# NATIONAL INDIGENOUS LAND AND SEA STRATEGY

2022 Community
Consultation Report





PEOPLE. COUNTRY. OPPORTUNITY.





# **Acknowledgement of Country**

Country represents the lands, waterways, and seas to which Indigenous people are connected. It is so much more than a physical place, containing complex ideas and meaning about law, place, custom, language, economy, spiritual belief, cultural practice, wellbeing, family, and identity. It is inseparable from people, community, and self, and cannot be separated into land, water and sea – it is all one.

Caring for Country is an expression of culture, a spiritual devotion, and a step towards healing. It embodies a diverse practice representing more than 60,000 years of Indigenous culture, knowledge, and custodianship – the longest on the planet. People have obligations to Care for Country and keep it healthy as, in turn, it looks after its people.

In all our activities the ILSC pays respect to the Traditional Owners and Custodians of the lands and waters on which we work. We honour the resilience and continuing connection to Country, culture and community of all Aboriginal and Torres Strait Islander people across Australia. We recognise the decisions we make today will impact the lives of generations to come.

We give thanks to the Aboriginal and Torres Strait Islander peoples who participated in this consultation and so generously shared their priorities and aspirations for the future of their Country. Your input is extremely valued.



#### A note on language

The terms 'Aboriginal and/or Torres Strait Islander', 'Aboriginal', 'Indigenous' and 'First Nations' may be used interchangeably throughout this document. Through the use of these terminologies, we seek to acknowledge and honour diversity, shared knowledge and experiences as well as the right of individuals and communities to define their own identities.

The C in Country is capitalised throughout this report as Country for Aboriginal and/or Torres Strait Islander people is a strong place of connection which provides the utmost significance to their people and means more than physical land. In this report, Country may refer to land, freshwater and/or seawater.

# From the Chair and GCEO

In mid-2022, we embarked on our largest ever effort to listen to Aboriginal and Torres Strait Islander people's aspirations for Country and thoughts on the current and future role of the ILSC. We did this to reset our relationship and better align our next National Indigenous Land and Sea Strategy (NILSS), and the ILSC, with the voices and aspirations of Indigenous communities and organisations.

With the support of an Indigenous-owned business, we travelled across the Country to visit 44 locations in-person and hold eight sessions online. We ran an online survey, took submissions, and had a dedicated phone line. We spoke with over 400 people who generously shared more than 1200 hours of their time with us.

We would like to extend our deepest appreciation and respect to those who took part in the discussions and shared their space, time, and stories with us. It has been a privilege to sit with you and hear the incredible range of things you want to do on and with your Country and how you want us to partner with you.

The key themes and feedback we heard include:

#### **Overarching Messages**

- Country is at the heart of everything. It represents life, culture and a way of working. It should be at the centre of everything the ILSC does.
- Self-determination and working in genuine partnership are important values to uphold and ways of working. They should be used to strengthen the ILSC's commitment to people and Country and how it works.

## **Returning Country**

- Acquisition needs are changing, and while not everyone has Country back, those that do are focusing on how best to manage and use it into the future.
- Access to water and water rights is lacking. Increasing access to water and sea Country should be a
  focus for the ILSC.
- Any ownership of Country must come with as much control and decision-making power as we can legally provide.

## **Managing Country**

- People are highly enthusiastic about making the most of their Country, but development must be on their own terms Indigenous-led and culturally appropriate.
- How people want to be supported and the type of support they need varies, with some people wanting
  funding only, some wanting a long-term relationship and/or capability building, and others seeking
  assistance to make change at the system or sector level.

## **Sector Leadership**

• There is no one sector people have a shared interest in, but the sectors that people commonly identified were those that bring together culture, Country and communities – e.g. Caring for Country, bushfoods, carbon, water, and environmental markets.

• People want to operate their own projects where they can and for the ILSC to do more to influence policy and drive greater Indigenous leadership, influence, and involvement across sectors.

#### Role of the ILSC

- There is a desire for the ILSC to step back and let Indigenous people lead the way, whilst stepping up to demonstrate what it means to be a culturally capable leader.
- To support self-determination, people want the ILSC to be a facilitator, collaborator, advocate, influencer, enabler, broker, and interpreter.
- Specifically, many people wanted the ILSC to support capability building, provide access to specialist advice and partners, and be a champion for Indigenous interests and voices into government and industry.
- Many people want a closer relationship with the ILSC and to see and hear from us more often and on Country.

We asked what Indigenous people want and, as the Chair of the Board and the CEO, we are committed to acting on that advice. Over the next few months, we will use this information to develop the NILSS which will be released in mid-2023. It will guide changes to how the ILSC works, where we focus our effort, and our structure.

This type of engagement will not be a once off – it is the start of a new era. We heard very clearly that people want a better relationship with us, and we want that too. We will have more conversations in the future, continue to adjust our purpose based on what we hear, and work hard to be an be an enabler for Indigenous people – a partner you can rely on.

Finally, Indigenous people's ambitions are growing and getting louder. We can see that the world is changing and know we must too. We are excited to work together to evolve and change how we do business to keep pace and better meet the needs of Indigenous Australians, today and tomorrow and for generations to come.



Ian Hamm Yorta Yorta ILSC Chairperson



Joe Morrison Dagoman/Mualgal ILSC GCEO

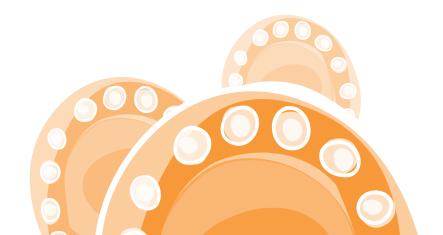
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# Introduction

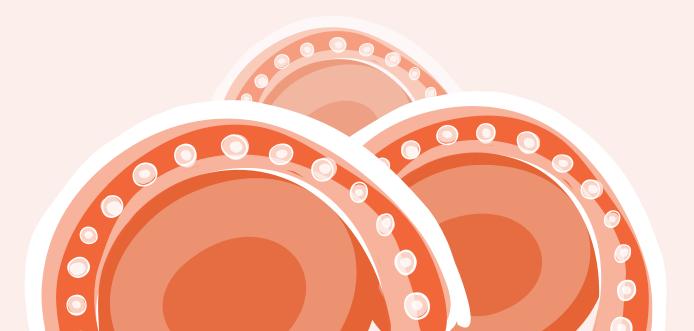
In mid-2022, the Indigenous Land and Sea Corporation (ILSC) completed a national consultation to listen to the priorities and aspirations for Country of Indigenous Australians and to understand the role they want the ILSC to play. We did this to inform the development of a new National Indigenous Land and Sea Strategy (NILSS), which guides our strategic direction, operations, and performance. This report summarises what we heard during our consultation.

