

# A Cultural and Conservation Economy for Northern Australia

January 2008

A Proof-of-Concept Study

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## **A Cultural and Conservation Economy for Northern Australia**

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# Acronyms Used In This Report

ABS	Australian Bureau of Statistics
AIATSIS	Australian Institute for Aboriginal and Torres Strait Islander Studies
ANZ	Australia and New Zealand (Banking Corporation)
ATA	Aboriginal Tourism Australia
ATSIC	Aboriginal and Torres Strait Islander Commission
BDU	Business Development Unit
CAEPR	Centre for Aboriginal Economic Policy Research
CERF	Commonwealth Environment Research Facilities
CDEP	Community Development Employment Projects
CFC	Caring for Country
COAG	Coalition of Australian Governments
CRC	Cooperative Research Centre
CSI	Community Sector Innovation
CSIRO	Commonwealth Scientific and Industrial Research Organisation
CYLC	Cape York Land Council
DAFF	Department of Agriculture, Fisheries and Forestry
DEW	Department of the Environment and Water Resources
DEWR	Department of Employment and Workplace Relations
DGR	Deductible Gift Recipient
DIA	Department of Indigenous Affairs (WA)
DOGIT	Deed of Grant in Trust
DPI&F	Department of Primary Industry and Fisheries (Queensland)
EC	Ecotrust Canada
FSC	Forest Stewardship Council
FIM	Family Income Management
FRRR	Foundation for Rural and Regional Renewal

GAC	Gundjehmi Aboriginal Corporation
GBR	Great Barrier Reef
IBA	Indigenous Business Australia
ILC	Indigenous Land Corporation
ILUA	Indigenous Land Use Agreement
INCRM	Integrated Natural and Cultural Resource Management
IPA	Indigenous Protected Area
IPP	Indigenous Pastoral Program
ITEC	Income Tax Exempt Charity
KDC	Kimberley Development Commission
KIMSS	Kimberley Indigenous Management Support Service
KLC	Kimberley Land Council
LSMU	Land and Sea Management Unit
MB	Money Business
MG	Miriuwung Gajerrong
MTSRF	Marine and Tropical Sciences Research Facility
NA	Northern Australia
NAEA	Northern Australia Environment Alliance
NAILSMA	North Australian Indigenous Land and Sea Management Alliance
NATSISS	National Aboriginal and Torres Strait Islander Social Survey
NEIS	New Employment Incentive Scheme
NHT	Natural Heritage Trust
NLC	Northern Land Council
NRM	Natural Resource Management
NT	Northern Territory
NTRB	Native Title Representative Body
OFA	Ord Final Agreement
PPF	Prescribed Private Fund
RPA	Regional Partnership Agreements
SRA	Shared Responsibility Agreements
TUMRA	Traditional Use of Marine Resources Agreement
US	United States
WA	Western Australia
WAFMA	West Arnhem Land Fire Management Agreement
WTWHA	Wet Tropics World Heritage Area

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# Executive Summary

## 1. Overview

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This report presents the outcomes of a collaborative research project facilitated by the Australian Conservation Foundation and partners to test the applicability of the concept of a 'conservation economy' in Australia, and the relevance of the 'Ecotrust model' to foster the emergence of such an economy. The specific objectives of the study were:

- *To investigate and report on the relevance of the concept of Ecotrust Canada's 'conservation economy' model for Indigenous and rural sustainable community development in Australia, particularly in Northern Australia.*
- *To investigate and report on the opportunities and any limitations within the current Australian institutional settings, particularly of Northern Australia, that would affect the application of the principles and components of Ecotrust Canada's model.*

A summary of the research findings and recommendations follow.

