Aboriginal Land

The Department of Indigenous Affairs is responsible for administering the *Aboriginal Affairs Planning Authority Act 1972* (AAPA).

The Aboriginal Lands Trust (ALT) is the statutory board convened under the AAPA. The Board advises the Minister for Indigenous Affairs on issues relating to the ALT estate.

### Problem

Holding Aboriginal land in trust is preventing Aboriginal people from leveraging economic opportunities.

### Strategic Intervention

Transfer land to Aboriginal organisations and build their capacity to secure economic returns from assets.

Better utilising the Aboriginal Lands Trust estate to achieve economic outcomes for Aboriginal people and the State

- **Problem**
  - Holding Aboriginal land in trust is preventing Aboriginal people from leveraging economic opportunities.

- **Strategic Intervention**
  - Transfer land to Aboriginal organisations and build their capacity to secure economic returns from assets.

#### Better utilising the Aboriginal Lands Trust estate to achieve economic outcomes for Aboriginal people and the State

- The ALT is a statutory body which holds 27 million hectares of land, or 11 per cent of the State, on behalf of Aboriginal people.
- This is comprised of 325 parcels of land, including 251 reserves, 59 freehold, 6 pastoral leases and 9 general leases.
- A range of different land tenures apply across these parcels, including Crown reserves, part III reserves, special purpose leases and pastoral properties.
- Tenure change is required to leverage economic opportunities for Aboriginal people.
- There are 177 Aboriginal communities on the estate, including 31 unoccupied communities and 29 town based reserves.
- Approximately 10,000 Aboriginal people, or 12 per cent of the State’s Aboriginal population, reside on the estate.
- Greater planning and coordination is needed to improve service delivery to maximise social and economic opportunities.
- The estimated land value of the estate is $701 million.
- A range of infrastructure exists on the estate, including housing, administration buildings, essential services infrastructure and roads.
  - It is critical that asset management processes are in place to ensure community infrastructure and facilities are properly maintained.
  - Approximately $300,000 is received from mining rents and royalties per annum for activities undertaken on the estate.
  - An average of $0.23 per hectare is spent per annum on managing and maintaining the estate.
  - Increased revenue is necessary to unlock economic opportunities.
- The State is proceeding with a number of native title settlements which requires the development of government Indigenous Land Use Agreements and a strategic land use policy.
- Divestment of the ALT estate needs to be aligned with existing and future native title priority determinations.
Projects

Increase revenue to strategically manage assets

Town Based Reserves
Improving service delivery to maximise economic and social opportunities by working with local government authorities and other stakeholders to include communities in town services and planning in key locations.

Pastoral Lease Enterprises
Maximising economic viability of pastoral leases by transferring ownership, assessing leases, reforming land use for pastoral purposes, investing in infrastructure and creating employment and training opportunities.

Mining Rents and Royalties
Maximising revenue for the management of the ALT estate by building the capacity of Aboriginal communities to engage with the resources industry to unlock economic opportunities.

Establish processes to fast track divestment and optimise outcomes

Land Tenure Facilitation
Changing tenure of land holdings to enable Aboriginal corporations to undertake economic and other identified activities through the conversion of Part III Aboriginal reserves and other tenure types in priority locations.

Native Title Settlements
Aligning divestment of the estate with existing and future native title priority determination areas by examining land holdings and facilitating divestment through agreements, such as the Noongar alternative settlement.

Capacity Building Land Holding Entities
Preparing land holding entities to manage land into the future by building governance, planning, economic development and strategic capacity through the delivery of programs, such as the Living on Our Lands Project.

Expand joint venture program and strategic partnerships

Land Holdings Taskforce
Guiding the ALT to maximise benefits for Aboriginal people from land holdings by establishing a taskforce to set a policy framework, adopt a portfolio management approach and engage land development experts.

