



**Australian Government**

**Indigenous Land and Sea Corporation**



The **ILSC GROUP**

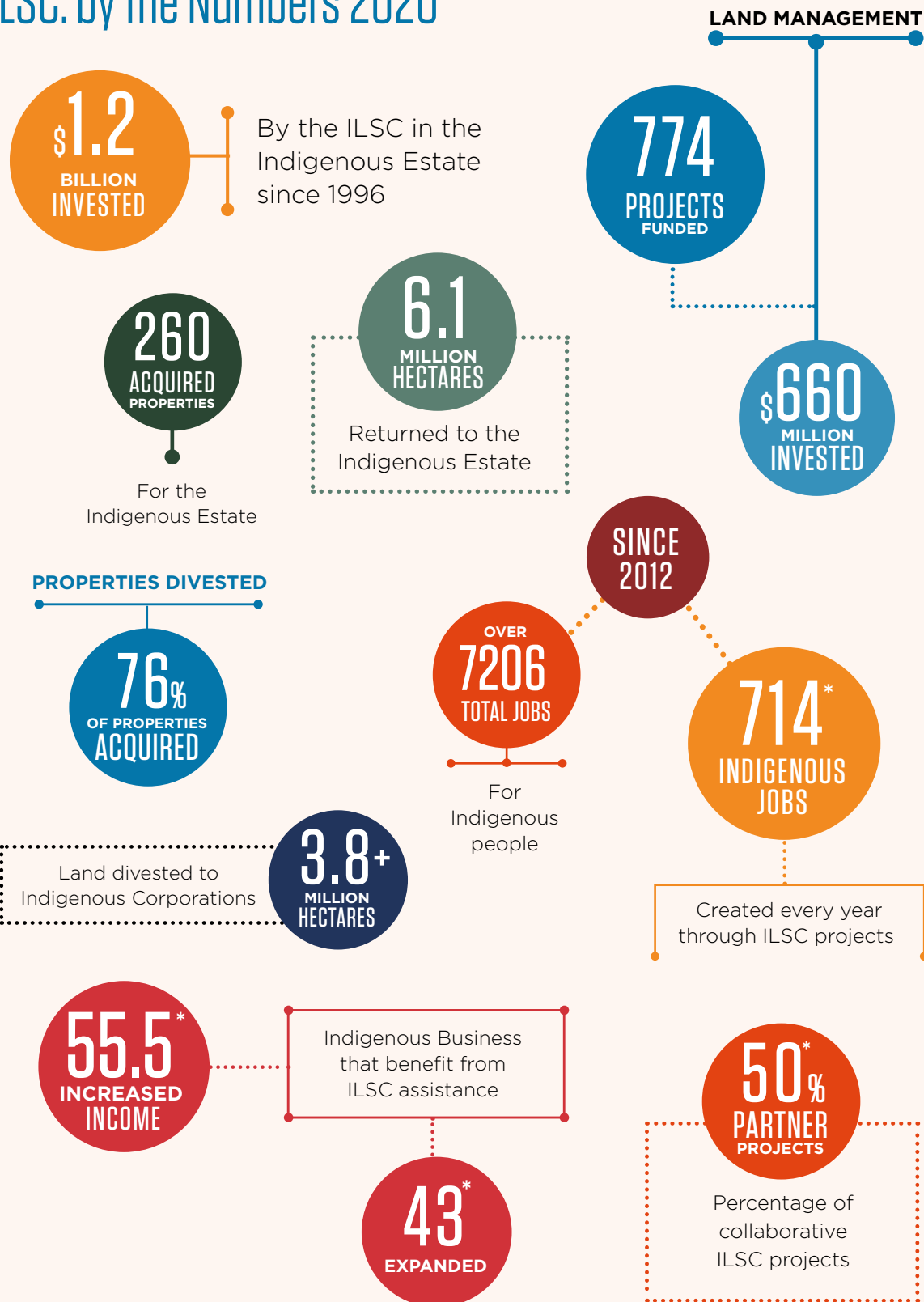
**PEOPLE. COUNTRY. OPPORTUNITY.**

# **SOUTH WEST AUSTRALIA**

**Regional Indigenous Land and Sea Strategy 2019 – 2022**



# ILSC: by the Numbers 2020



\*Average, per year since 2012



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## MESSAGE FROM THE ILSC CHAIRPERSON

Welcome to the Regional Indigenous Land and Sea Strategy (RILSS) for the South-West Australia region.

