NAILSMA

NORTH AUSTRALIAN INDIGENOUS LAND AND SEA MANAGEMENT ALLIANCE

Knowledge Series

Supporting Indigenous livelihoods

Appropriate scales of governance

P Sullivan and C Stacey

Australian Government

Department of Sustainability, Environment, Water, Population and Communities

National Water Commission

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Supporting Indigenous Livelihoods

Appropriate Scales of Governance

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2012

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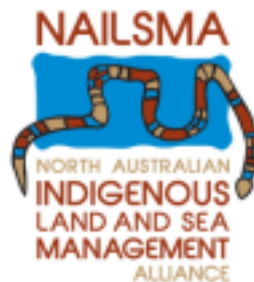
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Patrick Sullivan and Gooniyandi elders at Fitzroy Crossing April 2012

Part One: Project Report

Executive Summary

This project was contracted to Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) by the North Australian Indigenous Land and Sea Management Alliance (NAILSMA) and funded by the Commonwealth government's Northern Australia Water Futures Assessment (NAWFA), a division of the National Water Commission (NWC). The project team has worked within compressed timelines, over an area of considerable geographical reach, and with an ambitious range of subjects to investigate. It aimed to:

Focus on how well local governments, state governments and the Commonwealth government cooperate together to assist, encourage and support local self-management. If these three levels of government are not working well with the catchment management groups the project will try to understand why. At the end of the project recommendations will be made about how cooperation can be improved and how sustainable employment opportunities can be supported;

and

produce a report for NAILSMA and the participants that:

- *describes the representative groups and networks for environmental management in the catchment or locality;*

- *assesses the current ability of these representative groups and networks to actively manage land and water, influence policy, and control development; and*

- *assesses relevant government agencies and their ability to work together, and suggests improvements in their processes.*

These aims have been achieved through reference to relevant literature illustrated with selected case examples. NAILSMA chose three widely separated river catchments as research sites – Mitchell River (QLD), Daly River (NT) and Fitzroy River (WA). Remoteness and distance precluded fine-grained fieldwork within the timeframe, but visits to Aboriginal ranger groups and regional Aboriginal reference groups or representatives were made in each of the catchment areas. Impressions gained from these visits have informed background analysis of Indigenous public administration and

Cultural and Natural Resource Management (CNRM) in this report.

The report describes how complexity, volatility and diversity require pragmatic experimentalist adaptive eco-system management at the local and regional scales, within an accountability framework of relational contracting. These terms are discussed in the report. Rather than criticise the duplication and fragmentation of government programs, the report suggests administrative complexity may be supportive of these goals, providing that Aboriginal organisations have appropriate technical support and equipment to deal with it.

Recommendations

- That the senior leadership within government departments support and encourage their regional staff to negotiate flexibly with Aboriginal regional and local environmental organisations over activities, targets and outcomes in an ongoing manner.
- Government departments and regional Aboriginal organisations continue their firm emphasis on standard work practices and conditions for local environmental work groups. Insistence on standard work practices is a particular strength of the Working on Country program and this should be supported by mentoring, appropriate training stages at each level of the workforce, casual and part-time employment where necessary, and flexible provision for cultural leave.
- Standard work practices should continue to be supported by mainstream standard levels of remuneration.
- Major funders, such as SEWPaC should encourage local environmental management groups to expand their workforces and diversify their activities and sources of income.
- Regional organisations such as the Kimberley Land Council and the Northern Land Council should be resourced to establish business units to assist local Aboriginal environmental groups to find seed funding and advice for country-based ecologically sustainable business ventures.
- Recognising that Aboriginal groups bring a substantial unique resource to environmental management – their local practical and cultural knowledge transmitted through generations – maintenance and transmission

of cultural knowledge should be encouraged as an important component of their work programmes.

- Recognising the range and complexity of activities carried out by local Aboriginal environmental groups, seasonal constraints on the type of work they can perform, and the diversity of programs that they must report under, sophisticated yet user-friendly software and ICT equipment should be supplied to assist them in planning and reporting on their activities. As far as possible this should be standardised across localities, regions and jurisdictions.
- NAILSMA is encouraged to open discussions with the Kimberley Land Council, the Kimberley Aboriginal Law and Culture Centre and relevant government departments, as well as Rangelands WA, to cooperatively work to re-establish a catchment management advisory committee for the Fitzroy River.

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Whole of Government and Sustainable Livelihoods

1. Project Outline

This project was contracted to AIATSIS by NAILSMA and funded by the Commonwealth government's Northern Australia Water Futures Assessment (NAWFA). It was carried out by Dr. Patrick Sullivan, an anthropologist and Senior Research Fellow at AIATSIS, with the assistance of Claire Stacey, a Senior Project Officer with AIATSIS. The project was first proposed in April 2010 following discussions between Michael Storrs of NAILSMA, Joe Morrison, NAILSMA CEO, and Joe Ross, Chair of the Northern Australia Land and Water Task Force. Because of personnel changes on both sides, the project did not progress until October 2011, and so has been constrained by compressed timelines. The choice of three widely separated river catchments as research sites – Mitchell River (QLD), Daly River (NT) and Fitzroy River (WA) – precluded fine-grained fieldwork within the timeframe. Nevertheless, visits to Aboriginal ranger groups and regional Aboriginal reference groups or representatives were made in each of the catchment areas.

Though limited, the impressions gained from these visits have informed background analysis of Indigenous public administration and Cultural and Natural Resource Management (CNRM) in this report. It first outlines the project and the challenges of location and topic. It then discusses the background to whole of government service delivery in Indigenous affairs and CNRM. This is followed by a description of the scales of Indigenous CNRM administration – local, regional, state, and national. The following sections of the report describe how complexity, volatility and diversity require adaptive eco-system management at the local and regional scales, within an accountability framework of relational contracting. These terms are discussed in the report. Rather than criticise the duplication and fragmentation of government programs, the report suggests administrative complexity may be supportive of these goals, providing Aboriginal organisations are equipped to deal with it.

At the start of the project a brief research outline was distributed to potential research participants (Appendix Two) that proposed that:

The project will focus on how well local governments, state governments and the Commonwealth government cooperate together to assist, encourage and support local self-management. If these three levels of government are not working well with the catchment management groups the project will try to understand why. At the end of the project recommendations will be made about how cooperation can be improved and how sustainable employment opportunities can be supported.

Additionally, the project will produce a report for NAILSMA and the participants that:

- Describes the representative groups and networks for environmental management in the catchment or locality

- Assesses the current ability of these representative groups and networks to actively manage land and water, influence policy, and control development

- Assesses relevant government agencies and their ability to work together, and suggests improvements in their processes.

These aims have been achieved through reference to relevant literature illustrated with selected case examples. They could have been achieved with greater empirical detail if more time had been available for lengthy field work in each catchment location.

2. The Challenging Scope of the Project

As the project progressed it became clear that it was highly ambitious. It is challenging geographically, thematically and in terms of the administrative complexity of Indigenous affairs and ecosystem management.

It is geographically challenging since each of the catchment areas is large in itself and has a diverse and dispersed population, and the three catchment areas are widely distant from each other. Distance, population dispersal, cultural and historical discontinuities within and between case study catchments - all of these presented difficulties for in-depth research within the timeframe.

The project was also thematically challenging since it deals with three very broad and complex areas of Indigenous public policy: whole of Government service delivery; catchment management within the broader theme of Cultural and

Natural Resource Management; and Indigenous futures, embracing employment as well as cultural maintenance, adding up to sustainable livelihoods. Each of these topics is complex. The amount and nature of previous research in each of them is variable, and the period of previous research is crucial as each theme is within a continually evolving area of policy development.

Thirdly, the project is ambitious in terms of the administrative and governance arrangements it aims to cover. It traverses the three Australian jurisdictions – national, state/territory, local government – but these differ markedly for each of the catchments. The Northern Territory, for instance, has much closer integration with the Commonwealth than the other two state jurisdictions, and the relationship of Aboriginal people to local government differs across the three catchments. Statutory management groups or advisory organisations, the catchment management groups established by legislation or administrative order, are also distinctly different in each case. Added to these are Aboriginal reference groups, community-controlled service organisations (local ranger groups, regional land and development organisations), and community-controlled representative organisations. Among these NAILSMA is cross-jurisdictional, while others such as the Kimberley Land Council (KLC), the Northern Land Council (NLC), Balkanu Cape York Development Corporation (Balkanu) and the Northern Gulf Indigenous Savannah Group are regional or sub-regional.

Because of the challenging scope of the project within the time scale the project took the approach of analysing the appropriate literature on CNRM, particularly the Working on Country program, and current progressive scholarship in the theory of public administration. It used the insights drawn from site visits to a range of CNRM stakeholder groups in each of the catchments to inform the selection and interpretation of the scholarly material, arriving at the twin conclusions that a complex administrative environment is not detrimental to effective management if adaptive or pragmatic experimentalist management (Sabel 2004) is encouraged at the local level.

3. *Recent Analyses of Efficiency in CNRM*

Fortunately, there is much good quality recent work for this project to draw upon. The Coombs Policy Forum has produced a literature review of NRM programs (mainstream and Indigenous) which is arranged historically (Clayton, Dovers,

Harris 2011). It offers a useful outline of policy periods and NRM programs since the early 1980s, with succinct outlines of the strengths and weaknesses of each initiative from the perspective of major research appraisals. While this summary is not specifically concerned with Indigenous programs, May (2010) has produced a detailed analysis of the Working on Country programs which is particularly useful for understanding the diverse sources of funding and administration of this major Indigenous NRM funding source. May concludes that the Federal government investment in Working on Country represents a degree of success of government programs to adequately match local needs and aspirations for land management. May finds that in formalising systems of Indigenous cultural and natural resource management, there is a greater need for government to support community-driven initiatives.

Working on Country is administered by the Department of Sustainability, Environment, Water, Population and Communities (SEWPaC, formerly DEWHA). SEWPaC channelled this funding from diverse sources and their efficiency has been evaluated by the consultancy firm Walter Turnbull (2010). This evaluation is positive about the aims of the WoC program but critical of some of the inefficiencies in delivery. The report found that feedback for the program was overwhelmingly positive. However key weaknesses of the program were identified as: the vulnerability of caring for country activities without secure funding beyond 2013; an overt emphasis on employment, which overlooks the wider community benefits of caring for country and how these contribute to the objectives of Closing the Gap; the lack of funding for community engagement, which would allow rangers to achieve cultural legitimacy for their programs; a lack of funding for capacity building of the organisations which support the rangers, with a recognised need for investment in governance and administration needs; and a lack of flexibility within the program to allow for the type of activities that support caring for country, such as a limited availability of vehicles (WalterTurnbull, 2010: 2-5). FaHCSIA, a major funding source at the time of the report, responded positively to these criticisms.

Several recent publications also discuss the inherent inequities in the delivery of mainstream NRM funding, particularly through regional distribution mechanisms. Hill and Williams (2009) discuss the allocation of 3% of NRM funding to Indigenous communities and native title holders, who hold

responsibilities for 20% of the land mass, as a policy failure. They emphasise the need to work through the native title and land rights systems to not only avoid conflict in deliberative processes, but to support the anticipated benefits from the recognition of Indigenous native title, and work towards a resolution of Indigenous environmental rights issues. They advocate for a separate stream of NRM funding being directed towards Indigenous engagement with a focus on Indigenous-specific planning, linking in with Indigenous Land Use Agreement's and establishing an Indigenous NRM civil society.

Similarly, Lane and Williams (2009) analyse the effectiveness of the National Heritage Trust (NHT) to support the management of Indigenous lands, and find, conclusively, that the NHT failed to accommodate the needs of Indigenous land and sea management. They suggest that this failure stems from a lack of awareness and recognition of not only the size of the Indigenous 'estate', but of the need to engage adequately with Indigenous land holders. Lane and Williams find that rescaling governance is not a guarantee for more equitable outcomes across diverse regions, that there is a need for greater investment in Indigenous community engagement, and that the capacity issues of Indigenous communities need to be accommodated in any system of funding.

In addition to these appraisals of NRM policy and funding there are also good assessments of local and regional Caring for Country or Working on Country initiatives. Sithole, et al (2008), conducted an extensive community driven evaluation of Indigenous land and sea management initiatives and found that the culturally relevant processes required for success in Aboriginal land and water management programs include strong cultural connections, alignment with the aspirations of Traditional Owners, inclusion of Indigenous knowledge and involvement of the Elders. They also found that identity, self-esteem and hope were articulated by Aboriginal people as perhaps the greatest benefit of land and sea management ranger programs.

A review of caring for country activities in the Kimberley region (Griffiths and Kinnane, 2010) found, through extensive consultation, that there were a range of recurring themes emerging from successful programs,

CONTESTED REPRESENTATION: THE DALY RIVER ABORIGINAL REFERENCE GROUP

The Daly River Aboriginal Reference (DRARG) Group is a consultative body for the Daly River Management Advisory Committee (DRMAC). DRMAC is a stakeholder reference group established by the Northern Territory government to advice on sustainable use and conservation of the Daly catchment. DRARG has twenty-two members and three of these sit on DRMAC. DRARG produced an Indigenous Management Framework for the Daly in 2006. Since then, however, its members have become frustrated by perceived lack of progress and support for their aims.

Members of DRARG say that the NT Department of Natural Resources, Environment, the Arts and Sport has allocated $75,000 to the NLC to support the Reference Group, but say that they are struggling to find the resources to meet regularly and pursue their common aims.

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namely: access to country; right people for country; transmission of law, culture and language on country; respect for Indigenous rights and Indigenous knowledge; managing country; economic opportunities on country; governance on country, cultural blocs and regional Aboriginal organisations; information management for country; partnerships for caring for country; and protocols for caring for country. An assessment of the economic and employment outcomes of the Federal government's Working on Country program was conducted by Allen Consulting Group in late 2011. The report delivered a comprehensive economic analysis of Working on Country and found that the program's true cost is significantly lower than the budget cost of the program. This is attributed to savings found through decreased welfare costs and increased tax revenue. These results are driven by the high unemployment and low labour force participation rate in the areas in which the program operates. While the economic outputs of the program are wages, spending and employment, the economic outcomes of the program are positive impacts on the local and broader economies. Whilst difficult to quantify, socio-economic and environmental values are also derived from the program, with the greatest savings likely to be found in reduced public health and incarceration costs, alongside the environmental benefits from conservation and land management. Additionally there is a recognisable benefit to social capital through improved levels of empowerment, wellbeing and quality of life – however the subjective nature of these benefits makes this an especially difficult value to quantify.

4. Levels of Government and Levels of Community Control

While governments largely provide the funding, the actual land and water management, both in terms of planning and hands-on stewardship, is largely delivered by statutory and community-controlled organisations. None of these is well-resourced and some are not properly funded at all. The regional bodies in particular, the KLC, NLC and Balkanu, are working at the limit of their capacity. This will always be the case, since the demands on them are almost limitless while their resources will always be finite (see Lipsky 1980). Consequently they suffer communication problems with

Many members have previous experience in NLC-funded ranger groups working on their traditional country. They have mixed feelings about these groups relationship with the NLC, which has varied according to its ability to consistently provide appropriate facilitators for the groups. Some members have left to work in the more stable environment of the Northern Territory Parks and Wildlife Service.

In general, members of the DRARG want to pursue their role independently of the NLC as they feel they have different aims and priorities. Some want to establish autonomous local ranger groups with a wide mandate for the preservation of traditional knowledge as well as practical management activities. Others want to establish small businesses. Most feel they have unfulfilled potential as a representative voice for sustainable management of the Daly catchment, while the NLC has much wider responsibilities and is not perceived to be as community-based.

other Aboriginal groups that also consider themselves to have legitimate interests in CNRM. These communication problems can encourage a climate of suspicion and allegations of bad faith that makes effective management difficult (see text boxes on NLC and DRARG). The regional Aboriginal representative bodies are an essential link in the chain of management. They tread a fine line in maintaining a relationship of trust with outside funding agencies, mainly governments, while resisting their transformation into a mere outpost of these agencies. They must also manage their relationship with the local environmental management groups that they administer and with their wider membership, some elements of which are usually vociferously dissident. It is unremarkable that they sometimes feel embattled and can seem to overreact to perceived threats in a heavy handed manner.

In general the local Aboriginal environmental management groups want to match cultural objectives, such as youth support and learning, with environmental objectives. In some areas this limits the membership of local ranger groups to descendants of Traditional Owners, while in others, such as the Yirriman project in Fitzroy Crossing, the scope for youth recruitment is wider. In both cases, however, the wide range of livelihood aspirations at the local level comes up against a narrow understanding of wage employment and training enforced from above. Local Aboriginal aspirations may not mesh well with regional and national program needs. For example a program for weed eradication may be all that is available to a local ranger group that also wants to eliminate feral animals and control tourist fishing. Equally, there is often a mismatch of capability and aspirations. Regional bodies often cannot find a suitable local partner in an area of need, while other nascent local groups looking for support cannot find it. Finally there are cultural considerations. These tensions between local, regional and national objectives concerning environmental management, employment and cultural continuity, are compounded by complex and confusing processes for program implementation and reporting.

NORTHERN LAND COUNCIL – A REGIONAL ABORIGINAL REPRESENTATIVE BODY

The NLC has been allocated about $25m from SEWPaC for Working on Country programmes for the six-year period from 2007 to 2013 and about a further $3m for 2009-2013 (SEWPaC 2011). This funds sixty-one full time positions in sixteen ranger groups. The Indigenous Land Corporation provides further funding, bringing the total number of full-time rangers employed by the NLC to eighty-six in twenty-one ranger groups. This is only a fraction of the 290 positions allocated in the Northern Territory. The others are administered by local Aboriginal community organisations.

When the WoC programme began the NLC had to rapidly establish capacity to administer it and is still stretched to fulfil its aspirations. The Land and Sea Management unit employs about thirty staff apart from the rangers, but also receives 'off-book' in-kind support from other staff in the organisation. The Manager of the unit particularly mentions NLC anthropologists as invaluable support and attributes the NLC's culture of informal multi tasking in aid of the land and sea management team to the direct support of the CEO for its work.

The ranger groups devise their own work plans and put these to SEWPaC for approval through the NLC. Once approved, they are on a six-monthly funding cycle. SEWPaC staff conduct site visits and establish relationships with the ranger groups, but do not carry out detailed inspections of work undertaken. Work supervision is the responsibility of NLC WoC Facilitators. Some tension arises between NLC and SEWPaC staff over the tendency of SEWPaC to 'micro-manage', but in general the relationship is good.

The NLC also receives some funds from Territory Natural Resource Management – one of the fifty-six 'regional' NRM bodies funded by SEWPaC.

The ILC has an emphasis on economic development, allows fee-for-service activities, and envisages ranger groups moving on from reliance on its funding. SEWPaC does not. It has been a slow process to negotiate the use of NLC ranger groups that are funded by SEWPaC for fee-for-service work, for AQIS, for example.

The NLC has a flexible cooperative relationship with the Aboriginal controlled shires. While it explicitly denies responsibility for activities within community/town boundaries, such as weed control, it is often pragmatic about this where there is an obvious unmet community need and dangerous outcomes can be foreseen, such as fires or the spread of noxious weeds to other areas. The Shires also cooperate with the NLC in a flexible *ad hoc* manner over safe storage of plant and equipment and sometimes its maintenance.

A ranger team typically consists of local Traditional Owners guided by a Senior Ranger, who is Aboriginal, and a Facilitator, who usually is not. Senior Traditional Owners would like to see these Facilitator positions occupied by local Aboriginal people and the Land and Sea Management Unit employs a training officer for this purpose. The Aboriginal Benefit Account, a territory-wide mining royalty equivalence fund, provides capital for infrastructure such as staff housing.

The NLC is currently concentrating on consolidating the performance of its existing ranger groups rather than expanding the programme. It sees the long term success of the programme as depending on reliable work practices. Local groups used to the relatively flexible work attendance requirements of the previous CDEP scheme are being encouraged to formalise members of the workforce as either full-time, part-time or casual, and to be consistent within these categories. Where cultural needs intervene provision is made for formal cultural leave. These requirements, and unavoidable churn in other management positions, often lead to program underspend in the Land and Sea Management Unit. Re-application of funds is negotiated with SEWPaC. The Manager feels that strict application of work performance standards is more important than pushing funding out regardless of a local groups ability to productively use it.

