of Australians.

Through schools

9. Australia's school system will be in the top five schooling systems in the world, delivering excellent outcomes for all students of all backgrounds, and systematically improving performance over time.

11. All Australian students will have the opportunity, and be encouraged, to undertake a continuous course of study in an Asian language throughout their years of schooling.

12. Australia will remain among the world's best for research and teaching in universities, delivering excellent outcomes for a larger number of Australian students, attracting the best academics and students from around the world and strengthening links between Australia and the region.

Through the vocational education and training system

13. Australia will have vocational education and training systems that are among the world's best, building capability in the region and supporting a highly skilled Australian workforce able to continuously develop its capabilities.

Adaptability

15. Australian communities and regions will benefit from structural changes in the economy and seize the new opportunities emerging in the Asian century.

Social foundations

16. Australia will be a higher skill, higher wage economy with a fair, multicultural and cohesive society and a growing population, and all Australians will be able to benefit from, and participate in, Australia's growing prosperity and engagement in Asia.

17. Australia's businesses will be recognised globally for their excellence and ability to operate successfully in Asian markets.

Australia's agriculture and food sector

19. Australia's agriculture and food production system will be globally competitive, with productive and sustainable agriculture and food businesses.

21. The region will be more sustainable and human security will be strengthened with the development of resilient markets for basic needs such as energy, food and water.

Deeper and broader relationships

22. Australia will have the necessary capabilities to promote Australian interests and maintain Australia's influence.

23. Australia will have stronger and more comprehensive relationships with countries across the region, especially with key regional nations—China, India, Indonesia, Japan and South Korea.

24. Australia will have deeper and broader people-to-people links with Asian nations, across the entire community.

25. Australia will have stronger, deeper and broader cultural links with Asian nations.

ATTACHMENT 2

Form and contents of a prospectus

A Prospectus covering such a broad topic as the Indigenous role in northern development will differ from a document produced by a company seeking investors or a not-for-profit organisation seeking donors for a specific project. However, to meet the expectations of would-be investors familiar with a conventional Prospectus, contents should address most of the following issues:

Overview (a quickly accessible summary)

The invitation: setting out the source of the invitation to invest and its authority

Being clear about this is important so that would-be investors know how serious the opportunity is and how to take the next steps.

The proposal in brief: Why invest?

Briefly outlining levels of land ownership and other interests in land and resources in northern Australia, and the types of activities in which investment is sought. How investments might be used and the difference appropriate investments will make in the capacity of landowners and communities to benefit from ownership. What sorts of benefits are anticipated, including training, employment, joint ownership? May include brief statements of the sorts of benefits that have been delivered by related investments.

Organisation(s): Who will investors be dealing with?

Names of organisations who endorse the Prospectus and brief details of each, including roles, authority and contacts. Details of the management expertise and support (legal, financial, technical) available should be given. Obviously needs to

relate to the invitation to invest and its authority.

Key information: Explanation of conditions and any necessary disclaimer

The scale and scope of investments sought. Any limitations. Principles and processes for engagement with named organisations and the regional and other bodies to whom investors may be directed. Detailing the legal and moral obligation to work in good faith with Indigenous interests. Referring readers to Appendices for full detail.

A disclaimer may be required to make clear that the invitation does not comprise a prospectus under the terms of the Corporations Act or other relevant law and that investors should seek independent advice etc.

Map: What is the geographical reach of the invitation?

A map showing the extent of Indigenous land ownership, native title interests (determined) and claims. Key numbers (e.g. total area in ownership) might be summarised in a table.

Value proposition (the investment opportunity in greater detail)

Indigenous organisation(s): who and what are the organisations and why are they involved? Their legal status, details of management structures and related governance processes. A brief history.

Organisations' work: what do the organisations do?

Programs and activities. An outline of the statutory or otherwise endorsed roles of the organisations. The support and services they offer in facilitating and approving (if required) investments. Examples of relevant investments previously secured and results obtained. The willingness and capacity of the organisation to innovate.

Organisations' resources: the organisations' capacity and access to support the investment

opportunity.

Organisations' impact: what roles do the organisations take and why should they be involved?

Demonstrations of the organisations' capacity and commitment to facilitate favourable investments. Credibility with Indigenous and other investors. Steps that have or will be taken to minimise costs and to complete obligations in a timely way. How has or will the organisation support all investors to secure optimal returns on investment, whatever the type of benefits sought?

Investment proposals: what are the co-investment opportunities, what do Indigenous investors expect and what can other investors expect?