# Who is the Indigenous Land and Sea Corporation?

The <u>ILSC</u> is a corporate Commonwealth entity <u>established in 1995</u> to address the historic dispossession of Aboriginal and Torres Strait Islander peoples. We buy and grant land to Aboriginal and Torres Strait Islander Corporations and fund land management activities on Indigenous held land to deliver economic, environmental, social or cultural benefits. We were previously known as the Indigenous Land Corporation and became the ILSC in 2019 when our scope was expanded to include salt and fresh water interests.

The establishment of the ILSC formed part of the government's response to the historic Mabo judgement, which recognised that Indigenous ownership of land existed before colonisation and instigated the Native Title Act 1993. Acknowledging that many Indigenous people would be unable to regain control of their land under the Native Title Act, we were established to complement native title laws and assist dispossessed Indigenous people to acquire and manage Country.

Each year the ILSC receives funding from the <u>Aboriginal and Torres Strait Islander Land and Sea Future Fund</u> (the Fund) to run its operations and providing funding to Indigenous people. The Fund was initially established through a government endowment of more than \$1 billion and, through investment and management, is now worth over \$2 billion. The Fund enables the ILSC to be financially self-sufficient and in 2021-22 we received \$55.7 million to carry out our activities. This money can be thought of as Indigenous people's money, so it is very important that the way the ILSC spends it is aligned with the aspirations and priorities of Indigenous people for Country



## What is the National Indigenous Land and Sea Strategy?

The NILSS is the ILSC's primary policy document. It shapes our strategic direction, operations, and performance. It sets out where we will focus our efforts, invest our funding and, most importantly, guides what we do and how we do it, in partnership with Aboriginal and Torres Strait Islander people.

The ILSC Board is required to develop a NILSS under the Aboriginal and Torres Strait Islander Act 2005 (ATSI Act). It must last for 3 to 5 years and cover:

- the acquisition of land and water for Aboriginal and Torres Strait Islander corporations;
- management issue relating to Indigenous held-land and water;
- environmental issues relating to Indigenous-held land and water; and,
- other matters that the ILSC thinks are relevant.

The NILSS sets the foundations for our more regionally focussed Regional Indigenous Land and Sea Strategies (RILSS), which are also required under the ATSI Act. The RILSS extend the NILSS, providing an additional level of detail about our focus and activity plans within a region.

The new RILSS will be released before the end of 2023, and we will undertake more consultation on these during 2023.



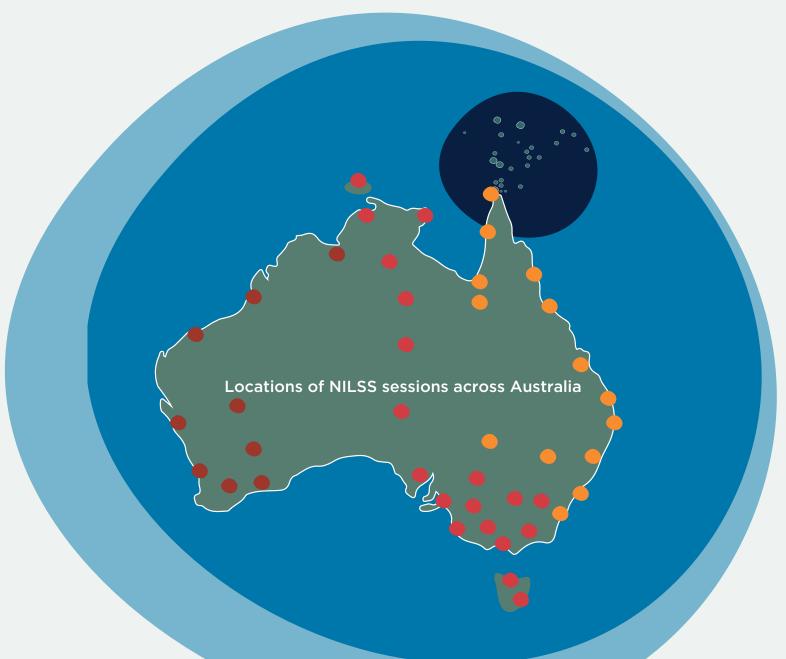
Open discussion at the NILSS session on Whadjuk Noongar Country (Perth, WA)

# **NILSS Consultation 2022**

# What did we do and why?

A largely new ILSC Board commenced in 2022 and brought a fresh and diverse set of ideas, skills, expertise, and connections to the ILSC. With the current NILSS due to expire in 2023, we took the opportunity to strengthen our relationship with you and your community by undertaking our largest ever engagement – a national listening process.

We wanted to listen to your ideas, priorities and aspirations for your Country and your people. We wanted to hear what you would like us to do over the next five years and understand how to be the best partner for you and for your Country. The purpose of our conversations was to help us develop a new NILSS and to reconnect with you, reset our relationship and build new ways of connection and working together for the future. A big part of this is being open and transparent, which is why we wanted to provide this report back to you on what we heard when we spoke.



#### How did we run the consultation?

From May 2022 and August 2022, we ran a 15-week national engagement process to discuss what could be in the new NILSS and to get to know you - the people we exist to serve - better. We held 44 public, in-person sessions across Australia, 2 virtual sessions and 6 invite-only, sector-specific roundtable discussions. We also ran an online survey and accepted written submissions and confidential phone calls.

A list of the locations we visited and a list of participants in the roundtable discussions is attached to this report (Attachment A and B).

To help kick start the conversation, on 13 May 2022 we released a series of supporting materials:

- A <u>welcome brochure</u> introducing the ILSC and explaining the NILSS and why we were consulting
- An introductory video from our CEO, Joe Morrison
- Discussions papers prepared by/co-authored by Indigenous experts exploring sectors and topics relevant to land and sea management:
  - 0 Bushfoods
  - Indigenous participation in the carbon industry 0
  - Caring for Country 0
  - 0 Renewable energy and Indigenous people
  - Water and Indigenous people 0
  - You've got your land back, now what? Some observations from the 0 SouthWest on moving to a 'Post-Acquisition Era
  - <u>Indigenous Cultural and Intellectual Property</u> 0
  - **Unlocking Investment Capital** 0
  - An Interview on Climate Change and Indigenous people 0
- Sector-specific factsheets informed by the discussions papers that outlined challenges, opportunities and relevant projects supported by the ILSC:
  - 0 <u>Agribusiness</u>
  - Bushfoods 0
  - Carbon 0
  - **Caring for Country** 0
  - **Fisheries** 0
  - Renewables 0
  - Water 0

The formal consultation period ended on the 26th of August, but we ran one additional in-person session on the 19th of September for an extra location at the request of Traditional Owners. To help you put a face to the organisation, we strived to have a member of the Executive Team and/or a Division Head and at least one project advisor at every session.