The NLC is continually reviewing its program. Currently ten local groups are applying to join the program, but the NLC does not feel it currently has the capacity, both in terms of funding and administrative support, to expand its workforce in this area. It does have a formal review process for both commissioning and de-commissioning ranger groups, but the NLC's capacity constraints are not well understood beyond its immediate staff.

5. Jurisdictions

5.1 Commonwealth Government

The Commonwealth Government has pragmatic mechanisms for circumventing the difficulties of whole of government departmental cooperation. It operates special accounts and flexible funding pools which receive contributions from individual department's budgets for common purposes (Department of Finance and Deregulation 2020). This has worked well for the Working on Country program, which is the main source of Indigenous livelihoods in the catchment areas visited. Working on Country was originally administered by DEWHA (now SEWPaC) using funds contributed by FaHCSIA and DEEWR from a variety of employment, training and post-CDEP transition schemes (May 2010:6-8). In successive years SEWPaC received these allocations directly and this trend can be expected to continue with consolidation under SEWPaC. In this way SEWPaC has managed to present a single funding interface to state and local NRM bodies despite the diversity of funding sources and policy intentions. In general, regional bodies have cooperative relationships with state and region-based SEWPaC personnel. Though they complain about the complexity of reporting requirements, they take a rather fatalist view of these and rely on close relationships with bureaucrats to help navigate them to achieve the best outcomes for their members.

SEWPaC distributes grants directly and also through 56 regional NRM affiliates. These operate in parallel with Aboriginal regional arrangements, and largely fail to engage well with local Aboriginal requirements. These NRM regional management groups gain funding from a variety of sources. They are supposed to be based on catchments or bioregions[1], but this is hardly credible. They seem instead to be a response to political requirements. The boundaries were established in State/Commonwealth bilateral agreements during the second phase of the Natural Heritage Trust. The entire Northern Territory is a single NRM region under this arrangement. In West Australia, Rangelands WA similarly covers a vast region. It operates over 1.85 million square kilometres, the majority of the state, approximately east of a line drawn from Carnarvon to Esperance. In contrast, some of the southern NRM regions in WA are measured in hectares[2]. Rangelands WA initially supported, then abandoned, the Fitzroy Catchment Management Group (FitzCam), leaving the Fitzroy river without an overall management coordinating body. Cape York is serviced by two NRM regions – Cape York and Southern Gulf, which covers the Mitchell River. NRM management groups such as those mentioned here encompass regions with significant Aboriginal populations and large Aboriginal land holdings. Yet the impression gained from field visits for this study is that regional NRM groups do not engage productively with Aboriginal environmental management groups.

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[1] http://www.nrm.gov.au/about/nrm/regions/index.html

[2] http://www.nrm.gov.au/about/nrm/regions/wa.html

FITZCAM – A COMMUNITY-BASED CATCHMENT PLANNING GROUP

The Fitzroy Catchment Management Group (FitzCam) began with a grant in the final days of the National Heritage Trust, which was channelled through the NRM group Rangelands WA. Rangelands expected a Catchment Management Plan, but the group's intentions were broader. While a management plan was produced, with the assistance of researchers from the University of Western Australia, the group itself had evolved into a highly-valued forum for the variety of stakeholders in maintaining the health of the Fitzroy River.

One of the great strengths of FizCam was that it brought together individuals and factions that would otherwise not communicate. One proponent of irrigated agriculture on Go Go station told this survey that FitzCam was 'the best thing ever' for this reason, and all parties approached for their views expressed enthusiasm for its work and disappointment that it no longer functions.
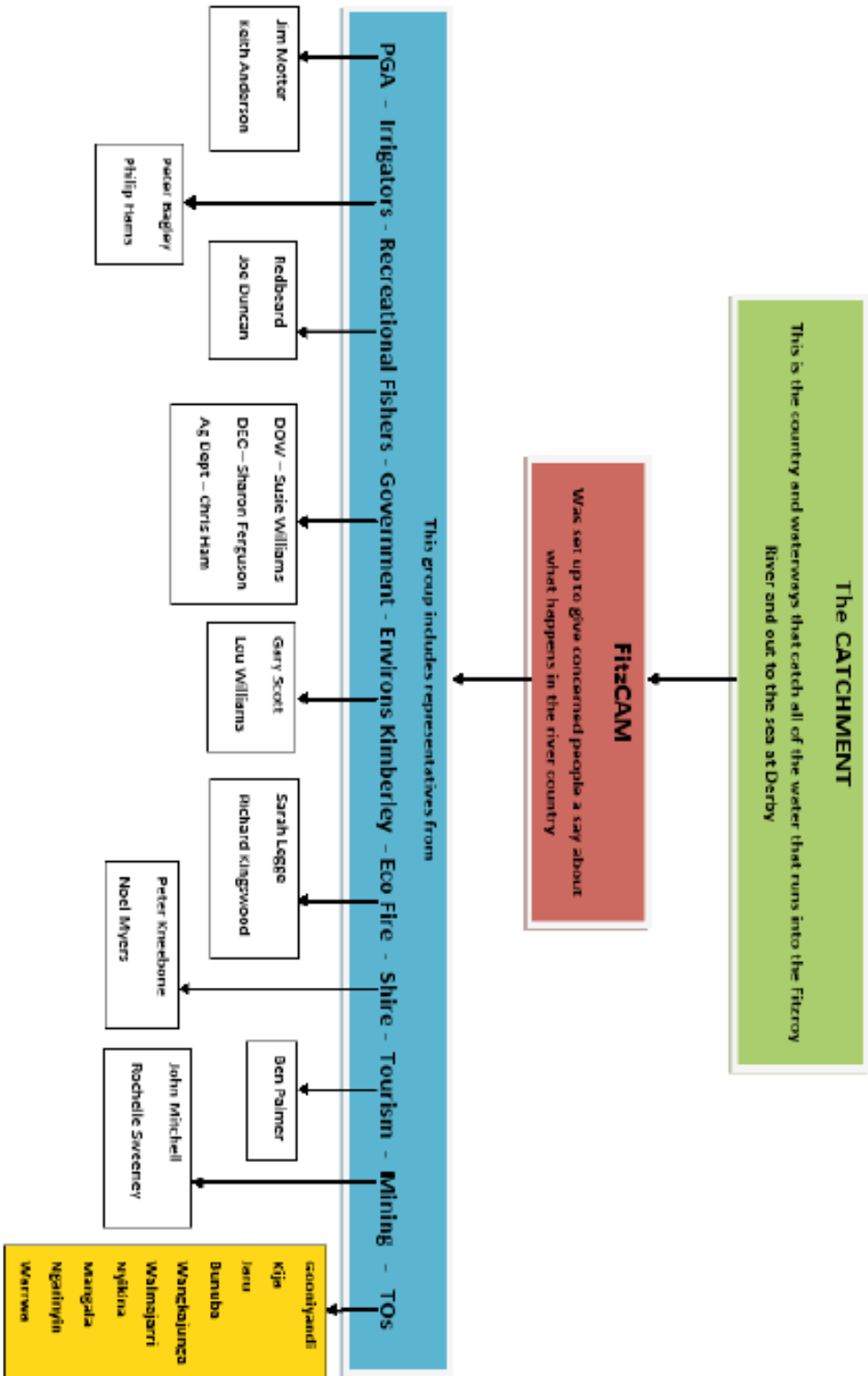
The group started as a coalition of both Aboriginal and non-Aboriginal representatives. The Aboriginal language groups belonging to the Fitzroy catchment had two representatives from Ngarinyin and Worora people from the far northern reaches of the catchment as well as Kija from the east near Halls Creek, and in-between Walmajarri, Gooniyandi, Wankajunga, and Bunuba representatives more closely associated with Fitzroy Crossing. The breadth of this coalition demonstrates the extent and importance of the Fitzroy catchment to the West Kimberley. Local pastoralists were also key members of the group with Jubilee Downs, Bulka, and Go Go station cattlemen, attending most of the meetings. The other members included recreational fishers, government departments, mining representatives, environmentalists, and the Shire of Derby West Kimberley. With this core of practical-minded catchment stakeholders, others also found they had a ready-made forum for consultation and communication.

The departments of Water, Environment and Conservation and Agriculture and Food regularly attended meetings. Murdoch University researchers as well as UWA and the CSIRO found the forum useful and it was a frequent focus of Tropical Rivers and Coastal Knowledge (TRaCK) activities in the Fitzroy region.

While this activity had tremendous local support as a way of addressing common concerns and finding common ground around traditional and commercial use of the land and waters along the Fitzroy, it did little practical NRM work. Apart from the management plan the members of FitzCam saw their role as leveraging support and funding for practical land management activities by pastoralists and Aboriginal ranger groups. Unfortunately its funding expired just as some of these groups began to be established. Ranger groups are now either in operation or in advanced planning stages for the whole of the Fitzroy, administered by the Kimberley Land Council Land and Sea Management Unit (see text box). However, the necessary liaison with pastoralists and irrigators is piecemeal and haphazard and the management plan largely in abeyance, in the absence of the coordinating and advisory body that FitzCam became.

It was frequently suggested during this survey that both state and Commonwealth government departments are too focused on short term, localised 'outcomes oriented' management activities and the work of FitzCam, though valued, cannot be funded. Yet other major river systems in the north do not face this vacuum in overall management planning. The Daly and Mitchell, subjects of this study, have adequate regional planning bodies supported both by SEWPAC and the relevant state governments. Western Australia and Rangelands WA lag behind with their neglect of this major northern river system, and it is particularly mystifying that they have let a widely supported cross-party management forum fall by the wayside.

FitzCAM Fitzroy Catchment Management Project

The CATCHMENT

This is the country and waterways that catch all of the water that runs into the Fitzroy River and out to the sea at Derby

FitzCAM

Was set up to give concerned people a say about what happens in the river country

PGA – Irrigators – Recreational Fishers – Government – Environs Kimberley – Eco Fire – Shire – Tourism – Mining – TOs

This group includes representatives from

- Jim Motter
- Keith Anderson

- Peter Bagley
- Philip Harris

- Redbeard
- Joe Duncan

- DOW – Susie Williams
- DEC – Sharon Ferguson
- Ag Dept – Chris Ham

- Gerry Scott
- Lou Williams

- Sarah Legge
- Richard Kingswood

- Peter Kneebone
- Noel Myers

- Ben Palmer

- John Mitchell
- Rochelle Sweeney

- Gooniyandi
- Kija
- Jaru
- Bunuba
- Wangkajunga
- Walmajarri
- Nyikina
- Mangala
- Ngarinyin
- Warrwa

There are alternative opportunities for sustainable livelihoods in the catchment areas funded by other areas of the Commonwealth government. The Australian Quarantine Inspection Service (AQIS) is one such source that complements but does not overlap with the Working on Country program. In the future carbon trading mediated by the Carbon Farming Fund will become an important alternative funding source. Some elements of the fund will be administered by the Department of Climate Change and Energy Efficiency, other elements by SEWPaC[3]. Indigenous Business Australia (IBA) also fills an important niche role.

5.2 State and Territory Government

State and Territory Governments run their own programs that involve Aboriginal environmental management groups. Sometimes Commonwealth funding is absorbed into these under bilateral or National Partnership agreements. Management and funding of rangers in state and national parks under state control is common where there is joint management. There appears to be little cooperation between these state ranger programs and the Commonwealth's Working on Country ranger groups, though cooperation is more evident in the Northern Territory where the Commonwealth has greater influence. Some state initiatives offer direct grant funding to local ranger groups that also receive funding under the Working on Country program. Queensland's grant to Kowanyama Land Office as part of its Wild Rivers legislation is an example of this. In the Northern Territory the Malak Malak rangers will be able to expand into a Marine Ranger program for the Daly under an agreement with the Northern Territory government as spin-off from the Blue Mud Bay native title decision[4].

Just as the states have varying relationships with the Commonwealth over environmental management, so local ranger groups have varying relationships with the state and territory governments. In Queensland and the Northern Territory there is, at least, an assumption of common aims for environmental protection. In Western Australia the potential for resource extraction (including water) in the Kimberley, particular along the Fitzroy River, leads Aboriginal organisations to sense ambivalence and disengagement from

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[3] http://www.environment.gov.au/cleanenergyfuture/icff/index.html

[4] http://www.abc.net.au/news/2012-03-08/daly-river-fishing-agreement-malak-malak/3877056?WT.mc_id=newsmail

their goals by the State. Nevertheless, the state government has pledged protection of wilderness areas in the Kimberley and the employment of ranger groups under the Kimberley Science and Conservation Strategy[5].

5.3 Local Government

Local government involvement in the three catchments is also quite structurally diverse. In Queensland Aboriginal local government arrangements have been created under distinct legislation from mainstream local government (Limerick 2010), and both have been the subject of reform in recent years. Aboriginal shires tend to control settlements while mainstream shires control large areas of land covering the state. At Kowanyama there is strong cooperation between the Aboriginal Shire and the Kowanyama Land Office. The Shire provides the office, funds two staff members, and combines some of the Office's needs, such as insurance, with its own, which offers some administrative relief. There are historical and cultural reasons for this high level of cooperation. On the other hand, the Aboriginal Shire is surrounded by the much larger mainstream shire of Carpentaria encompassing Kowanyama traditional lands and there is some concern that this will raise jurisdictional problems in the future.

The Northern Territory has recently legislated to bring all of its land under some form of local government, much of it covered by new very large shires. This process has centralised resources and functions that were previously distributed to major Aboriginal communities and has caused considerable controversy (for an outline and further sources see Sullivan 2011a:118-9). For the Malak Malak rangers of Wooliana on the Daly River these changes have practical consequences. The neighbouring community of Nauiyu has provided them an office and an administrative assistant. The new shire now owns this office; its staff do not have familiarity with local relationships, and the Malak Malak rangers' administrative support faces an uncertain future.

The state of Western Australia has historically been covered by areas of either municipal or local government, many of these very large. Local governments, and the state government, have never accepted responsibility for the provision of services in Aboriginal communities. Since the abolition of ATSIC, which funded these functions, the Commonwealth has consistently pressured the State to take responsibility for local government

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[5] http://www.dec.wa.gov.au/content/view/6558/2378/

services to these communities through its mainstream shires. A bi-lateral agreement to this effect was eventually signed in 2011, but the shires have been reluctant to comply for reasons of cost. In environmental matters the shires are minor players if they engage at all, and in the Fitzroy region the Shire of Derby West Kimberley, though sympathetic to FitzCam while it was in existence, has little influence over the fate of the Fitzroy River.

The complexity of jurisdictional responsibility provides a range of funding and support opportunities for the environmental management groups in each catchment. Local ranger groups or community councils, and the land and sea units within regional representative bodies, are not always very practiced at accessing this variety of funding for their clients and members. They tend to be fully occupied with the practical tasks of providing outcomes for their existing funding streams and suffer from a kind of inertia where they become heavily dependent on a single program for the bulk of their needs. There is a need to develop expertise in governmental programs within regional bodies, with more active brokering of relationships between clients who have plans for activities on their country and the government departments and programs that are able to assist them. There is a high level of frustration among many local groups that their particular needs are not being addressed by their regional representatives, while the regional representatives feel that they are fully occupied meeting the requirements of existing programs (see text boxes NLC and DRARG).

THE KIMBERLEY LAND COUNCIL LAND AND SEA UNIT

The Kimberley Land Council (KLC) receives about $20m from SEWPaC for the period 2007 to 2013 to pay for Working on Country programs. The Land and Sea Unit has about 24 staff plus about 50 permanent rangers with up to 150 part-time or flexi positions. There are eight Ranger Coordinators. These positions have mostly been filled by non-Indigenous staff based with the ranger groups however there is an increasing number of Traditional Owners taking on Ranger Co-ordinator positions. Three of the eight positions are currently occupied by traditional owners. The KLC has a policy of encouraging traditional owners to take on the role of Ranger Coordinators and is supporting capacity building to ensure the right mix of skills are developed to take on these roles.

The ranger groups are guided by traditional owner cultural advisory groups that are established by the native title holders or native title claimants of a region, usually called the Native Title Prescribed Body Corporate or PBC. The KLC intends to divest management of its ranger groups to the PBCs when they are well enough established to fulfil this function. The KLC sees itself offering region-wide coordination and direct services when it can offer economies of scale.

In a similar manner to the NLC in the Northern Territory the KLC Land and Sea Unit sees the Working on Country programme as having the social and economic aim of increasing sustainable Aboriginal employment, as well as meeting environmental objectives. Its rangers are usually employed as trainees while completing Certificates I to III in Conservation and Land Management. The training is formally delivered by Kimberley Group Training with the KLC acting as the host employer.

The KLC staff encourage trainees in the first year to develop a work ethic and the habit of consistent performance as well as acquiring skills. Under the guidance of the traditional owner cultural advisory group trainees are mentored through difficulties that may interfere with their work due to tensions at home or within the community, or through inappropriate lifestyle choices. Particularly in the first stages of training the program has a supportive youth diversionary emphasis which has proved successful. This success is attributed both to the involvement of elders and the satisfaction the youth feel working in a positive manner for their community 'on country'.

While encouraged by the success of the programme so far, Land and Sea Management staff are concerned about further training and employment trajectories beyond the Cert III level. They would ideally like to see the next step as transition to tertiary education or to full-time skilled employment, with the KLC or other organisations, at mainstream levels of pay and conditions.

Ranger groups in the Kimberley have diverse funding sources. The Ngurrura, Karajarri, Uunguu, Wungurr, Nyul Nyul, Paruku, Nykina Mangala and Bardi Jawi rangers are funded through SEWPaC's Working on Country program. The Indigenous Land Corporation (ILC) funds developing ranger groups with Jaru/Kija, Gooniyandi and Balangarra traditional owners. The ILC encourages its rangers to engage in fee-for-service activities with the aim of moving on from ILC support. In contrast, it has taken a good deal of negotiation to arrive at an arrangement with SEWPaC to allow thirty per cent of a groups' activities to be fee-for-service.

As well as those ranger groups coordinated by the KLC there are others employed by the state government's Department of Environment and Conservation (DEC). DEC employs the Mirriuwung Gajerrong and the Yawuru rangers. Bunaba rangers in the Fitzroy Crossing region are funded under the state government's Kimberley Science and Conservation Strategy. DEC's relationship with the KLC and some traditional owner groups is cordial but not enthusiastically embraced on either side. DEC only employs Indigenous rangers where it is party to joint-management of conservation reserves, usually as part of a native title settlement. Some Aboriginal groups believe DEC has no long term institutional commitment to community driven Indigenous ranger programs. DEC is reluctant to fully engage with Commonwealth departments such as SEWPaC for the achievement of joint outcomes.

Similarly, the Commonwealth's whole-of-government Remote Service Delivery (RSD) scheme also fails to engage with the KLC's Land and Sea Unit. Although all four of the RSD sites identified by the National Partnership Agreement on Remote Service Delivery have, or have had, Aboriginal ranger groups coordinated by the KLC, the plans produced by the RSD Regional Operations Centre (ROC) neglect to find a role for the ranger groups, despite one of the RSD NPs objectives being closing the gap in employment status between Indigenous and non-Indigenous Australians.

The KLC coordinates the various forms of Commonwealth funding. It renegotiates underspent funds, supervises fee-for-service funds in trust accounts for the PBCs, and sometimes transitions a group from one funding programme to another, or negotiates the transfer of funds from a group that is not progressing to another that is keen to get started.

The KLC has a cooperative relationship with SEWPaC, but spends more than it is compensated for. Like the NLC, the KLC provides considerable in-kind resources to the Land and Sea Unit from its Human Resources and Payroll sections, to some extent its native title activities, and its financial section that deals with SEWPaC's complex grant acquittals.

The KLC Land and Sea Unit keeps itself apart from political campaigns over conservation and resource development, which it sees as part of the native title process. For its part the Land and Sea Management Unit intends to concentrate on the establishment and management of Indigenous Protected Areas (IPAs) over areas of mixed land titles.