This RILSS represents an additional, more focused layer to the Indigenous Land and Sea Corporation (ILSC) Group's strategic direction as laid out in the National Indigenous Land and Sea Strategy (NILSS) for the period 2019 to 2022. These are the first national and regional land and sea strategies that include water-based activities, following from legislative changes to the ILSC and its role.

This RILSS reaffirms the ILSC's commitment to being the trusted partner in developing this Indigenous Estate and introduces our impact driven vision of Aboriginal and Torres Strait Islander people enjoying opportunities and benefits that the return of country and its management brings. We will deliver against this in the South-West region by:

- > Acquiring, granting and divesting land and water interests to Indigenous corporations;
- > Supporting Aboriginal and Torres Strait Islander peoples to strengthen culture through reconnection with country;
- > Building the capacity and capability of Indigenous corporations to sustainably manage and protect country; and
- > Partnering with Indigenous corporations to drive and influence opportunities on country.

This RILSS has been developed with your input. On behalf of the ILSC Board, I thank all of you who made the time to participate in consultation sessions – your insights have informed the detail of this strategy. We will continue the conversation around the ILSC's role nationally and in the South-West region by refreshing both the NILSS and RILSS in 2020.

Please take the time to read through this regional strategy and the national strategy it accompanies. Also check the ILSC website and follow us on social media. Most importantly, contact your local ILSC office with any ideas you have for projects that fit with this strategy and would benefit from ILSC partnership.

We look forward to working with you.

**Eddie Fry, ILSC Chair**

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## > INTRODUCTION

The Indigenous Land and Sea Corporation (ILSC) is an independent statutory authority established under the *Aboriginal and Torres Strait Islander Act 2005* (the ATSI Act) to assist Indigenous people to acquire and manage interests in land and waters to achieve economic, environmental, social or cultural benefits.

The ILSC has two purposes, as set out in the ATSI Act:

- > to assist Indigenous Australians to acquire land and water-related rights
- > to assist in the management of Indigenous-held land and waters, however it was acquired.

This gives the ILSC an important role in working with Indigenous people to define, enhance, and grow the Indigenous Estate.

The Indigenous Estate is a central concept in the strategy of the ILSC that encompasses both tangible and intangible assets and attributes relating to Aboriginal and Torres Strait Islander people. It includes interests in land, waters and economic development, and also complex human capital elements, including people, society, knowledge and intellectual property flowing from Indigenous Australians' unique culture.

## OUR ROLE

We buy and divest land and water-related rights to Indigenous people

We support Indigenous people to preserve and protect culture through connection to country

We build the capacity and capability of Indigenous people to sustainably manage and protect country

We partner with Indigenous people to drive and influence opportunities for their country

## OUR OPERATIONS

**We invest in projects:** providing funding associated with buying, divesting, managing and/or developing land/water interests and/or foundation projects (such as infrastructure, plant and equipment, feasibility assessment planning activities)

**We provide advice and capability support:** Supporting Indigenous land holders with access to information, training, knowledge and systems to support sustainable management of country and delivery of benefits

**We connect Indigenous landowners:** build and broker relationships with markets, opportunities, partnerships through facilitation, advocacy and negotiation

## OUR IMPACT

Indigenous people enjoy opportunities and benefits that the return of country, and its management brings

Image courtesy of Tourism Western Australia



## ➤ LEGISLATIVE REFORM

After receiving independent expert advice on options to improve the sustainability and growth of the Aboriginal and Torres Strait Islander Land Account (Land Account), significant consultations were undertaken across Australia on two key reforms to the ILSC's legislation, the ATSI Act:

- To help secure the sustainability of the Land Account by handing its management to the Future Fund and broadening its investment mandate; and
- Extending the remit of the ILSC to include water.