To conduct the consultation activities, we were supported by i2i Global, an Indigenous-owned and led consultancy firm, and its collective of 14, predominantly Indigenous, facilitators. Collaborating with us on planning, i2i Global facilitated all but one the in-person and virtual sessions (September 19th session was ILSC-run), including the sector roundtables. They prepared a report on the findings from the discussions, which has been used to inform this report.

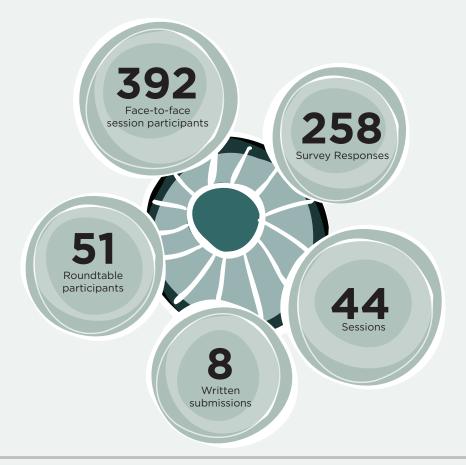
We were also supported by Invalue Consulting, who conducted further analysis on what we heard during the consultation and captured insights from ILSC staff who attended each session. A detailed summary of the consultation activities is at **Attachment C**.

#### Who did we hear from?

More than 400 people took part and volunteered over 1200 hours of their time to share their aspirations and needs for Country. We are immensely grateful for your time and contributions.

We sent out open invitations for people to participate in the face-to-face consultation sessions using radio, print media, social media, our mailing list, and broader networks. When people arrived at a session, they were asked to complete a sign in sheet and let us know if they were affiliated with an organisation. A significant number of people did indicate an affiliation with an organisation, but it is not known if they attended representing that organisation or representing themselves.

A list of 163 organisations participants noted an affiliation with is attached (Attachment D).







# **Consultation Feedback**

Overall, six key themes and areas emerged from the feedback we received:

- The Centre of the Discussion
- Supporting Values
- Returning Country

- Managing Country
- Sector Leadership
- The Role of the ILSC

Unless otherwise specified, all the feedback referred to in this document is inclusive of data from the face-to-face sessions, virtual roundtables, the survey, submissions, and calls.

It is important to acknowledge that this report is a summary of what we heard. We have done our best to reflect and honour what was shared with us, but we simply cannot include everything. If you are concerned that we have misrepresented or misunderstood you, or that we have missed something out, we are very happy to receive your feedback. You are welcome to contact us on 1800 818 490 or NILSS@ilsc.gov.au for a chat.



#### The Centre of the Discussion

At the centre of the feedback received was the importance of Country, connection to County and the practice of Caring for Country. Whilst not always explicitly stated, it was present in every discussion we attended. We heard that:

- Country is central to everything it is physical, spiritual, cultural, and social connection, and is inseparable from people, community, and self.
- Caring for Country is an expression of culture, a spiritual devotion, and a step towards healing. People have a responsibility to care for Country and keep it healthy as, in turn, it looks after its people.
- Country cannot be separated into land, water and sea it is all one.
- Country can enable economic and business opportunities that benefit comminates, but and opportunities must first be grounded in good management of Country.



## **Supporting Values**

We identified two values across all the feedback that enable appropriate care and support of Country. These values were talked about in a variety of ways and typically connected to core needs and beliefs of people, including how the ILSC should work with people and Country. These values connect to and add meaning to the other areas of feedback.

#### What we heard...

#### **Self-determination**

- Self-determination is fundamental to everything Indigenous groups and communities are trying to achieve.
- The pathway to self-determination looks different for everyone and every place.
- Crucial to self-determination are control, power, and autonomy in decision-making. In addition, self-determination requires Indigenous-led solutions that are culturally appropriate and work for local people and local places.



"Every one of the landowners, landholders and corporations that currently have ILSC properties have their own strategy, their own vision, their own aspirations and their own conversations about all the things they want to do, let them achieve that"

- Roundtable Participant

"Indigenous control of opportunities on Indigenous land" - Roundtable Participant



## **Partnership**

- True partnership is a two-way process and requires equitable distribution of power, control, and resources, and an understanding of each other's needs.
- An important requirement is transparency and accountability, which helps to build trust and respect.
- Partnerships are a way to be more effective and can exist at the individual, region, sector, and general Indigenous interest level.

"We want a real partnership with you and visibility is part of that" - Face-to-face Session Participant



"I would like to think we are in a partnership relationship with ILSC in the future working together with industry and government" - Survey Respondent

"Partnerships to achieve more, employ more people, develop more skills, create sustainable economic opportunities, be at the forefront of restorative farming activities in an area with historical cane farming."

- Survey Respondent



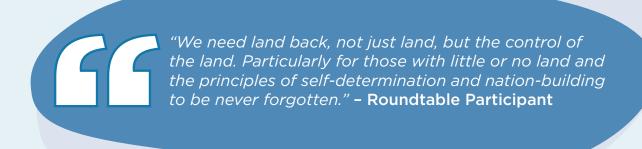
## **Returning Country**

Across Australia, Indigenous people, groups, and communities shared the importance of having access to and ownership of Country to generate benefits and achieve their aspirations. For many, having Country returned was described as the first step towards achieving self-determination and it supported healing, including cultural and spiritual reconnection.

Whilst acquisition of Country remains an important role for the ILSC, there was a shift in the focus of participants towards the management of Country. We feel this reflects the past three decades of land rights progress that has resulted in increasing numbers of Traditional Owners having their Country returned.

#### What we heard...

Access to and ownership of Country is highly varied across Australia. Some groups have access to little
or no Country, many want to own more Country, and others have their Country back and are interested in
how to use that Country.



There has been a lot of progress in access to land, but access to water and water rights is lacking. There
is a strong desire to increase Indigenous access to, ownership and control of freshwater and sea Country.
People want this to be a focus of the ILSC, particularly groups across the Murray-Darling Basin region
(fresh water) and coastal groups (sea Country).