Cultural diversity affects sustainability concepts and programs throughout the world. The emerging framework for sustainability in Northern Australia is influenced by a significant number of local and regional initiatives led or participated in by Indigenous communities and organisations, including:

- Land and Sea Management Units (LSMUs) and Country-based Management Plans;
- Turtle and Dugong Activity Plans;
- Community Ranger Programs;
- Commonwealth Indigenous Protected Area program, which has protected millions of hectares of land;
- Indigenous fire programs, such as the West Arnhem Fire Management Agreement; and
- Visionary plans such as the Wuthathi's 'Integrating Culture and Conservation' framework for land and sea management in Shelburne Bay.



Throughout Northern Australia, a number of socio-economic and environmental features are important drivers of sustainability, especially:

- the globally outstanding natural and cultural heritage significance;
- the socio-economic disadvantage faced by the people of the region, particularly the Indigenous peoples;
- the rapidly emerging urgent threats posed by climate change (and associated water-shortage driven development interests from the south), altered fire regimes and exotic invasive species; and
- the wide-spread recognition of the need for creative solutions to the challenge of integrating conservation and development, better suited to both the relatively low-productivity landscapes and the human societies particularly, the Indigenous societies.

A number of proposed new solutions for supporting Indigenous and rural communities have emerged from this context, encapsulated in conceptual models including the hybrid, cultural, conservation and appropriate economies. This investigation had identified that the most suitable sustainability framework for Northern Australia that takes into account its unique culture and natural characteristics is a **cultural and conservation economy, which:**

- *recognises Aboriginal culture, rights and title;*
- *builds and supports strong, vibrant, sustainable communities;*
- *provides meaningful work, good livelihoods and sustainable enterprises; and*
- *conserves and restores the environment—supports caring for country.*

While broad consultation with Indigenous peoples across the region was beyond the scope of the study, three community case studies undertaken with Miriwung Gajerrong people in the Kimberley, Mirarr people in the Northern Territory, and Injinoo peoples in Cape York Peninsula demonstrate that a cultural and conservation economy is highly consistent with their visions and aspirations. A case study with regional Cape York Indigenous organisations identified a relatively low priority to cultural and conservation economies. Indigenous Cape York is already undertaking a process that has much in common with Ecotrust, but reflecting more closely social-development and welfare reform priorities.

## 2. Canadian Ecotrust model: relevance to Northern Australia

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The Canadian Ecotrust approach to fostering sustainability through their conservation economy model was investigated and found to be highly relevant to the emergence of a cultural and conservation economy in Northern Australia. Key aspects of their approach that are most applicable to the Northern Australia context include:

- principles—community development; a relationship-based approach; a sustainability framework; recognition of Aboriginal culture, rights and title; and independence.
- services—planning and information; business development and networking; and business financing.
- an enabling government policy framework—Indigenous, environment and financial institutions, underpinned by a significant body of sustainability research.

- an Ecotrust organisational structure based on these principles that provides a brokering and services portal and an independent funding pool to support entrepreneurial loans, i.e. the endowment of a natural capital fund.

An analysis comparing the Ecotrust model with Northern Australia organisations and services identified a number of key gaps in principles, including:

- no organisation is currently in existence with a similar independence to Ecotrust;
- no organisation utilises a quadruple-bottom line sustainability approach for business development;
- the community development approach is not strongly utilised in addressing Indigenous issues or the cultural, environmental and economic aspects of sustainability;
- the centrality of the relationship-based approach in achieving effective engagement strategies is strongly recognised but not well-implemented; and
- the recognition of Aboriginal rights, culture and title does not extend strongly into current business development approaches.

In addition, many challenges for Indigenous communities were identified for accessing the services that are provided in the Ecotrust model:

- while an impressive number of services appear available from government and other agencies, the community case studies highlight that there appears little connection between these services and Indigenous communities, where a great undersupply is evident;
- capacity for natural and cultural resource related community-based and country-based planning is hampered by changes in government funding priorities, and lack of stable organisational capacity in relevant planning;
- project support is available across a number of sectors, but this is generally through a number of different organisations which often have their main offices in centres outside the region;
- while networks within the Indigenous, environment, business, research sectors are quite strong, networks between these sectors and with governments and the philanthropic sector are weak;
- sustainability information in Northern Australia is relatively undeveloped;
- conflict management skills are poor in many communities, leading to a lack of cohesion and a derailing of potential initiatives;
- access to support from the philanthropic sector is very limited; and
- access to finance does not appear sufficient to meet the community needs.