The core of the Prospectus, showing how investors can contribute, and indicating:

- the vision or outcomes to which investments will contribute
- the sorts of opportunities available on Indigenous lands that Indigenous landowners and managers are presently interested in pursuing, including any types of activity that will not be considered
- services that Indigenous land, sea and resource managers are able to offer
- why those investment opportunities should be particularly attractive to investors
- the forms of investment that will be favoured
- forms of agreement that will be favoured, including preference for joint venture, maximum lengths of lease
- nature and scale of benefits that Indigenous landowners and managers will seek.

Risks and risk management: what could go wrong and what controls are in place?

Full and candid acknowledgement of all classes of risks and how they will be managed. Issues to be covered include industry or sector risks, financial risks, risks particular to Indigenous lands including cultural constraints on some activities, regulatory and political risks, and organisational performance risks.

Additional information

How to invest: ways for interested parties to follow up, making the process as clear and as simple as possible.

Additional detail: information that does not fit conveniently elsewhere.

Appendices: documents that anticipate questions and, in particular, provide details of engagement protocols, examples of successful investments, immediate opportunities for new investment, or verification of claims.

ATTACHMENT 3

Indigenous enterprise and agricultural land development in the Asian Century

Background

Australia seeks a growing role in Asia as a preferred source of resources and services, including high quality food. The nation seeks to show how cohesiveness of purpose and policy delivers and sustains improved well-being across all of its diverse society, irrespective of location. And that growth in production can be achieved in environmentally positive ways.

However, the role of Australia's Indigenous people in this vision is marginalised: as cultural ambassadors and evidence of a national desire and capacity to embrace diversity. And some documentation connected with the Asian Century contradict even this narrow view by implying that Indigenous culture with its strong connections to land acts as barrier rather than opportunity. There is too little recognition of the role that north Australia's Indigenous people must play as producers of both goods and services to achieve the Asian Century ambitions.

This proposal seeks support to redress that imbalance by establishing how Indigenous lands and people might contribute to agricultural development in northern Australia and, in tandem, how Indigenous resource management skills on other lands can offset the environmental consequences of accelerated agricultural development.

Key issues

- Are significant area of Indigenous land apparently suitable for agricultural (including intensive pastoral) development?
- Are those areas located with infrastructure capable of supporting development?
- Where are landowners sufficiently interested in development potential to warrant investments in detailed planning?
- What are the implications for allocation of water?

- What policy and institutional change will be necessary to support agriculture on Indigenous lands?
- How can environmental impacts of mosaic developments be offset on linked or separate sites by other land management activity?

Objectives

- (1) Establish and summarise, using existing data, where on the north Australian Indigenous estate availability of suitable soils and water most favour agricultural development;
- (2) select a number of sites for more intensive examination based on both biophysical criteria and Indigenous landholder and community interest;
- (3) examine the environmental and social implications of agricultural development on Indigenous lands, focusing on issues of water and carbon management and livelihoods created;
- (4) assess implications for water policy, particularly regarding allocations through water plans to Indigenous reserves available for commercial use;
- (5) determine the carbon management options available to Indigenous land managers to offset emissions attributable to agricultural development, whether that development is on their own lands or other lands held under non-Indigenous title;
- (6) improve understanding of the place of Indigenous products in Asian markets;
- (7) build an Indigenous agriculture framework for north Australia, setting out the opportunity and the steps required to establish economically, environmentally and socially sustainable developments; and
- (8) communicate the benefits and costs of agricultural development and assist committed groups to develop business and environmental management plans.

Approach

- Establish an Indigenous Agriculture working group comprising representatives of state and territory and commonwealth governments, industry, Indigenous landowners, and research organisations, and led by members of the NAIEF.
- set milestones for the group to (1) provide the information base for Indigenous familiarisation with the nature and scale of opportunity (2) identify markets matched to Indigenous opportunity (3) work with Indigenous landholders to review and refine

options (4) develop specific proposals (5) obtain funding for investments in development at the most suitable sites.

- integrate work with development of Community Action Plans
- report to NAMF regularly, seeking support for agreed projects.

Potential participants

NAILSMA, ILC, CDU, CSIRO, NT DLRM, Q DNRM, WA DAF, DAFF, SEWPAC, KLC, NLC, CYLC, agricultural and horticultural industries.