"We need ownership of our sea and ocean bearing harvests (Kelp, Cray, Abalone, Salmon). We need to diversify and not have our eggs all in one or two baskets as this diversity means seasonal wealth and broader skill building." -Roundtable Participant

- People want to own Country for many reasons and, aside from enabling a reconnection to Country and supporting self-determination, there were no specific trends in desired use across Australia. Some reasons shared for wanting to own Country were to practice culture, care for Country, commence or expand commercial opportunities and/or provide community services.
- It's important to recognise that access to Country is the first step, but it is not self-determination in and of itself. Moving towards self-determination requires long-term support, investment, and changes to the broader environment. Many people want the ILSC to work with them as a long-term partner on this journey.
- People want 'real' ownership of Country, which includes control and decision-making power. The lack of meaningful and legitimate control over Country is a barrier to achieving aspirations and selfdetermination. Some examples given included restrictions from mining rights or caveats that can limit the potential use of Country or prevent access to commercial finance for the development of Country.



Facilitators NIISS session on Southern Yamatiji Country (Geraldton, WA)



"Not granted or leased land, but land and water to own and have self-determination over in which we are free to develop for cultural, environmental, social, and economic impact for the benefit of community. Also, land and water in which we are free to say NO to 'development' and mining and over-farming."

- Face-to-face Session Participant

There are many other barriers that limit people's ability to access and be on Country aside from ownership, including housing, transport, infrastructure, and employment. These barriers also make it difficult to connect Elders and the younger generation, which limits the ability to pass on knowledge and practice culture.

## **Managing Country**

As more groups have their Country back, a lot of the feedback focussed on what groups could do with their Country and the type of support they need to get there. Managing and Caring for Country was particularly important for generating the benefits that come from having Country returned. Whilst getting Country back was often described as the first step towards self-determination, managing and Caring for Country was acknowledged as an ongoing and inter-generationally important work.

Caring for Country was spoken about as a significant cultural and spiritual responsibility that brings immense pride and is also seen as a real job. To Care for Country well and sustainably, people identified that they need a combination of skills, knowledge, long-term support, and funding. Some groups are well established, they have most of these resources and are ready to expand; however, others are just starting out and looking to build themselves up.

#### What we heard...

#### **Opportunities for people and Country**

Overall, people were enthusiastic about developing their Country, but only where the development is Indigenous-led, culturally appropriate and self-determined.



People have many ideas and opportunities to build enterprises and businesses on Country. Typically, these brought together culture, Country, and communities and included sustainable and environmentally conscious ways to generate revenue on Country. For example, Caring for Country activities, ranger work, environmental markets, bushfoods, carbon, water, tourism, fisheries, and renewables.

There was no single enterprise or economic opportunity desired or proposed across all regions

 what people want to do varies greatly and depends on the expertise and resources they have, including the Country they have access to. Some people know exactly what they want to do and oftentimes how to get there, but others are uncertain about how to identify good opportunities for their Country and people.



Many groups also spoke of having Country returned that was damaged, needed restoration, was difficult
to sustain, was difficult to make a living from or not fit for their needs. There was a desire to undertake
planning to determine how to heal Country, the best uses for the Country and how this aligns with
aspirations. It was also noted that healing Country benefits everyone and this needs to be recognised
and funded for the long-term.



#### **Threats to Country**

- The types of threats people expressed concern about varied from place to place and depended on their Country and on what scale of threat they were discussing.
- Some threats related directly to the health of Country and included damage to culture, heritage, impacts of climate change, pests and weeds, and damage from development.
- Other threats were broader and related to the ability to influence what happens on Country. The most raised included:
  - o a lack of Indigenous voices and interests at the decision-making table
  - o restrictions on control and decision-making power over Country
  - o limited understanding of and support for Indigenous management of Country and culturally appropriate ways of working
  - o the impact of limited funding for managing Country





"[A key threat to Country is] Government policy and lack of understanding of our business and cultural aspirations."

- Survey Respondent

#### Needs

- What people need to make their desired opportunities happen varies depending on the region, history of the group, current levels of progress, type of aspirations, and their capability. The type of support that many identified they need included ownership of Country, access to information, capability building, planning, expert advice, infrastructure, staff, and access to trusted partners.
- The removal of systemic and broader barriers was also identified as a need and included support to gain more influence and decision-making power along with addressing issues such as housing and employment.
- A specific need raised on multiple occasions was access to long-term, flexible funding which includes
  initial investment and ongoing support. When accessing funding, particularly government funding, there
  was a strong preference to reduce the requirement for groups to continually justify their needs and
  practices. This was in alignment with a desire for self-determination a level of control over resources,
  rules, and timelines.
- Groups want support at individual level, that is, "help us as a group achieve our goals". They also want support at sector or industry levels, that is, "help us achieve our collective goals, have a collective voice, and amplify our aspirations and needs".
- How people want to access support also varies. Some people are seeking funding only and then want autonomy, others want a long-term partner to stand alongside and support them, and others want assistance to make change at the system and industry level. This is strongly linked to both where groups are at and their desired pathway to self-determination.





## **Sector Leadership**

As part of the consultation, we held invite-only roundtable discussions on six sectors relevant to Indigenous people and to our current and future operations: bushfoods, carbon, water, fisheries, renewables, and Caring for Country. Throughout the consultation, we also heard feedback on these sectors and others that are of interest to people, in particular agriculture, tourism and environmental markets.

Many opportunities and issues raised in relation sectors closely reflected what was raised when discussing local opportunities and issues, just at a national or regional scale. Whilst sector-specific actions were identified, at the heart of many actions and resulting outcomes remained the pursuit of self-determination. The outcomes sought included:

- a meaningful voice for Indigenous peoples in the development of legislation and policy, and that reflects place-based representation
- better protection of Indigenous Cultural and Intellectual Property and Indigenous rights and interests
- greater ability to establish culturally appropriate enterprises and enhance sector representation

#### What we heard...

- Sectors of high interest were those that intersect with the care, use and management of Country and that bring together culture, Country and people e.g., Caring for Country, bushfoods, carbon, water, environmental markets.
  - o In some of these sectors it was noted that there is a time limited opportunity to create substantial benefits for Indigenous people e.g., renewables and environmental markets.
- A common desire was to see greater Indigenous leadership, influence, and involvement across
  the sectors. There was concern with the prevalence and power of non-Indigenous voices in
  most sectors.
- Groups also reflected on the prevalence of non-Indigenous people 'looking after' or working on Country. This includes agriculture, pastoralists, bush tucker, and conservation. Although there is a desired to work with non-Indigenous specialists, many wanted the opportunity to care for and build enterprises on their own Country themselves.
- In some cases, there was a desire for the ILSC to be a champion into government and industry on behalf of Indigenous interests and in other cases the preference was for the ILSC to elevate Indigenous leaders and initiatives.

