

11 Equal opportunity

The recommendations in this chapter relate to: increasing economic opportunity (300-320); and improving the living environment: housing and infrastructure (321-327)

Key themes from recommendations (28 recommendations)

- Aboriginal and Torres Strait Islander people face particularly significant disadvantage in participating in the labour force due to discrimination, low levels of formal education, and cultural imperatives. Aboriginal and Torres Strait Islander people require additional support to address these issues.
- Active labour market policy programs, such as CDEP, are preferable to unemployment programs as they can deliver useful social outcomes such as further training and development and social development.
- Understanding the housing needs and community aspirations of Aboriginal and Torres Strait Islander people, as opposed to traditional conceptions of physical housing alone, is key to the effective development of the required housing stock. It will also help to build infrastructure that is more suited to and compatible with the needs of Aboriginal and Torres Strait Islander people in remote areas.

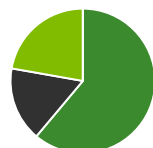
Legend  Complete  Mostly Complete  Partially Complete  Not Implemented  Out of Scope

Commonwealth | Key actions: The Commonwealth funds a number of programs that assist private sector employers to employ Aboriginal and Torres Strait Islander people, including Tailored Assistance Employment Grants. In addition, the Commonwealth launched the Indigenous Procurement Policy in 2015, which has resulted in more than \$407 million worth of contracts being won by Aboriginal and Torres Strait Islander businesses. The Commonwealth has also addressed employment outcomes through the *Employment Parity Initiative* and Vocational Training and Employment Centres initiatives.



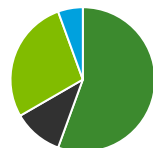
Remaining gaps: Research on the impact of the overall taxation system on Aboriginal and Torres Strait Islander people has not been undertaken and not all Government contracts appear to comply with the RCIADIC's recommended approach.

New South Wales | Key actions: The NSW Government implemented programs dedicated to improving Aboriginal employment, such as the Aboriginal Enterprise Development Officer Program and the Careers for Aboriginal People Program. In addition, the NSW Government has taken steps to improve outcomes in the Aboriginal community housing sector through the Aboriginal Rental Housing Program.



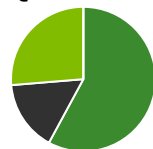
Remaining gaps: No research has been undertaken by New South Wales into the impact of the taxation system, nor has the research been appropriately communicated to local communities and organisations. A greater incorporation of administrative and housing support needs is required in the provision of public housing, and more attention should be given to homemaker issues and the participation of Aboriginal people in new construction.

Victoria | Key actions: The Victorian Government has introduced a range of employment strategies and programs, such as the *Victorian Aboriginal Economic Strategy* to improve economic opportunity for Aboriginal and Torres Strait Islander people. Victoria has also addressed opportunities in the housing sector by encouraging the training and development of tradespeople through activities undertaken by the Aboriginal Housing Board.



Remaining gaps: It does not appear that integration of service delivery and administration has taken place in respect of public housing for Aboriginal and Torres Strait Islander people. Further consideration of government processes for letting contracts, homemaker schemes, the establishment of local employment promotion communities, and relevant research of Aboriginal and Torres Strait Islander economic circumstances is required to fully meet the objectives of the RCIADIC recommendations.

Queensland | Key actions: The Queensland Government has taken steps to improve employment through the *Queensland Aboriginal and Torres Strait Islander Economic Participation Action Plan* and through employment targets in the Public Service. Queensland has also addressed a jurisdiction-specific recommendation through the *Building our Regions* program, designed to improve economic independence and self-sufficiency of residents in remote communities.



Remaining gaps: Queensland has not fully addressed recommendations related to research into the economic status of Aboriginal and Torres Strait Islander people, or into the integration of service and administration

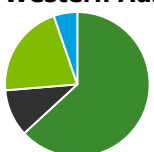
integration for public housing provision. Further work is also required on funding support for homemaking education, and the recruitment of Aboriginal and Torres Strait Islander people for new construction programs.

South Australia | Key actions: South Australia has sought to improve employment outcomes for Aboriginal and Torres Strait Islander people through its *Strategic Plan*, which sets employment targets, including in the public sector. South Australia also aims to support Aboriginal and Torres Strait Islander businesses through the Aboriginal Business Procurement Policy.



Remaining gaps: Further attention to the establishment of local employment promotion committees is needed to ensure that the objectives of the RICADIC recommendation are fully met. South Australia should also review its research practices, namely concerning economic research and accommodation needs surveys, to ensure that they are more attuned to the needs and circumstances of Aboriginal and Torres Strait Islander people.

Western Australia | Key actions: Western Australia has implemented initiatives to improve employment of Aboriginal and Torres Strait Islanders such as the 'Attract, Appoint and Advance: an employment strategy for Aboriginal people' policy in the public sector and policy of using local suppliers in remote Aboriginal and Torres Strait Islander communities.



Remaining gaps: Western Australia has not formed a body to study successful policies used to improve the self-sufficiency of Aboriginal and Torres Strait Islander people.

Tasmania | Key actions: Access to employment for Aboriginal people in the Tasmanian State Service is underpinned by *Employment Direction No.10*, which provides for identified and tagged positions. The Tasmanian Government is committed to the development of an Aboriginal Employment Strategy in the State Service, which targets employment. Access to equal opportunity in housing for Aboriginal people in remote locations is delivered by the Stronger Remote Aboriginal Services project, specifically for Flinders and Cape Barren Islands.



Remaining gaps: A review of Tasmania's active labour market programs is required to ensure that they are specifically designed to address Aboriginal and Torres Strait Islander participants, including procedures for preferential tendering agreements that favour Aboriginal and Torres Strait Islander workers. Further consideration of notification mechanisms relating to mining and tourism developments of culturally relevant land also needs to be undertaken.

Northern Territory | Key actions: The Northern Territory Government has implemented initiatives to improve employment, such as the *Indigenous Employment Program*. The Northern Territory has also developed the *Northern Territory Procurement Policy*, which gives preference for the letting of contracts to employers of Aboriginal and Torres Strait Islander people.



Remaining gaps: Further development of local employment promotion committees and initiatives, culturally sensitive housing stock assessments, and notification mechanisms for development of relevant land, are all required.

Australian Capital Territory | Key actions: The Australian Capital Territory Government has introduced labour market programs and employment targets to support greater Aboriginal and Torres Strait Islander employment in the public and private sectors. There has also been greater support of Aboriginal and Torres Strait Islander housing through the funding of homemaking skills through TAFE, and the provision of Liaison Officers to assist Housing ACT clients.



Remaining gaps: The Australian Capital Territory Government has not adopted any policies that support the preferential letting of government contracts to employers of Aboriginal and Torres Strait Islander employees, or developed culturally sensitive housing stock assessments, or undertaken research into the economic and taxation circumstances of Aboriginal and Torres Strait Islander people.

11.1 Increase economic opportunity (300-320)

Recommendation 300

That support be given to the aims of AEDP to:

- a. Increase opportunities for Aboriginal people in the mainstream labour market to achieve equity with other Australians in the rates and levels of permanent employment; and*
- b. Generate employment through greatly enhanced assistance for community development and the expansion of employment reaches an acceptable level, governments should be prepared to set targets for recruitment into the public sector at somewhat higher target figures than would reflect the proportionate representation of Aboriginal people in the population.*

Background information

The Aboriginal Employment Development Policy (AEDP) was a comprehensive package of employment and training programs that was launched in 1986 to address the disparity between the employment and income statuses of Aboriginal and Torres Strait Islander people and other Australians. The AEDP recognises that improved employment opportunities for Aboriginal and Torres Strait Islander people in the mainstream labour market, including in the public sector, can lead to increased economic independence and reduce the disempowering effects of welfare dependence.

Responsibility

The Commonwealth, and all State and Territory governments have responsibility for this recommendation. Both State and Territory, and Commonwealth governments have joint responsibility for employment policy, including employment in the state and federal public sector.

Key actions taken and status of implementation

In 2007, under the **Commonwealth** Government's National Partnership Agreement on Indigenous Economic Participation, Aboriginal and Torres Strait Islander workforce strategies were incorporated into major Council of Australian Governments reforms. The growth of the Aboriginal and Torres Strait Islander business sector is one way the Commonwealth Government is supporting labour market growth and increasing employment opportunities for Aboriginal and Torres Strait Islander people. The Indigenous Business Sector Strategy will support the expansion and success of the sector and its workforce.

PM&C's Indigenous Procurement Policy (IPP), which replaced the Indigenous Opportunities Policy (IOP) in 2015, applies to all non-corporate Commonwealth entities. The policy has three parts: a target number of contracts that need to be awarded to Aboriginal and Torres Strait Islander businesses; a mandatory set-aside of contracts for Aboriginal and Torres Strait Islander businesses to apply when the majority of goods or services are being delivered in remote Australia and for all procurements valued between \$80,000 and \$200,000; and mandatory minimum requirements for Aboriginal and Torres Strait Islander employment and Aboriginal and Torres Strait Islander supplier use in certain high value contracts.

The Commonwealth Government increased funding by \$40 million over four years to expand representation of Aboriginal and Torres Strait Islander people in public and private sector employment in 1994. The Commonwealth Government expanded arrangements for traineeships in 1995 to include a subsidy of up to 100% of wages through the provision of National Training Wage and Aboriginal and Torres Strait Islander Program subsidies under the Training for Aboriginals Program (TAP) for Aboriginal and Torres Strait Islander people. The AEDP was replaced by the Indigenous Employment Policy in 1999, which was later renamed the Indigenous Employment Program.


The IAS was launched in 2014 as part of a restructure of Indigenous policy under the Closing the Gap agenda. The IAS replaced more than 150 individual programs and activities with five broad programs, including the Jobs, Land and Economy program.

The DoE noted their Job Active program which includes specific targets for Aboriginal and Torres Strait Islander people seeking jobs. To increase the employment providers' focus on outcomes for Aboriginal

and Torres Strait Islander job seekers, Indigenous Outcome Targets are incorporated into the Performance Framework as a standalone measure of performance. The achievement of Indigenous Outcome Targets then form a part of employment providers' ongoing performance assessment.

The DET advised that the Government is investing \$55.7 million in the Closing the Gap – Employment Services package to accelerate progress towards achieving parity in employment. The measures announced as part of this package enhance the ability of employment services to place more Indigenous job seekers into work. Aboriginal and Torres Strait Islander people receiving the Parenting Payment will also benefit from changes to the ParentsNext program. As part of the national rollout of ParentsNext (commencing on 1 July 2018), a more work focused servicing stream will be introduced in 30 locations (incorporating the existing 10 ParentsNext locations and 20 new locations where there are high concentrations of Aboriginal and Torres Strait Islander people who are receiving Parenting Payment).

The APSC noted that in 2015, alongside PM&C, they released the Commonwealth Aboriginal and Torres Strait Islander Employment Strategy (the Strategy). The goal of the Strategy is to increase representation of Aboriginal and Torres Strait Islander employees across the entire Commonwealth public sector to 3% by 2018. The Strategy provides opportunities for agencies to access or adapt existing initiatives to increase their Aboriginal and Torres Strait Islander representation. The number of Aboriginal and Torres Strait Islander people employed in the Commonwealth public sector has increased from 2.2% in 2015 to 2.4% in 2016.