Responses to the proposed reforms were overwhelmingly supportive, and a package of three Bills relating to the functions and funding of the ILSC were enacted in November 2018, and came into effect 1 February 2019.

These changes are the driver for the development of this document.

## ➤ ABOUT THE NATIONAL INDIGENOUS LAND AND SEA STRATEGY AND REGIONAL INDIGENOUS LAND AND SEA STRATEGIES

The National Indigenous Land and Sea Strategy (NILSS) is a requirement under the ATSI Act and is the ILSC's key policy document. The recently developed NILSS is the ILSC's first national strategy to include fresh and salt water-based activities.

This NILSS presents the ILSC's priority focus areas, program delivery mechanisms and renewed commitment to building enduring stakeholder relationships as a framework for achieving the ILSC's vision of *Indigenous people enjoying opportunities and benefits that the return of country and its management brings.*

## ➤ ABOUT THE RILSS

Also required by the ATSI Act are Regional Indigenous Land and Sea Strategies (RILSS), which provide regions within Australia with an additional, layered framework for the interpretation and implementation of the NILSS.

In this iteration of the NILSS and RILSS, the RILSS will contain more detailed information on what the ILSC's strategic direction means for Indigenous corporations. They describe how the ILSC wants to deliver its mandate to achieve economic, environmental, social and cultural benefits for Indigenous Australians over the coming years.

## ➤ RILSS REGIONS

In developing the previous NILS, the ILSC changed its approach to 'regions'. Previously the regions were the six states (with NSW incorporating the ACT) and the Northern Territory. The new regions, continued in these NILSS and RILSS, reflect important environmental, demographic and economic differences across the continent and the ways these are reflected in the different situations of, and opportunities for Indigenous people.

The ILSC recognises the opportunities presented through bringing together discrete, but aligned, land parcels and water interests within the Indigenous Estate to allow the development of joined-up projects, and economies of scale.

The ILSC also recognises that the new regions do not necessarily align with cultural and/or language groups, an issue which was raised during recent consultation on these strategies. These new boundaries are 'soft borders' and as such are not intended to preclude any group or project from being considered on the basis of their position in relation to a regional 'border'. The regions are a guide to the kind of projects that may be more desirable and successful in any given region – inclusive of land and waters.

The following regions will continue to underpin the RILSS:

- **Northern Australia**—Includes northern Western Australia, the northern areas of the Northern Territory and North Queensland. The climate, environment and general economic development opportunities in northern Australia differ significantly from the rest of Australia. For example, savanna burning for emissions reduction is viable in this broad region and not in others.
- **Desert**—Includes the desert regions of Western Australia, northern South Australia, south-west Queensland and north-west New South Wales. As with the Northern Australia region, Australia's desert regions are unique. There is value in considering the opportunities arising in these areas in their own right.
- **South-West Australia**—Includes southern Australia, west from the South Australian border through to Perth and Geraldton in Western Australia. This region has diverse opportunities in agriculture, resource extraction and urban-based industries.
- **South-East Australia**—Includes southern Australia, east of Ceduna in South Australia and including all of Victoria and Tasmania, most of New South Wales and south-east Queensland including Brisbane. The mostly temperate regions of south-eastern Australia are more heavily populated and urbanised than the other regions, with more intensive and diverse agricultural operations and greater employment and training opportunities in professional and service industries.

The strategy for each of these regions highlight the alignment between opportunities arising in these regions and the ILSC's focus areas. These strategies are based on recent stakeholder consultation and, like the NILSS, will be revisited in 2020.