6. Adaptive Pragmatic Experimentalist Organisations

The Commonwealth government delivers many of its social, cultural and welfare services through the engagement of not-for-profit organisations, commonly called the 'third sector' (after the commercial sector, or market, and the public sector, or government). Many of these organisations are working in the field of 'internal development', particularly the Aboriginal third sector which struggles with the kind of poverty and lack of infrastructure normally associated with underdeveloped countries. Good practice in development programs requires attention to the *process* of program delivery as much as the outcome or targets (Mosse 1998:4-5). In complex, uncertain and rapidly changing environments, such as Aboriginal development, contemporary management scholarship emphasises the need for 'pragmatic experimentalist' organisations at the level of project implementation (Sabel 2004). Experimentalist organisations are adaptive because they:

> *…assume the provisionality of their goals. They institutionalise social learning by routinely questioning the suitability of their current ends and means, and periodically revising their structures in light of the answers (Sabel 2004:4)*

Dovers (2003) calls this 'adaptive management'. Coming from different directions, many recent theories of development and public sector management emphasise the priority of process over outcome, local organisations' questioning and learning, and being adaptive to local conditions (Mosse 1998; Dovers 2003; Sabel 2004). These approaches therefore require significant local autonomy adaptable to the diversity of local program implementation environments.

KOWANYAMA ABORIGINAL LAND AND NATURAL RESOURCE MANAGEMENT OFFICE –ADAPTIVE MANAGEMENT

The Kowanyama Land Office was founded in the Queensland land rights struggles of the 1980s, driven by the philosophy that self-determination is enacted in practice through Traditional Owners actively caring for land and waters. This is still the philosophical underpinning of the Land Office, which has benefitted from a consistent partnership of Indigenous and non-Indigenous staff over several decades.

In recent years the organisation has adapted to the establishment of Aboriginal local government at Kowanyama, and The Aboriginal Shire of Kowanyama is the now the principle support for its office and managerial staff. It has also increased its land base with the two local pastoral stations, joint management of a national park, and two native title determinations. The land office is currently negotiating its relationship with the new native title organisation, but because native title is simply seen as an extension of its aims from the start, this transition is being handled harmoniously.

The Land Office actively encourages support from outside researchers' interest groups. It has support from the independent philanthropic Richardson Foundation and has forged links with the Native American tribes of the Pacific Northwest in Washington State. Its firm philosophical foundation gives the organisation the necessary mission structure to adapt government programs to its own local priorities. External stakeholders, such as governments and researchers, for their part find a consistent and trustworthy local basis for cooperation.

Its programs include:

- Cultural Heritage Maintenance;
- Oral Histories;
- Native Title and Land Tenure;
- National Park Management;
- Wetlands Management;
- Pests and Weeds Management;
- Animal Health;
- Recreational Fisheries Management;
- Coast and Waterways Management and Surveillance;
- Fire Management; and
- Human Resource Development.

Nevertheless, there are challenges. The Land Office is small, with two administrative staff, a Senior Ranger and four Rangers. They have responsibility for 6000 square kilometres of land and substantial river and coastal waters. While the Land Office actively pursues fee-for-service opportunities, for example with AQIS, it is still largely dependent on one or two government funding sources. It has seven funding streams for thirteen functional programmes, but at least half of its budget relies on SEWPaC's Working on Country scheme. Some funding comes from the Queensland Government's Wild Rivers scheme, and the Land Office is able to integrate these activities with its agreed Working on Country objectives. While the Shire provides technical administrative support and Balkanu some accountancy services, there is difficulty coordinating reporting timelines with the realities of seasonal variation in this tropical environment.

In the long term, Kowanyama Land Office sees a need for greater independence from government funding. This will be based on local ownership of the two pastoral stations, Sefton and Oriners, joint management arrangements over the national park, philanthropic donations for social and environmental objectives, and native title benefits.

MALAK MALAK RANGER GROUP WOOLIANA DALY RIVER

The Malak Malak Rangers were among the founding members of the original Wangamaty Land Care Group, which was mainly concerned with weed management. Malak Malak refers to their language while Wangamaty describes the group as people of the flood plain. Initially they received some funding to eradicate mimosa with assistance from Territory Natural Resource Management, the regional NRM group, to purchase chemicals and equipment. They cross-subsidised this with CDEP employment then transitioned to wages from the NLC's Land and Sea Management Unit with Working on Country program funds.

The Malak Malak rangers' major activity is to work to the eradication requirements of the Weeds of National Significance program. The elder and senior cultural adviser of the group, Albert Myoung, says that the weeds problem has developed in his lifetime and is related to their inability to burn country regularly because of the density of settlement.

There are about forty Malak Malak people, about ten of them resident at Wooliana, the ranger base community, close to the settlement of Naiyu on the Daly River. The ranger group prefers to keep its membership to Malak Malak people and to look after their own traditional country. They believe neighbouring groups should do the same for theirs. Malak Malak rangers combine environmental management with transmission of cultural knowledge.

The women of the community received a 'highly commended' Northern Territory Land Care award for their innovative work in biological control of weeds. They rear and release a moth that attacks mimosa, and a parasite, the silvinia weevil, that destroys the weeds that clog local billabongs.

The group is cohesive and largely self-directing. They plan their weed eradication program at the start of the year and implement it according to their own timetable. Results are monitored by the Northern Territory Department of Resources and Environment. The group will shortly expand into marine management under an agreement with the Northern Territory government. This will involve monitoring of recreational fishing, a major tourist attraction on the lower reaches of teh Daly.

While the group values the wage component of the Working on Country program they are constrained by lack of infrastructure and equipment. Territory Natural Resource Management provided a vehicle and quad bike to support the coordinator's position, but these were returned when the coordinator transferred to the NLC, which also funds the rangers themselves. Apart from reducing cross-funding arrangement this consolidation under the NLC has also increased the equipment avaliable to the group. Malak Malak now has six quad bikes and four 4WD vehicles provided by NLC. However, they still feel constrained in expanding the group to provide more employment for Malak Malak people because of a lack of housing. They have no housing specifically dedicated to the ranger workforce and community housing is overcrowded. While they have their own office it has no equipment and they depend on a prior arrangement with the Nauiyu Community Council for an office at the settlement, but the Council has now been superseded by the Victoria Daly Shire and the future of the office is uncertain.

Despite minimal infrastructure Malak Malak rangers are a highly motivated and self-directing group providing an essential public service on the lower Daly River.

In contrast to these recent developments in public sector management theory, Australia is still largely stuck in the 1980s, when New Public Management, a neo-liberal management theory, informed sweeping changes to the Australian Public Service (Eckersley 2003:489-492; Nelson 2008:76-105; Parliament of Australia 2010). The characteristics of the public sector administrative approach, called New Public Management or NPM (see eg Sabel 2004:6-7), are: a commitment to central planning; strict oversight of implementation; continual audit and interference; and throughout this, a high degree of bureaucratic sensitivity to political imperatives communicated by Ministerial staff (Sullivan 2011a:72-3).

NPM theory affects both the external relations of government - its reliance on private and third sector service delivery - and the government's internal trend towards politically directed, top-down, managerialism. In both these manifestations NPM has a particular hold on Australia, and has particular effects on Aboriginal people.   NPM managerialism has a kind of 'naturalness' that suits mainstream Australian historical, administrative and cultural conditions, because NPM central control promises to calm a common Australian unease with local, regional and ethnic diversity (see Sullivan 2011b). It currently impacts heavily on the Aboriginal component of the Australian third sector.

Aboriginal development is being pursued within a policy environment of 'normalisation' which is leading to break up of the Aboriginal third sector. The sector is subject to inappropriate regulation, takeover by state government agencies, and open-market commercialisation of welfare/development service delivery functions (see Sullivan 2011a:48-66; Sullivan 2011b:8-9). Aboriginal third sector organisations are hampered in their ability to challenge this process by the inability of mainstream administrators to keep abreast of developments in public administration theory which emphasise adaptive experimentalist pragmatic approaches to 'wicked problems' like Aboriginal development and environmental management.

Public management theory uses the term 'wicked problems' to describe particularly complex areas of public administration that are resistant to management solutions (Head 2009:22). Brian Head has pointed out that environmental and NRM problems are 'wicked' because:

- problems are inherently difficult to define clearly;
- they contain many interdependencies and multi-causalities;
- the problems are socially complex with many stakeholders;
- entrenched value differences are significantly involved;
- the problems may be unstable and keep evolving; and
- the knowledge base for defining the nature of the problems and the scope of possible solutions is patchy and disputed (Head 2009:22).

The Commonwealth government's response to the 'wicked problem' of Aboriginal development has been to encourage 'whole-of-government' cooperation across departmental and jurisdictional boundaries. Rather than reduce the long lines of control and encourage local autonomy, the government has proposed that development targets can be met by tighter integration of the various arms of the bureaucracy through whole-of-government coordination of service delivery. In this way it has hoped to keep to its basic commitment to NPM but with greater efficiency through reducing duplication and 'red tape'. Though well-intentioned, this approach cannot succeed, as the following summary of recent theorists will show, and complex administrative processes may in fact be inevitable in complex environments, allowing room for adaptive management solutions to local problems.

7. The Failure of Whole-of-Government Administration

The administration of Indigenous programs became highly fragmented when ATSIC was abolished in 2004/5 and its programs were taken over by mainstream government departments. A policy of whole-of-government service integration was adopted to deal with this. There have been three attempts at whole-of-government administration of Indigenous services in Australia in recent years. COAG had begun trials of a whole-of-government approach in eight regions in 2002 (Humpage 2005:53). The political decision to abolish ATSIC overtook these trials while they were still in development, and the program was rolled out across the country with the establishment of Indigenous Coordination Centres (ICCs) (Gray and Sanders 2006; Sullivan 2007). Most recently, the National Partnership on Remote Service Delivery in Indigenous Communities has selected thirty-nine

communities for whole-of government coordination run by a Canberra-based Coordinator General.

There are only four West Australian communities involved in this experiment. Each is in the Kimberley and has one or more functional ranger groups. Despite the intention of the Remote Service Delivery framework to reduce unemployment as one its goals, the Coordinator General's staff have not engaged with or supported these ranger groups in their planning process.

This latest attempt at whole-of-government coordination fits precisely the New Public Management approach identified for failure by Sabel as:

> *[a] more thoroughgoing, though equally hapless effort to correct NPM in the face of wicked problems is to create a new, central bureaucratic elite (a commando centre), with the flexibility to define cross-cutting projects. But the creation of a commando centre invites repetition of the self deluded errors of the overreaching state in reaction to which the governance debate [democratisation], ideas of NPM included, arose (Sabel 2004:9).*

In other words, managerialist approaches to central control are deemed inadequate for the scope of the problems and replaced by a return to authoritarianism. The local self-informing pragmatic experimentalist organisations of the Aboriginal community sector carry little weight against this commando centre which reduces their role to 'engagement' and 'consultation' (Sullivan 2011c:9-10).

The success of local Working on Country units supported by regional representative organisations (see Allens Consulting 2011) may be due to the way they have escaped the whole of government trend. Though Working on Country arose as a way of providing real jobs in place of CDEP, it is administered by SEWPaC, an agency with little baggage in Indigenous affairs, but a long history of fostering local initiatives through its predecessors since the time of the Landcare program (Clayton, Dovers, Harris 2011).

Learning from the experience of Landcare, and the two iterations of the National Heritage Trust that followed the environmental management arms of both Commonwealth and state governments still promote an approach that the

Commonwealth turned its back on in Indigenous affairs in 2004. This approach has sound backing in international development models.

Among the leading theorists in this area, the development anthropologist David Mosse, argues that good development outcomes do not come from a remotely-conceived blueprint (such as the Council of Australian Government's National Indigenous Reform Agreement); he says they depend more on good processes than good plans and suggests three ways that 'development as process' can be achieved. Firstly, it builds in ways to learn from experience and adjust the program at the same time that it is implemented. Secondly, it concentrates as much on building relationships as on program delivery itself. Thirdly, and most challenging for NPM approaches to development, conceiving of development as a 'process' rather than an outcome requires accepting '…the dynamic, unpredictable and idiosyncratic elements in development programs; those things which are not easily amenable to planning and management control but which are nonetheless central to success or failure' (Mosse, 1998:5).

This last point is very challenging to public officials trained in the rational technocratic approach to program delivery that characterises NPM.

In Indigenous affairs, the current policy of normalisation sees Aboriginal development as an administrative challenge of fundamentally the same order as the delivery of any other government program. The Commonwealth bureaucracy has neither knowledge of, nor sympathy towards, models of development of impoverished regions in other de-colonised nations. Yet advanced contemporary theory of public administration, puts the 'dynamic, unpredictable and idiosyncratic' at the heart of good administrative practice.

Sabel cogently describes both the rationalist origins of 'command and control' public policy and the countervailing approach of grassroots networked governance. He addresses common problem in public management theory, the relationship between 'principals' and 'agents', where principals are the client citizens in need of services, and agents are the agencies that deliver these. He finds that putting too much faith in either end of this relationship is misguided, because both suffer from lack of appropriate information. The 'principal' or client at the delivery end does not possess in advance a blueprint for best outcomes, any more than the central planners. In complex and changeable development

environments principals do not necessarily know what is required, how to achieve it, what may be the negative consequences, what are the necessary supporting requirements, how these may impact more widely on others – a host of imponderables that beset also the agents or central planners. Through the elucidation of case studies Sabel says the most successful programs are the most adaptable, those that have pragmatic experimentalist organisational cultures and administrative structures (Sabel 2004). Local and regional organisations must be allowed to experiment and adapt according to local circumstances.

One of the consequences of Sabel's analysis is that whole-of-government programs for Aboriginal development as they are conceived in Australia will fail because they remain top-down, centrally driven initiatives. An alternative, which Dovers advances with specific reference to NRM programs, echoes Sabel's critique of current public management. He proposes a 'new paradigm of adaptive ecosystem management' which is based on five 'core principles':

- persistence – stability and robustness over time;
- purposefulness – driven by widely supported goals;
- information richness – evidence, monitoring, evaluation;
- inclusiveness – stakeholder involvement, and
- flexibility – learning and adapting (Dovers 2003:5-6).

Adaptive experimentalist management is emerging as the new paradigm for sustainable Indigenous livelihoods, and Working on Country ranger groups, together with the regional representative organisations that support them, are generally good examples of this. Of course, they are not without problems, and the question of accountability to national objectives needs continual review (see Lane et al 2004 on regional bodies). Some of these issues will be dealt with in the final section of this report. Before this it is important to mount an argument in favour of administrative complexity and the homogenising tendency of a whole of government top down strangle hold on the range of options open to local managers.

8. The Benefits of Administrative Complexity

Early reports on Indigenous environmental management programs tended to suggest there was unresolved tension between local, regional and national objectives; and that there was widespread frustration with government duplication and complex funding and reporting processes (Putnis et al

2007:10). These two issues are related – funding and reporting requirements are tied to particular identified activities, and where these activities are inappropriate, unachievable or lacking community support, reporting and disputes over funding can indeed be onerous. Nevertheless, this present study has not found widespread concern that the 'overburden' of reporting (see Dwyer et al 2009) is affecting performance in the areas visited. Even in the case of FitzCam, where continued funding was withheld because the regional NRM body, Rangelands WA, was not confident FitzCam could meet explicit targets, this may have related to lack of consensus about the targets rather than lack of confidence that the group could find adequate support for financial acquittals, for instance through the KLC. It is at this level of tasks and performance targets, rather than reducing a complex funding environment, that subtle and flexible management is required.

Achieving targets has two related aspects: the ability of local management groups, such as Kowanyama land office or the Malak Malak rangers, to set local tasks that are meaningful and achievable; and the discipline of the workforce to turn up consistently and work to plan. Both of these areas can be a source of tension. Local ranger groups feel they are successful when they manage the relationship with regional, state and federal bodies in a way that leaves them the autonomy to pursue the purposes of the Traditional Owners in their areas. In general, common sense, shared purposes and flexibility ensure that this is the case. Managing the workforce, on the other hand, can be more difficult. The CDEP programs that Working on Country has replaced had mixed success in bringing together the broader society's expectation of close correlation between work, pay and product. Working on Country and other sustainable livelihood initiatives can productively build upon the lessons learned from CDEP because the work is more congenial, the tasks are urgent for both purchaser and provider, the pay and work status is better than CDEP, and management of outcomes more easily measured.

Nevertheless, the NLC regularly reports underspend for its ranger groups because it quite firmly applies a disciplined approach. It does not simply apply the policy of 'no work no pay' but does require workers to nominate consistently whether they will be employed as full-time, part-time or casual employees. It balances this with policies allowing time off for cultural activities, but this is a long way from the informal mix and match settings of normal haphazard Aboriginal

community life. The KLC is similarly insistent on the development of a work ethic, particularly for young participants in Working on Country ranger groups. It provides for their mentoring through Traditional Owner advisory committees (see text box on the KLC). There is a process of adaptation underway here that may take some time to bed down. It is unlikely that the desired result is a workforce of Aboriginal wage slaves, but rather a hybrid, more culturally nuanced, form of work that is nevertheless disciplined and productive.

The problem of flexibly and sensitively managing the workforce and its targets may compound difficulties in planning, reporting and financially acquitting grant funds. But simplifying administrative requirements, while this may relieve some burdens on both regional and local bodies, would not address the underlying issues and may have inherent dangers. Most of the organisations in this study are capable of meeting their administrative requirements through the employment of qualified staff and the use of adequate computer software. For these groups reducing the apparent 'duplication' of funding sources and programs actually presents a reduction in their local autonomy, exercise of discretion, and relative balance of power in a bargaining environment that is populated by powerful government departments and political lobby groups.

The danger of single line funding is that it imposes limited and simple tasks, can more easily be appropriated by a rival service provider, and puts an entire organisation at risk of sudden devastating policy change. The advantage of multiple, even overlapping, funding streams is that they allow economies through performing multiple tasks in a single location using the same workforce and equipment; they allow the organisation to bargain with providers from a position where it has viable alternatives; and they give to an organisation a complex service profile that makes it indispensable in its local and regional cultural economy. Complexity is good, as long as there are the skills and technical infrastructure to manage it.

Although they don't express it in this way, adaptive experimentalist management is evident in the practice of local ranger groups, land offices, land and sea management units within regional bodies, and within government itself - at least at the lower reaches of the bureaucracy that engages directly with these organisations.

9. *Accountability and Relational Contracting*

While adaptive experimentalist and process-driven organisations may be necessary because of the social and material complexity of their environments, they must still be accountable for outcomes. After all, sustainable Indigenous livelihoods depend upon the environment being managed in a sustainable manner, and this must be subject to test. Sable has acknowledged the issue of accountability and has outlined three ways that the organisations that he has studied have dealt with this. Referring to his analysis of disparate pragmatic experimentalist organisations, in public schooling, generation of nuclear power and food inspection for public health, he says:

> *The foregoing suggests pragmatist institutions do indeed enable the social learning needed effectively to pursue imprecisely specified ends in general and provide new public goods in particular. But if the provision of new public goods is a necessary component of solidarity in today's democracy, provision of such goods is alone surely not sufficient to secure the legitimacy of government in any modern democracy. Experimentalist service providers and rule makers— experimentalist government in general— must be democratically accountable at least in the sense of being responsive to the (political) will of immediate stakeholders and beyond that to the public of the polity as a whole (Sabel 2004:18).*

Sabel is not complacent about any inherent improved accountability in pragmatic experimentalist organisations. He believes transparency is required in their work processes, and they must be assessed against the performance of comparable organisations in comparable environments. He does believe, however, that 'decentralisation of authority of the kind associated with the new organisations has demonstrably uprooted vested interests in ways long thought to be impossible by students of complex organisations [and] experimentalism thus seems more like a machine for disrupting potential conspiracies, especially technocratic cabals, than a scaffolding for erecting them' (Sabel 2004:19).