#### Role of the ILSC

#### **Desired Roles**

- Overall, there was varied awareness and understanding of what the ILSC currently does, the type of support it can provide to assist people and the resources we have available. Despite this, most participants saw a role for the ILSC as a potential partner to help them achieve their aspirations.
- The ability of the ILSC to buy and return Country was seen as a core function of the ILSC and something that should remain a priority. People want the ILSC to increase its effort to return freshwater and sea Country.



- With more people having Country back, there is an increased demand for support to manage Country. This includes to restore the health of Country, find the best use for Country, and expand existing businesses.
- People invited the ILSC to play a range of roles to enable them to protect and develop their Country on their own terms and generate benefits for their communities:
  - 0 advocate on behalf of Indigenous interests to government to influence policy, remove barriers, amplify Indigenous voices and encourage cross-department collaboration
  - 0 advocate to industry to improve the protection of Indigenous rights and interests, including promoting the implementation of standards such as Free, Prior and Informed Consent and Indigenous Cultural and Intellectual Property
  - assist with navigating bureaucratic processes, including understanding legislation and 0 regulations, and access government services and funding

- o provide access to trusted partners, information, expert advice, and specialist skills
- o assist with building and brokering partnerships between communities, industry, and government
- o be a long-term partner that goes beyond funding and is actively involved and invested in projects
- o share information on opportunities
- o have oversight on projects that may impact Indigenous people to ensure cultural appropriate practices and benefit sharing
- o support capability building and training
- o build capacity of organisations to do, or do more of, the activities to manage Country that are relevant to them and their aspirations
- o demonstrate culturally capable leadership and operation
- o provide funding to deliver on many of the above activities



"I would love to see the ILSC more heavily involved in supporting mob to build skills in negotiating access to land, correcting misinformation about Indigenous land use and access, breaking down barriers with farmers etc. who occupy our lands, working to improve the admin/corporate side of our land management, working to develop our individual land management/development plans, and make it easier for mob to understand all the things we can do on our country... this is a key part of our self-determination." - Face-to-face session Participant



#### **Engagement**

 Culturally appropriate engagement is a key priority for many, with people wanting the ILSC to connect, consult, and communicate with them more.



- There is a strong preference for engagement to be in-person and on Country, which includes having a more permanent regional presence and making more regular trips to visit groups and build relationships. For example, some participants expressed disappointment that the NILSS consultations were held in the towns and cities, not on Country.
- In addition to being more visible, there is a desire for the ILSC to be more hands-on and involved, building relationships, proactively connecting with communities, and helping those who want to manage Country.



- A core reason for this is so that the ILSC experiences and connects with Country and culture.
   The hope is that it will make the ILSC better able to understand the management of Country, its importance, and challenges.
- Through gaining this insight and experience, people want the ILSC to step up as a culturally capable leader and to influence government, big business, and industry to conduct itself in a more culturally appropriate way and, in doing so, tackle broader and systemic issues.
- For some, the ILSC is best placed to do this as it can walk in both worlds. They see the ILSC as both able to represent Indigenous communities and groups and at the same time be part of the Federal Government. However, whilst some people view the ILSC as an Indigenous organisation capable of representation, there are concerns that the ILSC is still a white, government organisation that perpetuates barriers to self-determination.

#### How we work

- In general, there is a desire for the ILSC to step back and let Indigenous people lead the way for Country, whilst stepping up to demonstrate what it means to be a culturally capable leader to government and other non-Indigenous organisations.
- The services of the ILSC are valued, but people feel we can be working more efficiently, strategically, and with better engagement.
- How people want us to work depends on their needs, aspirations and currently ability. Some people
  want us to be a hands-on partner and others are looking for us to step aside. From this, we understand
  that we need to be flexible and provide multiple pathways in how groups can work with us.
- The ILSC should continue to improve processes, including transparency in decision making and how we
  enable self-determination in our practices and policies. A particular example raised in relation to how
  we limit self-determination is the way we manage caveats on our granted properties.



- Some people felt that ILSC processes can be slow and struggle to keep up with the commercial market and sometimes this holds people back from achieving access and rights to Country.
- The ILSC was encouraged to think more strategically about acquisitions and consider larger-scale opportunities or supporting nations that have limited opportunities for ownership Country, such as in southern Australia.



# **Early Reflections**

Through this consultation, we have been honoured with valuable insights from Indigenous people across Australia on their needs and aspirations for Country. This helps us build a picture about how we could be the most useful partner across the next five years and beyond. It gives us a lot to reflect on and, most importantly, provides a wealth of information for us to build the new NILSS.

Some key points raised through this consultation that we will be considering in greater detail over the coming months and as we develop the NILSS include:

Reflection	What we will do
The groups and communities we work with are incredibly diverse – they have a wide variety of needs, capability levels, aspiration types and pathways to self-determination. There is a clear need for tailored offerings to meet groups where they are at, but our current programs and services tend towards a one-size-fits-all approach.	Assess our services and explore how we might offer more flexible and fit-for-purpose services using our available resources.
Some of what people are seeking from the ILSC is outside of our current scope and legislative mandate. In many cases, the types of functions people have suggested fall under the category of intermediary or enabler. They are the supports or steps in between having Country back and experiencing the desired economic, environmental, social, and cultural benefits. They are more than the transactional acquisition of Country and extend beyond simple management of Country. We recognise the importance of these types of activities to support groups in self-determination.	Investigate the potential to expand our mandate to enable support of these types of activities, which may include partnership with and connection to other agencies that deliver those supports.
There is a tension between people wanting the ILSC to provide a wider range of services and narrow our focus to be more effective in the areas we choose to operate in. There is also a tension between the different needs of groups, some of whom want us to be a hands-off partner and others who are looking for long-term capability support.	Assess what is possible with our current resources and what represents the most effective use of those resources. Consider how we can service a wide variety of needs and ways of working.



Linked to the above point, it is clear there are many organisations that are undertaking work that is complementary to the focus of ILSC. In some case, people expressed some confusion about knowing who to approach to support. It is important we work closely with our partners to make the most our efforts and resources – and make it as easy as possible for people to access the support they need. Whilst we already work with many likeminded partners, but we can do better.