# SOUTH WEST AUSTRALIA REGION

Regional Indigenous Land and Sea Strategy 2019 – 2022



## INDIGENOUS POPULATION

The South-West Australia region has an Indigenous population of approximately 55,000. Most of the Indigenous population within this region live in and around the Greater Perth area, with the city of Perth having a population of around 32,000. The relative percentage of Aboriginal people in the region's population varies, with greater proportions in more arid parts.

## INDIGENOUS-HELD LAND

Land tenure in this region is dominated by freehold and pastoral lease land regimes. Indigenous-held land is not as extensive as in the Desert or Northern Australia regions; however, much of the area is subject to yet-to-be-determined native title claims.

Large areas of non-exclusive native title have been determined in the Pilbara and the South West Native Title Settlement is Australia's most comprehensive native title agreement. Negotiated between six Noongar groups and the Government of Western Australia,

the latter represents the full and final settlement of all native title claims in the south-west of the state in exchange for a settlement package. It involves around 30,000 Noongar people and 200,000 square kilometres of land.

## LANDSCAPE

This region covers approximately 1.2 million square kilometres and incorporates the south-west corner of Western Australia, north into the Pilbara and south-east across to the South Australian border. It encompasses all of the Western Australian sub-regions of Great Southern, South West, Peel, metropolitan Perth (the major population centre), Wheatbelt and Gascoyne, and the more coastal areas of Goldfields-Esperance, Mid West and the Pilbara.

Within this region the landscape varies quite significantly. The south-west corner of the region, home to the iconic jarrah forest, is relatively flat with poor soil quality.

Moving further north and into the Pilbara the landscape varies from tussock grasslands and rocky landscapes to picturesque gorges and mountain ranges such as Mt Meharry, Western Australia's highest mountain, which sits at 1245 metres above sea level. The Wheatbelt is a vitally important region for agriculture that produces most of Western Australia's cereal crops and contributes other agricultural products such as canola, olives, vegetables, wine grapes, honey, citrus fruits and livestock.

Vegetation in this region varies greatly depending on location. The south-west corner, which incorporates the city of Perth up to Carnarvon, is considered one of the planet's major biodiversity hotspots as it contains more than 2,400 plant species, representing one sixth of Australia's higher

plant species. It has the largest remaining 'Mediterranean' shrub land/woodland left on Earth. This area is considered an 'island' as it is quite isolated from other ecosystems, bordered by oceans to the south and west and arid lands to the north and east.

The vegetation of the South-West Australia region is mainly woody. This includes the jarrah forests of the south-west of Western Australia, dominated by the jarrah, marri and karri species that are well adapted to poor soils and fire. The karri tree is one of the biggest trees in the world. Among the jarrah forests are areas of scrub and mallee heath. Moving north towards the Pilbara the vegetation changes, incorporating more tussock grasslands.

## Case study: The Keeping Place, Western Australia

Easier access to a wealth of cultural heritage information and improved relationships between Traditional Owners and resource companies are not the only benefits from The Keeping Place project. The ILSC's support of this innovative project has helped Indigenous people to protect their culture and manage their land.

Stretching across the South-West and parts of the Desert and Northern regions, The Keeping Place Project in WA has created an online geospatial cultural heritage management system providing improved avenues for Indigenous groups to store and access their cultural information. The project is a co-funded partnership involving the ILSC; native title groups Karlka Niyiparli Aboriginal Corporation (KNAC) and Yinhawangka Aboriginal Corporation; and resources companies BHP Billiton, Fortescue Metals Group and Rio Tinto. It also has the support of the National Trust of Western Australia.

Indigenous groups now have an innovative technology solution for managing native title and related land management and development issues that also gives them meaningful access to cultural information drawn from more than 40 years of resources companies conducting heritage surveys on Niyiparli country. The Keeping Place Project puts the stories of the Niyiparli Traditional Owners told during these surveys into the hands of the people to whom they are most meaningful. KNAC had a developmental and guiding role in the technology solution and Niyiparli Traditional Owners developed the cultural protocols to be applied in the system.