Accountability can be built-in to the planning and management process in an ongoing manner that encourages reciprocal relationships of accountability between members/clients of an organisation, the organisation's team, and funding or policy bodies. Sullivan, in an article on accountability, suggests:

> *If robust and trustworthy regimes of accountability can be instituted across a region, then long and costly chains of hierarchical accountability are not necessary. Identifying an accountability environment, in which responsibilities are mapped reciprocally across a region, would result in more efficient planning, implementation and evaluation. In a robust accountability environment, properly negotiated and instituted, it should only be necessary for the region to warrant <u>through agreed processes</u> that development is occurring, that it is fair and equitable, and that it is an efficient use of resources. The means to evaluate this are the same as the means to plan and implement it (Sullivan 2009:69 emphasis added).*

Finally, accountability can also be ensured by the use of models of relational contracting. Since at least 1980 relational contracting has been proposed as a more efficient and flexible way of bringing together partners with shared objectives than punitive classical contracts (Macneil 1980). It has received a lot of attention in studies of management, with views for and against, but has been shown to be particular useful in potentially volatile situations, but where there is no ambiguity about the desired outcomes (Carson, Madhok, Wu 2008). The Office of Aboriginal and Torres Strait Islander Health (OATSIH) has made some gains in this direction through supporting a research report by the CRC for Aboriginal Health, the Overburden Report (Dwyer et al 2009). The Overburden Report recommended trialling of relational contracting to replace the multitude of single classical contracts currently operating in Aboriginal services. It summarised the benefits in the following table:

Classical Contracting	Relational Contracting
• Competitive	• Negotiation and collaboration
• Transaction can be specified in advance	• Difficult to detail transaction in advance
• Rigid	• Flexible
• Discrete transaction (short term contract)	• Long term contract
• More formal/more legal enforcement	• Less formal/less legal enforcement
• Less risk sharing	• More risk sharing
• Auditing is for control	• Trust - mutual benefit
Appropriate in:	• Auditing is for strategic planning
• Urban setting	Appropriate in:
• Selective service	• Rural Setting
• Private company as purchaser	• Wide range of services
• Selective member as consumer	• Government as purchaser
• Contracting with private provider	• General population as consumer
	• Contracting with public institution

Adapted from Dwyer et al 2009, *The Overburden Report*, CRCAH, p.15

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A relational contracting model requires:

- An open-ended contract stipulating mutual aims
- The identification of relatively high-level broad targets
- The ability to vary the contract simply and by mutual consent to accommodate changes and learning in the practical process of land and sea management
- Six-monthly and annual reviews of progress

Based on the information gathered for this report, and the few field visits achieved, sustainable livelihoods within the three catchments are being achieved through adaptive, pragmatic experimentalist organisations, using productive and flexible alliances between regional organisations and regional outposts of government bodies. This is being achieved despite, rather than because of, the policy intentions behind multiple funding programs across multiple jurisdictions.

10. Conclusion

This report suggests that whole-of-government coordination to support environmental services and sustainable Indigenous livelihoods has not been achieved, and is unlikely to be achieved. However, sustainable Indigenous livelihoods have been notably improved since the introduction of a single Commonwealth program, Working on Country, which combines the activities of SEWPaC, the Indigenous Land Corporation and the Northern Territory Government. Field consultations for this report indicated no noticeable level of coordination across institutional boundaries outside the Working on Country program. In keeping with the Aboriginal local and regional organisations that were approached for this study this report takes a pragmatic view of this lack of progress. It sees jurisdictional fragmentation as presenting opportunities for diversification of the funding base, despite the administrative overburden.

The report finds that local and regional Aboriginal environmental management is working well in most locations, with sincere commitment to balancing cultural needs with environmental outcomes and ensuring consistent work practices. The success of local responses to local circumstances in each of the locations should be recognised. The complexity of management tasks, with their social and seasonal variations, demands that local groups work flexibly with a high degree of autonomy. This is a good environment for relational contracting where some of the administrative burden of planning and reporting can be open ended because all parties are committed to a long-term relationship to meet commonly agreed goals.

While improved coordination across government departments and jurisdictions is not a realistic expectation, improved communication between the various levels of environmental management is. Although relationships are generally good, communication between

local groups and regional representative bodies could be improved, as could communication between both of these and the public servants who oversee their programs. Most of the recommendations of this report relate in one way or another to supporting engagement based on trust. To some extent this can be improved by ensuring Aboriginal environmental managers have the technical support necessary to meet reporting requirements; to some extent it can be improved by introducing more flexibility to these requirements; but more importantly it requires participants at each level of the joint endeavour to be allowed to do what they do best.

New models of public management are required to deal with the complexity of environmental management in Australia's remote river catchments, these must also include encouragement of a new economy partly based on standard wage labour, partly based on commercial income and partly grounded in traditional pursuits. This is the sustainable path for Indigenous livelihoods.

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Appendix One: Outline of Research Meetings and Contacts

06/09/2011 Telephone interview with Karen Dayman, ex-Coordinator of FitzCam.

06/09/2011 Telephone interview with Rodney Whitfield CEO of Kowanyama Native Title PBC.

11/10/2011 Telephone interview with Sue Jackson, CSIRO.

17/10/2011 Telephone discussion Viv Sinnamon, Manager, Kowanyama Land Office.

18/10/2011 Further telephone interview Karen Dayman, ex-Coordinator FitzCam.

20-21/10/2011 Field visit Kowanyama via Cairns. Interviews with Rodney Whitfield, Viv Sinnamom, also present Teddy Bernard Chair native title PBC.

24/10/2011 Meeting Darwin with Tristan Simpson NAILSMA.

26-27/10/2011 Telephone discussion with Ari Gorring Kimberley Land Council. Meetings at Fitzroy Crossing with ex-FitzCam members Mary Aitken, Mervyn Street. Background briefing Kathryn Thorburn.

08/11/2011 Telephone interview with Mona Liddy, Chair, Daly River Aboriginal Reference Group.

18/11/2011 Contacted Richard Jenkins, Balkanu. Brief discussion of relationship of Balkanu to local ranger groups. Arrangement to meet in Cairns after Christmas.

29/11/2011 Meeting with Malak Malak ranger group at Wooliana (Daly River via Darwin).

17/01/2012 Telephone interview Ron Archer, Northern Gulf Indigenous Savannah Group (Qld).

18/01/2012 Telephone interview Aaron Crosby, ex-Finance Officer Kowanyama Land Office.

20/01/2012 Meeting in Canberra with Kate Golson, Environs Kimberley. Discussed FitzCam.

01/02/2012 Meeting in Darwin with members of Daly River Aboriginal Reference Group, Mona Liddy Chair.

02/02/2012 Meeting in Darwin with Justine Yanner, Manager Northern Land Council Land and Sea Management Unit.

10/02/2012 Telephone interview with May Rosas, member Daly River Aboriginal Reference Group.

08/03/2012 Telephone interview with Hugh Wallace-Smith, first co-ordinator of FitzCam influential in establishing group, ex-Kimberley Land Council employee. Also discussed Yirriman youth project.

14/03/2012 Telephone interview Ari Gorring, Manager Land and Sea Unit Kimberley Land Council.

11/04/2012 Meeting with Sandra VanVreeswyk and Chris Ham, Department Agriculture and Food WA, Broome.

11/04/2012 Meeting with Sharon Ferguson, Department of Environment and Conservation WA, Broome.

11/04/2012 Meeting with Joe Ross, Chair Northern Task Force, Broome and Fitzroy Crossing.

12/04/2012 Meetings with Mary Aiken (Bunaba), Keith Anderson (Jubilee Downs), Jimmy Shandley and Joy Nuggett (Guniyandi).

13/04/2012 Meetings with Lillian Chestnut (FitzCam project officer), Guniyandi rangers steering committee, Phillip Hams (Go Go station) Fitzroy Crossing.

Appendix Two: Research Outline Distributed

WHOLE OF GOVERNMENT, WATER CATCHMENT MANAGEMENT GROUPS AND INDIGENOUS LIVELIHOODS

Research project North Australian Indigenous Land and Sea Management Alliance (NAILSMA) and the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS)
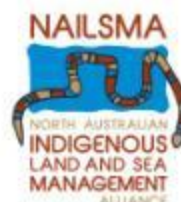
This project has been contracted to AIATSIS by NAILSMA. It is funded by the Commonwealth government's Northern Australia Water Futures Assessment (NAWFA). It will be carried out by Dr. Patrick Sullivan. Patrick Sullivan is an anthropologist who has worked on land issues with Aboriginal people, mainly in Western Australia, for nearly thirty years. He will be holding meetings with catchment management groups, Aboriginal reference groups and native title PBCs at Kowanyama (Mitchell river catchment), Daly River (Daly river catchment, sites to be confirmed) and Fitzroy Crossing (Fitzroy river catchment).

This research will ask questions about current government programs for assisting local Aboriginal people to manage land and water in their regions. It will particularly focus on their ability to gain a livelihood from land and water, both in the sense of their economic use of land and water, and also through employment opportunities in environmental management.

The project will produce a report for NAILSMA and the participants that:

- Describes the representative groups and networks for environmental management in the catchment or locality
- Assesses the current ability of these representative groups and networks to actively manage land and water, influence policy, and control development
- Assesses relevant government agencies and their ability to work together, and suggests improvements in their processes

The project will focus on how well local governments, state governments and the Commonwealth government cooperate together to assist, encourage and support local self-management. If these three levels of government are not working well with the catchment management groups the project will try to understand why. At the end of the project recommendations will be made about how cooperation can be improved and how sustainable employment opportunities can be supported.

For more information contact: Patrick Sullivan, AIATSIS, GPO Box 553, Canberra, ACT 2601. Tel: 02 6246 1104 Email: Patrick.Sullivan@aiatsis.gov.au

Part Two: Project Catchment Profiles and Literature Review

Claire Stacey
Senior Project Officer AIATSIS

Project Catchment Profiles

Kowanyama and the Mitchell River Catchment Area

Introduction
See Map 1, 2, 3, 4, 5 and 6.

The Mitchell River catchment area spans a distance of approximately 72,000 km² covering the base of the Cape York Peninsula, from the western coast on the Gulf of Carpentaria, with the eastern boundary ending on the edge of the Atherton Tablelands, as shown on Map 3 (MRWMG, 2011). Within this catchment region Kowanyama is the largest community, situated 25 kms inland from the Gulf of Carpentaria at the western base of the Cape York Peninsula. Kowanyama sits on the banks of Magnificent Creek, which joins with the South Mitchell River and then forms part of the Mitchell River delta, see Map 1 and 2 (Kowanyama Council, 2010: 11). The Mitchell River is the 13th largest river in Australia by area (estimated at 71,630 km²), however it has one of the highest river discharge volumes at 14m megalitres (CSIRO, 2009, in Sinnamon, 2011: 9), which has been compared to an undeveloped Murray Darling River system (DNRW, 2006, in Sinnamon, 2011: 9).
The population of Kowanyama is approximately 1,200 people (Qld govt, 2010), with other communities in the area such as Chillagoe, Mount Molloy, Mount Carbine and Dimbulah having populations of approximately between 100-300 people (ABS, 2006). However the Queensland governments Water Resource (Mitchell) Plan 2007 allocates a different boundary which does not include Dimbulah, see Map 4, therefore the exact profile of the catchment is dependent upon which boundary is applied.

The catchment region involves four local government jurisdictions: Cook Shire Council, Carpentaria Shire Council, Tablelands Regional Council (previously Mareeba Shire Council) and the Kowanyama Aboriginal Council.

Within the Kowanyama Aboriginal Council, the Kowanyama Aboriginal Land and Natural Resource Management Office (Lands Office) is the central point for land and sea management in the Kowanyama region. The Kowanyama region sits within two of the Federal government's prescribed natural resource management regions, the Northern Gulf Resource Management Group and the Cape York Natural Resource Management Body, see Map 5 and 6 (Sinnamon, 2011: 10).

The Mitchell River Watershed Management Group Inc., is an independent, not-for-profit organisation established in 1990 to promote "grass roots community engagement, capacity building, and sustainable and integrated management of the Mitchell River catchment area" (MRWMG, 2011).

Population
See Map 3 and 4.

Using the region defined by the Mitchell River Watershed Management Group, the Mitchell River Catchment region includes the towns of Kowanyama, Chillagoe, Mount Molloy, Mount Carbine and Dimbulah and approximately 50 other small outstations and communities (see Map 3 MRWRG, 2011). However, the Queensland governments Water Resource (Mitchell) Plan 2007 allocates a different boundary which does not include Dimbulah, one of the significant population centres in the region, therefore the exact profile of the catchment is dependent upon which boundary is applied.

The population within this region is dependent upon seasonal weather patterns and transience between the larger centres such as Cairns and the surrounding regions. It should also be noted that Aboriginal and Torres Strait Islander populations are often underrepresented in census data due to the complexities of recording populations in remote regions.

Kowanyama is the largest town in the region with an estimated population in 2010 of 1,198 people (QLD govt, 2010). Dimbulah near the Atherton tablelands had a population of 381 in 2006, while the region surrounding Dimbulah had a population of 1,461. Using data from the 2006 Census based on the towns within the catchment region, a rough estimate of the population in the catchment region is 3,154, with an Indigenous population of 1,125.

Table 1: Population statistics for the Mitchell River Catchment area based on 2006 ABS Census data

	Total population 2006	Indigenous population 2006
Kowanyama region	1,021	946
Chillagoe region	305	78
Mount Molloy region	276	10
Mount Carbine region	91	Unavailable
Dimbulah region	1,461	91
TOTAL	3,154	1,125

Source: ABS 2006 Census Quick Stats: Kowanyama (State Suburb); Chillagoe (State Suburb); Mount Molloy (State Suburb); Mount Carbine (State Suburb); Dimbulah (State Suburb).

Language Groups

For the Kowanyama community the language groups are the: Kokoberra, Yir Yoront (or Kokomnjen), Kunjen, Uw oykangand, and associated Olkola speaking groups (Kowanyama Council, 2011: 7-11).

For the broader region there are at least seven Indigenous language groups that exist, which have been incorporated into the formation of a Mitchell River Traditional Custodian Advisory Group (MRTCAG). The MRTCAG includes: Western Gugu Yalanji, Gugu Mini and Koko Mullarichee operating as one group, Mbabaram, Wokomin and Kuku Djungan.

Land Tenure
See Map 7, 8 and 9

Land tenure in the Mitchell River catchment area is composed of a variety of tenures, including pastoral leases, national parks, native title, crown land and private tenure, as shown on map 9. Within the Kowanyama Shire region, the Kowanyama Aboriginal Council holds a variety of land tenures. In 1987 the Kowanyama Aboriginal Council was transferred control of the Mitchell River Mission and Reserve from the State of Queensland under a Deed of Grant in Trust (DOGIT). In 1992 two pastoral leases were purchased, Oriners and Sefton, taking the area of land under the DOGIT to approximately 4,120 km² (Council Annual Report, 2010, p. 12). These lands, along with the Errk Oykangand National Park, are referred to as the Kowanyama Aboriginal Lands (Sinnamon, 2011: 10).

Native Title
The Kowanyama people are pursuing native title rights in a three staged process over a claim area covering 19,800 km²; see Map 7, which is comprised of three areas, Part A, Part B and Part C. In 2009 native title was determined over Part A (*Kowanyama People v State of Queensland,* 2009) for a region of 2,518 km² within the original DOGIT, but excluding the town area (ATNS, 2011). Native title Rights in Kowanyama are held under the registered native title body corporate (RNTBC), also known as a Prescribed Body Corporate (PBC), Abm Elgoring Ambung Aboriginal Corporation. The lands under Part B and C of the claim include the Kowanyama township and Errk Oykangand National Park.

Joint Management
In 2009 the *Errk Oykangand National Park (Cape York Peninsula Aboriginal Land) Indigenous Land Use Agreement (ILUA)* was signed (ATNS, 2011), establishing a joint management agreement between the Kowanyama people and the State of Queensland over the Errk Oykangand National Park (previously the Mitchell-Alice Rivers National Park), see Map 8. The land is now recognized as Aboriginal land under the *Aboriginal Land Act 1991* (Qld) and was granted to members of the Kowanyama Aboriginal Land Trust. The use and management of the land is governed by the *Nature Conservation Act 1992* (Qld) (ATNS, 2011). This was made possible under the *Cape York Peninsula Heritage Act 2007* which amended the amended the *Nature Conservation Act 1992* (Qld) to allow for a new class of protected area in Cape York known as "Cape York Peninsula Aboriginal land. These developments are the result of the Cape York Tenure Resolution Implementation Group, who negotiated the *Cape York Peninsula Heritage Act 2007* (Qld) and the return of over one million hectares of land to Traditional Owners (ATNS, 2011).

Local Government

The Mitchell River Catchment area sits within four local government regions: the Cook Shire, Carpentaria Shire Council, Tablelands Regional Council (previously Mareeba Shire Council) and the Kowanyama Aboriginal Council. All four regions are recognised as shires under the *Local Government Act 2009* (Qld).

In 2005 the Kowanyama Aboriginal Council began the transition from an Aboriginal council under the *Community Services (Aborigines) Act 1984* (Qld), to a shire under the *Local Government (Community Government Areas) Act 2004* (Qld). The Community Governance Improvement Strategy was initiated to support governance capacity building within Aboriginal and Island councils in Queensland, with the objectives of:

> *improved human resource capacities; improved business performance and good governance; sustainability by increasing collaborative opportunities to improve council services; and more effective engagement with stakeholders including the community and government* (DLGP,2010).

A study of Indigenous councils in Queensland found that some key disparities between Aboriginal councils and 'mainstream' councils. Aboriginal councils perform a range of functions compared with other local governments, due to the historical legacy of missions, the limited capacities of the non-Government sector and the limited capacities of the private sector (Limerick, 2010: 9). Additionally, as Aboriginal councils are predominantly situated on communally held Aboriginal lands, the councils are unable to raise rates within their jurisdictions, compared with the majority of local governments whose constituents are individual ratepayers holding privately owned land. To account for this disparity, the Queensland government funds Indigenous councils through grants under the State Government Financial Assessment scheme,   and councils also receive Commonwealth government funding through Financial Assistance Grants. These grants could not solely support the Councils required functions however, and as a result councils seek funding through a State and Federal departments, private funding and any income that can be generated from enterprise (Limerick, 2010: 9).

The Kowanyama Aboriginal Council now faces new challenges under the *Local Government Act 2009* (Qld) with increased obligations for elected Members and operational staff, and adherence to the *Public Services Act 2008* (Qld) (Council annual report, 2010: 5).

Government structures for environmental management

The Federal government is operating within the region through the Department of Sustainability, Water, Populations and Communities (SEWPAC) and their Working on Country program, as well as the Kowanyama Wetlands Technical Advisory Group. The CSIRO is also engaged in research partnerships with the Kowanyama Lands Office.

The Queensland government departments that are funding programs in the region include the Department of Environment and Resource Management (DERM), the Department of Communities, the Department of Health and Wild Rivers.

Community Involvement in Environmental Management

Community involvement in environmental management in the region largely occurs through the Kowanyama Land Office, as well as the Mitchell River Watershed Management Group and the Mitchell River Traditional Custodian Advisory Group. The Kowanyama Land Office has emerged from activism during the 1970s and 1980s and continues to engage broadly on a number of land management issues, including relationships with Native American colleagues in North America (Sinnamon, 2011: 20).

Additionally, the Balkanu Cape York Development Corporation has a Caring for Country Business Unit which administers a range of land management related programs within the Cape York region.

Significant Reports

Connor, S., Sokolich, B., Hoogwerf, T., MacKenzie, J. and Butler, J., 2009. Mitchell River Catchment: regional perspective, in *Northern Australia Land and Water Science Review: full report,* Commonwealth Scientific and Research Organisation (CSIRO), Canberra.