Improve our knowledge of and collaboration with others who also support the return and management of Country, and enterprise on Country, by Indigenous people.

Groups are seeking to work with the ILSC in more culturally appropriate ways and some are looking to us to be a culturally capable leader that can, as invited, represent them and influence government and industry. This may include demonstrating the use of traditional governance and frameworks, such as decision-making, shared management, and the use of Indigenous lore. However, as a government entity, the ILSC is bound to government timeframes and ways of working that can be a barrier to working in a culturally appropriate way.

Investigate how we can most effectively walk in these two worlds and embed improved, culturally appropriate practices.



# **Next Steps**

The ILSC would like to sincerely thank all the people who volunteered their time to attend a meeting, make a submission or complete the survey. By providing your input on the NILSS, it allows us to adjust what we do and how we do it to better meet your needs. It's important to us to demonstrate that we are listening to you and trying our best to be adaptive and responsive.

The information in this report outlines what we heard across the country. We will use this, in addition to our own research and discussions with partners, to inform the development of the final NILSS and guide any necessary changes to our operations to bring it into operation. This report is the starting place and will inform several key documents that guide how work and how we report back on our progress.

We will release the NILSS in the first half of 2023. It will contain the high-level goals we hope to achieve over the next 5 years and our key areas of focus, as informed by you. It will include information on how we will measure performance and share our progress with you.

Following the release of the NILSS, we will meet with you again to both share the new NILSS and seek your views on the Regional Indigenous Land and Sea Strategies (RILSS). Each RILSS will focus in greater detail on regional opportunities and issues and are an extension of the NILSS. We will release the new RILSS before the end of 2023.

To make it clear what we intend to do each year, the NILSS and RILSS will be supported by a more detailed action or implementation plan that will set out key activities for each year. Finally, each year we will report on our progress, failures and learnings.

## **Public Consultation on the NILSS**

It's important that everything we do is informed by the voices of Indigenous people and consultation with the community. To support this report, we have released our early thinking on the direction of the NILSS for public consultation. Please visit our website to find out more details and read the outline of the NILSS. Consultation is open until the **24th of February 2023** and you can send your feedback to NILSS@ilsc.gov.au.

We will also keep everyone informed through updates on our <u>website</u> and via our mailing list. If you would like to subscribe to the mailing list, please do so <u>here</u>.

If you have any questions about the findings of this report or the development of the NILSS, please contact us on (08) 8100 7102 or NILSS@ilsc.gov.au.



# **NILSS Implementation and Reporting Plan**

**NILSS Consultation Report This Report** Consultation Open for public **Draft NILSS Summary** consultation NILSS - 2023 to 2028 Mid 2023 Direction RILSS -RILSS -RILSS -By December 2023 Western Central **Eastern** August 2023 then **Implementation Annual NILSS and RILSS Action Plan** yearly December 2024 **Annual NILSS Report** Reporting then yearly

# **Attachments**

#### **A - List of Session Locations**

#### **Public Sessions**

1.	AIATSIS Summit	3 June	23.	Launceston, TAS	28 June
2.	Cairns, QLD	6 June	24.	Alice Springs, NT	28 June
3.	Whyalla, SA	6 June	25.	Nhulunbuy, NT	29 June
4.	Darwin, NT	6 June	26.	Mildura, VIC	30 June
5.	Townsville, QLD	7 June	27.	Kalgoorlie, WA	30 June
6.	Katherine, NT	7 June	28.	Adelaide, SA	1 July
7.	Wiluna, WA	8 June	29.	Kununurra, WA	4 July
8.	Coober Pedy, SA	8 June	30.	Rockhampton, QLD	5 July
9.	Weipa, QLD	9 June	31.	Perth, WA	8 July
10.	Geraldton, WA	10 June	32.	Mt Isa, QLD	11 July
11.	Tiwi Islands, NT	14 June	33.	Grafton, NSW	12 July
12.	Esperance, WA	14 June	34.	Burketown, QLD	13 July
13.	Katanning, WA	15 June	35.	Mt Gambier, SA	14 July
14.	Brisbane, QLD	17 June	36.	Broome, WA	14 July
15.	Ballarat, VIC	21 June	37.	Thursday Island, QLD	20 July
16.	Horsham, VIC	22 June	38.	Sydney, NSW	25 July
17.	Tennant Creek, NT	22 June	39.	Dubbo, NSW	26 July
18.	Shepparton, VIC	23 June	40.	Broken Hill, NSW	27 July
19.	Melbourne, VIC	24 June	41.	Virtual	11 August
20.	Hobart, TAS	27 June	42.	Virtual	11 August
21.	Canberra, ACT	27 June	43.	Karratha, WA	12 August
22.	Merimbula, NSW	28 June	44.	Gippsland, VIC (ILSC facilitated)	19 September

#### **B - Sector Roundtables and Participants**

Indigenous people made up the majority of the invitees for each roundtable and efforts were made to have a geographical spread and gender equity of the participants. This was not always achieved, and some invitees were unable to attend. Invitees who did not attend are not listed below.

All participants were invited as individuals with extensive experience in the sector. They were not invited as representatives of a particular organisation. As such, no organisational affiliations are listed. Where a participant did not provide consent for their name to be published, they are recorded as "Participant".

#### **Bushfoods - 2 August**

Alan Beattie Craig North Heidi Mippy

Professor Henrietta Marrie AM

Joe Clarke Neil Gower Oral McGuire

Peter Cooley Paul Saeki

Rayleen Brown Participant

Suzanne Thompson

#### Carbon - 2 August

Anika Valenti
Anna Boustead
Barry Hunter
Emily Gerrard
Jason West
Jennifer Ansell
John Connor
Melissa Sinclair
Rowan Foley

#### Fisheries - 2 August

Ben Burton
Derek Walker
Dr Emma Lee
Mark Chmielewski
Matt Osborne
Michael Gilby
Robert Anders
Professor Stephan Schnierer
Bryan Denny - Contributed in writing

#### Caring for Country - 3 August

Andry Sculthorpe Barry Hunter Damein Bell Parry Agius Peter Gibbs Peter Bednall Participant

#### Renewables - 3 August

Chris Croker
Isaac Harrison
Joe Heffernan
Karrina Nolan
Kerry Colbung
Paul Paton
Tony McAvoy SC
Professor Tony Dreise - Freya Walton attended as a proxy
Particpant

#### Water - 3 August

Professor Anne Polina Associate Professor Brad Moggridge Les Turner Phil Duncan Rene Woods Professor Sue Jackson Dr Virginia Marshall



