



NORTHERN LAND COUNCIL

Our Land, Our Sea, Our Life

Address all correspondence to:

Chief Executive Officer

GPO Box 1222 Darwin NT 0801

45 Mitchell Street Darwin NT 0800

P: 08 8920 5100 • F: 08 8945 2633

Freecall: 1800 645 299

www.nlc.org.au

ABN 56 327 515 336

Land and Sea Branch

National Indigenous Australians Agency

Submission on the Indigenous Ranger Sector Strategy 2022-2028 - Consultation Draft

The Northern Land Council (NLC) welcomes this opportunity to provide a submission on the Indigenous Ranger Sector Strategy 2022-2028 - Consultation Draft. We acknowledge and commend the broad consultation processes undertaken to inform the draft to this point and now this opportunity for further input. We applaud the National Indigenous Australians Agency (NIAA) in acting on the need for an overarching, long-term strategy to strengthen this growing industry sector and empower Aboriginal and Torres Strait Islanders to set the direction of the programs, monitor and evaluate their achievements and adaptively manage this maturing industry sector.

The NLC is an independent statutory authority of the Commonwealth, established pursuant to the Aboriginal Land Rights (Northern Territory) Act 1976 (ALRA), an Act of the Commonwealth Parliament. Under the Act, the NLC is responsible for assisting Aboriginal peoples in the Top End of the Northern Territory to acquire and manage their traditional lands and seas. Since the Act was passed, more than 50 percent of the land in the Northern Territory has become Aboriginal land, in addition to approximately 85 percent of the coastline. The NLC's constituents are the Traditional Owners and Aboriginal residents within its jurisdiction. There are seven regions within the NLC's jurisdiction. The NLC constituency has about 51,000 Aboriginal residents, 80 percent of them living in regional and remote areas in about 200 communities ranging in size from small family outstations to communities with populations of about 3000 people. As a Native Title Representative Body under the Native Title Act, the NLC's statutory functions are to:

- Facilitate and assist native title holders to make native title applications, the certification of claims and Indigenous Land Use Agreements (ILUAs) where appropriate,
- Respond to proposed future acts and negotiate agreements including ILUAs, and
- Assist to resolve disputes between constituents about native title applications, future acts, ILUAs or other native title matters.

Katherine	Jabiru	Nhulunbuy	Borroloola	Ngukurr	Tennant Creek	Timber Creek	Wadeye
P.O. Box 396 Katherine NT 0851 P: (08) 8971 9899 F: (08) 8972 2190	P.O. Box 18 Jabiru NT 0886 P: (08) 8938 3000 F: (08) 8979 2650	P.O. Box 820 Nhulunbuy NT 0881 P: (08) 8986 8500 F: (08) 8987 1334	P.O. Box 453 Borroloola NT 0854 P: (08) 8975 8848 F: (08) 8975 8745	P.M.B. 85 via Katherine NT 0851 P: (08) 8975 4755 F: (08) 8975 4601	P.O. Box 55 Tennant Creek NT 0861 P: (08) 8962 1884 F: (08) 8962 1636	43 Wilson St Timber Creek NT 0852 P: (08) 8975 0789 F: (08) 8975 0664	Lot 788 Kanarlida St Wadeye NT 0822 P: 0439 830 435

The NLC currently administers 12 Indigenous ranger programs and 3 Indigenous Protected Areas. In addition, the NLC is establishing 2 new ranger teams and 1 new Indigenous Marine Protected Area. These ranger groups are individually unique and spread across a spectrum of capabilities with their own unique opportunities and challenges. This gives the NLC the unique opportunity to canvas targeted feedback from a large sample size of Indigenous ranger teams across the Northern Territory.

As well as our detailed submission in the following sections, the NLC would like to provide further support to the development of the proposed Indigenous Ranger Sector Strategy 2022-2028 where possible. Our Caring for Country Branch stands ready to liaise with NIAA on this matter. Should you seek any further clarification on this submission, please feel free to contact us.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Joe Martin-Jard', written in a cursive style.