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    Viv Sinnamon, Manager of the Kowanyama Aboriginal Land and Natural Resources Management Office, outlines the history of Indigenous land management in Kowanyama.
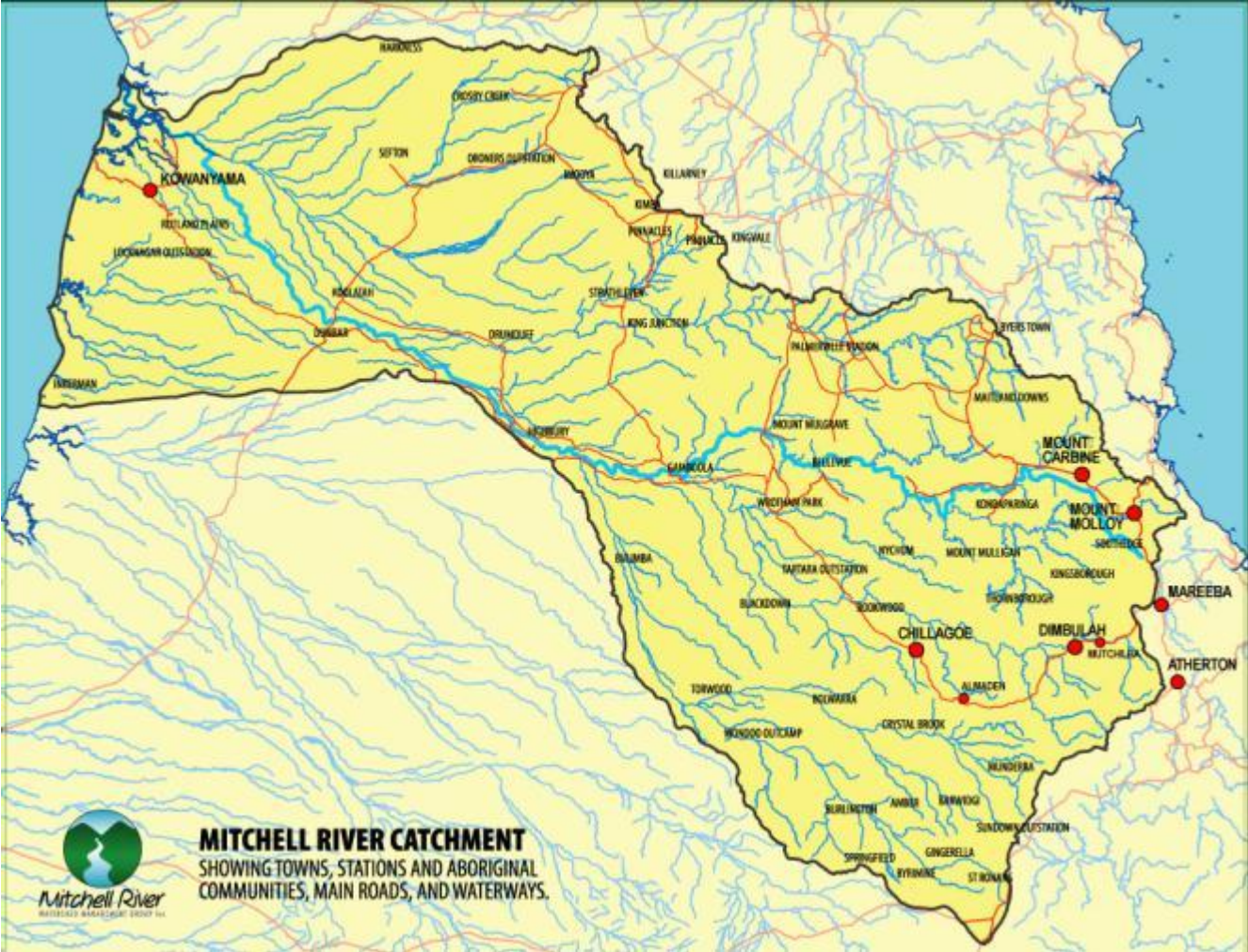
Maps

Map 1: Mitchell River Catchment Area
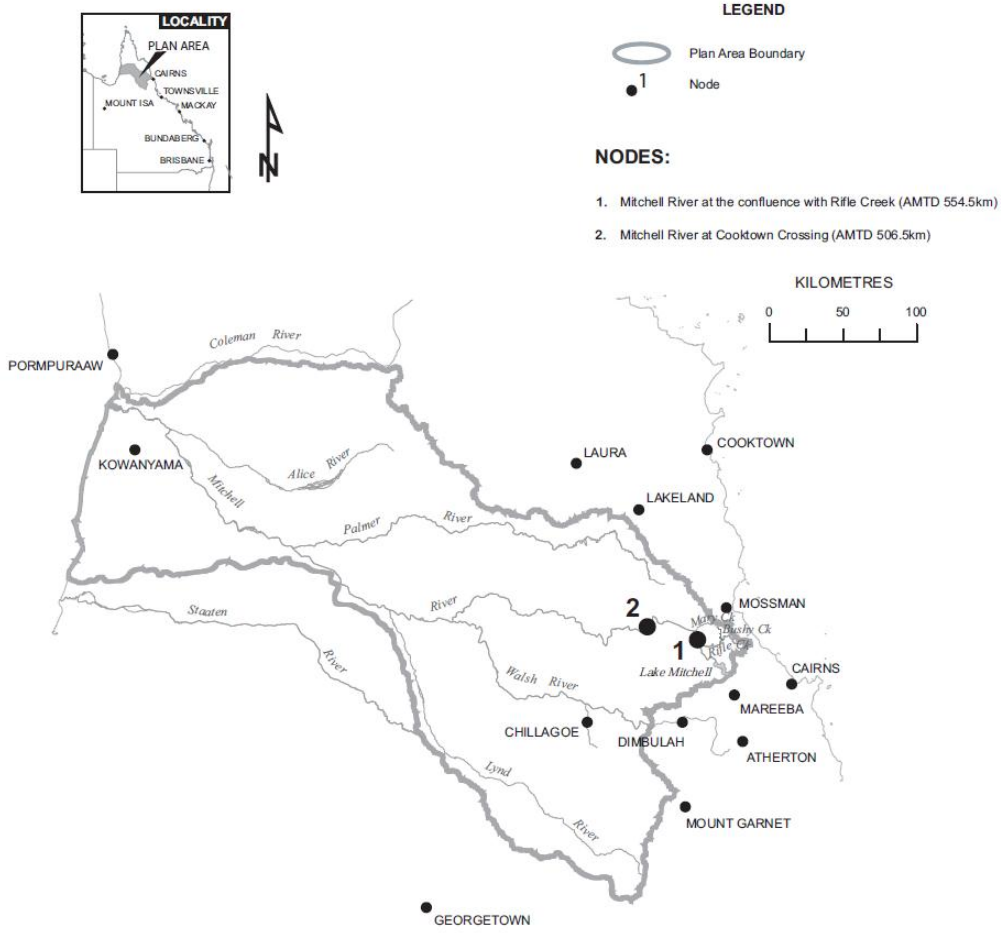
Source: **Sinnamon, 2011: 18**

Map 2: Water Resource (Mitchell) Plan: Plan Area Boundary

Source: Queensland Government

Map 3: Mitchell River Catchment: Showing Towns, Stations and Aboriginal Communities, Main Roads and Waterways
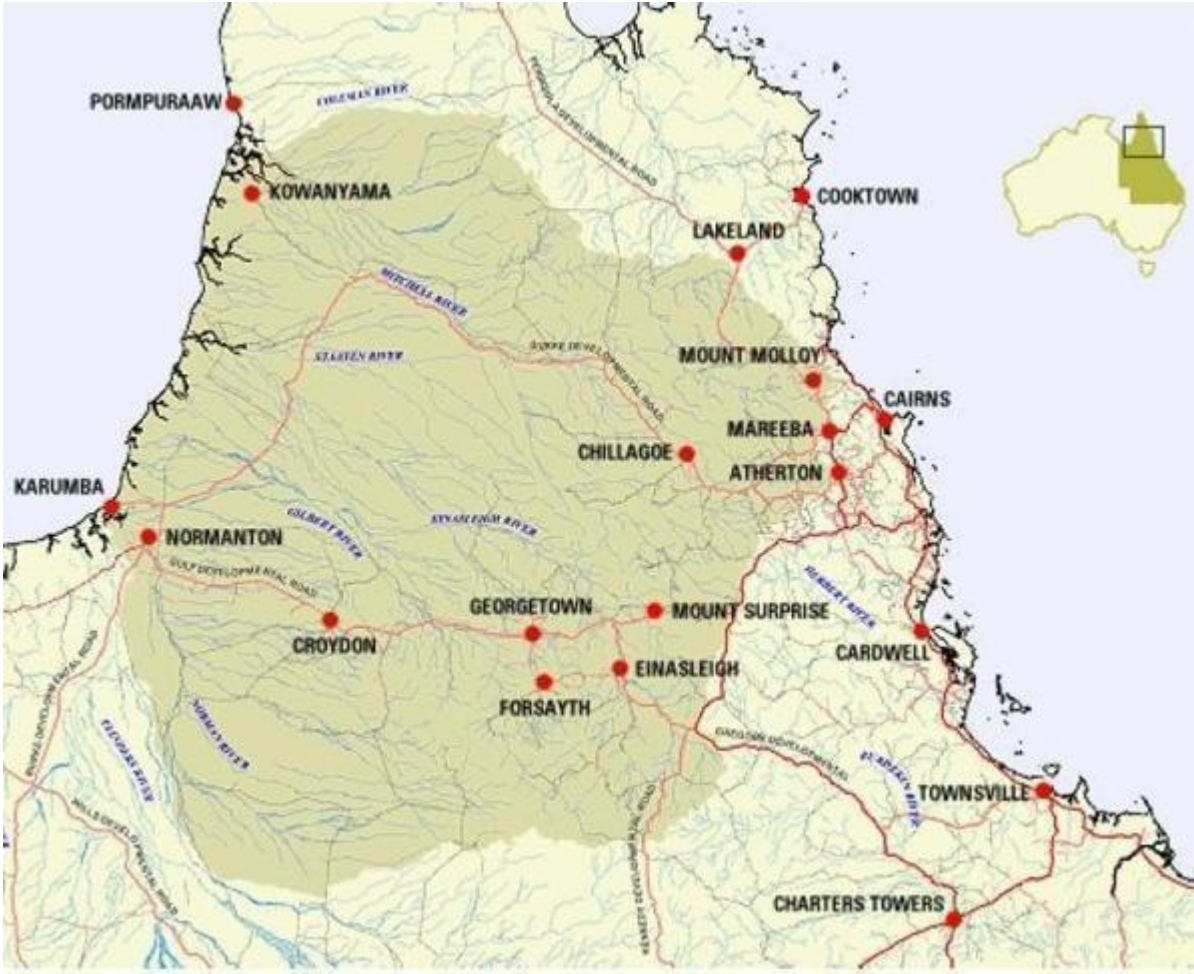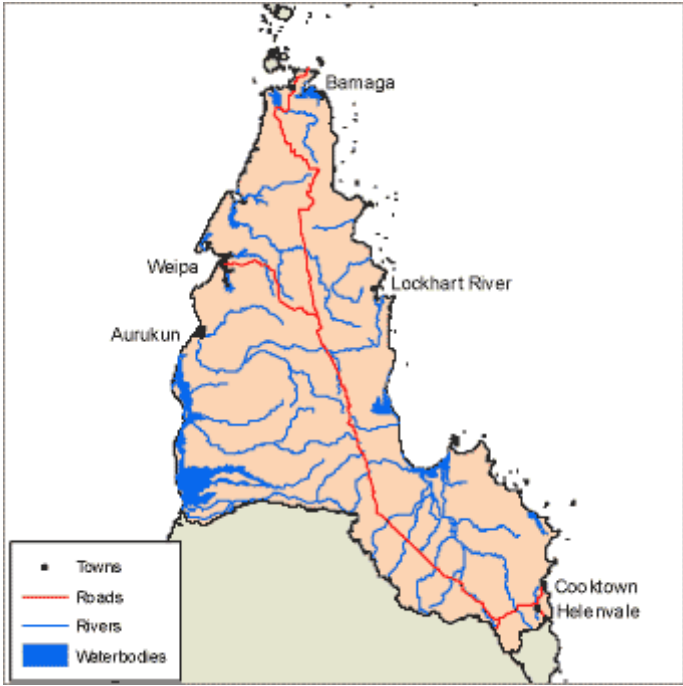
Source: Mitchell River Water Management Group

Map 4: Water Resource (Mitchell) Plan, 2007: Schedule Area

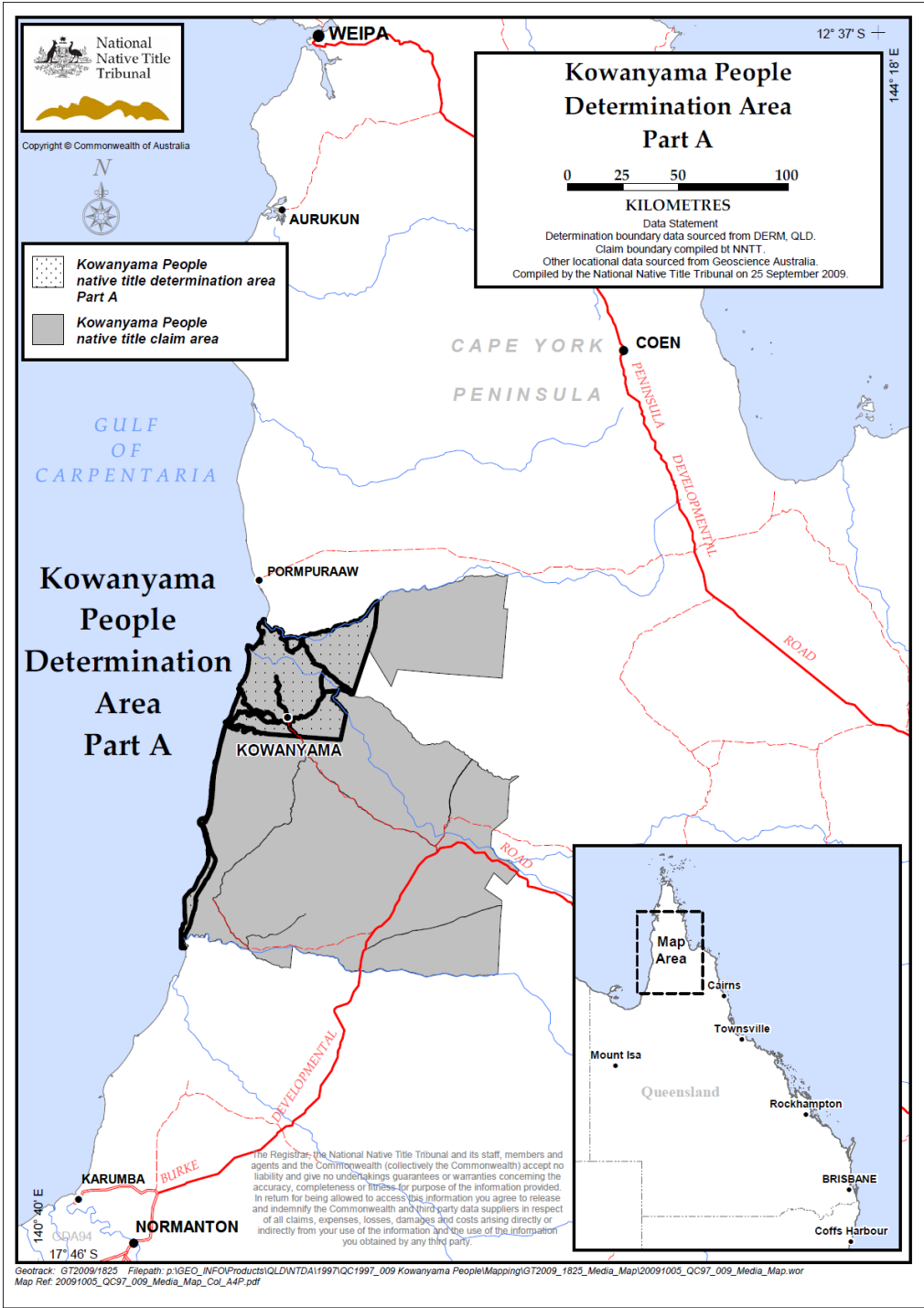*Source: Queensland Government*

Map 5: Northern Gulf Resource Management Group: Region Map

Source: Northern Gulf Resource Management Group

Map 6: Cape York Natural Resource Management Group: Region

Source: Caring for our Country: Cape York - Natural Resource Management region

Map 7: Kowanyama People Determination Area Part A

Source: National Native Title Tribunal
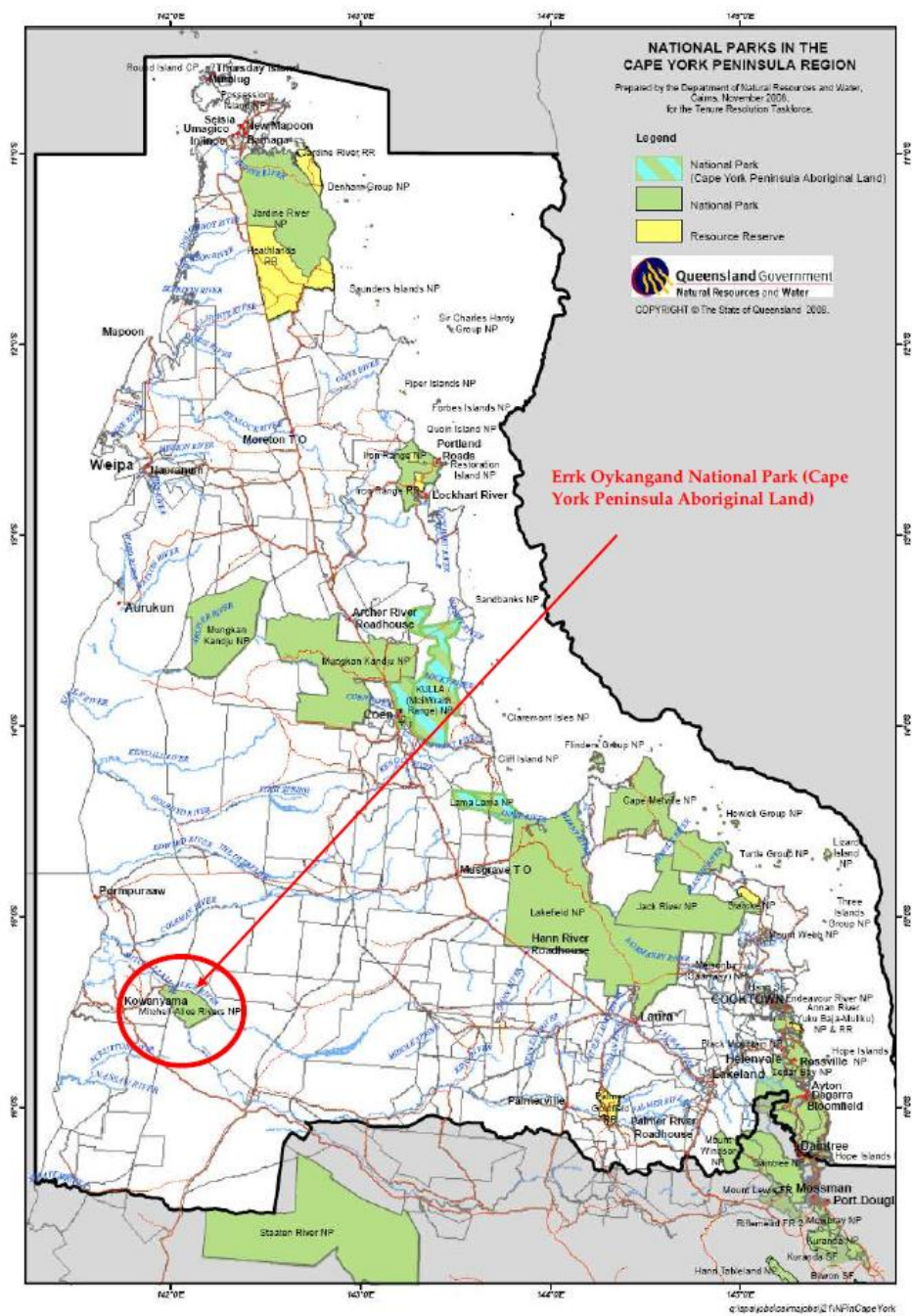
Map 8: Errk Oykangan Nationa Park (Cape York Peninsula Aboriginal Land)

Source: Queensland Government
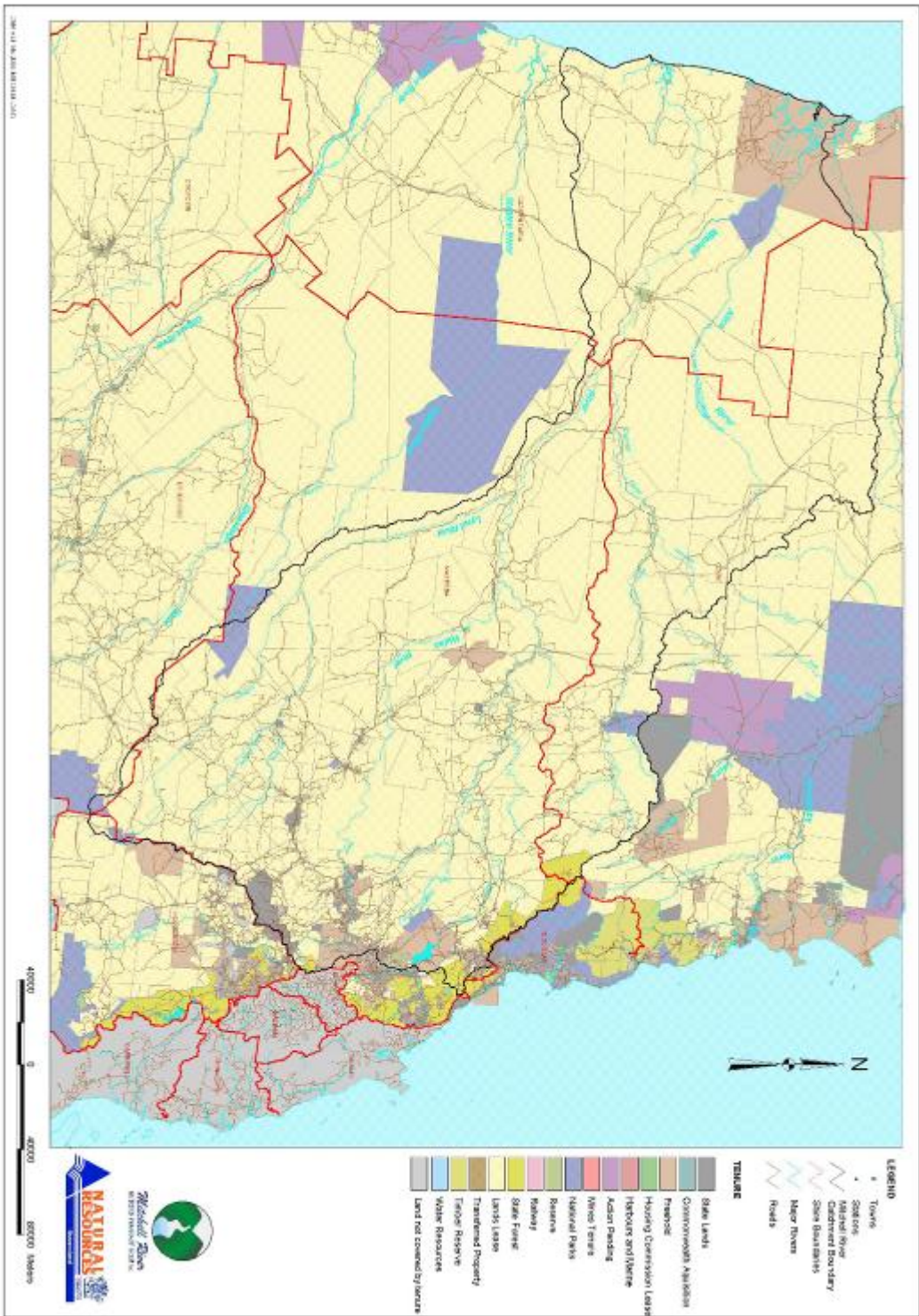
Map 9: Land tenure in the Mitchell River Catchment Area

Source: Mitchell River Watershed Management Plan

Fitzroy Crossing and the lower catchment region of the Fitzroy River

Introduction
See Map 1, 2 and 3.