The project has helped in improving relationships between Traditional Owners and resource companies and workshops have been held to determine how the technology solution could be adapted and used for the benefit of other Traditional Owner groups.

KNAC now has access to repositories of cultural and heritage information and a management system that supports them to protect significant cultural heritage sites. The innovative geospatial tool can be used to collect, store and appropriately share cultural knowledge, perform desktop assessments of heritage surveys, plan land management projects and maintain compliance with land use agreements.

A new Indigenous-owned company has been formed with KNAC as the founding member and is now making the technology available nationally. The ownership model enables other Indigenous groups to join as owner-members of the company.

## CLIMATE

The region's climate also varies significantly, ranging across Mediterranean to dry, hot tropical to sub-humid to semi-arid.

The south-west corner of this region has a Mediterranean climate: hot and very dry summers with an average temperature of 34° and cool wet winters with an average temperature of 16°. Moving north the climate gradually turns to semi-arid and semi-tropical. The Pilbara straddles two bioclimatic regions, with the northern and inland areas being considered a semi-tropical desert environment, while the rest of the region has a desert climate. Average daily temperatures in the Pilbara region sit higher than in the south-west, with an average winter temperature of 25°. Rainfall in the eastern Pilbara is most influenced by tropical and monsoonal drivers, predominantly active in summer and autumn. Rainfall in the western Pilbara is also influenced by southern mid-latitude drivers, such as frontal systems during autumn and winter.

## WATER RESOURCES

The South-West region includes the bulk of regulated surface water and ground water areas in Western Australia, as well as the Waroona, Collie River, Harvey, Carnarvon and Preston Valley irrigations districts. In keeping with climatic conditions, freshwater resources are concentrated in the southwest corner of WA and of the RILSS region.

Offshore, the South-West region encompasses the South Coast, West Coast, Gascoyne and part of the North Coast Bioregions. Two Aquaculture Development Zones have been declared in WA with the aim of making it faster, cheaper and more efficient to set up aquaculture businesses. The Mid West Aquaculture Development Zone sits within the South-West region.

State marine parks, marine reserves and marine nature reserves are also a feature of the coastline, with the Commonwealth South-west and North-west Marine Parks Networks being a key feature beyond state waters. Activities within marine reserves can be limited depending on the zoning included in relevant management plans.



## ➤ ISSUES

The South-West Australia region has been impacted variously by urbanisation, agricultural use, and mining, as well as altered fire regimes.

The major threats facing this region are:

- > land clearing and fragmentation
- > vegetation dieback due to the fungus Phytophthora and climate change
- > dryland salinity
- > altered hydrology
- > weeds and feral pest species
- > inappropriate fire regimes
- > biodiversity loss
- > habitat fragmentation
- > climate change, which is likely to increase average temperatures, continue the trend of decreasing winter rainfall, and produce harsher fire-weather conditions.

## ➤ OPPORTUNITIES

The diversity of this region presents Indigenous people with many economic development opportunities, key sectors include:

### Agribusiness

All forms of agriculture are practised in the South-West Australia Region from rangeland pastoralism, through to cropping to intensive horticulture. The ILSC is looking to assist Indigenous land holders to increase their presence in agribusiness, including diversification of traditional cropping and grazing land uses. The ILSC is also looking for opportunities to develop agribusiness supply chains that add value to basic agricultural products, including 'beyond farm gate' infrastructure investment. Further information on the ILSC's Agribusiness Investment Program can be found here: [www.ilsc.gov.au/agribusiness-investment](http://www.ilsc.gov.au/agribusiness-investment)

## Case study: Wooree Miya, Perth

ILSC assistance helped the Wungening Aboriginal Corporation to purchase a site in metropolitan Perth for the expansion of Wooree Miya Women's Refuge crisis accommodation and child-support services.

The ILSC's commitment helped to secure other funding of more than \$7 million to build new premises, doubling the capacity of the service.