 *The Commonwealth Government has supported a variety of policies targeting increased opportunities for Aboriginal and Torres Strait Islander people in the mainstream labour market, including in the public sector, which have fully addressed the requirements of Recommendation 300.*

In 1988, the **New South Wales** Government introduced the *NSW Aboriginal Employment Strategy* which established employment targets for Aboriginal people in the public sector. The Employment Strategy pursued a threefold aim of recruiting 450 Aboriginal people across the NSW public sector, achieving a 2% target for Aboriginal representation, and the improvement of career development and promotion opportunities for Aboriginal people. The New South Wales Aboriginal Employment Development Policy Coordinating Committee – which comprised officers of the Department of Industrial Relations, Employment, Training, and Further Education – developed the *NSW AEDP Business Plan* which highlighted the need for a coordinated approach to employment and training initiatives. The NSW Government also developed an *Aboriginal Enterprise Programme* and *Business Development Officers Projects* in 1993.

Currently, NSW Department of Industry delivers a range of programs, which aim to improve access to employment, mentoring and the creation of business opportunities for Aboriginal people these include:


- The Way Ahead for Aboriginal People, which provides employment and training advisory services support.
- The Aboriginal Enterprise Development Officer, which supports the development of sustainable Aboriginal businesses.
- The NSW Elsa Dixon Aboriginal Employment Program, which subsidises the salary of Aboriginal people, including School Based Traineeships in a NSW public service agency or local government authority and provides Aboriginal Community Small Grants to fund innovative projects that create employment and training opportunities.

Under the Aboriginal Employment Strategy, the current NSW Government employment target is 2.6%. New South Wales achieved the target of 2.6% Aboriginal representation across the sector, as committed to in the COAG Indigenous Economic Participation National Partnership Agreement.

 *The New South Wales Government has implemented Recommendation 300 through a range of policy initiatives to encourage Aboriginal employment, including The Way Ahead for Aboriginal People and the NSW Elsa Dixon Aboriginal Employment Program. The current NSW Public Sector employment target (2.6%) is lower than that of the proportion of Aboriginal people in the NSW population (2.9%).*

In **Victoria**, the *Aboriginal Capital Projects Program* provided assistance to Aboriginal and Torres Strait Islander communities and enabled the development of the economic and employment base in the early 1990s. The 1993 *Victorian Public Service Aboriginal Employment Strategy* contributed to an increased number of Aboriginal and Torres Strait Islander people in the Victorian Public Service. In 2010, the *Victorian Aboriginal Public Sector Employment and Career Action Plan 2010-15* introduced employment targets and a number of action areas including the development of pathways between education and employment, creating inclusive workplaces, and supporting employers to recruit and retain Aboriginal and Torres Strait Islander workers. The Victorian Government has set a 2% employment target for Aboriginal and Torres Strait Islander representation within the Victorian Public Service by 2022.

In 2013, the Victorian Government implemented the *Victorian Aboriginal Economic Strategy* which sought to build economic opportunity and prosperity for Aboriginal and Torres Strait Islander people through contributing to job and business aspirations, creating more job opportunities, and growing Aboriginal and Torres Strait Islander enterprise and investment. Strategies to encourage Aboriginal and Torres Strait Islander employment opportunities remains a focus of the Victorian Government in AJA 3.


 *The Victorian Government has fully implemented Recommendation 300 through a range of policy initiatives and employment targets to encourage Aboriginal and Torres Strait Islander employment under the Victorian Aboriginal Economic Strategy. The Victorian Public Sector's employment target exceeds that of the Aboriginal and Torres Strait Islander proportion of the population (0.8%).*

In their 1993 implementation report, the **Queensland** Government noted the continued provision of financial support to AEDP coordination and development arrangements, with a view to expanding opportunities for Aboriginal and Torres Strait Islander economic development.

More recently, the *Skilling Queenslanders for Work* initiative has invested \$240 million over four years to support up to 32,000 people through a suite of targeted skills and training programs to assist them with transitioning to work. The Department of Employment Small Business and Training also funds the Indigenous VET Partnership program, which provides a supported pathway for Aboriginal and Torres Strait Islander people to complete vocational qualifications that lead to real employment outcomes. In addition, the Department of Employment Small Business and Training has implemented several initiatives under the Early Childhood Education and Care (ECEC) Workforce Action Plan 2016-2019 to attract and retain Aboriginal and Torres Strait Islander educators in the ECEC workforce.

The Queensland Government also introduced a number of employment targets and recruitment and retention initiatives to promote the employment of Aboriginal and Torres Strait Islander people in the Queensland Public Service, including an overall target of 2.4% Aboriginal and Torres Strait Islander employment. This has more recently been increased to a whole of Government target of 3% by 2022, as outlined in the *Moving Ahead Strategy*.

The *Queensland Aboriginal and Torres Strait Islander Economic Participation Action Plan* calls for the direct employment of Aboriginal and Torres Strait Islander people for services including health, education and disability services. More recent initiatives include the 2013 *Queensland Aboriginal and Torres Strait Islander Economic Participation Framework*, the 2014 *Queensland Aboriginal and Torres Strait Islander Economic Participation Action Plan*, and the 2010 *Project 2800*, which sought to increase the participation and employment of Aboriginal and Torres Strait Islander people.


 *The Queensland Government has mostly implemented Recommendation 300 by implementing the Queensland Aboriginal and Torres Strait Islander Economic Participation Action Plan. However, Queensland has not specified broader mainstream employment opportunities in their response and has established an employment target that is lower than that of the Aboriginal and Torres Strait Islander proportion of the population (4.0%).*

The **South Australian** Government supported the implementation of the AEDP through a range of programs. The 1994 South Australian implementation report noted that a five-year strategy had been agreed between the Commonwealth and South Australian Government to promote public sector

employment for Aboriginal and Torres Strait Islander people. This initiative was guided by recruitment, career development and training, guidance and support, and promotion and marketing.


South Australia's more recent *Strategic Plan* established a number of employment targets for Aboriginal and Torres Strait Islander people. Target 51 aimed to halve the gap between Aboriginal and Torres Strait Islander and non-Aboriginal and Torres Strait Islander unemployment rates by 2018, and Target 53 sets a goal to increase Aboriginal and Torres Strait Islander participation in public sector employment to 2% by 2014 and maintain or better those levels by 2020. Many agencies have not met this target and have set higher targets.

Additionally, the South Australian Certificate of Education Aboriginal Students Pathways Conference provides Aboriginal and Torres Strait Islander students with opportunities to explore their study, training and employment pathways. The Government's Aboriginal Economic Participation Strategy seeks to leverage opportunities for Aboriginal jobs and employment from government spending. The Governor's Aboriginal Employment Industry Clusters are employer led and aim to facilitate systemic change in ten participating industries, thereby leading to an increase in sustainable employment for Aboriginal people (nine of these are private sector industries).


 *The South Australian Government has mostly implemented Recommendation 300 by implementing the Aboriginal Economic Participation Strategy to encourage Aboriginal and Torres Strait Islander employment via government spending, and broader employment via its Strategic Plan. However, the employment target set by South Australia for Aboriginal and Torres Strait Islander public sector employment is not higher than the population proportion (2.0%).*

The **Western Australia** Government introduced a number of employment targets for Aboriginal and Torres Strait Islander people, and contributed to funding for a range of employment initiatives. In 1994, this involved Curtin University, Edith Cowan University, and Murdoch University in implementation. Curtin University pursued a target of 3% Aboriginal and Torres Strait Islander staff recruitment. More recently, the Western Australia Government's *Aboriginal Economic Participation Strategy 2012-16* sought to increase the participation of Aboriginal and Torres Strait Islander people in the economy, to strengthen Aboriginal and Torres Strait Islander culture, and to promote equal opportunity.

In addition to this, 'Attract, Appoint and Advance: an employment strategy for Aboriginal people' provides Western Australia with a public sector-wide workforce strategy to help public authorities realise good practices around attracting, appointing, retaining and developing Aboriginal and Torres Strait Islander people. This includes a cohesive set of actions towards exceeding the state target of 3.2% representation of Aboriginal and Torres Strait Islander people in public employment.


 *Western Australia has implemented Recommendation 300 by implementing a number of strategies to encourage Aboriginal and Torres Strait Islander employment in the public sector. The employment target set by Western Australia for Aboriginal and Torres Strait Islander public sector employment is higher than the population proportion (3.2%).*

The **Tasmanian** Government held committee meetings to guide the implementation of the AEDP in Tasmania in the early 1990s. The Tasmanian Government also targeted Aboriginal and Torres Strait Islander employees for recruitment into public sector roles, and provided work experience, education, and a range of networking and professional development opportunities. Tasmania's *Employment Direction No. 10* outlines policy relating to Aboriginal and Torres Strait Islander Employment in the Tasmanian State Sector. This measure sets out administrative arrangements that apply to the employment of Aboriginal and Torres Strait Islander people in the Tasmanian public sector. In addition, the Tasmanian State Service has set an Aboriginal and Torres Strait Islander Employment target of 3% by 2020.


 *The Tasmanian Government has partially implemented Recommendation 300 by targeting and supporting the employment of Aboriginal and Torres Strait Islander people in the public sector, under Employment Direction No. 10 but has not addressed labour policies outside of the public sector or set employment targets higher than the proportion of Aboriginal and Torres Strait Islander people in the population (4.6%).*

In the **Northern Territory**, the *Aboriginal Employment and Economic Development Policy* was developed to encourage and promote mainstream and community-based employment for Aboriginal and Torres Strait Islander people. The Northern Territory's 2015 *Indigenous Employment Program* offered a pre-employment program to attract Aboriginal and Torres Strait Islander job seekers.

Additionally, initiatives including the Northern Territory Public Service Indigenous Employment Program and the NT Indigenous Cadetship Support program were implemented to provide full-time employment opportunities for Aboriginal and Torres Strait Islander people. Employment programs and targets were implemented for Aboriginal and Torres Strait Islander people to encourage representation in the Northern Territory Public Service. These targets include a global target of 16% Aboriginal and Torres Strait Islander employment sector wide and 10% participation in senior or executive roles by 2020. The *Indigenous Employment and Career Development Strategy 2015-20* endorses that the Northern Territory Public Service reflect the Aboriginal and Torres Strait Islander population of the communities it serves. It seeks to build Aboriginal and Torres Strait Islander participation and capability.

 *The Northern Territory has mostly implemented Recommendation 300 through a range of policy initiatives and employment targets to encourage Aboriginal and Torres Strait Islander employment as part of the Indigenous Employment and Career Development Strategy 2015-20 but has not set an employment target higher than that of the proportion of Aboriginal and Torres Strait Islander people in the NT (25.5%).*

The **Australian Capital Territory** Government responded by introducing the *Jobskills* program, and developing the *Aboriginal and Torres Strait Islander Employment Strategy* which sought to promote employment opportunities in the private sector and to assist in the establishment of new business ventures for Aboriginal and Torres Strait Islander people. Employment targets have also been utilised in increasing the number of Aboriginal and Torres Strait Islander people employed across the public sector. The *ACT Public Service Employment Strategy for Aboriginal and Torres Strait Islander People 2011-15* sought to increase Aboriginal and Torres Strait Islander employees in the public sector from 0.9% to 2% by 2015.