The Fitzroy River catchment is located in the central Kimberley region of Western Australia, comprising about 23% of the Kimberley region, and is estimated to be an area of over 95,000 km² (CENRM, 2010: 12). Fitzroy Crossing and Derby are the two centres within the catchment region, with a number of smaller communities spread throughout the region. While Derby is the bigger centre of the two, the prime interests in river management emerge from Fitzroy Crossing – additionally a number of Indigenous organizations are based in Fitzroy.

The catchment falls within three shires: Shire of Wyndham / East Kimberley; Shire of Halls Creek; and Shire of Derby / West Kimberley.Rangelands Natural Resource Management is the federally prescribed NRM body for the region and in 2007 Rangelands funded the Fitzroy Catchment Management Project (FitzCam). FitzCam was commissioned by Rangelands under NHT funding to produce the Fitzroy River Catchment Management Plan (CENRM, 2010: 6-8). The plan engaged with a number of Indigenous stakeholders and a working agreement was established between the Kimberley Land Council, Kimberley Aboriginal Law and Culture Centre, Kimberley Language Resource Centre, and Kimberley Aboriginal Pastoralists Incorporated.

Population
See Map 4.

There is an estimated population of approximately 7,000 people living within the region, with approximately 80% of the population identifying as Aboriginal or Torres Strait Islander (ABS, 2007). It should also be noted that Aboriginal and Torres Strait Islander populations are often underrepresented in census data due to the complexities of recording populations in remote regions.

Table 1: Population statistics for major towns in the Fitzroy River Catchment area based on 2006 ABS Census data

	Total population 2006	Indigenous population 2006
Fitzroy Crossing	928	625
Derby	3,200	1,404
TOTAL	4,128	2,029

Source: ABS 2006 Census Quick Stats: Fitzroy Crossing (State Suburb); Derby (State Suburb).

Language Groups
See Map 5.

Within the catchment region there are a number of language groups, including: Bunuba, Kija, Walmajarri, Wankatjunka, Gooniyandi, Nyikina, Western Jaru, Mangala, Worrowa, Andajin and Ngaranyin (Fitzroy River Catchment Management Plan, 2010).

Land Tenure
See Map 3, 4 and 6.

There are a range of tenures present within the catchment region, including pastoral leases, native title and conservation reserves. A number of native title determinations connected to the catchment region including Noonkanbah, which is entirely within the region, and other determinations such as Ngurrara, which overlap the border of the catchment region (see Map 4). There are also five registered applications for native title within the catchment region.

Local Government
See Map 1.

The catchment falls within three shires: Shire of Wyndham / East Kimberley; Shire of Halls Creek; and Shire of Derby / West Kimberley. The Shire of Derby / West Kimberley is the governing authority in the western part of the catchment region, while the Shire of Halls Creek is the governing authority for the eastern part of the catchment region.

Government structures for environmental management

Rangelands NRM has played a key role in environmental management of the Fitzroy River through the Fitzroy River Catchment Management Plan. This incorporated relationships with a range of Commonwealth and State stakeholders, including: Department of Sustainability, Environment, Water, Population and Communities (SEWPAC); the Department of Agriculture and Food Western Australia (DAFWA), who run programs facilitating pastoral diversification and Indigenous pastoral support program; Department of Environment and Conservation (DEC), who are engaged in the joint management of Geikie Gorge national park; Department of Planning (Planning WA), who coordinate land-use in communities; and the Department of Water; Department of Fisheries.

Community Involvement in Environmental Management

The Fitzroy River Catchment Management Plan engaged with a number of Indigenous stakeholders, and in May 2008, a working agreement was reached between Kimberley Land Council, Kimberley Aboriginal Law and Culture Centre, Kimberley Language Resource Centre, and Kimberley Aboriginal Pastoralists Incorporated. The outcomes of this working agreement informed the Kimberley Aboriginal Caring for Country Plan (Griffiths and Kinnane, 2010). The Fitzroy River Catchment Management Plan endorsed the values expressed in the Caring for Country Plan.

- Aboriginal people are committed to Caring for Country.

- Aboriginal Knowledge must be maintained, protected and valued.
- The transmission of language, cultural skills and practices from elders to younger generations is vital.
- Improved collaboration requires appropriate consultation, engagement and communication processes.
- Creating employment and building empowerment in businesses, especially on Country, is essential.
- Recognising Aboriginal ownership of land and the need for people to be on Country is critical to achieving healthy Country and healthy people.
- Language is a critical part of Aboriginal engagement with the landscape.
- Aboriginal livelihoods and community capacity can be encouraged and empowered by Caring for Country.
- Caring for Country has a vital role in building leadership and instilling cultural, political and social values in younger generations.

Other community organisations involved in environmental management include:

- Northern Australian Indigenous Land and sea Management Alliance (NAILSMA);
- Indigenous Water Policy Group (IWPG); and
- Bunuba Inc.

Significant Reports

Centre of Excellence in Natural Resource Management, 2010. *Fitzroy River Catchment Management Plan*. The University of Western Australia, Nedlands.
> The objective of the Fitzroy River Catchment Management plan is to development a management plan for future development of the catchment region that meets the needs of all stakeholders for maintaining the key values of the region, through community engagement and catchment planning.

Department of Water, 2009. *Fitzroy Catchment subregion overview and future directions: Kimberley regional water plan and discussion paper,* Department of Water, Perth.
> This discussion paper provides a profile of the Fitzroy Catchment according to water use and management, people and groups and issues facing water management in the catchment. It drafts future directions and ways forward for water management, and forms part of the consultation process for the Department of Water's regional planning activities.

Government Western Australian, 2009. *Fitzroy Futures Town Plan*, Government of Western Australia, Perth.

Griffiths, S. and Kinnane, S., 2010. *Kimberley Aboriginal Caring for Country Plan – healthy country, healthy people*, report prepared for the Kimberley Language Resource Centre, Halls Creek.
> This report has emerged from research and consultation with Kimberley Aboriginal people and offers an extensive review of caring for country in the region. A range of

key themes were developed based upon consultation with Traditional Owners during the project, summarising the central aspects of successful caring for country activities, namely: Access to Country; Right People, Right Country; Transmission of Law, Culture and Language on Country; Respect for Indigenous Rights and Indigenous Knowledge; Managing Country; Economic Opportunities on Country; Governance on Country (PBCs), Cultural Blocs and Regional Aboriginal Organisations; Information Management for Country; Partnerships for Caring for Country; and Protocols for Caring for Country. Within each theme the key issues, threats and pressures are identified, and the plan thus provides specific and in-depth evidence to support the connection between caring for country and broad reaching cultural, spiritual, social, political, environmental and economic benefits for the region. The value of this report is the practical findings and recommendations for achieving benefits from caring for country, based upon extensive research, offering invaluable information to support the holistic benefits of caring for country.

Western Australian Planning Commission, 2011. *Bayulu Community Layout Plan 1 Amendment 1,* prepared by the Department of Planning, Perth.
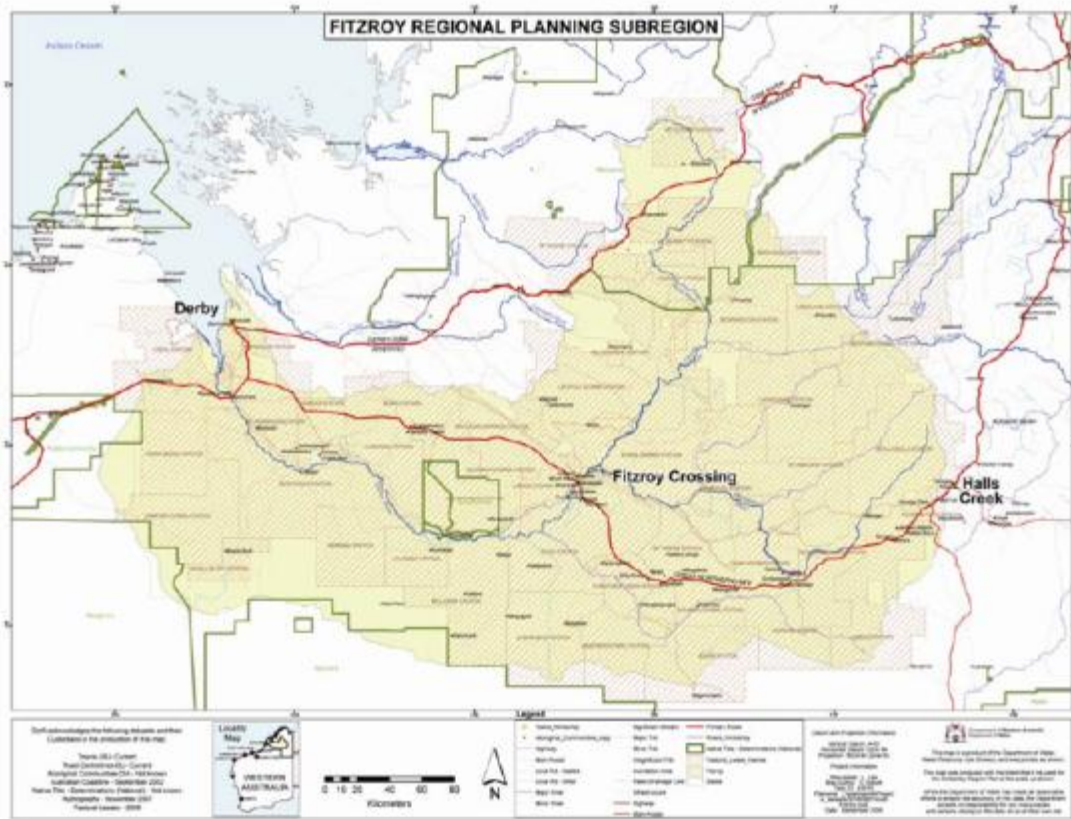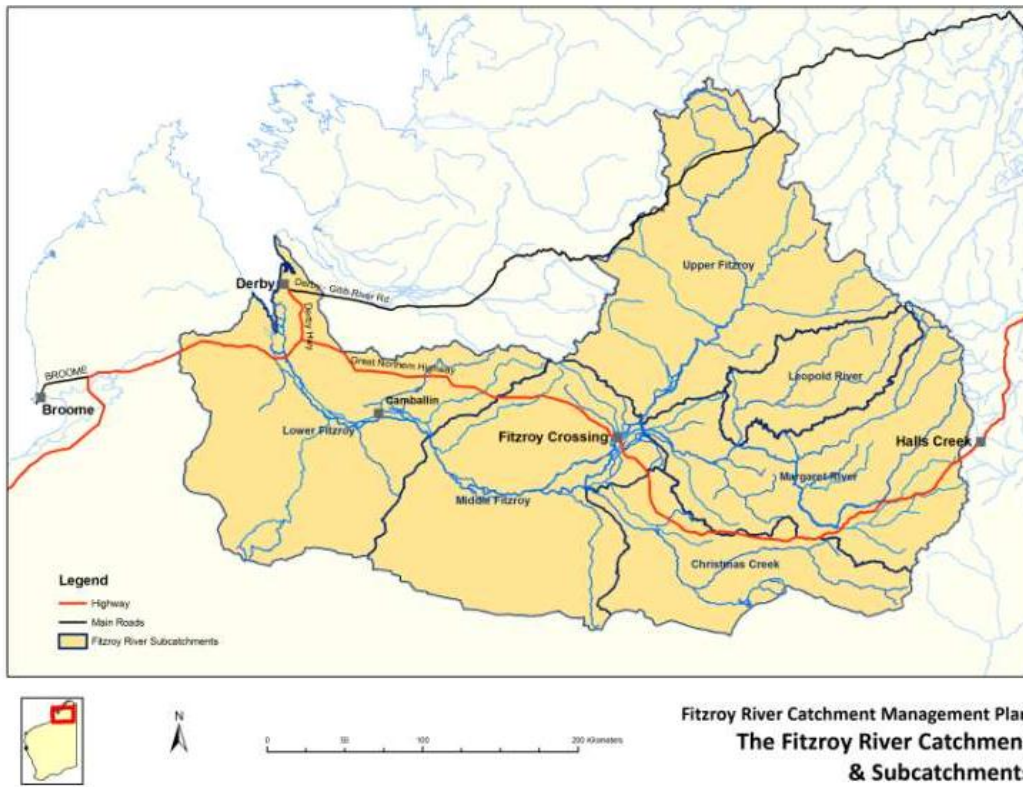
Maps

Figure 1 Fitzroy catchment subregion

Map 1: Fitzroy catchment subregion

Source: Department of Water

Map 2: Fitzroy River Catchment Management Plan: Fitzory River Catchment and subcatchments
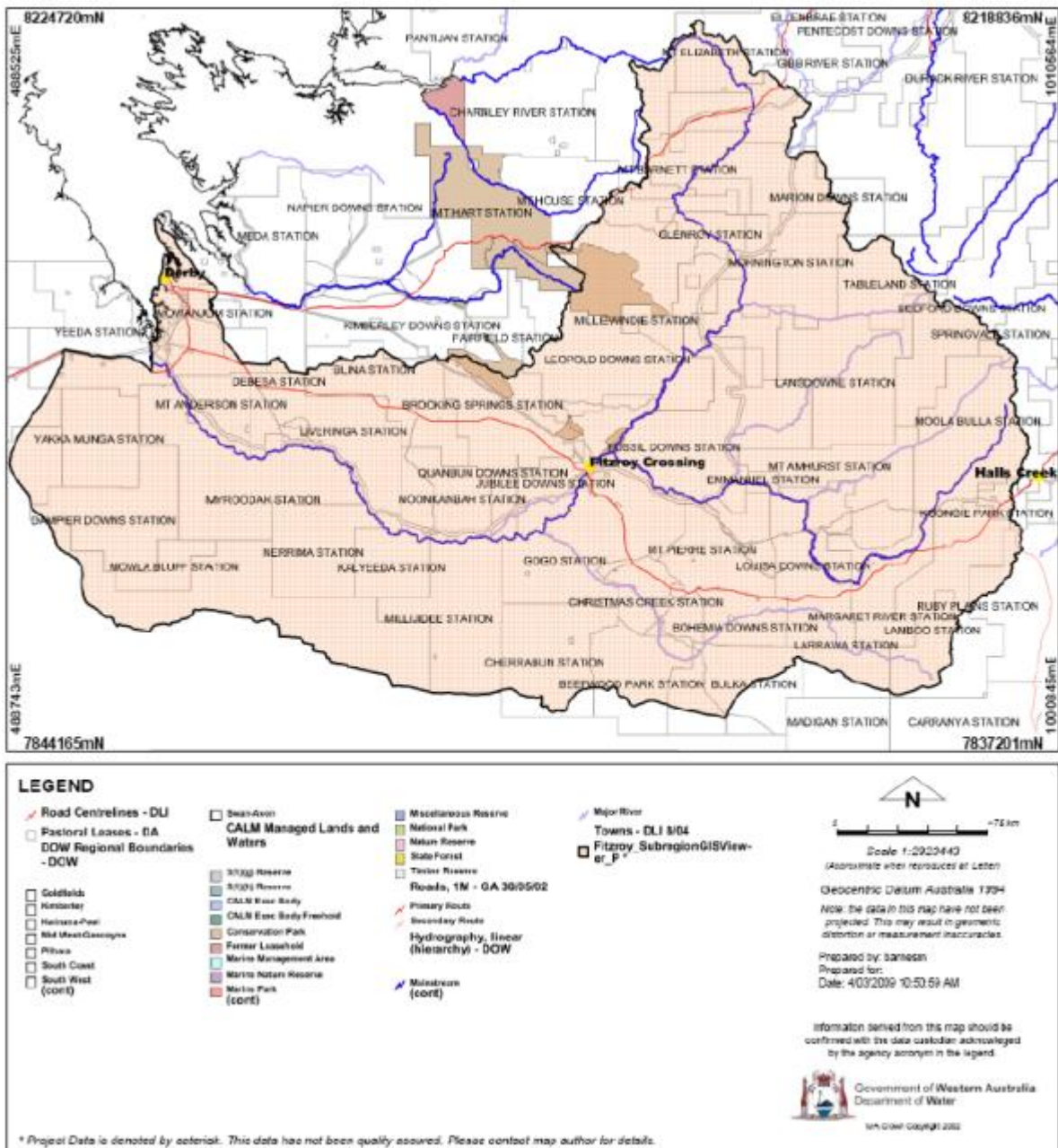
Source: Fitzroy River Catchment Management Plan, 2010.