Land Development Joint Ventures
Leveraging economic opportunities from existing land holdings by facilitating land development joint venture opportunities with traditional owners, Aboriginal land councils and commercial land developers.

Strategic State Aboriginal Lands Policy
Developing and implementing a government strategic Aboriginal land use policy by collaborating with other key land holding bodies, sharing asset registers and investigating joint land management options.
Evidence of Aboriginal heritage in Australia dates back more than 50,000 years. As well as being historically important, Aboriginal heritage is of continuing significance and provides Aboriginal people with an important link to their culture and past.

There are approximately 15,000 Aboriginal registered heritage sites and records of an additional 15,000+ places across WA. There are various types of heritage sites and places. These are artefacts; ceremonial; engravings; fish traps; grinding patches/grooves; historical; human made structures; middens; modified trees; paintings; quarries; repositories; and skeletal remains/burials.

Aboriginal sites are a precious part of the heritage of the whole community and need to be protected and preserved for the benefit of current and future generations. An average of 113 heritage approvals are processed each year.

Almost 85 per cent of these approvals are for mining or government infrastructure projects, with the remainder for residential/commercial or Aboriginal community use.

Currently, the extensive documentation required from applicants is manually processed. The introduction of digital heritage systems and the streamlining of processes is critical to keep pace with the increasing volume of heritage approval applications.

There are currently more than $180 billion worth of projects either committed or under consideration for the State during the next few years. The workforce required to meet current growth plans in the minerals and energy sector is expected to reach a peak of more than 119,500 people in 2012.

There is a need to capitalise on the economic opportunities available to us for the good of the community as a whole.
Projects

Reform the Aboriginal heritage environment

Heritage Compliance Program
Ensuring stakeholder compliance with the Aboriginal Heritage Act 1972 to protect Aboriginal sites by improving in-house compliance capacity, planned auditing and improving heritage information. 2012

Review of Aboriginal Heritage Act 1972 and Regulatory Reform
Creating transparency, greater efficiency and certainty through improved processes by reforming the register, providing enhanced compliance powers, improving site identification and delegating decision making. 2013

Priority Heritage Protection
Identifying significant heritage sites for protection, such as the Burrup Peninsula and Abydos Woodstock, through greater accuracy in mapping sites, clearer definitions and best practice systems and processes. 2014

Develop and implement stakeholder management strategy

Office of the Chief Heritage Officer
Providing consistent information, advice and a key contact point for stakeholders by establishing an Office of the Chief Heritage Officer with protocols and delegations for dedicated regional heritage officers. 2012

Native Title and Heritage Liaison Committee
Improving dialogue between government and peak resource industry organisations regarding native title and heritage reforms through the establishment of the Committee to facilitate identification of key issues. 2012

Heritage Forums
Greater involvement of Aboriginal people and organisations in the ownership and control of Aboriginal heritage through regular regional and local forums with cultural authorities. 2014

Streamline administration systems and processes and improve effectiveness of decision-making

Heritage Approvals Processes
Increasing transparency and consistency of decision-making processes and outcomes by developing and implementing agreed standards, policies and procedures. 2013

Aboriginal Heritage Electronic Lodgement Program (AHELP)
Meeting stakeholder information needs by improving access to heritage systems, including internet portals that enable electronic lodgement and tracking of statutory applications. 2014

Heritage and Native Title
Greater alignment between heritage and native title processes by improving consistency of government processes and developing heritage protocols with traditional owners and land councils. 2014
• Approximately 79,000 Aboriginal people live in WA, representing 3.3 per cent of the total State population.

• 33 per cent of the Aboriginal population is under the age of 15 years, 46 per cent under 21 and 75 per cent under 40 years.

It is vital that our efforts focus on the needs of a growing young population and on strengthening the health, education and employment prospects of the next generation.

• There are more than 250 town based and remote Aboriginal communities across WA.

• More than 60 per cent of these communities have a population of less than 50 people and are spread throughout the Kimberley, Pilbara and Western Desert regions.