 *The Australian Capital Territory has implemented Recommendation 300 implementing the Aboriginal and Torres Strait Islander Employment Strategy and the ACT Public Service Employment Strategy for Aboriginal and Torres Strait Islander People 2011-15 to promote Aboriginal and Torres Strait Islander employment more generally and in the public service specifically. In addition, the ACT's employment target exceeds that of the proportion of Aboriginal and Torres Strait Islander people in the ACT's population (1.6%).*

Additional commentary

The Strategy outlined by the **Commonwealth's** APSC focuses on four key action areas. First, to expand the range of Aboriginal and Torres Strait Islander employment opportunities. Second, to invest in developing the capability of Aboriginal and Torres Strait Islander employees. Third, to increase the representation of Aboriginal and Torres Strait Islander employees in senior roles. Finally, to improve the awareness of Aboriginal and Torres Strait Islander culture in the workplace.

Recommendation 301

That the Commonwealth, State and Territory Governments consider the desirability of entering into specific agreements (as, for example, are currently established under the Aboriginal Education Policy) for funding under the Commonwealth's AEDP which set out agreed objectives, strategies and outcomes.

Background information

Employment strategies remain the primary vehicle for government policy on Aboriginal and Torres Strait Islander economic development and can yield benefits beyond labour market programs.

Responsibility

The Commonwealth, and all State and Territory governments have responsibility for this recommendation. Both State and Territory, and Commonwealth governments have joint responsibility for employment policy.

Key actions taken and status of implementation

The **Commonwealth** Government's AEDP was replaced by the Indigenous Employment Policy in 1999, which was later renamed the Indigenous Employment Program. PM&C noted that the IOP was developed as a direct result of the National Partnership Agreement on Indigenous Economic Participation (NPAIEP), and works to strengthen procurement policies to maximise Aboriginal and Torres Strait Islander employment and business opportunities. It was replaced by the IPP in 2015 (see Recommendation for further detail on the IPP). The Commonwealth Government entered into the NPAIEP with the States and Territories in 2007 through COAG to increase the representation of Aboriginal and Torres Strait Islander people working in the public sector. PM&C noted that the NPAIEP expired on 30 June 2013 and although the NPAIEP wasn't renewed, Aboriginal and Torres Strait Islander employment and economic objectives are being pursued through COAG's Aboriginal and Torres Strait Islander economic development agenda and the Indigenous Procurement Policy.

● *Recommendation 301 is complete through the Commonwealth's introduction of the Indigenous Procurement Policy and by entering into the NPAIEP.*

As signatories to the *National Partnership Agreement on Indigenous Economic Participation*, and associated measures, **all States and Territories** worked to strengthen procurement policies to maximise Aboriginal and Torres Strait Islander employment and business opportunities. Currently, States and Territories are pursuing Aboriginal and Torres Strait Islander employment and economic objectives through COAG's Aboriginal and Torres Strait Islander economic development agenda and the *Indigenous Procurement Policy*.

● *New South Wales, Victoria, Queensland, South Australia, Western Australia, Tasmania, the Northern Territory, and the Australian Capital Territory have implemented Recommendation 301 as a signatory to the National Partnership Agreement on Indigenous Economic Participation and through initiatives such as the Indigenous Procurement Policy.*

Additional commentary

In 1993, the **New South Wales** Government entered an agreement with the Commonwealth to develop employment strategies for the NSW public sector and local government. NSW welcomed agreements on funding under the Aboriginal Education Development Policy. Currently, providing opportunities to enable active engagement and participation of Aboriginal parents and communities in all aspects of education is an agreed priority under the Aboriginal Education Council's 2010-2020 Partnership Agreement with the NSW AECG.

The **Victorian** Government supported the aims of the *Aboriginal Employment Development Program* in order to increase the employment and economic opportunities of Aboriginal and Torres Strait Islander people. In 1993, funding was provided by the Commonwealth to support a range of Aboriginal Employment Strategy initiatives.

In 1993, the **Queensland** Police Services entered into agreement with the Commonwealth Department of Employment, Education and Training for funding an employment strategy under the AEDP. Under the Indigenous VET Partnerships Program, community-based organisations, registered training organisations and private companies can apply for funding to deliver training and support measures to maximise job opportunities for Aboriginal and Torres Strait Islander people. Approved organisations can also enter into service agreements with the Department, which detail the terms, conditions and key performance indicators to be achieved.

Western Australia responded to Recommendation 301 by promoting greater integration and cooperation between various government agencies. In 1994-95, the Western Australia Government also implemented the *Essential Service Maintenance Worker* project, *Ord River Irrigation* scheme stage employment program, and other public sector employment initiatives for Aboriginal and Torres Strait Islander people.

In 1993, the **Australian Capital Territory** Government entered into an agreement with the Commonwealth Department of Employment, Education and Training under the Aboriginal Employment and Development Program. This agreement jointly funded an Aboriginal and Torres Strait Islander project officer for 12 months to develop the *ACT Government Service Aboriginal and Torres Strait Islander Peoples' Employment and Career Development Strategy*.

Recommendation 302

That State and Territory Governments consider whether, in coordinating the planning and delivery of services under the AEDP, including the development and coordination of planning at regional and local levels, ATSIC regional boundaries should be adopted as the geographic basis for such planning and delivery, and (subject to their agreement to do so), ATSIC Regional Councils should be involved in the planning process and perhaps take responsibility for it.

Background information


State and Territory Government involvement in community planning can provide a focused approach for the expenditure of resources. In order to aid planning development and coordination of Aboriginal and Torres Strait Islander programs and services, the RCIADIC recommended that States and Territories use well-defined regional boundaries.

Responsibility


The recommendation is the responsibility of State and Territory Governments.

Key actions taken and status of implementation


The **New South Wales** response in 1993 centred on ensuring that staff of the Department of Industrial Relations, Employment, Training and Further Education's Aboriginal Employment Unit participated in the State Aboriginal Employment Development Policy Committee and Working Parties. While ATSIC was operating, the NSW Government took the ATSIC boundaries into consideration.

 *New South Wales has addressed Recommendation 302, noting that ATSIC regional boundaries no longer exist.*

In **Victoria's** 1993 implementation report, it was noted that a state committee for the implementation of AEDP was reformed and upgraded. Various agencies also established close relationships with ATSIC and its Victorian regional councils in aiding service design and delivery.

 *Victoria has addressed Recommendation 302, noting that ATSIC regional boundaries no longer exist.*


The **Queensland** Government promoted the establishment of links between Regional Councils, and cooperated with ATSIC in the development of *Aboriginal Employment Development Program* processes. Under the Indigenous VET Partnerships Program, applications for funding are developed in consultation with local DET and DATSIP Regional Offices, which involves consultation with local community members and organisations.

 *Queensland has addressed Recommendation 302, noting that ATSIC regional boundaries no longer exist.*


Consideration has been given by the **South Australia** Government to regional boundaries in coordinating the planning and delivery of services.

 *South Australia has addressed Recommendation 302.*


The **Western Australian** Government has noted that it recognises that the service delivery needs of certain groups varies markedly from one location to another. The Western Australian Government has also acknowledged the importance of monitoring wellbeing and other outcomes at a sub-state level. As such, Western Australia has developed a data collection that tracks Aboriginal wellbeing across eight sub-geographies of the state (similar in number to ATSIC's nine boundaries).

 *Western Australia has addressed Recommendation 302, noting that ATSIC regional boundaries no longer exist.*


Tasmania's 1993 implementation report provided that ATSIC's regional boundary was the whole of Tasmania. The Tasmanian Government sought to break the State into smaller regions.

 *Tasmania has addressed Recommendation 302 through its consideration of the use of ATSIC regional boundaries.*

In their 1993-94 implementation report, the **Northern Territory** Government noted that they provide support to ATSIC Regional Councils in developing planning techniques and processes.

 *The Northern Territory has addressed Recommendation 302.*

The ACT Government's Indigenous Business Development and Entrepreneur Program is open to all Aboriginal and Torres Strait Islander people in surrounding ACT regions. The Aboriginal and Torres Strait Islander Elected Body also inform and provide comment to the ACT Government on its delivery of services.

 *The Australian Capital Territory has addressed Recommendation 302 by adopting a regional approach to service delivery. The ACT Government's Indigenous Business Development and Entrepreneur Program encompasses Indigenous Businesses with both the ACT and surrounding NSW region. It is noted that ATSIC regional boundaries no longer exist.*

Recommendation 303

That State and Commonwealth Governments study the experience of the Aboriginal Economic Employment Officer program operated by the Western Australian Department of Employment and Training and other similar schemes which enhance local Aboriginal involvement in stimulating economic activity.

Background information

The RCIADIC Report commended the Western Australian Department of Employment and Training's Aboriginal Economic and Employment Development officer program for its innovative training techniques and recommended the study of similar initiatives.

Responsibility

The Commonwealth, and all State and Territory governments have responsibility for this recommendation. Both State and Territory, and Commonwealth governments have joint responsibility for employment policy.


Key actions taken and status of implementation

The **Commonwealth**, and **State and Territory** governments commissioned the National Centre for Vocational Education Research in 2007 to undertake a report entitled *A Review of Indigenous Employment Programs*, which evaluated Aboriginal and Torres Strait Islander participation in the national labour market and evaluated the effectiveness of employment programs.

The AIHW and the Australian Institute of Family Studies released the Closing the Gap Clearinghouse Issues Paper No. 3 *Increasing Indigenous employment rates* in 2012, which reviewed the extent to which policies and programs had been successful in increasing Aboriginal and Torres Strait Islander employment.

Historically, a key priority for Aboriginal and Torres Strait Islander economic development has been to encourage greater employment. PM&C is in the process of broadening their Aboriginal and Torres Strait Islander economic development goals with an emphasis on broad economic participation and wellbeing as key outcomes. A practical aim of this is to increase choice for Aboriginal and Torres Strait Islander people to participate in and contribute to the broader Australian economy through a range of opportunities, including employment, business ownership, and access to land and in the process, stimulate local economic activity. Policies that increase choices will empower more Aboriginal and Torres Strait Islander people to participate in the economy and thereby improve their material wellbeing.

In 2016, the Government allocated funding for PM&C to deliver an Indigenous Business Sector Strategy to provide Aboriginal and Torres Strait Islander people with a clear roadmap to take advantage of the transitioning economy and the increasing opportunities available to Aboriginal and Torres Strait Islander businesses through initiatives such as the IPP. The Government released the consultation draft of the Indigenous Business Sector Strategy on 3 May 2017, which outlines a suite of proposed new initiatives to support the Aboriginal and Torres Strait Islander business sector across Australia. The proposed actions draw on the ideas and solutions from the sector, and aim to foster more Aboriginal and Torres Strait Islander businesses and drive growth. There is a particular focus on increasing the number of Aboriginal and Torres Strait Islander women in business, and on building partnerships across governments, the corporate sector and Aboriginal and Torres Strait Islander businesses.

 *Recommendation 303 has been implemented as the Commonwealth Government has studied the experience of Aboriginal and Torres Strait Islander employment programs in two significant reports.*

The **New South Wales** Government launched programs to address Aboriginal workforce participation through the Department of Industrial Relations, Employment, Training and Further Education. These programs, introduced in 1993, were developed in consultation with representatives from Western Australia.

Currently, the Department of Industry operates an Aboriginal Enterprise Development Officer program, which offers a free service that seeks to increase the opportunities for Aboriginal people to become self-employed or to expand their business. The program offers participants with business training and support.