The priority sectors for developing a cultural and conservation economy in Northern Australia were found to be primarily in ecosystem services, Indigenous arts and cultural industries, and visitor services. Pastoralism, renewable energy and community infrastructure, social and lifestyle services, and some forms of low-impact aquaculture were also identified as important.

### 3. Options for an Ecotrust model in Northern Australia

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A number of options exist for applying the Ecotrust model to support the emergence of a cultural and conservation economy while taking account of the cultural diversity and other unique features of Northern Australia. These options include strengthening existing organisations, including building new networks, and creating new organisations to fill the identified gaps.

#### **Build on existing organisational capacity**

In particular, the capacity of existing organisations could be enhanced through building new networks and linkages including:

- across the Indigenous, environment, business, research sectors with an interest in culture and conservation, including facilitation of a new group with a non-representative capacity to develop an independent policy stance;
- between existing organisations and the philanthropic and business sectors with an interest in the culture and conservation economy;
- amongst the existing organisations with a strong commitment to recognition of Aboriginal, rights, culture and title, and fostering joint projects between these parties;
- amongst the existing organisations and individual consultants who are undertaking relevant natural and cultural resource community-based and country-based planning, including options for alternative futures, to develop guidelines and resources for planning;
- with relevant organisations in the social sector who have well developed theory and practice in community development (such as the Centre for Appropriate Technology and Oxfam); and
- amongst those organisations most strongly interested in a cultural and conservation economy through development of a Memorandum of Agreement and associated commitment of resources.

Given the focus on Indigenous leadership in the cultural and conservation economy model identified through this research, the roles of Indigenous organisations are particularly important. NAILSMA, for example, is well placed to be a strategic partner in the delivery of Ecotrust Australia's knowledge and information planning and networking and brokering services to Indigenous Communities across Northern Australia. Nevertheless, NAILSMA's Indigenous representative status, and emphasis on the cultural components of sustainability, limits its capacity to provide the full suite of principles, brokering and other services envisioned in the Ecotrust portal. Regional and local Indigenous organisations including for example Kimberley Land Council, Miriuwung Gajerrong Corporation and Gundjeihmi Aboriginal Corporation, are similarly important strategic partners. Further, a number of government, research and environment organisations are well placed to play important catalytic roles in delivering components of the Ecotrust approach, including Bendigo Bank, the Australian Conservation Foundation, the NAEA, Terrain Natural Resource Management Ltd, and the Centre for Sustainable Indigenous Communities.

## Establish new organisations

Further, several new organisations would be highly beneficial in assisting Indigenous and remote communities with achieving improved outcomes for a cultural and conservation economy, including:

- a). An Ecotrust Australia organisational structure, based on the identified principles (Fig. E.1), that would provide a brokering and services portal focused on:
  - building community planning capacity for sustainable development through a long-term commitment to communities and through independence from government;
  - strengthening the rights, culture and governance structures of local Indigenous peoples;
  - development of a detailed database on services from government, corporate and philanthropies. It is likely that this information would be made available to the public via its website;
  - development of networks and relationships within government, corporate and philanthropies to ensure that potential service providers can be accessed by local communities;
  - aiding quadruple-bottom line business development through financial training, consulting and mentoring (either directly or through networking) and by supportive sustainability frameworks; and
  - support business growth through financing new products and services.

The community case studies emphasised that project support needs to be very flexible, and available to individuals, families, clan groups, and larger Indigenous corporations. The gap analysis also identified the Kimberley region as very well placed to benefit from any new Ecotrust Australia organisational structure, as a result of two important factors: Indigenous organisations that are strongly positioned towards supporting emergence of a cultural and conservation economy; and the relative under-supply of support services in the region.