Figure 3 The Fitzroy catchment showing land tenure

Map 3: Fitzroy catchment showing land tenure

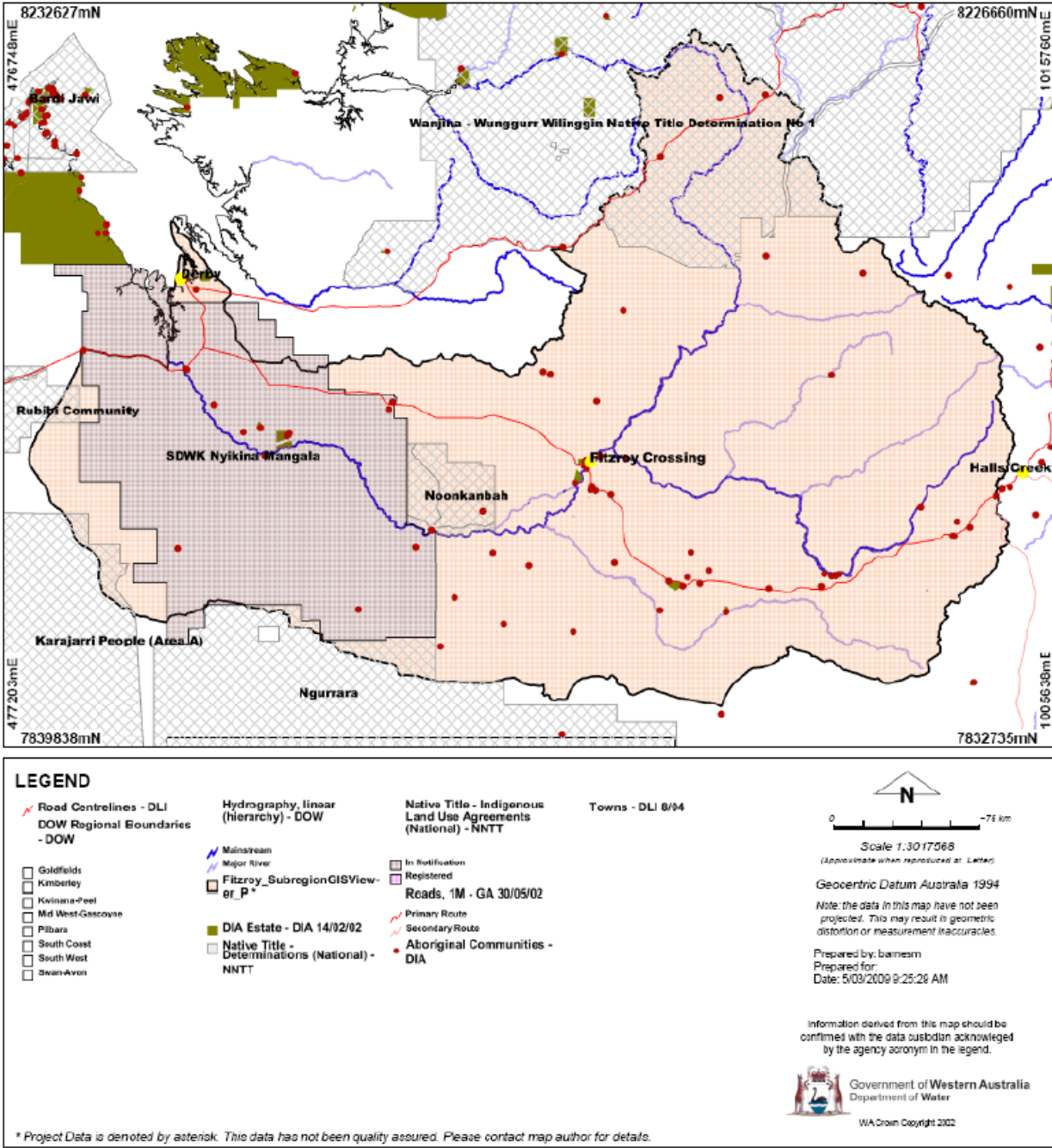*Source: Department of Water*

Figure 4 Native Title and Aboriginal communities

Map 4: Native Title and Aboriginal Communities

Source: Department of Water

Map 5: Kimberley Language Groups

Source: Fitzroy River Catchment Management Plan, 2010

Daly River Catchment Region

Introduction
See Map 1, 2 and 3.

The Daly River Catchment covers an area of approximately 2,065,800 hectares in the north-west of the Northern Territory, including the town of Katherine and the smaller communities of Pine Creek, Daly River (Nauiyi), Wooliana and Hayes Creek. The Daly River Management Advisory Committee (DRMAC), as well as the Daly River Region Community Reference Group, play key roles in determining the land management objectives for the region. The DRMAC has established the Daly River Aboriginal Reference Group (DRARG) to advise it on Aboriginal issues within the catchment.

With a change in local government structures in 2008 through the shire system, the Big Rivers management plan was also introduced over the Daly River region, adjusting to the change in governance.
Territory Natural Resource Management is the federally prescribed NRM body for the region, with the Daly River region falling between two subregions: Top End and Gulf Savanna.

Population

The Daly River Catchment region includes the town of Katherine and the smaller communities of Pine Creek, Daly River (Nauiyi), Wooliana and Hayes Creek. According to 2001 census figures the population within the region was 14,070, with a breakdown of 25.5% Indigenous and 74.5% non-Indigenous (Daly River Community Reference Group, 2004b: 43). It should also be noted that Aboriginal and Torres Strait Islander populations are often underrepresented in census data due to the complexities of recording populations in remote regions.

Table 1: Population statistics for the Daly River Catchment area based on 2006 ABS Census data

	Total population 2006	Indigenous population 2006
Katherine	8,194	1,981
Pine Creek	3,200	1,404
Daly River (Nauiyu)	647	300
Wooliana	1,008	896
Hayes Creek	281	254
TOTAL	13,330	4,835

Language Groups
See Map 5.

The Northern Land Council recognizes at least 11 discrete groups of Aboriginal people within the Daly River Catchment region. These include: Wadjigiyn; Maranunngu; Malak Malak; Kamu; Warai; Nanggiwumerri; Wagiman; Wardaman; Dagoman; Jawoyn; Yangman (Daly Region Community Reference Group, 2004. Draft Report, p.45).

Land Tenure
See Map 4.

Within the catchment region there is a range of tenures including pastoral leases, Aboriginal land, Crown land and reserves. Pastoral lands make up the majority of land use within the region, followed by Aboriginal Land Trusts lands, as can be seen in the table below.

Table 12:   Terms of Reference Area and Focus Area – Land Tenure by Type

Terms of Reference Area	Area (hectares)	% of Total
Freehold (excluding Aboriginal Land Trust land)	267 666	4.4
Pastoral Lease	2 751 003	44.7
Crown Lease Perpetual	789 764	12.8
Crown Lease Term	34 054	0.6
Special Purpose Lease	1 630	0.0
Vacant Crown Land	22 596	0.4
Reserves	1 379	0.0
Other	143	0.0
Aboriginal Land Trust (ALRA* land)	1 718 382	28.0
Vacant Crown Land to be granted as ALRA* land	302 569	4.9
Aboriginal Land Trust (NT Freehold land)	258 529	4.2
Total	6 147 717	
Focus Area	**Area (hectares)**	**% of Total**
Freehold (excluding Aboriginal Land Trust land)	118 434	5.7
Pastoral Lease	992 135	48.0
Crown Lease Perpetual	331 146	16.0
Crown Lease Term	21 433	1.0
Special Purpose Lease	109	0.0
Vacant Crown Land	5 538	0.3
Reserves	947	0.0
Other	3	0.0
Aboriginal Land Trust (ALRA* land)	445 331	21.6
Vacant Crown Land to be granted as ALRA* land	150 675	7.3
Aboriginal Land Trust (NT Freehold land)	0	0.0
Total	2 065 752	

*Refers to the *Aboriginal Land Rights (Northern Territory) Act* [10]

Source: Daly Region Community Reference Group, 2004. Draft Report.p.31

Local Government
See Map 1.

The Northern Territory has undergone significant change to local governance in recent years through the transition to a shire system of governance, administered under the *Local Government Act 2008.* The Daly River Catchment has now been brought under the Big Rivers Regional Management Plan to coincide with these changes. Regional Management Plans are required to address 'particular matters', such as:

> *"They are to include a description of the challenges and opportunities for local government within the region; address the administrative and regulatory framework for local government service delivery; list any existing or potential cooperative arrangements involving local government in the region, either among councils themselves or with other bodies; and, identify core local government services and the communities to which they must be delivered by the shire councils."*
> (Local Government Management Plan: Big Rivers Region, 31 August 2008.p.3-4)

The Big River Regional Management Plan incorporates the Katherine Town Council, the Victoria-Daly Shire Council and the Roper-Gulf Shire Council. For the Daly River Catchment region the Katherine and Victoria-Daly shires are of relevance.

Government structures for environmental engagement

The Northern Territory Department of Natural Resources, Environment, The Arts and Sport play a significant role in the management of the Daly River region, chiefly through the Daly River Management Advisory Committee.

Community involvement in environmental management

Under the DRMAC, the Daly River Aboriginal Reference Group has 22 members representing all the Traditional Owners groups in the catchment region. Three of these members are represented on DRMAC. Additionally the Daly River Region Community Reference Group is another key form of community involvement and engagement in environmental management in the region. The reference group was establish in 2004 and has enabled the interests of the community to play a role in setting the agenda for environmental management. The Northern Land Council has a Caring for Country unit, which plays a role in facilitating Indigenous cultural and natural resource management projects within the region.

Significant Reports

Daly Region Community Reference Group, 2004a. *Executive Summary*.

Daly Region Community Reference Group, 2004b. *Draft Report.*
Daly River Management Advisory Committee, 2010. *Annual Report: 2009-2010*, Northern Territory Department of Natural Resources, Environment, The Arts and Sport, Palmerston.

Daly River Management Advisory Committee, 2007. Adaptive Management Framework for Native Vegetation Clearing in the Daly River Catchment, Northern Territory Department of Natural Resources, Environment, The Arts and Sport, Palmerston.
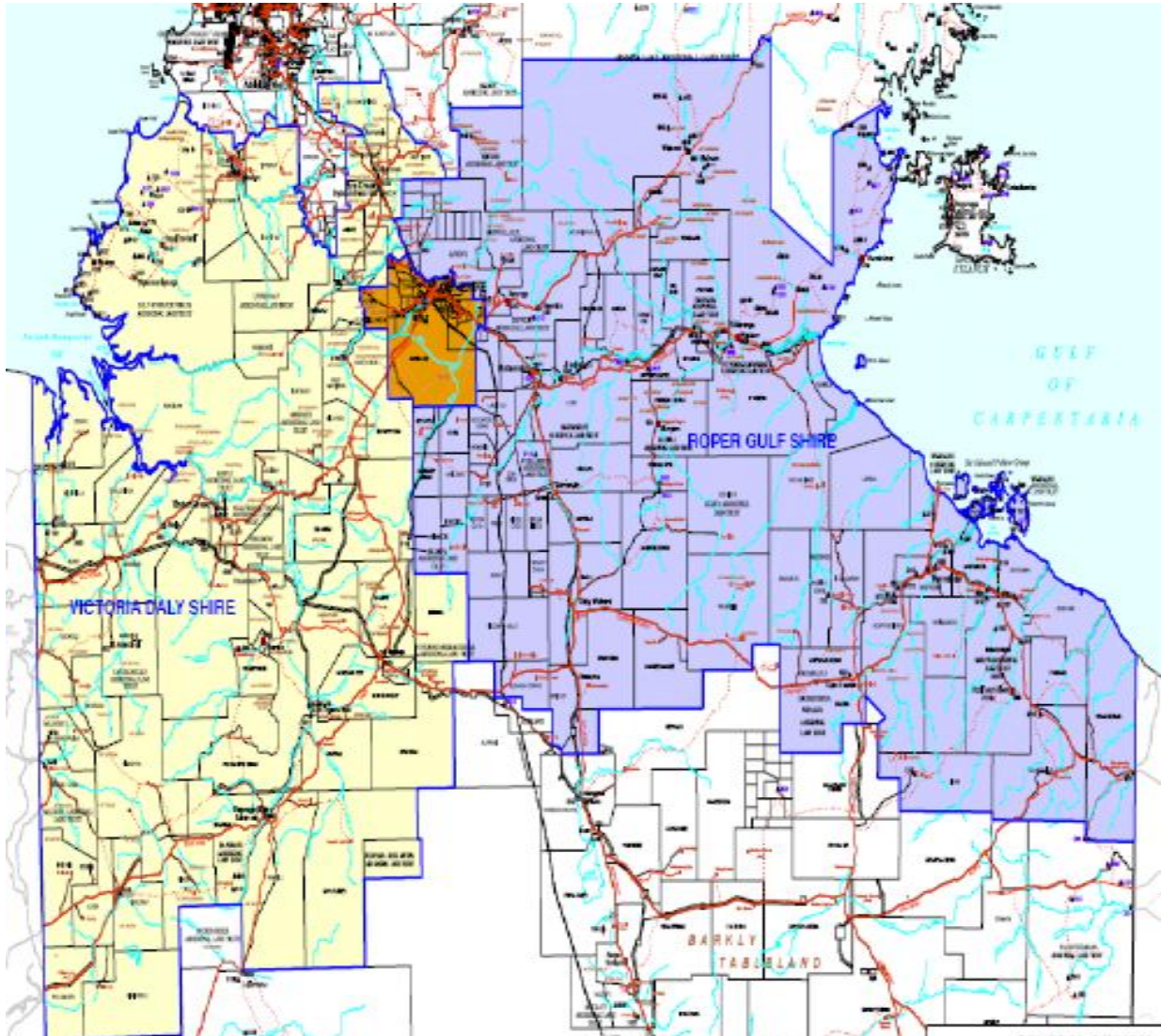
Northern Territory Government, 2008. *Local Government Regional Management Plan: Big Rivers Region*, Darwin.

> This plan outlines the changing responsibilities for water management under the recent changes to local government in the Northern Territory through the establishment of shire councils.

Putnis, A., Josif, P. and Woodward, E., 2007. *Healthy Country, Healthy People: Supporting Indigenous Engagement in the Sustainable Management of Northern Territory Land and Seas: A Strategic Framework*. CSIRO: Darwin, 229 pages.

> This report summarises a five year plan for investment in Indigenous land and sea management in the Northern Territory under the Healthy Country Healthy People Schedule, which aims to deliver better outcomes from investment in Indigenous land and sea management, particularly considering the impact of the Northern Territory Intervention and the demise of the Community Development Employment Program. Based on the profile of an established Indigenous land and sea management sector, with an emerging market for NRM activities, they argue that sector has potential to expand based on a growing interest in biodiversity preservation, an emerging sector of fee-for-service conservation work and the development of markets related to land and sea management activities.
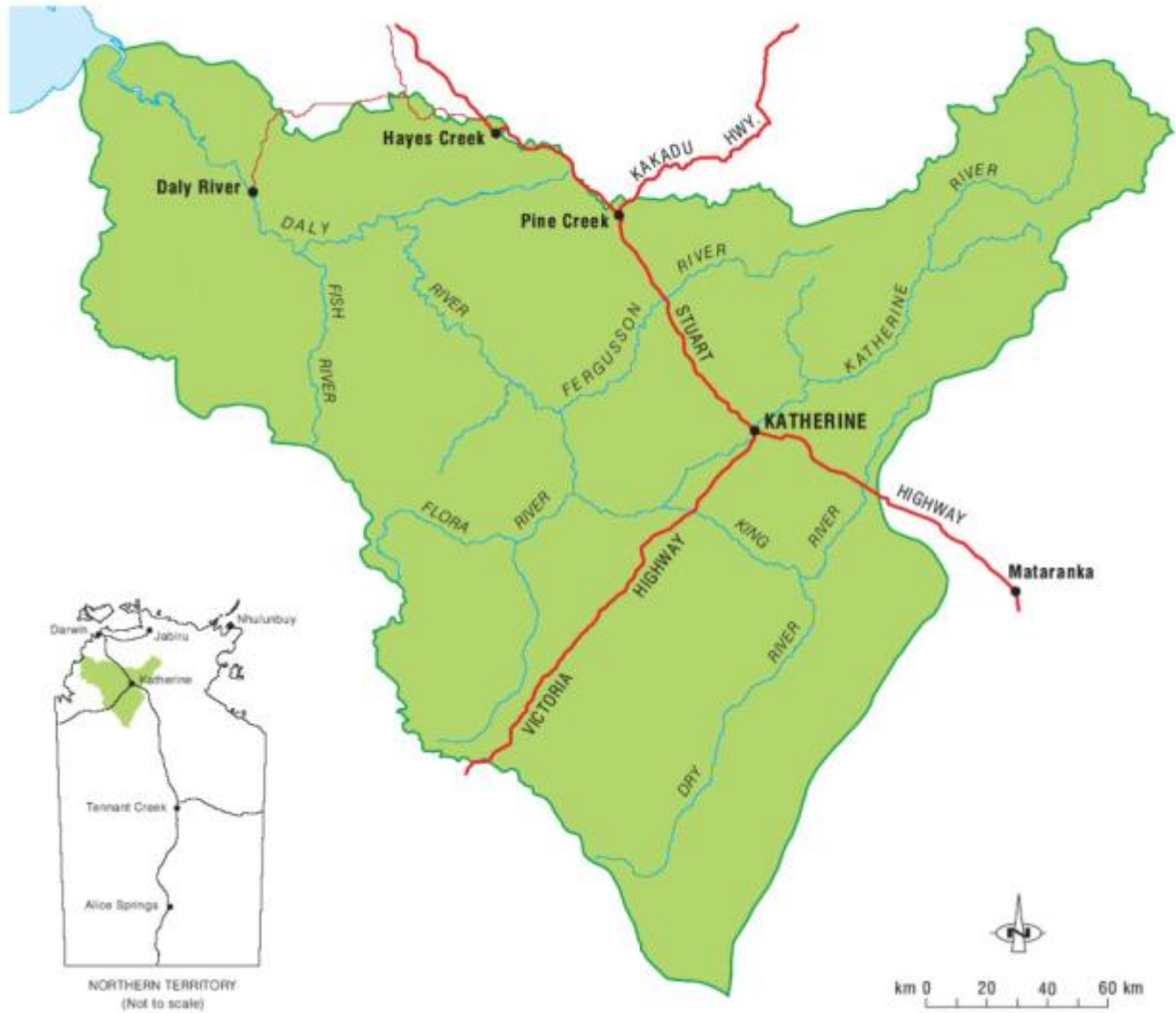
Maps

Map 1: Big River Catchment Region

Source: Northern Territory Government, 2008. *Local Government Regional Management Plan: Big Rivers Region*, **Darwin.**