 *New South Wales has addressed Recommendation 303 by studying WA's program and implementing the Aboriginal Enterprise Development Officer program.*

The **Victorian** Government provided in their 1993 implementation report a commitment to expanding the involvement of Victoria's Aboriginal and Torres Strait Islander communities in economic activities, economic development, and access to government funding. The Victorian Government ensured that policy guidelines for programs such as the *Aboriginal Capital Projects Program* were flexible enough to be tailored to the needs of local communities. More recently under the Victorian Aboriginal Justice Agreement Phase 3 (AJA 3), the Victorian Government noted that the *Victorian Aboriginal Affairs Framework* identified economic participation as a key action area. As part of this Framework, various initiatives have been developed to encourage the participation of Aboriginal and Torres Strait Islander people in employment opportunities and the process of economic development.

Victoria operates a number of programs, aimed at improving Aboriginal and Torres Strait Islander economic participation. Programs include:


- Tharamba Bugheen, the Victorian Aboriginal Business Strategy 2017-2021, which aims to support and encourage the development of Aboriginal businesses in Victoria
- The Jobs Victoria Employment Network.
- Aboriginal and Torres Strait Islander economic development brokers - which support Aboriginal and Torres Strait Islander businesses and communities to access opportunities and support, aimed at building Aboriginal and Torres Strait Islander employment, economic prosperity and enterprise.
- A government procurement target of 1% of goods and services to be purchased from Aboriginal and Torres Strait Islander businesses.
- The Social Procurement Framework, which encourages procurement outcomes to support employment for disadvantaged Victorians including Aboriginal and Torres Strait Islander Victorians.

The Victorian Government has noted that it is of the view that Western Australia's program is no longer current.

 *While the Victorian Government has taken steps to improve economic participation, no evidence of it studying WA's program have been provided. As such, Recommendation 303 is partially complete.*


In 1993, **Queensland** Aboriginal Economic and Employment Development Officers were employed under the *Employment and Enterprise Local Facilitation Initiative* to initiate and foster employment and training programs. The then Department of Employment, Vocational Education, Training and Industrial Relations also studied the experience of the *Aboriginal Economic and Employment Officer* program operated by Western Australia.


Currently, DATSIP has policy leadership for Aboriginal and Torres Strait Islander economic participation for the Queensland Government. The Department of Employment Small Business and Training currently reviews good practice training and skilling initiatives across Australia and prepares an annual research plan that guides their investment and participation in priority research areas. Aboriginal and Torres Strait Islander early childhood, schooling and training and skill needs are prioritised across all the research themes.

 *Queensland has addressed Recommendation 303 by studying WA's program and implementing programs to improve economic participation for Aboriginal and Torres Strait Islander people.*


South Australia assisted with the development of community enterprise through the Business Breakthrough Unit of the *Aboriginal Education* program. Small Business Training was administered to 60 graduates in 1993 and the program aided those people to gain self-employment.

More recently, the SA Government undertook the Governor's Aboriginal Employment Industry Clusters initiative, which seeks to facilitate systemic change in ten participating industries by increasing sustainable employment for Aboriginal and Torres Strait Islander people.


 *While the South Australian Government has taken steps to improve economic participation through the Business Breakthrough Unit of the Aboriginal Education Program, it does not appear to have studied WA's program. As such, Recommendation 303 is partially complete.*

 **Western Australia** is not required to respond to Recommendation 303.

No information could be found on **Tasmania's** implementation of Recommendation 303.


 *Tasmania has partially implemented Recommendation 303 as it participated in the Review of Indigenous Employment Programs.*

The **Northern Territory** Government provided in their 1993-94 implementation report that it was common practice to study the Aboriginal and Torres Strait Islander employment and economic development policies and strategies offered by other States.

 *The Northern Territory has partially addressed Recommendation 303 by studying similar schemes but has not provided evidence of studying WA's program.*

The **Australian Capital Territory** Government consulted with State and Territory governments, ATSIC and the local Aboriginal and Torres Strait Islander community in developing an Aboriginal Employment Strategy. The intent of this strategy is to:

- Build on the momentum generated by previous programs to support and develop regional Aboriginal and Torres Strait Islander business and entrepreneurship
- Trial a new, more sustainable model for delivery of the Program
- Integrate formal training and education from the Canberra Institute of Technology into the Program, introducing local Aboriginal and Torres Strait Islander businesses to existing business support programs.

 *The Australian Capital Territory has partially addressed Recommendation 303 by consulting with State and Territory governments and other stakeholders to develop an Aboriginal Employment Strategy but has not addressed studying WA's program in their response.*

Recommendation 304

That spending on training and other active labour market policy programs (such as CDEP and job subsidy schemes) be given preference over spending on unemployment relief programs. The determination of priorities for particular training programs must be better attuned to the particular needs expressed by local Aboriginal groups in their regional and community plans, and the skill requirements of the local labour market.

Background information

It is recognised that labour market policy programs, such as CDEP, are preferable to unemployment relief programs as they can deliver useful social purposes such as access to productive activity and further training and development.

Responsibility

The Commonwealth, and all State and Territory governments have responsibility for this recommendation. Both State and Territory, and Commonwealth governments have joint responsibility for employment policy.


Key actions taken and status of implementation

The **Commonwealth** Government launched the Indigenous Economic Development Strategy 2011-2018 in 2011, which included the roll out of several labour market policy programs including Youth Careers Pathways, the IOP (since replaced by the IPP), the CDEP Program and the Northern Territory Indigenous Cadetship Program.

PM&C noted that the Community Development Programme, which commenced in 2015, aims to deliver better opportunities for remote job-seekers and to foster stronger economic and social outcomes in remote Australia. The program supports job seekers by providing training to build skills, address barriers and contribute to their community through a range of flexible activities, such as training and community development program. The Job Active program (see Recommendation 300) also provides training opportunities to program participants.

PM&C noted that Tailored Assistance Employment Grants (TAEGs) provide support to connect working age Aboriginal and Torres Strait Islander people with real and sustainable jobs. These can provide funding for activities that help Aboriginal and Torres Strait Islander people to overcome disadvantage in the labour market and connect them to employment, gain experience that builds work readiness, and contribute to the broader community. The Minister for Indigenous Affairs announced as part of the 2017-18 Budget that consultation will begin on a new employment and participation model for remote Australia. This process will allow PM&C to consider if parts of previous programs such as CDEP can be implemented into any new model to address labour market issues.


The Closing the Gap – Employment Services and the ParentsNext initiatives and recent Budget announcements – discussed in the response to Recommendation 300 – are also relevant to Recommendation 304.

 *The Commonwealth Government has expanded active labour market policy programs for Aboriginal and Torres Strait Islander people since the RCIADIC with consideration to regional and community needs and local labour market requirements. However, it is not clear to what extent these programs have been given preference over spending on unemployment relief programs. Recommendation 304 is therefore mostly complete.*


The **New South Wales** Government signed an agreement with the Commonwealth in 1993 to develop employment strategies for the NSW public sector and local government. This involved collaboration with local Aboriginal communities. As part of the *Careers for Aboriginal People Program*, the NSW Government provided training and employment advice for unemployed Aboriginal people.

More recently, the NSW Government has implemented a number of labour market initiatives, such as the Aboriginal Enterprise Development Officer program, the Aboriginal Participation in Construction Policy, and OCHRE Opportunity Hubs, which support the transition of Aboriginal young people from school to further education, training and employment. The NSW Government has employment and


skill development targets in place for Aboriginal people through the Infrastructure Skills Legacy Program.

 *The New South Wales Government has mostly implemented Recommendation 304 through the establishment of active labour market programs, such as the Aboriginal Economic Development Officer program, and OCHRE Opportunity Hubs, but have not indicated whether they have prioritised these programs over unemployment relief programs.*

The **Victorian** Government introduced a *Community Based Employment Program* in 1993 to provide employment counselling, training and job placement for mature aged people and young people. The *Landcare and Environment Action Plan* also encompassed 50 projects and promoted skill develop and training for young Aboriginal and Torres Strait Islander people. A range of other measures were introduced to address the intent of Recommendation 304. Employment and training initiatives have remained an ongoing focus of the Victorian Government under AJA 3.


 *The Victorian Government has mostly implemented Recommendation 304 through the establishment of active labour market policies but have not indicated whether they have prioritised these programs over unemployment relief programs.*

The **Queensland** Government provided funds for training and other active labour market programs, including the *Local Employment Initiatives Scheme* which supported Aboriginal and Torres Strait Islander people in participating in local economic opportunities. More recently, the Indigenous VET Partnership Program is a partnership between the Department of Employment Small Business and Training and DATSIP, which requires applications for funding to be endorsed by the Department of Employment Small Business and Training and DATSIP Regional Offices. Endorsement requires support from the Aboriginal and Torres Strait Islander community and local employers or industry. In 2018, Department of Education will pilot a Traineeship Program, which will target attraction strategies towards Aboriginal and Torres Strait Islander people in their local areas.

 *Queensland has mostly implemented Recommendation 304 by funding active labour market programs, such as the Local Employment Initiatives Scheme and the Indigenous VET Partnership Program but have not indicated whether these programs are prioritised over unemployment relief programs.*


The **South Australian** Government noted its view that Recommendation 304 was largely the jurisdiction of the Commonwealth. However, South Australian active labour market policies included the *Kick start employment strategy*, *Business Breakthrough*, an expansion of TAFE placements for Aboriginal and Torres Strait Islander students, and the *South Australian Youth Conservation Corps*.

More recent SA initiatives dedicated to improving Aboriginal and Torres Strait Islander employment opportunities in this space include Work Ready, Jobs First Employment Programs, Adult Community Education, Building Family Opportunities, and Aboriginal Workforce Participation Programs. The SA Government notes that CDEP has been replaced by the Community Development Programme.


 *South Australia has mostly implemented Recommendation 304 through the establishment of active labour market policies, including the Kick start employment strategy and the Aboriginal Workforce Participation Programs but have not indicated whether these programs are prioritised over unemployment relief programs.*

The **Western Australia** Government previously provided a network of Regional Employment Access Officers who were able to provide expert advice to CDEP communities on strategies to maximise employment and training outcomes for program participants. This led to the design and delivery of several regional training initiatives across Western Australia.


The Western Australia Government continues to prioritise Aboriginal jobseekers across the state through the use of Jobs and Skills Centres (previously Aboriginal Workforce Development Centres). However, the Western Australian Government noted that the Commonwealth Government has primary responsibility for funding active labour market programs over unemployment relief, such as with the Community Development Programme.

 *Western Australia has mostly implemented Recommendation 304, through the previous establishment of active labour market policies. However, Western Australia have not indicated whether these programs are prioritised over unemployment relief programs.*


The **Tasmanian** Government introduced two employment programs in the early 1990s – the *Tas Jobs for Youth* which provided a wage subsidy to employers, and *Local Employment Initiatives* which provided grants to community groups for enterprise developments. Neither of these program was specifically addressed towards Aboriginal and Torres Strait Islander people.

 *Tasmania has previously implemented active labour market programs. However, none of these programs have been specifically developed to address the needs of Aboriginal and Torres Strait Islander people. As such, Recommendation 304 is partially complete.*

In 1993, the **Northern Territory's** programs were focused on training and other market related employment strategies. Funding and coordination of programs was targeted to specific Aboriginal and Torres Strait Islander communities.

 *The Northern Territory has partially implemented Recommendation 304 as it has developed market related strategies that are specifically tailored to Aboriginal and Torres Strait Islander people but has not provided further information regarding these strategies.*

The **Australian Capital Territory's** *Employment and Training Grants Program* provided funding for disadvantaged people in the ACT labour market. In 1994-95, the ACT Government provided \$30,700 to the Caloola Training Farm to provide training and support services to Aboriginal and Torres Strait Islander people. Additionally, the *Equity Training Allowance* (1993-94) allocated \$500 per person to enable standard training programs to be tailored to the specific needs of Aboriginal and Torres Strait Islander participants. Currently, the Australian Capital Territory Government doesn't provide any unemployment relief schemes in the ACT as the ACT Government is of the view that this is Commonwealth responsibility.