ATTACHMENT 4

Indigenous-managed tourism in the Asian Century: an industry development pathway for north Australia

Background

Indigenous-managed tourism based on both natural and cultural heritage appears to offer special opportunity for enterprise development in northern Australia. The Asian Century White Paper argues that Indigenous businesses should be positioned to take advantage of growing interest from Asia. The connected area of Indigenous arts and crafts has been an enduring success. However, direct Indigenous involvement in the tourism industry proper remains fragile: present levels of sustained participation are often low.

In part slow development and continued weakness can be attributed to issues of scale and hence diversity and reliability of access at individual locations. Continuity and diversity are features that sustain thriving arts and crafts markets. But in other areas of experience, there are few regions where groups have collaborated to offer complementary services or alternatives so that visitors still have options when one operation is temporarily unavailable or closes. Larger operators cannot confidently include remote or regional Indigenous businesses in their itineraries or packages. Crossing thresholds from isolated experiences to a robust regional suite of attractions requires coordinated support from individuals, communities, industry and governments.

This proposal develops mechanisms for strengthening existing and encouraging development of new Indigenous tourism ventures to complement each other in resilient regional enterprises.

Key issues

- What experiences do visitors to northern Australia seek in exposure to Indigenous culture?
- What experiences are Indigenous individuals and communities interested in and positioned to offer visitors?

- Should the mismatch between expectations and the deliverables be narrowed and, if so, how?
- What are the most favourable mechanisms for accessing capital and skills for aligning interest and capability with visitor expectations?
- Which regions offer good prospects for complementary experiences and sufficient redundancy to cope with employee and enterprise turnover?
- What is the most appropriate role for government in developing regional tourism capabilities?
- What incentives will established industry players require to enter into joint ventures with Indigenous interests?

Outcomes

- (1) Economically and socially realistic assessments of options for establishing new businesses and building resilient regional tourism clusters.
- (2) Identification of sites/regions with potential to (1) build around established local markets (2) drawing on well-developed capabilities in related areas (e.g. land and wildlife management) and (3) strong biophysical and cultural attractions warranting new developments.
- (3) Engagement with potential joint venture partners.
- (4) Agreements for governmental support at all relevant levels.
- (5) Several regional tourism development programs

Approach

- Establish a Northern Indigenous Tourism Working Group to refine key questions and the specific outcomes sought.
- Commission that group to establish within- and cross- regional processes for addressing key issues.
- Develop written and other materials for communicating information on visitor expectations and the demands they create to interested individuals, groups and communities.
- Develop regional outlines summarising opportunities and constraints for informed and focused discussions with industry and governments.

- Facilitate development agreements among Indigenous individuals and communities, industry and government.
- Assemble funding to facilitate implementation.

Potential participants

NAISMA, NLC, SCU, CDU, DEEWR, DRET, Tourism Australia, NTTC, TSRA etc

ATTACHMENT 5

Indigenous involvement in wild-catch fisheries

Background

All northern Australian jurisdictions have policies (at least in draft) for Indigenous participation in commercial fisheries, but ambitions are limited and activity minor. Provision is made in law for local Indigenous fisheries but licences permitting sale of fish are usually restricted geographically or to non-commercial species.

The present Indigenous role is mostly confined to minor support to engage in local surveillance of illegal fishing activity, mostly through Indigenous Ranger groups.

Torres Strait Islanders have the most developed rights, including ownership of the local finfish fishery with associated systems for management of incomes from leasing of licences to provide for building capacity for greater Indigenous involvement in the fishery.

Key issues

- How can Indigenous land and sea owners make better use of commercial opportunities in wild-catch fisheries?
- How can the management and surveillance role be improved to provide better security of the fish resources and generate stable incomes for Indigenous Sea Ranger groups?
- How can experience with local licensing arrangements be built into pathways for greater participation and ultimate ownership of commercial fisheries in traditional waters?

Outcomes

- (1) Shared understanding of opportunities for Indigenous participation in fisheries and constraints on effective participation
- (2) Increased involvement of Indigenous people in all aspects of commercial wild-catch fisheries, ranging from casual employment to ownership.
- (3) Strengthened and formalised role for Indigenous people in all aspects of fisheries resource management, particularly surveillance and enforcement in remote areas.