DALY RIVER CATCHMENT

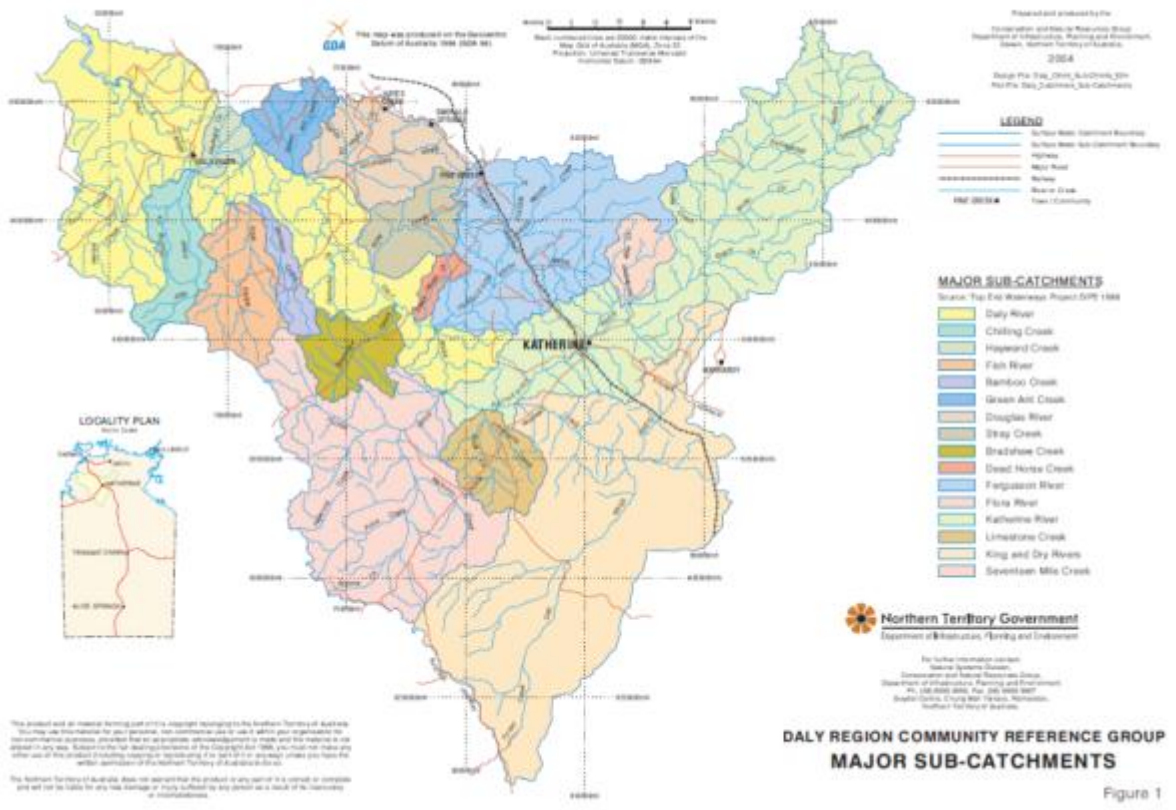**Map 2: Daly River Catchment**
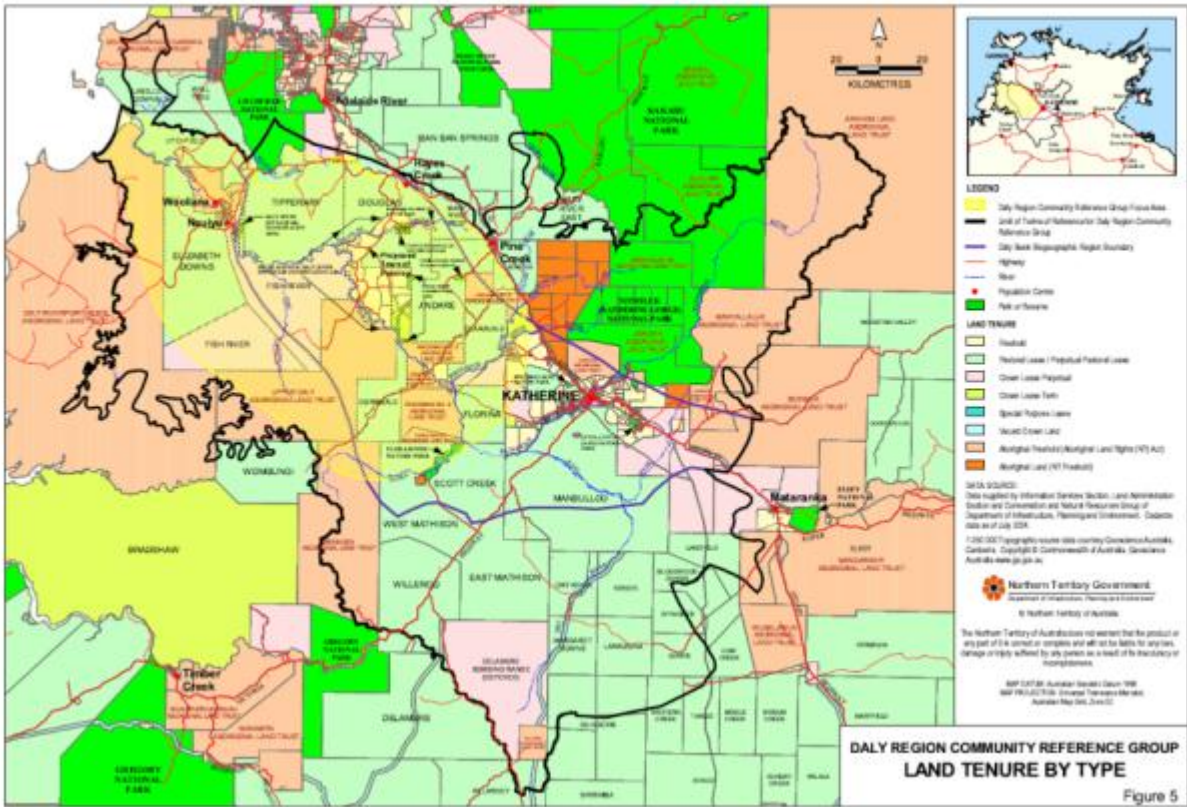
Source: Northern Territory Government, 2007:
http://www.nt.gov.au/nreta/water/drmac/plan/index.html

Map 3: Daly Region Community Reference Group: Major Sub-catchments

Source: Daly River 2004 Reference Group draft report: Figure 1

Map 4: Daly Region Community Reference Group: Land Tenure By Type

Source: Daly River 2004 Reference Group draft report: Figure 5
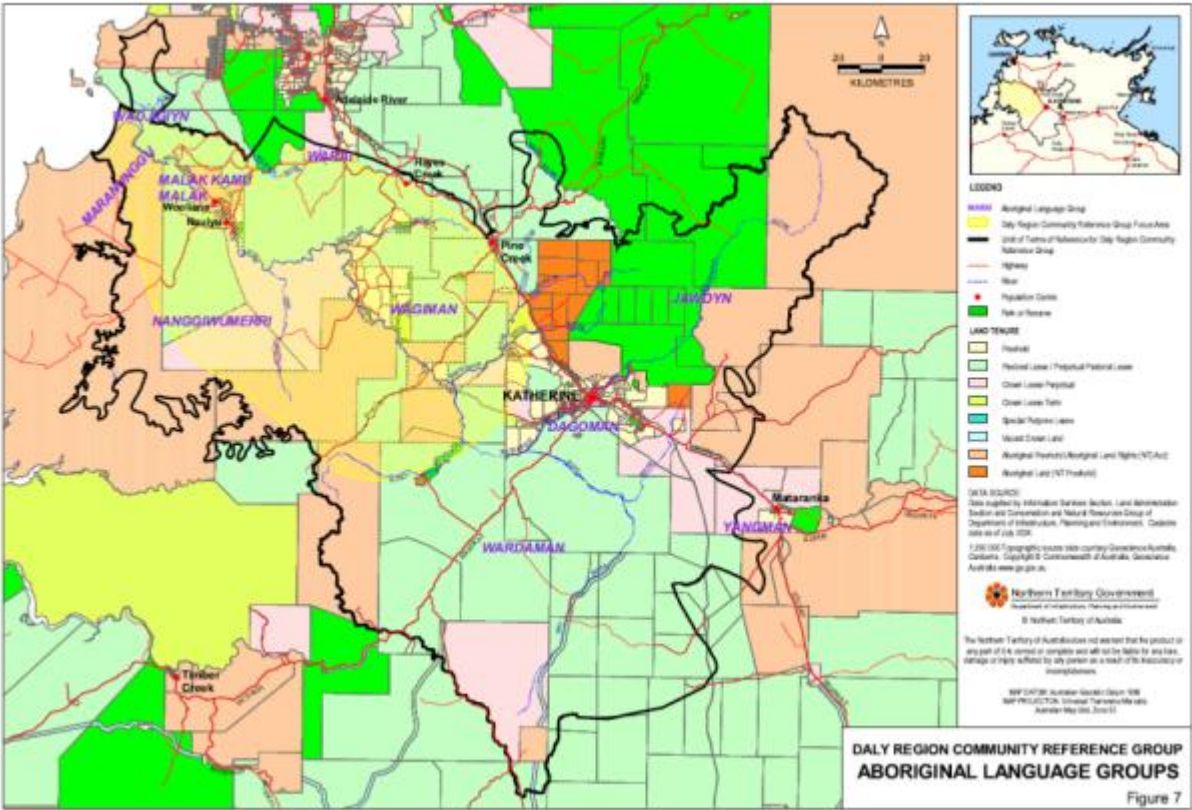
Map 5: Daly Region Community Reference Group: Aboriginal Language Groups

Source: Daly River 2004 Reference Group draft report: Figure 7

Literature Review

Altman, Jon, Buchanan, G.J and Larsen, L., 2007. The Environmental Significance of the Indigenous Estate: Natural Resource Management as Economic Development in Remote Australia. Centre for Aboriginal Economic Policy Research Discussion Paper No 286, The Australian National University, Canberra.

Altman *et al.* map Indigenous land holdings across Australia in terms of their environmental significance, recognising the significant proportion of areas which are of high conservation priority. The authors advocate for investment into caring for country activities to support the dual benefits of conservation and economic development in areas distant from mainstream labour markets, providing an avenue for employment beyond industries such as mining, tourism, pastoralism and public service. The research aims to challenge the view that Indigenous livelihoods are not sustainable in remote areas by introducing models of economic development, such as payment for environmental services (PES), that are based upon recognising and valuing the national environmental benefit that occurs through Indigenous land management.

Altman, J., 2011. Alternate Development for Indigenous Territories of Difference. Centre for Aboriginal Economic Policy Research Discussion Paper Topical Issue No. 5/2011, The Australian National University, Canberra.

Altman, J., 2011. Wild Rivers and Indigenous Economic Development In Queensland. Centre for Aboriginal Economic Policy Research Discussion Paper Topical Issue No. 6/2011, The Australian National University, Canberra.

Barber, M. and Jackson, S., 2011. Indigenous water values and water planning in the upper Roper River, Northern Territory. CSIRO: Water for a Healthy Country National Research Flagship.

Barber and Jackson report on the findings of research conducted in the upper Roper River in the Northern Territory, which examined the general values, comments and perspectives relevant to contemporary water planning and management. Their research found: that water is understood as an integral part of the world created by ancestral beings during 'the Dreaming'; that places of permanent water are usually of key significance; ancestral beings associated with water play an important role in regional connectivity; and that water is bound by a range of practice, protocols and prohibitions. They argue that the values and interests in water expressed by Indigenous people in the upper Roper are consistent with the values and interests expressed by Indigenous people reported elsewhere in published literature. Their findings inform Indigenous people's responses to contemporary water planning and management, based on a sense of ownership and obligation.

Burgess, Paul, Johnston, F.H., Bowman, D.M.J.S., and Whitehead, P.J., 2005. 'Healthy Country: Healthy People? Exploring the health benefits of Indigenous

natural resource management. *Australian and New Zealand Journal of Public Health*, vol.29, no.2, pp. 117-122.

Through a review of the literature in the areas of health, social science and ecology, Burgess *et al*. demonstrate that country and connection to country is intricately linked to caring for country, maintaining cultural life, identity, individual autonomy and Indigenous sovereignty, all of which are linked to improved health outcomes for Indigenous people. The concept of caring for country focuses on the relationships between nature and humans, and nature is seen as living and connected to human life.

Burgess *et al.* highlight the failure of alternative health paradigms, encouraging a recognition of caring for country as a model for improving the physical, social and psychological health and well-being of Indigenous people, while also contributing to sustainable community development, biodiversity conservation and opportunities to resolve social disparities and disadvantage for Indigenous people.

Centre of Excellence in Natural Resource Management, 2010. Fitzroy River Catchment Management Plan. The University of Western Australia, Nedlands.

The objective of the Fitzroy River Catchment Management plan is to development a management plan for future development of the catchment region that meets the needs of all stakeholders for maintaining the key values of the region, through community engagement and catchment planning.

CSIRO, 2009. *Water in the Gulf of Carpentaria Drainage Division*. A report to the Australian Government from the CSIRO Northern Australia Northern Yields Project. Commonwealth Scientific and Research Organisation (CSIRO) Water for a Healthy Country Flagship, Australia, 479pp.

Daly Region Community Reference Group, 2004. Executive Summary.

Daly Region Community Reference Group, 2004. *Draft Report.*

Daly River Management Advisory Committee, 2010. Annual Report: 2009-2010. Northern Territory Department of Natural Resources, Environment, The Arts and Sport, Palmerston.

Daly River Management Advisory Committee, 2007. Adaptive Management Framework for Native Vegetation Clearing in the Daly River Catchment. Northern Territory Department of Natural Resources, Environment, The Arts and Sport, Palmerston.

Department of Water, 2009. Fitzroy Catchment subregion overview and future directions: Kimberley regional water plan and discussion paper. Department of Water, Perth.

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Government Western Australian, 2009. Fitzroy Futures Town Plan. Government of Western Australia, Perth.

Griffiths, S. and Kinnane, S., 2010. Kimberley Aboriginal Caring for Country Plan – healthy country, healthy people. Report prepared for the Kimberley Language Resource Centre, Halls Creek.

This report has emerged from research and consultation with Kimberley Aboriginal people and offers an extensive review of caring for country in the region. A range of key themes were developed based upon consultation with Traditional Owners during the project, summarising the central aspects of successful caring for country activities, namely: Access to Country; Right People, Right Country; Transmission of Law, Culture and Language on Country; Respect for Indigenous Rights and Indigenous Knowledge; Managing Country; Economic Opportunities on Country; Governance on Country (PBCs), Cultural Blocs and Regional Aboriginal Organisations; Information Management for Country; Partnerships for Caring for Country; and Protocols for Caring for Country. Within each theme the key issues, threats and pressures are identified, and the plan thus provides specific and in-depth evidence to support the connection between caring for country and broad reaching cultural, spiritual, social, political, environmental and economic benefits for the region. The value of this report is the practical findings and recommendations for achieving benefits from caring for country, based upon extensive research, offering invaluable information to support the holistic benefits of caring for country.

Fordham, A., Fogarty, W. and Fordham, D., 2010. The Viability of Wildlife Enterprises in Remote Indigenous Communities of Australia: A Case Study, Centre for Aboriginal Economic Policy Research Discussion Paper Working Paper No. 63/2010. The Australian National University, Canberra.

Haberkern, N., Bauman, T. and Robin, S., 2009. Queensland, Native Title Research Unit. Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra.

HC Coombs Policy Forum, 2011. Synthesis of broad issues and opportunities: Document I, HC Coombs Policy Forum-Fenner School of Environment and Society NRM initiative. The Australian National University.

HC Coombs Policy Forum, 2011, NRM Literature Review: Document II, *HC Coombs Policy Forum-Fenner School of Environment and Society NRM initiative*, Australian National University.

This document emerged from a policy forum at the Australian National University

Hill, R. and Williams, L., 2009. Indigenous natural resource management: overcoming marginalisation produced in Australia's current NRM model, in *Contested Country*, (eds) M. Lane, C. Robinson and B. Taylor. CSIRO, Collingwood, pp.161-178.

Hill and Williams examine the current system of natural resource management (NRM) in Australia and the inequitable distribution of funding for Indigenous communities, particularly for native title holders. The allocation of 3% of NRM funding to Indigenous communities and native title holders who hold responsibilities for 20% of the land mass is identified as a policy failure. They emphasize the need to

work through the native title and land rights systems to not only avoid conflict in deliberative processes, but to support the anticipated benefits from the recognition of Indigenous native title and work towards a resolution of Indigenous environmental rights issues. They advocate for a separate stream of NRM funding being directed towards Indigenous engagement with a focus on Indigenous-specific planning, linking in with Indigenous Land Use Agreement's and establishing an Indigenous NRM civil society. Indigenous NRM holds potential beyond conservation and land management to uplift Indigenous health and socio-economic disadvantage.

Hunt, J., Altman, J.C., and May, K., 2009. Social Benefits of Aboriginal Engagement in Natural Resource Management. Centre for Aboriginal Economic Policy Research Discussion Paper Working Paper No. 60/2009, Australian National University, Canberra.

Hunt *et al* provide a comprehensive summary of the benefits from Aboriginal participation and engagement in natural resource management (NRM) based upon extensive studies in New South Wales. National and international literature is reviewed and contrasted with the findings from NSW and Hunt *et al* identify the significance of engaging with culturally relevant processes to ensure that participation and involvement in NRM can support Indigenous people's perspective of caring for, or looking after, country. There are a range of barriers to linking the engagement in NRM with the benefits from caring for country, and a range of recommendations are outlined for improving these relationships based upon the research findings in NSW. A range of benefits are identified in the study, including: cultural benefits, social benefits, environmental benefits to the nation, savings to health costs, income and employment, spiritual benefits, economic benefits, capacity building benefits, Indigenous livelihoods and business development.

Kowanyama Aboriginal Shire Council, 2010. Annual Report: 2009-2010, Kowanyama, Queensland.

Lane, M. and Williams, L., 2009. The Natural Heritage Trust and Indigenous Lands: the trials and tribulations of 'new technologies of governance'. Australian Geographer, 40:1, 85-107.

May, K., 2010. Indigenous cultural and natural resource management and the emerging role of the Working on Country program. Centre for Aboriginal Economic Policy Research Working Paper No 65/2010, The Australian National University, Canberra.

May provides an assessment of Federal government investment in caring for country through the Working on Country program, providing analysis of the success of government programs to adequately match local needs and aspirations for land management. This paper provides a timely discussion on the practical facets of funding and investing in caring for country, evolving the caring for country research from a focus on linkages with benefits, to an analysis of connecting Indigenous aspirations for caring for country with government policy and investment. Government funding for caring for country is occurring in fragmented ways through

complex system of grants, which does not offer a large degree of sustainability to programs or employment. May finds that in formalising systems of Indigenous cultural and natural resource management, there is a greater need from government to support community-driven development, and invest in unique opportunities for successfully alleviating Indigenous poverty.

Morrison, J., 2007. Caring for country in Jon Altman and Melinda Hinkson (eds) Coercive Reconciliation: Stabilise, Normalise, Exit Aboriginal Australia 249.

Morrison provides a comprehensive account of the specific ways in which caring for country supports positive outcomes for employment, economic development, community leadership, education and social and cultural justice. Caring for country offers a unique space for cultural transmission and regeneration, informing positive flow on effects for governance, identity, social and community cohesion, employment and health. However despite a strong interest in pursuing traditional caring for country activities, engaging Indigenous people in NRM programs that are recognised by the government and also reflect and inform policy is a significant challenge. The work opportunities that engage meaningfully with caring for country are unique in the way they enable: the strengthening of relationships with country and culture; allow a space for customary and social obligations to occur; increase the capacity for engagement and interaction with external societal structures and institutions; and foster the development of innovative ideas of economic development and wealth generation, including engagements with the mining and pastoral sectors.

O 'Donnell, M., 2011. Indigenous Rights in Water in northern Australia. John Toohey Chambers, Darwin, Northern Territory.

Northern Territory Government, 2008. Local Government Regional Management Plan: Big Rivers Region, Darwin.

This plan outlines the changing responsibilities for water management under the recent changes to local government in the Northern Territory through the establishment of shire councils.

Putnis, A., Josif, P. and Woodward, E., 2007. Healthy Country, Healthy People: Supporting Indigenous Engagement in the Sustainable Management of Northern Territory Land and Seas: A Strategic Framework. CSIRO: Darwin, 229 pages.

This report summarises a five year plan for investment in Indigenous land and sea management in the Northern Territory under the *Healthy Country Healthy People Schedule,* which aims to deliver better outcomes from investment in Indigenous land and sea management, particularly considering the impact of the Northern Territory Intervention and the demise of the Community Development Employment Program. Based on the profile of an established Indigenous land and sea management sector, with an emerging market for NRM activities, they argue that sector has potential to expand based on a growing interest in biodiversity preservation, an emerging sector of fee-for-service conservation work and the development of markets related to land and sea management activities.

Sinnamon, V., 2011. Kowanyama: Bottom of the Watershed. Kowanyama Aboriginal Land and Natural Resources Management Office, Kowanyama.

Viv Sinnamon, Manager of the Kowanyama Aboriginal Land and Natural Resources Management Office, outlines the history of Indigenous land management in Kowanyama.

Sithole, B. and Hunter-Xenie, H. with Williams, L., Saegenschnitter, L., Yibarbuk, D., Ryan, M., Campion, O., Yunupingu, B., Liddy, M., Watts, E., Daniels, C., Daniels, G., Christophersen, P., Cubillo, V., Phillips, E., Marika, W., Jackson D. and Barbour W., 2007. Aboriginal Land and Sea Management in the Top End: A community driven evaluation. CSIRO: Darwin.

According to Sithole et al., the culturally relevant processes required for success in Aboriginal land and water management programs include strong cultural connections, alignment with the aspirations of Traditional Owners, inclusion of Indigenous knowledge and involvement of the Elders.

WalterTurnbull, 2010. Working on Country: Evaluation Report (Final). Prepared for the Department of Environment, Heritage, Water and the Arts, available from: http://www.environment.gov.au/Indigenous/workingoncountry/publications/pubs/woc-evaluation.pdf., accessed November 2011.

An evaluation report on Working for Country conducted by Walter Turnbull and published in 2010, found that feedback for the program was overwhelmingly positive. However they identified the key weaknesses of the program as: the vulnerability of caring for country activities without secure funding beyond 2013; an overt emphasis on employment, which overlooks the wider community benefits of caring for country and how these contribute to the objectives of Closing the Gap; the lack of funding for community engagement, which would allow rangers to achieve cultural legitimacy for their programs; a lack of funding for capacity building of the organisations which support the rangers, with a recognised need for investment in governance and administration needs; and a lack of flexibility within the program to allow for the type of activities that support caring for country, such as a limited availability of vehicles (Walter Turnbull, 2010: 2-5).

Western Australian Planning Commission, 2011. Bayulu Community Layout Plan 1 Amendment 1, prepared by the Department of Planning, Perth.

Worth, D., 2005. The Natural Heritage Trust and Indigenous engagement in natural resource management. National Native Title Tribunal, Perth.

This report is a summary of NRM funding streams under the Natural Heritage Trust, and lack of actual involvement or engagement with Indigenous people that occurred under these schemes. It is recognised that Indigenous people had little to no economic or political influence on the final regional investment plans.

Looking after Our Country... Our Way