 *The Australian Capital Territory has mostly implemented Recommendation 304 through the establishment of active labour market policies and programs, such as the *Employment and Training Grants Program* and the targeted *Equity Training Allowance*. However, they have not indicated whether these programs are prioritised over unemployment relief programs.*

Recommendation 305

That the emphasis on public sector recruitment of Aboriginal people should be continued. The emphasis should be not only to achieve a target total figure, but a target for Aboriginal employment at all levels in the public sector. The adoption of such latter targets involves the provision of training opportunities. The emphasis should be directed at the whole of the public sector including statutory authorities and government owned businesses and not designed merely to provide opportunities for employment within areas of service delivery to Aboriginal people (although it is very important to have Aboriginal people employed in those areas).

Background information

The involvement of Aboriginal and Torres Strait Islander people in policy making and service delivery can improve liaison and communication between government and Aboriginal and Torres Strait Islander clients as well as develop employment opportunities in the public sector.

Responsibility

The Commonwealth, and all State and Territory governments have responsibility for this recommendation. Both State and Territory, and Commonwealth governments have joint responsibility for employment policy, including employment in the state and federal public sectors.

Key actions taken and status of implementation

The APSIES was developed by the **Commonwealth** Government in 2005 to support and enhance Australian Public Service (APS) agencies' Aboriginal and Torres Strait Islander employment strategies. Under the strategy, the Commonwealth Government has committed to achieving a target of 2.6% in the Commonwealth public sector for Aboriginal and Torres Strait Islander representation. This is

slightly higher than the proportion of the working age population that is Aboriginal and Torres Strait Islander (2.5%), as estimated by the ABS (2013). As part of the APSIES, the Commonwealth Government oversees a range of strategies including the Pathways to Employment recruitment program, Indigenous Liaison officers, and the Australian Public Service (APS) Diversity Council.

The Australian Public Service Commission (APSC) noted that in 2015, alongside PM&C, they released the Commonwealth Aboriginal and Torres Strait Islander Employment Strategy (the Strategy). The Strategy builds on the APSIES, aiming to increase representation of Aboriginal and Torres Strait Islander employees throughout the Commonwealth public sector to 3% by 2018. The focus is on expanding the range of Aboriginal and Torres Strait Islander employment opportunities and investing in developing their capacity.

● *Recommendation 305 has been implemented, as the Commonwealth Government has committed to achieving a target total figure of Aboriginal and Torres Strait Islander employment at the Commonwealth level of the public service and directly provides and supports training opportunities for prospective employees through its strategies.*

For **all States and Territories**, refer to the jurisdictional response provided in Recommendation 300. Additional actions taken in response to Recommendation 305 are discussed as follows.

Following the RCIADIC, the **New South Wales** *Making it Our Business* strategic action plan for the advancement of Aboriginal career opportunities was introduced to strengthen professional and career development prospects. This was replaced by the *NSW Public Sector Aboriginal Employment Strategy 2014-17*, which introduced an aspirational target on 1.8% per classification across the sector. The Strategy aims to ensure that the NSW Public Sector has a capable Aboriginal workforce represented at all levels and in all agencies. In addition, the Premier has identified an increase in the number of Aboriginal people in senior leadership positions as one of her 12 key priorities.

● *The New South Wales Government has implemented Recommendation 305 by developing the NSW Public Sector Aboriginal Employment Strategy 2014-17 and establishing a target for employment per classification across the sector.*

The **Victorian** Government's response to Recommendation 300 apply to Recommendation 305.

● *The Victorian Government has implemented Recommendation 305 through a range of employment policies, including targets, developed to address Recommendation 300.*

In **Queensland**, DATSIP has partnered with key stakeholders including the Public Service Commission to implement *Moving Ahead*, a whole-of-government economic participation strategy, and the Workforce Strategy, which seeks to achieve a 3% Aboriginal and Torres Strait Islander employment target by 2022.

● *The Queensland Government has implemented Recommendation 305 by developing the *Moving Ahead Strategy*, which supports a 3% employment target rate for Aboriginal and Torres Strait Islander public sector workers.*


In **South Australia**, the South Australia Strategic Plan is committed to achieving a 2% target for Aboriginal and Torres Strait Islander employment in the public sector by 2020, with many agencies committing to higher targets. There is also a 2% target for Aboriginal and Torres Strait Islander employment at executive levels.

● *The South Australian Government has addressed Recommendation 305 by setting targets for Aboriginal and Torres Strait Islander employment both across the public sector and at executive levels as part of the South Australia Strategic Plan.*

The **Western Australia** Government introduced the 2011-15 *Western Australia Aboriginal Employment Strategy* which emphasised building long-term sustainable career pathways for Aboriginal and Torres Strait Islander Australians within the public sector. Currently the 'Attract, Appoint and Advance: an employment strategy for Aboriginal people' is the public sector-wide workforce strategy to provide employment opportunities for Aboriginal and Torres Strait Islander


people. The strategy provides a set of actions, aiming to exceed the Western Australian target of 3.2% representation of Aboriginal and Torres Strait Islander people in public employment.

The Western Australian Government also administers the Aboriginal Traineeship Program, which is designed to attract and provide Aboriginal and Torres Strait Islander youth up to the age of 24, providing opportunities to develop public administration skills and competencies through a Certificate III in Government (Public Administration) traineeship. On completion of the program, trainees are supported in transitioning to entry-level employment in government agencies where possible.


 *The Western Australian Government has completed Recommendation 305 by setting targets for Aboriginal and Torres Strait Islander employment across the public sector.*

In **Tasmania**, the Tasmanian State Service has set an Aboriginal Employment target of 3% by 2020. Current initiatives underway to support Aboriginal and Torres Strait Islander employment include:


- the Aboriginal and Torres Strait Islander Employment Register, which enables access to short-term, fixed-term employment opportunities in a range of agencies;
- employment Direction, which provides for roles to be identified to be filled by or tagged as desirable to be filled by an Aboriginal and Torres Strait Islander person;
- annual scholarships to support Aboriginal and Torres Strait Islander employees to undertake the Public Sector Management Program; and
- trainee positions for the Country Trainee Ranger Program, which seeks to improve the management and appreciation of Aboriginal and Torres Strait Islander heritage values on reserved land, in collaboration with the Aboriginal and Torres Strait Islander community.

 *Tasmania has met the requirements of Recommendation 305 by setting targets for Aboriginal and Torres Strait Islander employment and by introducing a range of public sector initiatives and programs designed to improve employment opportunities.*

The **Northern Territory** Government's response to Recommendation 300 apply to Recommendation 305.

 *The Northern Territory Government has implemented Recommendation 305 through a range of employment policies, including targets, as per their response to Recommendation 300.*

The **Australian Capital Territory's** *Equal Employment Opportunity Plans* included initiatives to facilitate the employment and career development of Aboriginal and Torres Strait Islander people. Policies were also developed to outline the various career paths accessible, and to provide appropriate corresponding training for Aboriginal and Torres Strait Islander people.

 *The Australian Capital Territory Government has implemented Recommendation 305, as per their response to Recommendation 300, and through initiatives to facilitate the employment of Aboriginal and Torres Strait Islander people through *Equal Employment Opportunity Plans*.*

Recommendation 306

That governments attempt to encourage Aboriginal employment in the private sector, but until the private sector level of Aboriginal employment reaches an acceptable level, governments should be prepared to set targets for recruitment into the public sector at somewhat higher target figures than would reflect the proportionate representation of Aboriginal people in the population.

Background information

Aboriginal and Torres Strait Islander people are underrepresented in private sector employment, which may be due to barriers that impede participation. Additional support is required for Aboriginal and Torres Strait Islander people to address issues including discrimination, low levels of formal education, and cultural imperatives.

Responsibility


The Commonwealth, and all State and Territory governments have responsibility for this recommendation. Both State and Territory, and Commonwealth governments have joint responsibility for employment policy.

Key actions taken and status of implementation


The **Commonwealth** Government's Employment Parity Initiative aims to increase the number of large Australian companies with a workforce reflective of the Aboriginal and Torres Strait Islander population. Large national employers are invited to join the program and to increase the level of Aboriginal and Torres Strait Islander employees within their organisation.

The Commonwealth Government has set a target of 2.6% in the Commonwealth public sector for Aboriginal and Torres Strait Islander representation. The APSC noted that this target was increased to 3% in 2015 as part of the Aboriginal and Torres Strait Islander Employment Strategy.


Under the IPP, suppliers to the Australian Government who win contracts valued over \$5 million for activity in regions with a significant Aboriginal and Torres Strait Islander population are required to develop and implement a training, employment and supplier plan.

 *The Commonwealth Government has implemented strategies and programs that provide direct incentives and support for greater Aboriginal and Torres Strait Islander employment in the private sector, and has implemented its own employment targets which are higher than the Aboriginal and Torres Strait Islander share of the population. As such, Recommendation 306 has been completed.*

NSW has an Aboriginal population of 2.9%. At the time the Aboriginal Employment Strategy was released, the NSW Public Sector had a 2.9% Aboriginal staff population. The Strategy introduced an aspirational target of 1.8% by 2021 to improve the distribution of Aboriginal employees across all classifications of the Public Sector. In 2017, the representation of Aboriginal people across the public sector was 3.2%, 0.3% above the 2.9% representation across the broader NSW population.


 *New South Wales has implemented Recommendation 306 through the establishment of employment targets in the public sector which are sufficiently high as they exceed that of the representative proportion of the population, and the development of employment initiatives in the private sector.*

The **Victorian** Government responded through the *Victorian Public Service Aboriginal Employment Strategy* which established targets for the employment of Aboriginal and Torres Strait Islander people in the public service. The *Victorian Aboriginal Economic Development Strategy 2013-20* furthers the Victorian Government's commitment to encouraging Aboriginal and Torres Strait Islander employment in the private sector. Additionally, the Victorian Government noted in AJA 3 that the *Victorian Aboriginal Affairs Framework* has set a 1% Aboriginal and Torres Strait Islander employment target for the Victorian public service to be achieved by 2018. This initiative was introduced to complement the Department of Justice's *Koori Employment Strategy 2011-15*, and the *Victorian Public Sector Aboriginal Employment and Career Development Action Plan 2010-15: Karreeta Yirramboi* which also introduce employment targets for Aboriginal and Torres Strait Islander representation in the public service.


 *The Victorian Government has implemented Recommendation 306 through employment targets which are sufficiently high as they exceed that of the representative proportion of the population.*

Alongside a commitment to the AEDP, **Queensland's** Government also introduced employment targets for Aboriginal and Torres Strait Islander employment in the private sector. These are outlined in Queensland's response to Recommendation 305. Under the *Queensland Aboriginal and Torres Strait Islander Economic Participation Framework (2013)*, the Queensland Government sought to promote Aboriginal and Torres Strait Islander participation in pillar industries and the broader economy, through partnerships, employment, and business growth. Within the public sector, the Queensland

Government has established public sector employment targets as part of the Moving Ahead and Workforce Strategy.