The future of these locations needs to be considered on the basis of their ability to provide Aboriginal people with the same benefits enjoyed by the broader community.

• It is estimated that the WA Government spends approximately $2.04 billion per annum on services related to Aboriginal people.

• 89 per cent of expenditure is attributed to mainstream services accessed by Aboriginal people, including hospitals, schools, and public housing.

Mainstream service delivery needs to be designed to meet the needs of, and achieve better outcomes for, Aboriginal people.

• The greatest proportion of Aboriginal expenditure, 39.6 per cent, is allocated to safe communities, which includes public order, community support and welfare, and recreation and culture.

• The lowest proportion of Aboriginal expenditure, 0.3 per cent, is allocated to economic participation related activities.

Targeted investment is needed to enable a shift from welfare dependency to economic participation.

• 56.3 per cent of the working age Aboriginal population are employed.

• Workforce pressures associated with the expansion of the mining sector across the State are estimated to result in a deficit of up to 150,000 workers by 2017.

It is critical that work readiness and training programs are implemented to ensure Aboriginal people are able to take advantage of the opportunities resulting from WA’s economic growth.

The Department of Indigenous Affairs is responsible for administering the Aboriginal Affairs Planning Authority Act 1972 (AAPA).

The Aboriginal Affairs Coordinating Committee is the statutory committee convened under the AAPA. The Committee coordinates effectively the activities of all persons and bodies, corporate or otherwise, providing or proposing to provide service and assistance in relation to Aboriginal people.

Problem
Investment decision-making is failing to achieve substantial change in people’s lives.

Strategic Intervention
Improve capability to monitor and audit quality and impact of investments in services for Aboriginal people.

Strategic Framework 2012-2014

Improving accountability for the delivery of outcomes from government investments for Aboriginal people

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Develop State Investment Strategy and accountability framework

Aboriginal Expenditure and Economic Review
Influencing priorities of State Government expenditure on services for Aboriginal people by analysing existing programs for efficiency and effectiveness and identifying best value from investment.

Aboriginal Communities Investment Planning
Aligning investment decisions with agreed State planning frameworks through community viability assessments of access to services and facilities and risks to health and well-being.

Aboriginal Affairs Coordination Centres
Better service delivery to Aboriginal people through the establishment of Coordination Centres in regional areas focusing on strong relationships with key stakeholders and service providers.

Projects

Develop partnerships to target priority areas of service delivery

Youth
Coordinating the engagement of Aboriginal youth to strengthen their health, education and employment prospects by mapping existing government activities and enabling youth designed solutions.

Economic Participation
Leveraging opportunities to deliver Aboriginal employment and training by implementing the Aboriginal Economic Participation Strategy and increasing employment within the public sector.

Lifestyle
Coordinating the development of an Aboriginal Lifestyle Strategy by identifying culturally appropriate programs and support activities that prevent and address drug and alcohol abuse and mental health issues.

Transition programs to increase service delivery contracts with Aboriginal organisations

Aboriginal Community Patrols
Independent management and control of Aboriginal community safety programs by providing corporate capacity building and governance support to enable the transfer of patrols to Aboriginal organisations.

Aboriginal Not-for-Profit State Alliance
Assisting the Aboriginal not-for-profit sector to increase government service delivery contracts by developing alliances and creating mutually beneficial opportunities within the not-for-profit sector.

Government Procurement Reforms
Increasing the capacity of Aboriginal organisations to deliver services by reforming procurement processes, removing barriers and improving access and involvement in delivering government contracts.
The Reconciliation Australia Barometer reported that 99 per cent of Aboriginal people and 87 per cent of all Australians agree that a strong relationship is important.

Only 12 per cent of Aboriginal people and 9 per cent of non-Aboriginal Australians agree we trust each other.

WA is the lead jurisdiction in the nation, with 47 endorsed government agency Reconciliation Action Plans.