- b). Ecotrust Franchises / Community Partnerships

Based on the identified principles, these franchises of Ecotrust Australia would provide locally-owned brokering and services portals that would operate in partnership with existing regional and local organisations and people. This community-owned organisational structure approach is based on the highly successful Bendigo Bank Community Banking model and seeks to provide a more inclusive and connected service to the community. Ecotrust Australia would develop the overall strategy, programs and capacity and become a service entity to the community-controlled and -owned joint ventures and partnerships with local Indigenous and other peoples.

- c). An Ecotrust Australia Banking Partner

The Ecotrust Canada financing service has been strengthened significantly through the partnership with Shorebank, a community bank. Ecotrust Australia should similarly seek the support of a suitably qualified business banking partner to assist in development of appropriately tailored business financing products and systems to meet the needs of Northern Australia. A possible partner could be Bendigo Bank Limited, which has demonstrated a strategic fit for this role through its development of a world first Community Banking Model.

#### d). An Indigenous Sustainability Trust

Indigenous Sustainability Trusts would provide a capacity to strengthen Indigenous ownership of capital associated with business financing operations, and of any community-controlled joint venture or partnership-based franchises.

The relevance of the Ecotrust Canada model in leveraging greater philanthropic support into the cultural and conservation economy was also considered. Philanthropic funding is highly personal and based on the identification of common goals, values and principles. While philanthropy in Australia has a traditional social focus, new wealth coming into the philanthropic sector in Australia has a more diverse and innovative approach, and potentially a greater interest in cultural and conservation outcomes. An Ecotrust Australia, based on the above principles and components, could also provide a vehicle for the interests of a growing group of international funders focused on the environmental and cultural protection of the internationally significant values of North Australia.

Collaboration with the philanthropic sector identified that the requirements for an Ecotrust Australia to leverage greater financial resources are:

- governance by a high profile Board with an excellent mix of skills and experience and a strong commitment to the Ecotrust vision;
- development of a prospectus that very clearly articulates the need, the opportunity, and the benefits for North Australia and for donors, and the required funding;
- a strategy plan that articulates the necessary structures and actions with a timeframe for the first 5 years;
- a fundraising strategy that focuses on building relationships with the key individuals and organisations both domestically and abroad; and
- an initial foundation built upon philanthropic support to enable an independent Ecotrust in Australia.

#### **4. The Ecotrust model and current Australian institutions**

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A number of limitations were identified in the current Australian institutional settings that will affect the application of the Ecotrust model. Tax and charitable donor status do not currently provide incentives for philanthropic and other investment in remote and Indigenous Northern Australia. Indigenous institutions have some success in uplifting Indigenous socio-economic status, but further support for Indigenous land and sea management units and enhanced land tenure arrangements are critical to full economic participation, particularly in the emerging ecosystem services sector. The environmental institutions' success is hampered by the enormous boundaries of the Australian NRM regions in the north, and the lack of coordination between Australian and State governments on key initiatives like Indigenous protected areas. Lack of sustainability science in the region is also a problem. Several options were identified to improve these institutional arrangements.

**Financial institutions** could be strengthened by:

- a). Developing a new Tax Incentive Scheme to increase access to capital:
- Broad framing of the program to service remote, rural and underdeveloped communities creating long term sustainable industries would entail a detailed engagement process to seek their input into the definitions of eligibility for the program;
  - 100% upfront tax deduction for investments in registered Community Development Investments Schemes as defined by the program;
  - Investments fixed for 7 years with interest paid on maturity; and
  - Loan guarantee fund established to support a reasonable percentage of loans to each provider. The fund would be managed by government and enable approved investments to receive cover of up to 80% of any one loan and capped to a maximum for each provider of 15% of its total approved loans under management.
- b). Creating a new DGR status for Community (Indigenous) Development Organisations
- The development of a new category of Deductible Gift Recipient Status for Community Development Organisations.
  - Allows streamlining of the registration process for multiple foci organisations which would reduce the costs of managing and provide catalysis for charitable support of much needed community development work.
  - Development of any new DGR category would need to be framed in consultation with Indigenous and other community-development stakeholders to ensure that the definitions for eligibility truly reflect the needs and capacity required to deliver long-term sustainable development.