The new refuge was officially opened on 31 January 2017. Wooree Miya is a purpose-built facility, providing safe accommodation for vulnerable clients escaping family violence. A significant and new feature is that Wooree Miya can now accommodate women with older boys, children with disabilities and larger families. Wooree Miya staff are Indigenous, providing culturally appropriate and sensitive care. To provide the level of care required, all staff are trained in the delivery of support services for clients living in trauma. In the first three years of operation it is anticipated that staffing will expand to 11 full-time, one part-time, eight casual and three trainees.

The organisation applied to the ILSC for land in 2012. The WA Housing Authority and Lotterywest provided funding for the new construction and fit-out while the WA Department for Child Protection and Family Support increased Wungening's operational funding to support an expanded child-protection program. Wungening also applied for support to extend the child-protection program through the Indigenous Advancement Strategy – Community Led Grants. This service model specialises in supporting children in a holistic nature; providing improved pathways to wellbeing through educational support, age appropriate development activities, supporting school attendance, providing parent support, and therapeutic responses. Each child is nurtured to develop their physical health, social and emotional competence, language, cognitive and communication skills. Wungening seeks to empower children to improve their circumstances and control their lives, rather than merely surviving through trauma.



### Conservation and Healthy Country

Across the region economic opportunities arise from projects that conserve biodiversity or protect and manage environmental values.

Given the importance of mining over much of this region, Indigenous businesses have successfully entered the mining services industry. The retreat of the minerals boom and mine closures also present a need for commercial land rehabilitation projects.

### Niche Indigenous products

Across Australia Indigenous people are the custodians of traditional cultural and environmental knowledge. Indigenous land holders could develop enterprises based on growing or wild-harvesting native plants for food, pharmaceutical or cosmetic uses, or the harvesting of protein from native (e.g. kangaroo) or feral animals (e.g. goats, camels). Investment is needed to research potential products, build markets for

them, and establish Indigenous people's participation in niche product supply chains. For example, potential opportunities in the South-west region include the harvesting of bush foods (youlks), honey and native wildflower essences.

### Tourism

This region has a varied and lively tourism industry, based on spectacular natural landscapes. Indigenous people's connection to land and culture are valuable assets in the tourism industry; learning more about Indigenous culture holds strong appeal for local and international tourists. Tourism opportunities are supported by the Western Australian Indigenous Tourism Operators Council, a peak representative for Aboriginal tours and experiences in Western Australia, promoting authentic cultural experiences in the domestic and international tourism markets.



### Renewable energies

Australia needs to transform its energy sources to meet internationally agreed emissions reduction targets (the UN Paris Agreement) to mitigate the potential impacts of climate change. Investing in renewable energy technologies can assist Indigenous communities in this region, particularly those who are off the electricity grid, by reducing costs and improving reliability of supply. Also, if suitable, Indigenous-held land may be used to generate solar, wind or geothermal energy for sale to energy retailers.

### Water-based activities

The Australian Government's National Aquaculture Strategy (September 2017) aims to double the value of Australia's aquaculture industry over ten years, and recognises that Indigenous rights and interests must be considered in developing projects. The ILSC may offer support for Indigenous aquaculture or water-based tourism businesses, the purchase of fishing licences, or assisting Indigenous groups to care for and reconnect with water country. The ILSC is keen to build on the fishing and aquaculture industries in the region, including in the Mid-West Aquaculture Development Zone.



Proximity to the Mid-West Aquaculture Development Zone provides opportunities for commercial scale, land based aquaculture ventures supporting the development of off-shore fisheries. In addition to accessing 'mainstream' marine resources, the region has significant opportunities in the commercialisation of fresh and salt-water niche products including Cherabin and Bech de Mer. The various potential commercial and recreational fisheries and aquaculture ventures in the region are complemented by potential tourism and eco-tourism opportunities.