Approach

- Establish an Indigenous Fisheries and Sea Management Working Group
- Commission that group to identify obstacles to greater Indigenous participation in fisheries and ways of removing or ameliorating those obstacles.
- Ensure that the Working Group makes significant contributions to the FIRDC Indigenous Reference Group
- Develop pathways for increased involvement of Indigenous people in wild-catch fisheries and reach agreement with governments on processes for deploying those pathways

Potential participants -NAILSMA, ILC, NLC, KLC, TLC, TSRA, CYLC, SEWPAC, DWEER, DRET, Q-DAFF, NT DPIF, WA DoF

ATTACHMENT 6

Indigenous pastoralism: new options in intensification and diversification

Background

Indigenous pastoralists receive support through the Indigenous Land Corporation and its programs like the NT Indigenous Pastoral Program, working with state and territory governments and land councils. These operate mostly in "traditional", extensive pastoralism at sites with a long history of Indigenous involvement. Decisions about participation often draw on experience and expectations developed under very different industry and economic circumstances.

Groups in other landscapes with no recent pastoral history and with different options are unlikely to become involved in such schemes. It is desirable that, to complement investigations of mosaic agriculture built around irrigated horticulture or cropping, different models of engagement with the pastoral industry are explored and communities gain understanding of the benefits and costs of different options.

This proposal provides for investigation of options by teams made up of community members, governments and research agencies. In some cases this will involve existing participants in looking at new ways of combining pastoral use with other enterprise like tourism or carbon farming and in others examining pastoral opportunities for the first time. In combination with other proposals, it will support interested groups to prepare informed property development plans. It is anticipated that at several sites, groups demonstrating strong interest and commitment will be eligible for support for implementation of pastoral development initiatives.

Key issues

- what areas of Indigenous land presently in the pastoral estate should consider and can sustain changes in intensity of pastoral use, including modifications to intensify use of parts of properties or combining extensive use with other enterprise?

- what areas of Indigenous lands outside the present pastoral estate have the potential to sustain pastoral development, especially in combination with other land uses?
- which Indigenous land-holding groups are interested in exploring new or changed patterns of pastoral use?
- how can pastoral use be productively combined with other use?
- what are the optimal combinations of land uses for economic returns, rewarding livelihoods and cultural renewal?

Objectives

- (1) Establish and summarise, using existing data, where on the north Australian Indigenous estate availability of suitable soils and water most favour pastoral use, including localised options for intensification of existing use;
- (2) select a number of sites for more intensive examination based on both biophysical criteria and Indigenous landholder and community interest;
- (3) examine the environmental cultural and social implications of introducing new or intensifying existing pastoral development on Indigenous lands;
- (4) assess implications for carbon and water management, including ways of offsetting environmental effects of intensification;
- (5) improve understanding of the place of Indigenous products in Asian markets;
- (6) investigate options for integrating pastoral use with experiential tourism;
- (7) build an Indigenous pastoral development framework for north Australia; and
- (8) communicate the benefits and costs of agricultural development and assist committed groups to develop business and environmental management plans.

Approach

- Establish an Indigenous Pastoral Development working group comprising representatives of state and territory and commonwealth governments, Indigenous landowners, and research organisations, led by members of the NAIEF
- set milestones for the group to (1) provide the information base for Indigenous familiarisation with the nature and scale of opportunity (2) identify markets matched to Indigenous opportunity (3) work with Indigenous landholders to review and refine

options (4) develop specific proposals through informed property development plans (5)
obtain funding for investments in development at the most suitable sites

- integrate work with development of Community Action Plans and other regional development initiatives
- report to NAMF regularly, seeking support for agreed implementation projects.

Potential participants

NAILSMA, ILC, CDU, CSIRO, NT DLRM, Q DNRM, WA DAF, DAFF, SEWPAC, KLC, NLC, CYLC, industry.

ATTACHMENT 7

Indigenous engagement in aquaculture

Background

Commercial aquaculture may require large areas of coastal land and sources of high quality fresh and saline waters. Indigenous people in north Australia have large areas that may be suitable, but their use is challenged by limited infrastructure, distance from markets, weak access to capital, challenges in sourcing feeds, and difficulties in securing on site the high levels of technical skills needed to develop and maintain viable, environmentally sound operations.

Ventures that rely on less fragile technology - like using natural environments modified to protect vulnerable life cycle stages and ambient sources of nutrients - may be preferred but offer lower levels of employment. The difficulties are illustrated by the fact that farming of crocodiles, which tolerate a wider range of conditions than many other species, has often failed in remote areas.

Decisions about participation in aquaculture ventures are therefore complex and require considerable analysis and planning prior to commitment.