**Indigenous institutional arrangements** could be further enhanced through:

- Securing the stability of the regional and sub-regional LSMUs across the north with a dedicated recurrent funding arrangement; core recurrent annual funding of \$16.5 M is required for a base level of support across the north;
- Making more land available for cultural and conservation outcomes through ongoing support for the Queensland Cape York Tenure Resolution process of voluntary acquisition and return of substantial areas to Aboriginal ownership, and consideration of whether that approach would be applicable in the Kimberley region;
- Making more flexible tenures available for cultural and conservation outcomes including inalienable freehold, possibly through a land rights act in WA or other appropriate legal mechanisms; and
- Improving the health and well-being status of Indigenous people to participate in cultural and conservation activities through adoption of the accountability-based approach (a clear timetable and measures for closing the gap between Indigenous and non-Indigenous socio-economic and health status) that has been successful in Canada.

**Environmental institutions** could be further developed through:

- Ensuring a more appropriate fit between Indigenous and local peoples' cultural boundaries and the Australian NRM boundaries by breaking up the large NRM regions in Northern Territory and WA;
- Funding a Northern Australian ecosystem services brokering program at a more suitable scale than currently provided through the NRM regions;
- Providing greater opportunities in park and protected area conservation economies through reform to enable formal joint management of existing parks and protected areas in Queensland and WA;
- Developing greater opportunities in Indigenous Protected Areas economies, including through tripartite arrangements with the Australian Government, State and Territory governments, and relevant Indigenous peoples; and
- Supporting the emergence of ecosystem services markets again by securing the role of Indigenous LSMUs and brokering organisations in enabling the ecosystem services market.

### **Supportive Northern Australia research agenda**

A Northern Australia cultural and conservation economy research agenda is required to provide the necessary sustainability information, including greatly enhanced efforts in relation to:

- Indigenous peoples' knowledge systems for sustainability;
- Markets for ecosystem services;
- Scientific knowledge systems for sustainability;
- Planning, participatory and governance processes;
- Project development research including pilots relevant to the major sectors; identified as priorities in a cultural and conservation economy;
- Economic research into capital flows and the connections between the cultural and conservation economy and Indigenous socio-economic status; and
- Business development research including pilot projects.

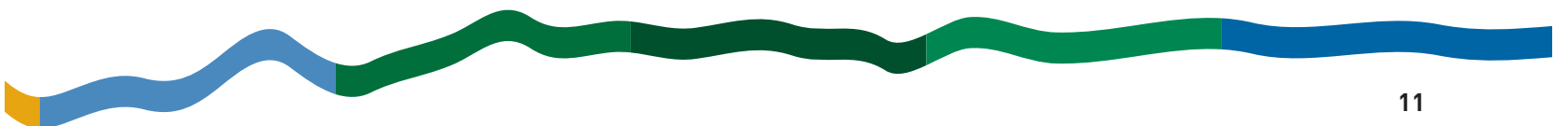
## **5. Summary**

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Ecotrust Canada's conservation economy model, broadened through the cultural and conservation economy framework, is highly relevant for Indigenous and rural sustainable development, particularly in Northern Australia.

Four key recommendations to strengthen sustainable development in northern Australia emerge from the findings of this research:

- Ongoing information sharing and networking between groups interested in the cultural and conservation economy should occur;
- Continued collaboration between key Indigenous, environment and business groups should be fostered to ensure a policy response from governments;



- A future Ecotrust Australia implementation group should be developed with clear commitments reflected in a Memorandum of Agreement or similar document; and
- The implementation of an Ecotrust Australia should be monitored by a research effort aimed at identifying key factors that are associated with successes and/or failures in the applications arising from this proof-of-concept study.