 *The Queensland Government has mostly implemented Recommendation 306 by setting targets for Aboriginal and Torres Strait Islander employment in the private sector along with corresponding targets for employment in the public sector. However, they have not set employment targets at higher target figures than that of the representative proportion of the population.*

The **South Australian** Government supported the implementation of Recommendation 306 through the *South Australian Aboriginal Employment Industry Cluster Initiative* which supported Aboriginal and Torres Strait Islander employment in the private sector. Included in this initiative were measures: to provide the promotion of culturally-sensitive best practice in recruitment and retention initiatives; to promote industry links to Aboriginal and Torres Strait Islander individuals and communities; and to promote the further training and skill development of Aboriginal and Torres Strait Islander people. This was supported by employment targets, such as those discussed in South Australia's response to Recommendation 305.


 *The South Australian Government has mostly implemented Recommendation 306 by promoting Aboriginal and Torres Strait Islander employment in the private sector through the South Australian Aboriginal Employment Industry Cluster Initiative in conjunction with setting public sector employment targets. However, they have not set employment targets at higher target figures than that of the representative proportion of the population.*

In 1994, the **Western Australia** Department of Education developed an *Aboriginal Career and Employment Strategy* to facilitate the employment of Aboriginal and Torres Strait Islander people. Measures within this program included cadetships and other forms of employment support. The Western Australian Government also utilised employment targets, which are included in response to Recommendation 305.


In addition to this, the Western Australian Government aims to increase the economic participation of Aboriginal and Torres Strait Islander people in the private sector through the recent Aboriginal Procurement Policy. This policy is set to commence on 1 July 2018 and will require government departments to award one per cent of contracts to registered Aboriginal and Torres Strait Islander business in 2018. This target will increase to two per cent in 2019 and three per cent in 2020.

 *The Western Australian Government has implemented Recommendation 306 by promoting Aboriginal and Torres Strait Islander employment in the private sector through the Aboriginal Procurement Policy. Western Australia has also set employment targets at higher target figures than that of the representative proportion of the population.*


The **Tasmanian** Government has established a target of 3% employment by 2020 in the Tasmania State Service, as part of the Aboriginal Employment Strategy.

 *Tasmania has mostly implemented Recommendation 306 by establishing targets in the public sector but have not set employment targets at higher target figures than that of the representative proportion of the population.*

In order to monitor the implementation of Recommendation 306, the **Northern Territory** Government established protocols for statistical data collection and reporting. No further information was located on the Northern Territory's implementation of Recommendation 306.

 *The Northern Territory has mostly implemented Recommendation 306. While they have established targets in the public sector, they have not set employment targets at higher target figures than that of the representative proportion of the population.*

The **Australian Capital Territory** Government consulted with local Aboriginal and Torres Strait Islander communities to examine options for encouraging Aboriginal and Torres Strait Islander employment and career development. Equal opportunity employment policies were also enacted, including employment targets which are outlined in Recommendation 305.

 *The Australian Capital Territory Government has implemented Recommendation 306 by setting employment targets in the public sector at a target rate higher than that of the representative proportion of the population.*

Recommendation 307

That Commonwealth, State and Territory Governments adopt a fair employment practice in relation to the letting of government contracts, which gives preference to those tenderers who can demonstrate that they have adopted and implemented a policy of employing Aboriginal persons in their workforce.

Background information

Providing employers who contract to the government with an incentive for adopting and implementing an Aboriginal and Torres Strait Islander employment strategy can encourage the further development and use of such strategies.


Responsibility

The Commonwealth, and all State and Territory governments have responsibility for this recommendation. Commonwealth, and State and Territory governments are responsible for procuring government contracts.

Key actions taken and status of implementation


Under the IOP, suppliers to the **Commonwealth** Government who are awarded contracts valued over \$5 million for activity in regions with a significant Aboriginal and Torres Strait Islander population are required to develop and implement a training, employment and supplier plan. The IOP was replaced in 2015 by the IPP, which is discussed further in Recommendation 300.

The DET noted that under the IPP the Commonwealth Government is required to award 3% of new domestic contracts to Aboriginal and Torres Strait Islander businesses. In addition, the policy includes a mandatory set-aside for remote contracts as well as all contracts valued between \$80,000 and \$200,000, and minimum Aboriginal and Torres Strait Islander participation requirements in contracts valued at or above \$7.5 million in certain industries. PM&C noted that the Policy has been successful in increasing the value of Commonwealth procurements from Aboriginal and Torres Strait Islander businesses: in the first 18 months of the policy to December 2016, over \$400 million in contracts were awarded to around 700 Aboriginal and Torres Strait Islander businesses. This led to the Government's decision to bring forward the 3 percent target to 2016-17.

 *Recommendation 307 has been implemented, as the Commonwealth Government has implemented requirements for suppliers engaged in government contracts to adopt and implement Aboriginal and Torres Strait Islander employment strategies and set a clear target for securing Aboriginal and Torres Strait Islander business with its procurement policy.*

Following the RCIADIC, the **New South Wales** Government established a fund to subsidise, where necessary, the tender prices of firms with accredited Aboriginal policies. This formed part of a broader *Aboriginal Training and Employment Opportunities in NSW Government Funded Contracts* initiative (1995) which incorporated the intent of Recommendation 307.

The NSW Aboriginal Procurement in Construction (APIC) Policy supports greater participation by Aboriginal people in NSW construction projects. APIC sets a minimum requirement for 1.5% of the projects construction and design costs on Aboriginal participation for all NSW Government construction contracts over \$10 million or construction projects primarily directed to an Aboriginal community. In addition, a policy is in development to further support Aboriginal participation and employment beyond the existing APIC policy commitments.

 *The New South Wales Government addressed Recommendation 307 through implementation of construction policies and implementation of a broader procurement policy.*


The **Victorian** Government provided in their 1993 implementation report that policy required that agencies maximise local content where possible, and that local suppliers be given reasonable opportunity to win government business. At a Departmental level, the Victorian Government worked

in consultation with Aboriginal and Torres Strait Islander communities and organisations in providing work to encourage the participation of Aboriginal and Torres Strait Islander people.

Since the 1993 implementation report, the Victorian Government has implemented fair work initiatives in relation to the letting of government contracts, these initiatives include the Victorian Government's social procurement policy, Major Projects Skills Guarantee, and 1% Aboriginal Procurement Policy.

In addition to this, major transport infrastructure projects in Victoria such as the Level Crossing Removal Project, the Metro Tunnel Project, the CityLink Tulla Widening, the Monash Freeway Upgrade and the West Gate Tunnel Project give preference to those tenderers who can demonstrate good policies and practice of employing Aboriginal and Torres Strait Islander people in their workforce and supply chains.

The whole-of-government Social Procurement Framework, to be launched in 2018, seeks the following outcomes: Purchasing from Victorian Aboriginal and Torres Strait Islander businesses: Employment of Victorian Aboriginal and Torres Strait Islander people by suppliers to the Victorian Government. The Victorian government also has a procurement target of 1% of goods and services to be purchased from Aboriginal and Torres Strait Islander businesses.

 *The Victorian Government addressed Recommendation 307 through a range of fair work initiatives and the preferential treatment of tenderers, which demonstrate good policies, and practice of employing Aboriginal persons in their workforce and supply chains*


Queensland's Department of Family Services and Aboriginal and Islander Affairs implemented measures in 1992 to encourage all agencies which provided facilities in Aboriginal and Torres Strait Islander communities to ensure that tenders are structured in a way that demands the utilisation of Aboriginal and Torres Strait Islander labour. General government selection criteria included the use of equal opportunity work practices.

More recently, the *Queensland Government Building and Construction Training Policy* (2014) aimed to support employment opportunities and skills development for Aboriginal and Torres Strait Islander people in Queensland's building and construction industry. DATSIP has also developed the Queensland Indigenous Procurement Policy, in consultation with other agencies, to increase the share of Queensland Government procurement contracts awarded to Aboriginal and Torres Strait Islander businesses and includes a target to increase the value of such procurement to 3% of addressable spend by 2022, which is the portion of government spending that can conceivably be subject to the *Indigenous Procurement Policy*

 *The Queensland Government has addressed Recommendation 307 through the Queensland Indigenous Procurement Policy.*

South Australia's *Connecting Aboriginal People to Mining* program supported South Australian companies in resource industries and their supply chain to employ and train Aboriginal and Torres Strait Islander people. The South Australian Government provided funding of between \$500,000 and \$540,000 over the period from 2010-11 to 2014-15.

The SA Industry Participation Policy now incorporates the Aboriginal Business Procurement Policy, which creates a one-stop shop for agencies to support Aboriginal and Torres Strait Islander participation in all levels of procurement. For procurement opportunities up to \$220,000, agencies are encouraged to procure directly from eligible Aboriginal and Torres Strait Islander businesses. For procurement opportunities above that amount, agencies can lift the industry participation weighting above the minimum 15% introduced tailored measures to raise participation of Aboriginal and Torres Strait Islander businesses and employees in these contracts.


 *The South Australian Government has addressed Recommendation 307 through the Aboriginal Business Procurement Policy.*

Western Australia introduced a range of initiatives to promote Aboriginal and Torres Strait Islander employment and the awarding of tenders to organisations with proven equal opportunity employment


policies. This included the provision of funding for equal opportunity programs and the training of Aboriginal and Torres Strait Islander people.

Western Australia has had an Aboriginal Business Initiative in operation since 2012, which enables direct procurement from Aboriginal and Torres Strait Islander -owned businesses for goods and services.


The forthcoming Aboriginal Procurement Policy sets progressive targets for government agencies to award contracts to registered Aboriginal and Torres Strait Islander businesses commencing at one per cent of contracts from 1 July 2018, up to three per cent from 1 July 2020. The Department of Finance will review the Aboriginal Procurement Policy in 2019 and consider the viability of including other features, such as direct Aboriginal employment strategies. Strategies could include introducing price preferences during quote and tender processes for business that directly employ Aboriginal and Torres Strait Islander people.

 *The Western Australian Government has addressed Recommendation 307 through the Aboriginal Procurement Policy.*


In **Tasmania**, the Department of State Growth began a working partnership with Pakana Services in 2012. Pakana Services is a not-for-profit social enterprise that employs Tasmanian Aboriginal and Torres Strait Islander people and provides contracting services in conservation, land management and maintenance. In the absence of an Aboriginal and Torres Strait Islander land management enterprise, work had previously been allocated to other contractors who do not necessarily identify with the cultural and environmental values of these sites. The Department now engages Pakana to deliver extensive weed management, fencing and other conservation land management tasks, both independently and in conjunction with some specialist ecologists.

 *Tasmania has partially addressed Recommendation 307 by brokering a working partnership between the Department of State Growth and Pakana Services, but has not specified a broader procurement policy in their response.*

In the **Northern Territory**, Government policy promotes Aboriginal and Torres Strait Islander communities and organisations to participate in government work. In the 1990s, the Aboriginal Development Unit worked with Aboriginal and Torres Strait Islander communities to target contracts which would lead to an increase in the number of Aboriginal and Torres Strait Islander people employed or trained. Currently, the *Northern Territory Procurement Policy* and *Tender Weighting System* requires government agencies to give significant consideration to the extent to which a tenderer adopts a policy of Aboriginal and Torres Strait Islander employment.

 *The Northern Territory Government has addressed Recommendation 307 through the Northern Territory Procurement Policy and Tender Weighting System.*

The **Australian Capital Territory** Department of Education and Training had in place, in 1993, a policy of preference to tenderers who demonstrated implementation of social justice policies such as the Equal Employment Opportunity Policy. More recent action has not been identified.