Joe Martin-Jard
Chief Executive Officer
Northern Land Council

Executive summary

The Northern Land Council (NLC) applauds the National Indigenous Australians Agency (NIAA) for acting on the need for an overarching, long-term strategy to strengthen this maturing industry sector. The strategy must seek to empower Indigenous people towards self-determination for further development of Indigenous land and sea management programs. It is imperative that we support the sector's achievements through adaptive management approaches that build and continually improve the outcomes of the sector. We acknowledge and commend the broad consultation processes undertaken to inform the draft to this point and now this opportunity for further input.

In particular, the NLC supports:

- The recognition that a longer-term integrated national approach is required to strengthen the sector with regionally tailored applications.
- The recognition that multi-sectoral (Government-Corporate-Philanthropic-Statutory Organisations-NGOs) approaches are needed to further strengthen the sector.
- The recognition that Monitoring & Evaluation is critical to enabling the adaptive co-management of the sector.

In this submission, the NLC acknowledges in line with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) that Indigenous Peoples' rights of self-determination over land and sea come with certain safeguards including that those rights can't be affected or impacted or diminished without consultation and Free, Prior and Informed Consent (<https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>).

The NLC argues that the draft Indigenous Ranger Sector Strategy should note that the Commonwealth Government (and all jurisdictions) have committed under the "National Partnership Agreement on Closing the Gap priority reform 1" to joint decision-making. As such, the draft Strategy principles should specifically mention self-determined development; respect for Indigenous Peoples' knowledge, cultures and traditional practices and Free, Prior, and Informed Consent (FPIC) and that these are foundational drivers for better outcomes for Aboriginal and Torres Strait Islander peoples.

More specifically, the NLC makes a number of recommendations on the draft Indigenous Ranger Sector Strategy as follows:

- Culture is front and centre to Indigenous Programs meeting "Closing the Gap" targets. The backbone is "Culture" with this clearly needing to be reflected in the draft Strategy.
- Indigenous people should be driving the development of the strategy to ensure ownership at all stages of strategy design, development and implementation. As it stands now, the draft Strategy appears to seek Indigenous people's response to a strategy developed for it.
- Accelerate the establishment of the Indigenous Ranger Reference Group and Working Groups including terms of reference to reflect the need for them to oversee the development of the strategy as well as implementation.

- Strengthen the draft Strategy's logic by applying approaches such as logical framework planning or result based management approaches and apply consistent terminology throughout the Strategy.
- Rename the draft Indigenous Ranger Sector Strategy in recognition of the fact that Indigenous Rangers and Indigenous Protected Areas are just one expression of Indigenous interests in this estate. Many other interests on the Indigenous Estate would benefit from an integrated national approach.
- To deliver ongoing benefits for Aboriginal people, any NIAA strategy will need to incorporate an ecologically sustainable development (ESD) framework and associated principles.

We make recommendations relating to specific sections of the draft strategy as follows:

What is the Indigenous Ranger Sector (page 13-15)?

1. The draft Strategy seems to imply that Indigenous ranger organisations were first funded through the Working on Country Program in 2007. This is incorrect as many initiatives existed before the Working on Country program started including the Community Development Employment Projects (CDEP), the Australian Government's Aboriginal Rural Resources Initiative and the Contract Employment Program for Aborigines in Natural and Cultural Resource Management. These programs saw Indigenous people employed in ranger type positions. The Northern Land Council believes it is important to recognise the hard work of many leading up to the establishment of the Working on Country Program in 2007.
2. Indigenous Rangers and Indigenous Protected Areas are just one expression of managing the Indigenous estate. Indigenous rangers work with many other Industry sectors including (but not limited to) pastoralism, agribusiness, mining, fisheries, tourism and State and Territory Governments in co-managing the Indigenous Estate. In addition, Indigenous rangers are increasingly engaged in activities that involve emergency services, health services and education. These interactions should be acknowledged. The Indigenous Ranger Sector is not isolated, and the draft Strategy should be framed so that it encompasses these wider interactions.
3. The notion of Indigenous land and sea management activities as an industry sector was proposed in 2007 in a CSIRO report to the Commonwealth Government, "A Strategic Framework prepared for the Healthy Country, Healthy People Investment Strategy Project". The report identified that "the growth of formalised Indigenous land and sea management groups over the last decade, coupled with increasing business opportunities in cultural and natural resource management, are driving the development of an emerging Indigenous land and sea management sector". This sector shares a high degree of commonality in the services it provides, it is a networked and growing sector, it is recognised by Industry bodies such as the Agri-Foods Council of Australia (now the Australian Skills Quality Authority - ASQA) and its starting to generate income from a defined set of cultural and natural resource management activities. The draft Strategy should recognise and build on the notion of an Indigenous land and sea management sector.
4. We argue many other interest groups on the Indigenous Estate would benefit from an integrated national approach supported by an ESD policy and planning framework. Recognising this we suggest the Draft Indigenous Ranger Sector Strategy should be