# **C - Consultation Activity Details**

Activity	Information
Face-to-Face Sessions	<ul> <li>The face-to-face sessions were based around five questions and there was scope to discuss other topics and issues.</li> <li>The questions were as follows - Thinking about your aspirations for your Country over the next 5 years</li> <li>Do you need to own additional land or water to achieve your aspirations?</li> <li>What opportunities do you see for your Country?</li> <li>How can the ILSC help you realise these opportunities and aspirations?</li> <li>What do you feel are the greatest threats to your Country or land and water holdings? (e.g., climate change impacts, heritage matters, invasive species, access to water)</li> <li>What would help address these threats to your Country or land and water holdings?</li> <li>The sessions were promoted via social media, radio, print media and through relevant networks. The ILSC also used a mailing list based on our existing stakeholder database.</li> <li>Participants were encouraged to register via TryBooking with the link shared on social media, the ILSC website and through the ILSC mailing list. Participants were encouraged to share with their communities and networks.</li> <li>The sessions were entirely in person and no virtual access was supported.</li> <li>Sessions were held in 44 locations across Australia to generate place-based feedback.</li> <li>Each session ran for approximately 3 hrs and include time for an informal yarn afterwards.</li> <li>A Welcome to Country from a Traditional Owner was organised wherever possible. If this was not possible an Acknowledgement of Country was performed.</li> <li>Sessions were facilitated by Indigenous engagement professionals from i2i Global to support cultural safety. Approximately one to three ILSC staff attended every session as observers and to provide additional information about the ILSC.</li> <li>O The Gippsland session was facilitated exclusively by ILSC staff.</li> <li>Most sessions incorporated activities to facilitate discussion. Any written material was collected and shared with the ILSC.</li> <li>Suppo</li></ul>
Virtual Session	<ul> <li>Virtual sessions were run as per the face-to-face sessions, but online using Zoom.</li> <li>A total of three sessions were held, but only two were attended.</li> <li>The virtual sessions were open to participants Australia-wide.</li> </ul>
Survey	<ul> <li>The survey could be accessed and completed via a link on the ILSC website, a link in updates to mailing list subscribers and shared on social media.</li> <li>The questions asked were based around the five questions explored in the face-to-face sessions. Some additional demographic and engagement questions were included.</li> <li>Responses to questions triggered different paths within the survey so that the survey was best tailored to the respondent.</li> </ul>

#### Written A written submission could be submitted by writing directly to the NILSS email address or by Submissions emailing an ILSC staff member directly who passed the submission on. No specific guidance was provided on what to include in a written submission, so respondents were free to share what they felt was important and relevant. Virtual The virtual roundtables explored six different sectors of interest to the ILSC and our Roundtables stakeholders: 0 Carbon 0 Bushfoods Caring for Country 0 Renewables 0 Water 0 **Fisheries** 0 Discussion focussed on the national, strategic direction for the sector and the role the ILSC could play. This differed from the face-to-face sessions which had a local or regional focus. Targeted invites were sent via email to participants to take part. The participants were identified as experts in the sectors or as having highly relevant experience. The majority of invitees were Indigenous people with non-Indigenous people invited where they offered a unique perspective on the sector. Efforts were made to ensure a suitable geographic and gender spread. Participants were specifically invited as individuals, not as representatives of organisations. Participants were provided with pre-reading that included an overview of the NILSS, the consultation, the ILSC's participation in the sector today, key challenges and opportunities, and ideas for the strategic role of the ILSC in the sector. Participants were asked to review this material and consider in advance for discussion at the roundtable: Where the sector is at now, including national challenges and opportunities. 0 The future strategic direction of the sector. The strategic role of the ILSC to progress the sector nationally. Each virtual roundtable ran for two hours and was held via Zoom. The roundtables were facilitated by one member of i2i staff and typically attended by one ILSC staff member. For the majority of sessions, video and audio recordings were provided along with the chat transcript. These were provided to the ILSC along with any available facilitator notes. Mentimeter was used to enable engagement with activities and seek responses to questions. Phone number The email address was used to: and Email Manage incoming enquires about the face-to-face sessions, the NILSS and the 0 consultation. Send out invites and correspondence about the virtual roundtables. 0 Receive written submissions into the consultation. The phone number was used to: Manage incoming enquires about the face-to-face sessions, the NILSS and the 0 0 Receive verbal submissions into the consultation.



#### **D - Affiliated Organisations of Session Attendees**

Please note, session attendees only noted an affiliation with the below organisations and did not specify if they attended the session as a representative of an organisation. As such, the below list cannot be used to represent a given organisation as a participant in the consultation process.

#### ACT

Tony Boye Management

University of Canberra

Department of Agriculture Fisheries and Forestry

Department of Agriculture Water and Environment

Gioscience Australia

National Indigenous Australians Agency

#### NSW

**BMEET Art Centre** 

Yula-Punaal Education & Healing Aboriginal Corporation

The Gaimaragal Group

National Indigenous Australians Agency (NIAA)

NSW Department of Planning & Environment

Mutawintji Local Aboriginal Land Council LALC

NSW Aboriginal Land Council

Outback Global

#### NT

Paperbark Woman

Tiwi Designs

Ardyaloon Incorporated

Jawoyn Association Aboriginal Corporation

Julalikari Council Aboriginal Corporation

Larrakia Nation Aboriginal Corporation

Laynapuy Homelands Aboriginal Corporation

Lhere Artepe Aboriginal Corporation (LAAC)

Mimal Land Management Aboriginal Corporation

Northern Land Council (NLC)

Nyamba Buru Yawuru Limited

Nyul Nyul PBC Aboriginal Corporation RNTBC

Tiwi Enterprises

West Kimberley Futures - Empowered Communities (WKFEC)

Yamatji Marlpa Aboriginal Corporation

Central Australian Aboriginal Congress

Indigenous Carbon Industry Network

Centrefarm Aboriginal Horticulture Limited

Wild Orchid Kakadu Plum Pty Ltd

Catholic Care NT

**HGH Contractors** 

Indigenous Business Australia

National Indigenous Australians Agency (NIAA)

Tiwi Shire Council

Department of Industry, Tourism and Trade

Department of the Chief Minister and Cabinet (NTG)

NT Government Department of Industry, Trade & Innovation

Central Land Council

Kimberley Land Council (KLC)

Tiwi Land Council

Magabala Books

Tiwi Tours

#### QLD

Yarbun Creations

Angkum Aboriginal Corporation

Carpentaria Land Council Aboriginal Corporation (CLCAC)