 *The Australian Capital Territory has not implemented Recommendation 303.*

Recommendation 308

That Commonwealth and State Governments give consideration to establishing a body made up of representation from government (Department of Employment, Education and Training (DEET) and ATSIC, as well as State Governments) and Australian employer and employee peak bodies to discuss, with a view to setting in motion, a process of implementing the aims of the AEDP in the private sector.

Background information

Aboriginal and Torres Strait Islander people face particularly low rates of private sector employment. The design and implementation of strategies to address this require the coordinated involvement of representatives of government and Australian employer and employee peak bodies. The AEDP was

replaced by the Indigenous Employment Policy in 1999, which was later renamed the Indigenous Employment Program.

Responsibility

The Commonwealth, and all State and Territory governments have responsibility for this recommendation. Commonwealth, and State and Territory governments are jointly responsible for employment policy.

Key actions taken and status of implementation

The **Commonwealth** Government established Industry Advisory Committees in 1992 to develop employment strategies for greater Aboriginal and Torres Strait Islander employment in the private sector, in conjunction with industry, representation from government, and relevant Aboriginal and Torres Strait Islander business representatives.

The Commonwealth Government entered into an agreement with the Australian Chamber of Commerce and Industry (ACCI) to increase the recruitment and career development of Aboriginal and Torres Strait Islander people within ACCI's member organisations and industries.

● *The Commonwealth Government has taken steps to coordinate employment strategies with Australian employer and employee peak bodies to improve Aboriginal and Torres Strait Islander employment in the private sector. Consideration has been given to establishing a body as specified in the recommendation, and as such Recommendation 308 is considered to be complete.*

All States and Territories were represented in the 1990s on Aboriginal Employment Development Policy Committees. These committees discussed Aboriginal and Torres Strait Islander employment and development related issues, coordinated a response to such issues, and sought to improve employment outcomes for Aboriginal and Torres Strait Islander people. As such, Aboriginal Employment Development Policy Committees set in motion the process of implementing the aims of the AEDP.

● *The New South Wales, Victoria, Queensland, South Australian, Western Australia, Tasmanian, Northern Territory and Australian Capital Territory Governments have implemented Recommendation 308 through their representation on Aboriginal Employment Development Policy Committees.*

Additional commentary

The **Commonwealth** Department of Employment noted that it is unclear whether any such committee, as outlined in Recommendation 308, was formed. However, it should be noted that employer groups such as the Australian Chamber of Commerce and Industry and the Business Council of Australia, and employee organisations such as the Australian Council of Trade Unions have undertaken initiatives in these areas.

PM&C noted that the Employment Parity Initiative (EPI) was launched in March 2015. This program aims to increase the number of large Australian companies with a workforce reflective of the size of the Aboriginal and Torres Strait Islander population. Large national employers are invited to join the program and to increase the level of Aboriginal and Torres Strait Islander employees within their organisation. The EPI seeks to leverage the business expertise, goodwill and networks of companies involved, by providing a platform to share experience and knowledge. Employers are also encouraged to incorporate more Aboriginal and Torres Strait Islander businesses into their supply chains. At the time of writing, eleven companies had signed on: Accor Pacific, Broadspectrum, Compass Group, Crown Resorts, Hutchinson Builders, ISS Facility Services, MSS Security, Sodexo Australia, Spotless Facility Services, St Vincent's Health Australia, and Woolworths Limited.

Recommendation 309

That increased funding be allocated to the establishment of local employment promotion committees comprised of representatives of Aboriginal groups, local employers, government departments and unions to:

- a. *Develop and implement suitable promotional marketing campaigns aimed at the total labour market;*
- b. *Lobby for local initiatives in improving employment options and broadening local understanding of the needs and aspirations of Aboriginal people in the region; and*
- c. *Increase the understanding in the Aboriginal community of the possible local employment options, the nature of the work involved and the skills required.*

In funding the establishment of the committees, priority should be given to locations where labour market opportunities exist and where the greatest disparity between Aboriginal and non-Aboriginal employment rates are identified.

Background information

Widespread awareness of the levels of Aboriginal and Torres Strait Islander disadvantage and a commitment to cooperate to address that disadvantage are required, particularly at the local level, to improve Aboriginal and Torres Strait Islander employment rates.


Responsibility

The Commonwealth, and all State and Territory governments have responsibility for this recommendation. Commonwealth, and State and Territory governments are jointly responsible for employment policy.

Key actions taken and status of implementation


The **Commonwealth** Government established Local Aboriginal Employment Promotion Committees to promote the employment of Aboriginal and Torres Strait Islander people in the local labour market as well as provide support services such as job brokerage, information sharing and mentor support.

PM&C noted that the Commonwealth Government is supporting Aboriginal and Torres Strait Islander people in the implementation of Empowered Communities in eight regions across Australia. The current focus is on leaders working with their communities and other stakeholders to identify community needs, priorities and aspirations and understanding current government service delivery arrangements. This will enable them to articulate long-term Regional Development Agendas that address social, economic and cultural development, which will guide government investment. PM&C further noted that the Government has also provided \$14.4 million over three years until June 2019 for 'backbone organisations' to assist leaders in driving the implementation of the initiative.


 *Recommendation 309 has been implemented, as the Commonwealth Government has allocated funding to the establishment of local employment promotion committees that address employment needs and opportunities for Aboriginal and Torres Strait Islander people. As such, Recommendation 309 is complete.*

In 1994, the **New South Wales** Government was actively involved in implementing the Australian Traineeship System. The System acted as a mechanism for the planned training and employment of Aboriginal people in country areas. The program was marketed extensively among Aboriginal communities.


More recently, the Department of Industry, through Training Services NSW, has employed Aboriginal staff in each of its Regional offices across NSW to improve access to information, advice and support on skills programs that will support the employment and career development of Aboriginal people and to engage with local communities across a full range of policies, programs and services.

 *New South Wales has mostly implemented Recommendation 309 by employing Aboriginal staff in regional officers to promote local employment but has not established related committees to support these activities.*

The **Victorian** Government funded an Aboriginal Employment Officer as part of the Victorian Trades Hall Council. The Office of Local Government also employed an Aboriginal liaison officer to work with local government bodies to facilitate the employment of Aboriginal and Torres Strait Islander people in 1993.


 *The Victorian Government has taken steps to address Recommendation 309 but has only partially implemented the recommendation.*

The **Queensland** Government noted in their 1993 implementation report that Recommendation 309 was largely the responsibility of the Commonwealth Government. Currently, DATSIP is implementing the Youth Employment Program for young Aboriginal and Torres Strait Islander people who are finishing high school and looking for work or considering further education. Aboriginal and Torres Strait Islander people with a Certificate III or higher, who are not supported by a job agency, can also be supported through the Youth Employment Program.

 *The Queensland Government has taken steps to address Recommendation 309 by addressing part (c) of the recommendation through the Youth Employment Program for young Aboriginal and Torres Strait Islander people. As such, Recommendation 309 is partially complete.*

South Australia's *Kick Start employment and training strategy* offered programs for job creation and skill improvement at a local level. Under the funding arrangements in 1994, Aboriginal and Torres Strait Islander people were included as a priority group.

As mentioned previously in response to Recommendation 300, the SA Government has also implemented measures and initiatives to increase Aboriginal and Torres Strait Islander employment in the public and private sector. Aboriginal Participation Brokers also work in regions to facilitate and broker strategic and operational solutions to local learning, training and employment needs. A range of programs are available to Aboriginal and Torres Strait Islander employees and employers, such as the Aboriginal Job Ready Program, the Aboriginal Leadership Program, and the Aboriginal Pathways to Excellence Traineeship Program.


 *The South Australian Government has taken steps to address Recommendation 309 by supporting and promoting Aboriginal and Torres Strait Islander employment opportunities through a range of different local employment initiatives but have not expressly addressed the key objectives of this recommendation.*

The **Western Australia** Government noted in their 1994 implementation report the provision of funding and support for a number of Aboriginal Employment Promotion Committees which implemented programs to improve employment and training opportunities for Aboriginal and Torres Strait Islander people.

Since this time Western Australia has developed workforce development plans for each the state's regions. The consultation process captured all relevant stakeholders, including Aboriginal and Torres Strait Islander communities. Each plan identifies the region's current and future workforce development and skills needs and provides whole-of-government, industry and community sector strategies to ensure these needs can be addressed. This includes specific strategies focusing on improving the education, training and employment outcomes of Aboriginal and Torres Strait Islander people.

Advisory Groups are attached to all Aboriginal Workforce Development Centres (AWDC) across the state. The Advisory Groups are appointed to help guide towards meeting local needs. Aboriginal and Torres Strait Islander people are strongly represented on the membership of these Advisory Groups, which also include community, industry, youth and former clients of the centres.


AWDC activities include local initiatives to raise employer awareness of Aboriginal and Torres Strait Islander recruitment and retention strategies, increase the range of employment options for Aboriginal and Torres Strait Islander people, and link Aboriginal and Torres Strait Islander job seekers with appropriate training and job opportunities, and relevant services. It is expected that many of the members of the existing AWDC Advisory Groups will transition to support the new Jobs and Skills Centres during 2018.

 *The Western Australian Government has taken steps to address Recommendation 309 by supporting and promoting Aboriginal and Torres Strait Islander employment opportunities through workforce development plans and Aboriginal Workforce Development Centres. However, part a) and b) of this recommendation have not been fully implemented.*

No information could be found on the **Tasmanian** response to Recommendation 309.


 *Tasmania has not implemented Recommendation 303.*

The **Northern Territory** Government provided funding to employ Aboriginal and Torres Strait Islander people in their areas of expertise. This promoted the development of linkages between individual industry training councils and Aboriginal and Torres Strait Islander organisations.

 *The Northern Territory Government has taken steps to address Recommendation 309 by promoting linkages between Aboriginal and Torres Strait Islander organisations and industry training councils but has only partially implemented the recommendation.*

In 1994-95, the **Australian Capital Territory** established a local employment promotion committee alongside an ACT Area Consultative Committee. Since this time, the Australian Capital Territory Government has implemented the Skills Canberra's Field Officer program, which promotes traineeship and apprenticeship employment opportunities to employers across a wide range of industry areas, and promotes work-related training in qualifications that increase a graduate's chances of obtaining employment or improved employment status.

The Australian Capital Territory Government has also indicated that Skilled Canberra has committed to strengthening its relationship with the Aboriginal and Torres Strait Islander business community and Elected Body. Through this relationship, Skills Canberra intends to increase the understanding in the Aboriginal and Torres Strait Islander community of the possible local employment options, the nature of the work involved and the skills required. Skills Canberra also intends to gather advice from the Aboriginal and Torres Strait Islander Elected Body about ways to improve update of apprenticeship and traineeship opportunities in local initiatives aimed at improving employment options.

 *The Australian Capital Territory Government has mostly implemented Recommendation 309 through local employment promotion work and increasing the understanding in the Aboriginal and Torres Strait Islander community of the possible local employment option. However, part b) of this recommendation does not appear to be fully implemented.*

Additional commentary

The **Commonwealth** PM&C noted that Vocational Training and Employment Centres connect Aboriginal and Torres Strait Islander job seekers with guaranteed jobs, and bring together the support services necessary to prepare job seekers for long term employment. These centres operate with the support and involvement of local Aboriginal and Torres Strait Islander communities and their leaders, and are aligned to the values and needs of both communities and employers.