renamed to Draft Indigenous Land and Sea Management Strategy and include an overview of how ESD principles will be applied to achieve outcomes related to the Strategy. This will bring the Strategy into line with existing related legislation e.g. the EPBC Act Australia.

5. The draft Strategy reflects that Indigenous ranger groups are adapting to varying social, economic, environmental, cultural values and political drivers. The NLC acknowledges that planning for the future of Indigenous rangers is not an easy task and that determining the future supply and demand of skills, size of the workforce and career development should all receive significantly more coverage in the draft Strategy.
6. The Learning on Country (LoC) Program is both an incubator and succession planning solution for various industry sectors involved in the sustainable use of land and sea such as mining, pastoralism, forestry, tourism, fisheries, aquaculture, horticulture and wildlife utilisation, biosecurity, and conservation management (Indigenous Ranger Program, Indigenous Protected Area Programs). The LoC Program is the front-end workforce development investment necessary to support the sustainability of these sectors by: a) Increasing the availability of a job ready cohort of young Indigenous people with transferable skills ready to transition into employment roles as they become available; b) Reducing workplace recruitment disruption because replacements are drawn from the student cohort supported by the community rangers, better preparing both for the workplace transition and c) Building confidence and capability and encouraging young people to consider taking up sectoral and community leadership roles.

Challenges and Opportunities (page 16-19)

7. Indigenous Ranger groups are increasingly recognised for their professionalism. We applaud NIAA for recognising that multi-sectoral partnerships are required to further mature the sector. Pivotal, sustainable financing mechanisms are required for the sector to be funded appropriately and flexibly, in recognition of the complex, dynamic and remote physical and socio-economic environments it operates in. We suggest that the draft Strategy reflects on this need including the need to conduct detailed modelling around sustainable financing mechanisms.
8. The sector has grown and become more professional because of significant investments made in capacity-building and support. Given that capacity-building fundamentally underpins the sector, support for establishing and sustaining local and regional capacity needs to be meaningfully addressed. These needs, including ongoing resourcing requirements, vary across the spectrum of operators in the sector and this needs to be recognised as such in the Strategy. The NLC welcomes the suggested establishment of an Indigenous led Industry Peak body which could play an instrumental role in streamlining capacity building initiatives across the sector. The establishment of this Peak body should be staged carefully and be representative of the broad spectrum of stakeholders in the sector.
9. The NLC knows that a range of tailored training and mentoring approaches are required to strengthen the sector. Substantial experience regarding the delivery of accredited training (Conservation and Ecosystem Management accreditations) exists in the sector although there are known challenges in attracting appropriate, culturally-tailored and quality training. Importantly, we note that the provision of

accredited training alone does not equate to developing a skilled and agile workforce. We note that mentoring approaches and on-the-job learning are critical to achieving this and need to be resourced accordingly.

10. Indigenous ranger groups operate in high-risk environments where they are exposed to numerous Work, Health and Safety issues. Increasingly the lack of assets (vessels and vehicles), infrastructure, hardware and software, funding for maintenance, funding for effective asset management strategies, increasing insurance costs are all starting to impede the effective delivery of ranger programs. The NLC argues that the strategy should consider applying analytics to match current and projected resource requirements to the structure of the growing sector. This would involve determining the current state of affairs, a desired end state (at national, regional and local levels), an assessment of what a strategic optimum could look like, articulating core design principles around the functions that ranger groups deliver allowing groups to scale up or down depending on their respective operating needs and finally stress-test proposed structures.