Key issues

- What features are associated with successful remote area aquaculture?
- what areas of Indigenous land offer these features?
- which communities have had relevant experience and maintain interest in participating in aquaculture developments of any type?
- what markets are available and likely to offer premiums for Indigenous sourced products?
- what novel products might warrant consideration?
- can highly favourable sites for existing or novel products be identified?
- what models for development of opportunities are likely to be acceptable to Indigenous landowners and offer the level of benefits sought from participation?

- what barriers to participation are most important and which are most readily dealt with by investments by government, industry and/or communities?

Outcomes

- (1) Shared understanding of options and the conditions and levels of support needed to implement them.
- (2) Identification of the most favourable candidates for development and understanding of commitments required from communities to achieve success.
- (3) Input to decisions about infrastructure developments in coastal regions
- (4) Prospectus for investment.

Approach

- Establish an Indigenous Fisheries and Sea Management Working Group
- Commission that group to identify obstacles to greater Indigenous participation in aquaculture and ways of removing or ameliorating obstacles.
- Ensure that the Working Group makes significant contributions to the FIRDC Indigenous Reference Group.
- Develop pathways for increased involvement of Indigenous people in aquaculture and reach agreement with governments on processes for deploying those pathways

Potential participants

NAILSMA, ILC, NLC, KLC, TLC, TSRA, CYLC, SEWPAC, DWEER, DRET, Q DAFF, NT DPIF, WA DoF

ATTACHMENT 8

Indigenous enterprise and employment in environmental services

Background

Australia seeks a growing role in Asia as a preferred source of resources and services, including high quality food. The nation seeks to show how cohesiveness of purpose and policy delivers and sustains improved well-being across all of its diverse society, irrespective of location. And that growth in production can be achieved in environmentally positive ways.

The role of Australia's Indigenous people in this vision is marginalised: as cultural ambassadors and evidence of a national desire and capacity to embrace diversity. There is too little recognition of the role that north Australia's Indigenous people must play as producers of both goods and services to achieve the Asian Century ambitions. And especially in striking a workable balance between rapid development and good environmental outcomes that maintain cultural values.

This proposal complements proposals for Indigenous participation in agriculture and more intensive pastoralism by establishing how Indigenous lands and resource management skills can offset the environmental consequences of accelerated agricultural and other development. Unfortunately NASF's project "Sustainable development: building markets in environmental and land management services" was designed and implemented without serious Indigenous engagement, but may nonetheless provide some relevant insights.

Key issues

- What array of environmental services and enhancement of resource availability and condition can Indigenous lands and skills provide?
- What markets presently exist for such products and services and what are their likely trajectories?

- What is or could be done by federal, state and territory governments to build existing markets or create new ones to advance the public good by overcoming present market failure?
- Which regions and Indigenous groups are best placed to take up existing opportunities and build new and emerging options?
- What structures and processes are necessary to build robust Indigenous enterprises and enduring employment in this area of work and how should they be supported?

Objectives

- (1) Review outcomes from the NASF "Sustainable development: building markets in environmental and land management services" project to determine relevance to Indigenous land owners and land managers;
- (2) establish and summarise, using existing data, where on the north Australian Indigenous estate sound management of land and resources contributes strongly to the public interest, including availability of natural resources available to other users;
- (3) improve understanding of the place of Indigenous products in national and international markets;
- (4) review federal, state and territory environmental offset policies to increase opportunities for access by Indigenous service providers;
- (5) select a number of sites for more intensive examination based on both biophysical criteria and Indigenous landholder and community interest in developing businesses based on provision of environmental services and protection of ecosystem services;
- (6) assess implications for policy in natural resource management including water and biodiversity;
- (7) develop specific large scale projects for implementation; and
- (8) communicate the benefits and costs of engagement in these industries and assist committed groups to develop business and environmental management plans.

Approach

- Establish an Indigenous Environmental Services working group comprising representatives of state and territory and commonwealth governments, industry, Indigenous landowners, and research organisations, and led by members of the NAIEF

- set milestones for the group to (a) provide the information base for Indigenous familiarisation with the nature and scale of opportunity (b) identify markets matched to Indigenous opportunity (c) work with Indigenous landholders to review and refine options (d) develop specific proposals (e) obtain funding for investments in development at the most suitable sites.
- integrate work with development of Community Action Plans including proposals for orthodox development
- report to NAMF regularly, seeking support for agreed projects.

Potential participants

NAISMA, ILC, CDU, CSIRO, NT DLRM, Q DNRM, WA DAF, DAFF, SEWPAC, KLC, NLC, CYLC, agricultural and horticultural industries.



Looking after Our Country... Our Way

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