The acquisition and management of water entitlements in regulated ground water systems also has the potential to unlock opportunities in Indigenous agriculture.



The ILSC will consider project proposals that seek to utilise these resources to deliver benefit.

### Urban development

Perth is the major population centre in this region. Given that most Indigenous people now live in cities and towns, the ILSC is looking to strengthen Indigenous economic representation and service provision in urban areas. This may involve development of service hubs, cultural precincts or urban property development portfolios that provide income for Indigenous groups.

## ➤ RELATIONSHIPS & LINKS

The ILSC always seeks to consult and partner with local and regional organisations in taking advantage of opportunities on Indigenous-held land and waters. Collaboration is a core principle underpinning ILSC projects.

The ILSC will work with Indigenous land and water rights holders to build capacity, networks and strategic alliances to pursue opportunities in new and emerging markets at different points along the supply chain. This will be done across industries and across both land and water-based activities.

Alliances are being pursued at four levels:

1. **Networks** – connecting to interests in the wider Indigenous Estate.
2. **Communities of practice** – connecting Indigenous groups with shared interests and experiences within and across industries. This is particularly relevant in the context of the ILSC's new role in water, but is also relevant across the spectrum of activities that the ILSC can support.

3. **Partnerships** – cooperation and collaboration between the ILSC and Indigenous groups on key projects and activities.

4. **Strategic alliances** – formal arrangements involving the ILSC, key Indigenous land and water holding bodies, industry partners and/or government partners.

The ILSC will work with stakeholders to provide insights on what has worked in previous and existing projects, tailored to local aspirations and expertise.

The native title representative bodies and service providers across this region are:

**Goldfields Land and Sea Council, WA**  
[www.glsc.com.au](http://www.glsc.com.au)

**South West Aboriginal Land and Sea Council, WA**  
[www.noongar.org.au](http://www.noongar.org.au)

**Yamatji Marlpa Aboriginal Corporation, WA**  
[www.ymac.org.au](http://www.ymac.org.au)

## ➤ APPENDIX: RELEVANT LEGISLATION

### Commonwealth

- Native Title Act 1993
- Aboriginal and Torres Strait Islander Heritage Protection Act 1984
- Environment Protection and Biodiversity Conservation Act 1999
- Water Act 2007
- Fisheries Management Act 1991
- Coastal Waters (State Powers) Act 1980
- Seas and Submerged lands Act 1973

### Western Australia

- Aboriginal Affairs Planning Authority Act 1972
- Aboriginal Communities Act 1979
- Aboriginal Heritage Act 1972
- Aboriginal Heritage (Marandoo) Act 1992
- Land Administration Act 1997
- Titles (Validation) and Native Title (Effect of Past Acts) Act 1995
- Water Services Act 2012
- Country Areas Water Supply Act 1947
- Land Drainage Act 1925
- Rights in Water and Irrigation Act 1914
- Swan and Canning Rivers Management Act 2006
- Waterways Conservation Act 1976
- Land Drainage (Validation) Act 1996
- Western Australia (South-West Region water supplies) Agreement Act 1965
- National Environment Protection Council (WA) Act 1996
- Water Agencies (Powers) Act 1984
- Water Corporation Act 1995
- Marine and Harbours Act 1981



The background of the slide is a photograph of a landscape. In the foreground, a hillside is covered in a dense field of bright yellow wildflowers. The hill slopes down towards the right. In the middle ground, there are several trees, some with green foliage and others that are bare. The background shows a flat landscape with more yellow fields and a distant horizon under a sky filled with large, white, fluffy clouds.

## THE INDIGENOUS ESTATE

The Indigenous Estate holds the key to successful economic development for all Indigenous Australians. Its significant tangible and intangible assets—not just land and waters, but people and the knowledge and intellectual property flowing from the heritage of Indigenous Australians—must be used for the benefit of all Indigenous Australians. The Indigenous Estate is the focus of the ILSC's efforts.



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**Indigenous Land and Sea Corporation**



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