Strategic Intent, Vision and proposed National Principles (page 20-22)

11. The vision is relatively conservative in relation to the status quo and could be more assertive, aiming not just for a recognised role for Rangers, but, Aboriginal people having a leading voice and recognised national importance for a well-resourced and well-supported system of land and sea management organisations whose capacity can be built and sustained over the long term.
12. Culture is front and centre to Indigenous Ranger Programs meeting “Closing the Gap” targets. Unfortunately, in the current draft Strategy, Culture is omitted from the guiding principles and consistently mentioned last after Country and Economy in other sections. Metrics associated with Culture are weakly articulated with a main focus on data and knowledge management which further suggests a limited and subordinate role of Culture in the draft Strategy. We argue that “Culture” should be the backbone of the draft Strategy and significantly more work needs to be done to incorporate cultural considerations in guiding principles, actions and measures of the draft Strategy.
13. We commend a nationally consistent and integrated approach in professionalising the sector. However, with the growth of Indigenous ranger programs there has also been a proliferation of governance arrangements and grassroots driven planning approaches that guide and enact strategic advancements in the sector. This means that the structure of the sector has not settled and that a more concerted effort needs to be made to harness best-practice principles from the ground up to build a robust yet agile strategy for the sector.
14. We applaud NIAA on the consultations undertaken so far but note the importance attached to “a vision and agreed national principles”, “lead actions” and “implementation plans”. If after this current consultation process the strategy content is completed internally as indicated, it runs the very real risk of being perceived “Top-Down” despite the good consultation that has occurred to date. We suggest the establishment of the Indigenous Ranger Reference Group and Working Groups be brought forward including terms of reference to reflect the need for them to oversee the development of the strategy as well as implementation.

15. As it stands now, the draft Strategy appears to seek Indigenous people's response to an approach and strategy developed for it. We argue Indigenous people should be driving the development of the strategy to ensure ownership at all stages of strategy design, development and implementation. This also means that Indigenous stakeholders need to be resourced, trained and empowered appropriately to contribute to and implement the Strategy; otherwise, there is a risk of non-Indigenous organisations shaping the direction.
16. Any national strategy that relates to Aboriginal people and management of their lands would benefit from a review of existing AG policy and statutory bodies e.g. Indigenous Land and Sea Corporation (ILSC), Australian Marine Parks (AMP) and their existing policy instruments, including legislation, strategies, management plans, funding guidelines. There is often considerable overlap in the aims, actions and outcomes being sought and improved coordination and linkages between these bodies will improve the likelihood of successfully delivering outcomes and making it easier for Aboriginal people to actively participate in the development, implementation and monitoring of the aims NIAA has outlined in the Strategy. This type of review would need to occur at State/Territory, regional and local scale as required.

Implementation (page 23-24)

17. The staging of the draft Strategy is unlikely to work as depicted on page 23-24 of the draft. The enabling environment cannot be delivered at the last stage but needs to be co-designed and adaptively implemented as other Strategy components come online. An iterative systems approach with strong feedback loops between local, regional and national levels is required to capture best-practice and ensure appropriate risk management in creating an enabling environment.
18. The draft Strategy does not clarify enabling policies or any commitment by Government to support sector development through appropriate legislative and regulatory changes. This is especially pertinent as key policy changes are required at Commonwealth and State and Territory levels to support the professionalization of the Indigenous land and sea management sector and the attainment of the overarching goals of Indigenous self-determination, Closing the Gap, and equal participation.
19. The NLC suggests that the implementation timeframe be extended significantly beyond 6 years in recognition of the fact that deep system changes are required including multi-sectoral integration, sustainable finance modelling, succession planning and the integration of robust adaptive management mechanisms. We believe the implementation timeframe should be extended to at least 10 years.
20. The NLC argues that Indigenous Ranger groups are committed and have a cultural obligation to look after Country and this results in the provision of a public good to Australians and the wider international community. The national principles do not reflect that this is the case and position service delivery as the central premise of Indigenous Ranger groups.
21. We are supportive of multi-stakeholder collaboration, partnerships and co-investment being used to harness resources and expertise and provide holistic approaches to Indigenous ranger projects and development. However, we do note

that this should always be based on the notion that Indigenous Peoples' rights of self-determination over land and sea come with certain safeguards including that those rights can't be affected or impacted or diminished without consultation and Free, Prior and Informed Consent.