Further reconciliation activities are needed to improve the relationship between Aboriginal and non-Aboriginal Australians.

Of Australia’s top 500 income earning Aboriginal corporations, 132 are located in WA.

The combined total annual income of those 132 corporations is $325 million, with a combined asset value of $384 million.

Best practice corporate governance is crucial in managing the corporate responsibilities associated with increased revenue.

The Aboriginal juvenile custody rates in WA are the highest in the nation and are more than 40 times higher than the non-Aboriginal rate.

Only 62 per cent of Aboriginal children in Year 10 attend school, compared to 88 per cent of non-Aboriginal students.

It is critical that Aboriginal families and individuals are supported to enable them to address their priority issues.

14,500 primary and secondary school students were directly involved with Partnership, Acceptance, Learning and Sharing (PALS) projects in 2011. This number is estimated to grow to approximately 26,000 in 2012.

It is important that young people are encouraged to strengthen relationships in their local community between Aboriginal and non-Aboriginal people.
Projects

Expand capacity building programs for families and individuals

Youth Diversionary Program
Diving youth at-risk involved with the criminal justice system through connection with Aboriginal elders and other community members to enable cultural based solutions.

School Attendance
Preparing Aboriginal children to succeed in education by promoting the value of education, improving early childhood participation and exploring alternative education and accommodation options.

Family Violence
Reducing family violence, including domestic violence, family feuding and lateral violence, by providing support for community based interventions that are advanced by Aboriginal people.

Facilitate governance and leadership training through partnerships and joint ventures

Corporate Partnerships
Supporting strategic partnerships between Aboriginal organisations and corporate partners by seconding professionals to share corporate knowledge and improve cultural awareness.

Leadership Programs
Developing the leadership capacity of Aboriginal people through professional and entrepreneurial mentoring, executive and company director training, alliances and networking.

Corporate Capacity Building
Building and supporting corporate capacity of Aboriginal people and communities through training, mentoring, compliance activities, legislation and ongoing support.

Expand reconciliation programs in schools and workplaces

Reconciliation Sponsorships
Bringing together Aboriginal and non-Aboriginal people at a local level to develop community projects and initiatives that foster mutual respect and understanding.

Partnerships, Acceptance, Learning and Sharing (PALS)
Encouraging young people to strengthen relationships in their local community between Aboriginal and non-Aboriginal people by undertaking projects that improve the understanding of Aboriginal culture and heritage.

Cultural Awareness Program
Improving Aboriginal cultural awareness and competency through the creation of quality standards, preferred providers and greater private sector education.
Our Purpose
Managing Aboriginal heritage and land held in trust for future generations.

Ensuring outcomes for Aboriginal people through community development and government investments.

Our Future
Aboriginal people benefit from the same opportunities, expectations and standards as non-Aboriginal people whilst maintaining a strong, vibrant culture.

Leading action to improve life opportunities for Aboriginal people

Our values

We...

- **Embrace Aboriginal culture**
  Respect Indigenous cultural values and ways of working and promote an improved understanding in the wider community.

- **Show respect**
  Value the worth of individuals, Aboriginal expertise, the knowledge of Elders and our Australian Indigenous history.

- **Take responsibility**
  Take ownership of our actions and clearly articulate their purpose and outcomes.

- **Act with integrity**
  Earn and sustain public trust by performing our work conscientiously, reliably and transparently.

- **Foster innovation**
  Develop leading edge approaches and translate them into tangible action for the benefit of the community.

- **Achieve excellence**
  Strive to do things better and collectively create a culture of achievement.

Leadership

We...

- **Set clear, consistent and achievable goals**
  Communicate clear direction; be proactive; promote innovative ideas; and be prepared to make tough decisions.

- **Build and support our team to perform**
  Offer opportunities; recognise contributions; encourage staff development; delegate responsibility and engage the right people to do the right job.