Darumbal People Aboriginal Corporation Registered Native Title Body (Darumbal Enterprises)

Djabugay Aboriginal Corporations (Djabugay Bulmba Rangers)

First Nations Bailai, Gurang, Gooreng Gooreng, Taribelang Bunda People Aboriginal Corporation **RNTBC** 

Gur A Baradharaw Kod Torres Strait Sea and Land Council (GBK)

Guru Bodhun Aboriginal Corporation

Jamukurnu-Yapalikurnu Aboriginal Corporation (JYAC)

Kullilli Bulloo River Aboriginal Corporation RNTNC

Pitta Pitta Aboriginal Corporation RNTBC

Port Curtis Coral Coast Trust (PCCC Trust)

Wulgurukaba Aboriginal Corporation

Wulli Wulli Nation Aboriginal Corporation

Country Needs People

Kimberley Aboriginal Law and Culture Centre (KALACC)

NRM Regions Queensland (NRMRQ)

**PAMA Futures** 

Torres Cape Indigenous Council Alliance Inc. (TCICA)

Gujanara Cattle Co

Gunthorpe Cattle Co

Zenadh Kes Fisheries Limited

ABIS Community Co-operative Society Limited

Helem Yumba CQ Healing Centre

JCU Cairns

University of Technology Sydney (UTS)

Department of Agriculture Water and Environment (DAWE)

National Indigenous Australians Agency (NIAA)

Northern Australia Infrastrucuture Facility (NAIF)



Torres Strait Regional Authority (TSRA)

Kowanyama Aboriginal Shire Council

Torres Shire Council

Woorabinda Aboriginal Shire Council (Woorabinda Rangers program)

Wujal Wujal Aboriginal Shire Council

Department of Planning and Environment (DPIE) New South Wales

Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (DSDSATSIP)

Queensland Indigenous Land and Sea Ranger Program (QILSRP)

On Country Workforce Solutions

Partners On Country

Cape York Community Land Council (CYCLC)

**KPMG** 

Rural & Remote Development Consultants

#### SA

Umoona Arts Centre

Antakirinja Matu-Yankunytjatjara Aboriginal Corporation

Barngarla Determination Aboriginal Corporation RNTBC

**Bungala Aboriginal Corporation** 

**Burrandies Aboriginal Corporation** 

Narungga Nation Aboriginal Corporation

Umoona Community Council Inc

Winda Mara Aboriginal Corporation

Kokatha Pastoral

Mt Willoughby Station

Oasis-Agri Pty Ltd

Coober Pedy/Umoona Police

#### **TAS**

Circular Head Aboriginal Corporation (CHAC)

Land & Sea Aboriginal Corporation Tasmania

Melythina Tiakana Warrana Aboriginal Corporation

TasTafe

Many Rivers

Nayri Niara

#### VIC

**BMEET Art Centre** 

Barengi Gadjin Land Council (BGLC)

Dja Dja Warrung Clans Aboriginal Corporation

First People of the Millewa-Mallee Aboriginal Corporation

Nari Nari Tribal Council (NNTC)

Wadawurrung Traditional Owners Aboriginal Corporation

Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation

Yorta Yorta Nation Aboriginal Corporation

Goolum Goolum Aboriginal Co-operative

**Ambleside Community House** 

Rumbalara Aboriginal Co-Operative

Wandong & Heathcote Junction

Wodonga TAFE

National Indigenous Australians Agency (NIAA)

Murray Catchment Management Authority (NSW)

Victoria Fisheries Authority

Victoria Police, Shepparton

#### WA

Whadjuk Believers Academy

Banjima Native Title Aboriginal Corporation

Buurabalayji Thalanyji Aboriginal Corporation

Jamukurnu-Yapalikurnu Aboriginal Corporation (JYAC)

Mudjar Aboriginal Corporation

Murujuga Aboriginal Corporation

Ngaanyatjarra Council Aboriginal Corporation

Ngarluma Yindjibarndi Foundation Ltd.

Ngurrangga Aboriginal Corporation

Robe River Kuruma Aboriginal Corporation

Wajarri Yamaji Aboriginal Corp

Wajarri Yamaji Aboriginal Corporation (WYAC)

Wirawandi Aboriginal Corporation

Yamatji Southern Regional Corporation Ltd

Resources Industry Training Council

Aboriginal Carbon Foundation

Longreach Maris

Mistake Creek Station

Noongar Land Enterprise Group (NLE)

Anglicare WA

Centrecare

MEEDAC Inc.

Bush Heritage Australia

Australian Institute of Marine Science

Australian Technical College

Curtin University

The Cooperative Research Centre for Transformations in Mining Economies (CRC TiME)

Impact Investment Partners Pty Ltd

Aboriginal Hostels Limited

Australian Institute of Marine Science

National Indigenous Australians Agency (NIAA)



National Native Title Tribunal (NNTT)

Dept. Water and Environmental Regulation

WA Department of Primary Industries and Regional Development

WA Department of Primary Industries and Regional Development (DPIRD)

Noongar Chamber of Commerce and Industry (NCCI)

First Nations Media Association

Aboriginal Family Legal Services

Gundi Consulting

Aboriginal Carbon Environmental Services (ACES)

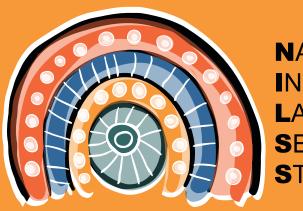








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**N**ATIONAL **INDIGENOUS L**AND AND SEA **S**TRATEGY





#### **WESTERN DIVISION** (WA)

Level 20, 140 St Georges Terrace Perth WA 6000

PO Box 7502 Cloisters Square Perth WA 6850

- T (08) 9420 6300
- F (08) 9467 2800
- E westernoffice@ilsc.gov.au



#### **CENTRAL DIVISION** (SA, VIC, TAS, NT)

Level 7, 70 Franklin Street, Adelaide SA 5000 GPO Box 652 Adelaide SA 5001

- T (08) 8100 7102
- F (08) 8100 7150
- E centraloffice@ilsc.gov.au



#### **EASTERN DIVISION** (QLD, NSW, ACT)

Level 18, 100 Creek Street Brisbane QLD 4000 GPO Box 5212 Brisbane QLD 4001

- T (07) 3854 4600
- F (07) 3056 3394
- E easternoffice@ilsc.gov.au

**ILSC.GOV.AU** FREECALL 1800 818 490