22. We strongly support Indigenous-led initiatives being encouraged, facilitated, and built upon. We believe the entire Strategy should be based around and actively support grassroots led initiatives across the board. By their very nature, many grassroots led Indigenous ranger initiatives integrate robust risk and adaptive management mechanisms which will aid in streamlining service delivery in the sector. Indigenous-led initiatives need to include culturally appropriate Governance training and the development and implantation of Governance related guidelines.

Governance Bodies (page 25-26)

23. The NLC supports the establishment of the proposed Indigenous Ranger Reference Group, Cross-jurisdictional and Place-based and Collaborative Working Groups. We recommend NIAA undertake a detailed assessment of existing governance structures in the sector to identify potential gaps and opportunities for closer alignment in supporting the sector. At the same time, existing structures need to be leveraged to limit the proliferation of various bodies that industry representatives are being asked to participate in. It will be critical to identify points of intersection with existing governance structures in order to ensure any new reference group and working group can constructively and effectively interact.
24. The Indigenous Ranger Reference Group in particular needs a mandate to take action and drive change but should not replace regional voices. We propose a cascading structure with local representatives elected on regional bodies and regional representatives being delegated to the Indigenous Ranger Reference Group.

Monitoring, Evaluation and Reporting (page 27)

25. The NLC supports the need for monitoring and reporting to evaluate effectiveness and enable adaptive management. We support the importance of preliminary "assessments" to establish baselines and measures of success. As argued in previous sections, culture is the backbone of Indigenous ranger programs and the Strategy should be assessed against cultural values as well. One of the proposed ways of doing this is the inclusion of participatory monitoring & evaluation (M&E) mechanisms throughout the design and implementation stages of the Strategy. Equally, the NIAA should consider weighing "cultural" measures of success equally as compared to program level measures of success.
26. Participatory M&E is about involving Indigenous and Torres Strait Island people directly in the M&E process. It can add value in two distinct ways: ensuring that relevant information and experience is gathered from those who are immediately affected by the proposed strategy, and increasing accountability to these Indigenous and Torres Strait Island people who have a direct interest in the delivery and implementation of the strategy. The process of participation further increases ownership of the activities and the likelihood of replication and sustainability. Special efforts need to be made to engage stakeholders at all levels to ensure that they contribute to and benefit from knowledge-sharing.

27. In order to enable the incorporation of participatory M&E mechanisms, Indigenous ranger groups should be given specific and adequate resources to develop and implement M&E processes in their annual work programs. This could for instance include sufficient funding to organise frequent advisory committee meetings to monitor, evaluate and guide ranger programs moving forward.
28. We recommend that NIAA staff work with Indigenous ranger groups to learn more about the M&E frameworks and strategies they are developing locally and how these can inform the development of monitoring, evaluation and reporting mechanisms envisioned in the draft Strategy.
29. It is not clear to what extent the proposed M&E cycle is aligned with other (Commonwealth, State and Territory) M&E and reporting cycles relevant to the sector. If there are additional M&E requirements then these should be effectively integrated in existing cycles and effort should be compensated.
30. The NLC argues that a successful M&E system must allocate the following: a) sufficient time (to establish a participatory M&E system, conduct a baseline survey, train staff, partners and stakeholders in M&E); b) sufficient capacity and expertise (to support M&E development). Where possible, NIAA should draw on the extensive experience of Indigenous ranger groups in the M&E space; c) sufficient flexibility in project design enabling the M&E system to influence the sector strategy during implementation at all levels; d) sufficient budget (for information management, participatory monitoring activities, field visits, surveys, etc.).
31. Best-practice M&E requires that or measures of success and targets are co-designed. It is essential to establish a clear distinction during the co-design stage of the M&E framework between outputs, outcomes, objectives and vision. This will ensure that selected measures of success are appropriate to their respective level along the results chain and also help determine institutional responsibilities and timelines for M&E. For each selected indicator, M&E tools (means of verification) have to be defined.
32. The NLC argues that knowledge generated by M&E efforts should never stop at capturing basic quantitative information. More importantly, we all share a responsibility to ask the “why” questions. Hence the importance of more qualitative and participatory M&E approaches becoming particularly important in determining cultural values and achievement against these.
33. The NLC suggests NIAA consider international best-practice in developing and implementing M&E approaches and costing these appropriately. Budgets for M&E-related activities typically lie between 2-5% of the overall project budget (see also https://www.ifad.org/documents/38714182/39723245/Section_2-3DEF.pdf/114b7daa-0949-412b-baeb-a7bd98294f1e and <https://www.fao.org/investment-learning-platform/themes-and-tasks/monitoring-and-evaluation/en/>)