- **Collaborate**
  Create purposeful and strategic relationships in which all parties choose to cooperate in order to accomplish shared outcomes for Aboriginal people.

- **Set an example**
  Share information; take responsibility for actions; admit mistakes; be receptive to ideas and feedback; and model desired behaviours in all situations.

The Department of Indigenous Affairs is established as a department under section 35 of the *Public Sector Management Act 1994*.

The Department is responsible for administering legislation that affects the well-being of Aboriginal people, including the *Aboriginal Affairs Planning Authority Act 1972*, the *Aboriginal Heritage Act 1972* and the *Aboriginal Communities Act 1979*. 

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Projects

Attract, retain and foster our people to serve the needs of Government and the community

Aboriginal Recruitment and Retention Strategy 2014
Improving employment and career development opportunities for Aboriginal people in Western Australia by supporting and developing our Aboriginal employees and embracing Aboriginal culture in our workplace.

My Mentor Program 2014
Building the capacity of and retaining female staff by providing an opportunity to develop and advance core personal and professional skills, peer mentoring and networking.

Return to Work Program for Mothers 2014
Assisting new mothers to successfully transition back into the workplace through work-life balance initiatives such as flexible working arrangements and support.

Review and update our internal processes to ensure they remain contemporary

Electronic Document and Records Management System 2013
Developing and implementing an improved system for records management, workflow and Ministerial tracking.

Financial and HR Systems 2013
Sourcing and implementing new financial and HR systems to meet the current and future needs of our agency.

Online Performance Management System 2013
Introducing a new online performance management system to assist new and existing employees to better understand their work environment and to better link and align individual, team and organisational expectations.

Our Commitments

Reconciliation Action Plan 2014
Implementing identified initiatives that aim to create meaningful relationships and sustainable opportunities for Aboriginal and Torres Strait Islander peoples.

Legislative Review 2014
Reviewing our underpinning legislation to ensure it meets the needs of today’s society. This will include reviews of the Aboriginal Affairs Planning Authority Act 1972 and the Aboriginal Heritage Act 1972.

Out of the Box Forum 2014
Encouraging our staff to put forward innovative ideas for improving our workplace and the work that we do.
One of the key responsibilities of the Western Australian Government is ensuring positive life outcomes for all Western Australians. Addressing the needs of Aboriginal people in WA to ensure that the opportunities for positive life outcomes are increased, that they receive the maximum benefit of government investment and share in the wealth of this State is critical to this.

There are countless ways we could tackle Indigenous affairs, but one of the things that is difficult for Government is trying to achieve everything at once. A balanced approach is needed to satisfy the needs of as many stakeholders as possible.

Since taking on the Indigenous Affairs portfolio in late 2010, I have faced some challenges that were expected, and some others that were not. But I have also been pleased to be exposed to some inspiring initiatives that are responding to these challenges.

Whilst current efforts are having an impact, I am keen to see a strong focus on improvement and reform. I have directed the Department of Indigenous Affairs to implement reforms addressing four focus areas:

Aboriginal Heritage, Aboriginal Land, Accountable Government and Community Development.

On behalf of the Government, I would like to thank the members of the Western Australian Aboriginal Advisory Council, the Aboriginal Lands Trust, the Aboriginal Cultural Material Committee and the Aboriginal Affairs Coordinating Committee. Their commitment is helping us deliver better policies and opportunities for Aboriginal people.

There are many successes and many opportunities to work in partnership to secure the social, cultural, economic and spiritual wellbeing of Aboriginal people, and I look forward to working with the Aboriginal community to improve on these. There is much to be done, and it will require patience and perseverance, but through these reforms and by increasing our investment in Aboriginal people, the signs are positive for the future.

Hon Peter Collier MLC
MINISTER FOR ENERGY; TRAINING AND WORKFORCE DEVELOPMENT; INDIGENOUS AFFAIRS
June 2012