Actions (page 28-39)

34. The NLC feels that the alignment of vision, principles, actions, objectives, outcomes and proposed lead actions and measures of success is unclear and lacks consistency. For example, the outcomes described under some actions reflect greater efficiencies in rangers accessing training, information, securing jobs and so on but fail to reflect important cultural outcomes. Many of the measures of success are only quantitative

and although useful in providing program level information, these measures do not capture essential qualitative information around cultural values that are so pivotal to the success of Indigenous ranger programs. We recommend NIAA consider current planning approaches applied in Indigenous ranger programs, in particular Healthy Country Planning approaches that have the ability to capture important cultural values and attach key performance indicators to these.

35. The NLC notes that the terminology used in the draft Strategy is not consistent. At times “Strong Culture”, “Strong Country” and “Strong Economy” are described as “Lead Actions”, “Themes” and “Actions”.
36. As stated in previous sections, “Culture” is weakly reflected in lead actions, themes and actions. Culture is what makes Indigenous ranger programs so successful and goes beyond data and knowledge management. We recommend NIAA considers the work currently undertaken through various independent ranger groups and the Learning on Country program to inform how “Culture” can feature much more strongly in the draft Strategy.
37. The NLC recommends that the draft Strategy recognises the importance of protecting cultural knowledge and Indigenous intellectual property. It would be beneficial if the Strategy commits to developing locally tailored IP Protocols and ethical standards around the use of cultural knowledge.
38. All outcomes, actions and the articulation of measures of success should be co-designed and Indigenous led and not “implemented by jurisdictions and stakeholders”. The latter risks the Strategy as being perceived “Top-Down” and externally imposed. We note that the Commonwealth Government (and all jurisdictions) have committed under the National Partnership Agreement on Closing the Gap priority reform 1 to joint decision-making. This draft Strategy should reflect that co-design of policies that primarily impact Aboriginal people is consistent with that.
39. Lead actions do not sufficiently recognise the important role and functions provided by existing support networks which are crucial to the long-term and sustainable functioning of Indigenous Ranger groups. The draft Strategy should recognise these support networks and articulate ways in which these networks could be further strengthened, in particular in relation to existing and emerging governance networks underpinning ranger programs.
40. It is not clear how the draft Strategy proposes to resource the collaborative delivery of implementation plans. If this constitutes an additional administrative layer then it should be resourced accordingly.
41. We note the strategy recognises that business opportunities are not evenly available to ranger groups, particularly in remote settings. Groups with limited business opportunities should be provided with alternative investment strategies including philanthropic funding and strategic public investments so that they too can professionalise and grow as a service provider.
42. We note a number of strategic networks exist in the sector. Of note is the women’s ranger networks across much of Queensland, the Northern Territory and the Kimberley. These networks are engaged in high level strategic discussions as well as operational matters and would make a meaningful contribution to development of the sector.
43. Ranger teams and Indigenous communities face a number of challenges in terms of growing the sector. Many partnerships and collaborations already exist that are actively addressing some of these challenges. However, power imbalances already

exist and risk becoming more pronounced if no support is leveraged to address critical governance challenges in the sector. The Strategy should acknowledge that much more support is needed in strengthening governance structures through the provision of expert advice, training, two-way learning (including increasing non-indigenous partners' capacity for cross-cultural engagement) and other capacity building initiatives.

44. We support an Indigenous ranger industry body. Any such initiative needs to be thought through in more detail in order to go beyond the "lowest common denominator" and ensure effective input. In operation the industry body needs to be fully independent, securely funded, have a strong inclusive governance structure and have access to quality, free and independent legal advice.

Please contact for further information:

Stephen van der Mark, Manager Caring for Country, Northern Land Council. Mobile 0456236390. Email: vandes@nlc.org.au