Recommendation 310

That the Commonwealth, and in particular the Department of Employment, Education and Training, analyse its current programs with a view to ensuring that they fully address the employment, education and training needs of potential and existing Aboriginal offenders. Where necessary, existing program guidelines should be modified and/or new program elements developed to increase access by such clients. In particular, DEET should examine means of assisting Aboriginal communities to become more involved in preventative, diversionary and rehabilitative programs to assist Aboriginal offenders, particularly where they would provide an alternative to incarceration.

Background information

Aboriginal and Torres Strait Islander people who have been in custody represent a particularly disadvantaged sector of the community and face limited employment opportunities. Further support with training and employment opportunities can improve employment rates and may prevent incarceration and reduce recidivism.


Responsibility

The recommendation is solely the responsibility of the Commonwealth Government. The Commonwealth Government is responsible for the Department of Employment and Training.

Key actions taken and status of implementation

In 1992, the **Commonwealth's** ATSIC extended the Aboriginal Adult Education in Prisons Program. In 1994, the Commonwealth Government established a national network of Indigenous Prison Liaison Officers to cooperate with prison staff, community groups, and non-government organisations to increase training and job opportunities to ex-prisoners and coordinate community-based sentencing options. Also in 1994, the Aboriginal and Torres Strait Islander Employment and Training Transition Program was established to make employment, education and training options more accessible to Aboriginal and Torres Strait Islander ex-offenders immediately after their release.

As part of the Closing the Gap – Employment Services measure announced in the 2017-18 Budget, \$17.6 million has been committed to establish the Prison to Work program which will support Aboriginal and Torres Strait Islander prisoners to make a successful transition from Prison to Work.

 *Recommendation 310 has been implemented, as the Commonwealth Government has met its responsibilities by improving the accessibility of previous and current Aboriginal and Torres Strait Islander offenders to training and job opportunities.*

Additional commentary

The **Commonwealth** DET noted that the Department funds the University of Southern Queensland's *Making the Connections* project which takes digital technologies that do not require internet access into prisons to enable prisoners to enrol in a suite of pre-tertiary and undergraduate programs. This program aims to reduce the barrier to employment following incarceration. The DET further noted their position on the Prison to Work Advisory Committee chaired by PM&C. The Committee works to identify practical ways to address barriers to employment for Aboriginal and Torres Strait Islander people leaving prison and how best to support them as they transition from incarceration to employment, in order to reduce the risk of further incarceration. PM&C noted that the *Prison to Work Report*, released by COAG in December 2016, lists 55 possible actions that governments could undertake to improve prisoners' pathways to work, including how employment programs can be improved to better address the needs of Aboriginal and Torres Strait Islander prisoners.

Recommendation 311

That ATSIC ensure that in the administration of its Enterprise Program a clear distinction is drawn between those projects that are supported according to criteria of commercial viability and those that are supported according to social development or social service satisfaction criteria.

Background information


Projects supported according to social development or social service satisfaction criteria differ from those supported according to commercial viability and may require different levels of administrative and financial assistance.

Responsibility

The recommendation is solely the responsibility of the Commonwealth Government. ATSIC falls under the Commonwealth Government's jurisdiction.

Key actions taken and status of implementation

Following a review of its Enterprise Program, the **Commonwealth's** ATSIC developed the Community Economic Initiatives Scheme in 1992 to support funding for projects with a social development focus.

 *Recommendation 311 has been implemented, as the Commonwealth Government achieved the objective of the recommendation via development of the Community Economic Initiatives Scheme by ATSIC.*

Recommendation 312

That the intention of Sections 17 and 18 of the Aboriginal and Torres Strait Islander Commission Act 1989 be clarified, by amendment to the legislation if necessary, in order to facilitate the funding of enterprises which are not necessarily commercially viable on the basis of social development criteria.

Background information


Projects supported according to social development or social service satisfaction criteria differ from those supported according to commercial viability and may require different levels of administrative and financial assistance.

Responsibility

The recommendation is solely the responsibility of the Commonwealth Government. ATSIC falls under the Commonwealth Government's jurisdiction.

Key actions taken and status of implementation

Following a review of its Enterprise Program, the **Commonwealth's** ATSIC developed the Community Economic Initiatives Scheme in 1992 to support funding for projects with a social development focus.

 *Recommendation 312 has been implemented, as the Commonwealth Government deemed a legislative amendment to be unnecessary but achieved the objective of this recommendation via the development of the Community Economic Initiatives Scheme.*

Additional commentary

The **Commonwealth** PM&C noted that Aboriginal and Torres Strait Islander legislative authority for grant funding under the IAS is provided by Items 35-39 of Schedule 1AB of the Financial Framework (Supplementary Powers) Regulations 1997. There is nothing in Items 35-39 which limits IAS grants to organisations which are not commercially viable; however, as a matter of policy and in practice, the Department takes steps to ensure recipients of grant funding are appropriately governed and can deliver the project for which funding is provided.

Recommendation 313

That the ongoing review of the Enterprise Program by the Commonwealth Government should seek to develop the Program in such a way that:

- a. Adequate program flexibility is provided to allow for the diversity of aspirations and needs of different Aboriginal communities; and*
- b. Funding difficulties caused by cyclic government budgeting and delays between application and receipt of moneys are minimised.*

Background information

Greater flexibility and ease in funding arrangements are critical to improving the effectiveness of the Enterprise Program and its appropriateness for the needs of Aboriginal and Torres Strait Islander communities.

Responsibility

The recommendation is solely the responsibility of the Commonwealth Government. The Enterprise Program falls under the jurisdiction of the Commonwealth Government.

Key actions taken and status of implementation

A review of the **Commonwealth** Government's Enterprise Program was undertaken and the Enterprise Program subsequently restructured into the Business Funding Scheme (BFS) (the commercially-oriented component), the Community Economic Initiatives Scheme (the socially-based component), and Enterprise Employment Assistance (a wage subsidy program), to better address the different objectives of its clients. An extensive review of the BFS was undertaken by ATSIC and a process of reform subsequently implemented, including amendments to funding arrangements and streamlining of the assessment process to improve performance.

- *Recommendation 313 has been implemented, as the Commonwealth Government has met its responsibilities to Recommendation 313 through undertaking a review process.*

Recommendation 314

That mechanisms for the notification and determination of Aboriginal interests in major mining and tourism development proposals incorporate:

- Provision of formal written notification concerning the development to appropriate Aboriginal organisations within the area affected by the development proposal; and*
- A process of consultation and negotiation between representatives of government, the developer and representatives of the Aboriginal groups with an interest in the area affected by the proposal, in order to facilitate participation by Aboriginal groups or communities in the equity, management and employment concerned with the projects.*

Background information

Mining and tourism industries offer significant opportunities for Aboriginal and Torres Strait Islander economic development, with particular benefit for Aboriginal and Torres Strait Islander people in rural and remote areas where employment opportunities are inherently limited.

Responsibility

The Commonwealth, and all State and Territory governments have responsibility for this recommendation. Commonwealth, and state and territory governments have oversight of major mining and tourism development proposals.

Key actions taken and status of implementation

In 1993, the **Commonwealth** Government legislated the *Native Title Act*, which provides that native title holders or claimants have a right to negotiate about certain proposed future acts by governments that could affect native title on the land or water concerned, including the grant or extension of mining rights or leases, and requires governments to give notice of relevant 'future acts'. The Native Title Act includes principles on consultation and negotiation rights through Indigenous Land Use Agreements and other agreements. A National Aboriginal and Torres Strait Islander Tourism Industry Strategy was released in 1997 with an aim to promote Aboriginal and Torres Strait Islander tourism enterprises.


The Department of the Environment and Energy (DOEE) noted that certain mining and tourism developments require assessment and approval under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), the Commonwealth Government's central piece of environmental legislation. Released in 2016, the *Engage Early – Indigenous Engagement Guidelines* for proponents on best practice Aboriginal and Torres Strait Islander engagement for environmental assessments under the EPBC Act provide guidance on how proponents should engage with and consult Aboriginal and Torres Strait Islander people during the EPBC Act assessment process. The Guidelines detail when Aboriginal and Torres Strait Islander communities should be consulted (in addition to the statutory public comment periods required under Part 8 of the EPBC Act), and set out the DOEE's expectations on how Aboriginal and Torres Strait Islander engagement should occur. The Guidelines were developed in close consultation with the Department's Indigenous Advisory Committee and included a public comment period. The Guidelines are available on the Department's website. The DOEE further noted that it should be read in conjunction with *Ask First: A guide to respecting Indigenous places and values* (published by the Australian Heritage Commission). The Ask First guidelines are a guide for proponents on Aboriginal and Torres Strait Islander heritage issues and include steps for consultation and negotiation.

- *Notification, consultation and negotiation processes relating to Aboriginal and Torres Strait Islander interests are evident in Commonwealth Government programs and policies. However, not all mining and tourism developments appear to require consultation and approval of Aboriginal and Torres Strait Islander groups in the area affected by the proposal. Recommendation 314 is therefore mostly complete.*

In **New South Wales**, the National Parks and Wildlife Service is committed to providing formal written notification to all relevant Aboriginal people both in the affected area and in the relevant community and government organisations. In 1995, the NSW Government established a Tourism Reference Group with the purpose of ensuring that Aboriginal tourism was managed by Aboriginal people in a culturally-sensitive manner.

Currently, the Department of Planning and Environment's *Social Impact Assessment Guideline for State significant mining, petroleum production and extractive industry development (2017)* identifies Aboriginal people and groups among categories to engage and refers proponents to the Office of Environment and Heritage's *Aboriginal cultural heritage consultation requirements* for guidance.

Draft Aboriginal cultural heritage legislation currently on public exhibition establish new consultation arrangements that would ensure the right Aboriginal people are consulted early in the development process.


 *The New South Wales Government has implemented Recommendation 314 by ensuring that the National Parks and Wildlife Service provides formal written notification concerning development on land of interest and by suggesting consultation of Aboriginal groups in its Social Impact Assessment Guideline.*

In their 1993 implementation report, the **Victorian** Government noted the Minister for Energy and Minerals' agreement that Aboriginal Affairs Victoria would be informed of licence applications. In facilitating prospective tourism, Tourism Victoria is guided by the *Planning and Environment Act 1987* (Vic), which listed as an objective the conservation and enhancement of sites of cultural value.

Mining and tourism development proposals in Victoria need to comply with the *Aboriginal Heritage Act 2006* which requires the preparation of a Cultural Heritage Management Plan by the proponent. Where a Registered Aboriginal Party has been appointed, the party evaluates the Cultural Heritage Management Plan. If a party has not been appointed over the proposed development area, the Secretary to the Department of Premier and Cabinet evaluates the Cultural Heritage Management Plan and must consult with the relevant Traditional Owner groups in making its decision.


Victoria's *Traditional Owner Settlement Act 2010* also provides for agreements requiring notification, negotiation and consent rights to be afforded to traditional owner corporations relating to major mining and tourism projects. Community benefits are to be paid to compensate for impact and can include non-monetary benefits such as employment and business opportunities.

The Victorian Department of Economic Development, Jobs, Transport and Resources has Community Engagement Guidelines for Mining and Mineral Exploration in Victoria, stating that 'licensees have a duty to consult with the community across the lifecycle of a licence'. The Victorian Government and the Victorian Aboriginal Economic Board also actively promote a number of initiatives which support Aboriginal procurement and employment opportunities, such as the State Government's 1% Aboriginal procurement target. The Victorian Government also noted that it is compliant with the *Native Title Act 1993*, which requires notification and can require negotiation with traditional owner groups when major mining or tourism projects are undertaken on land where native title does or might exist.


 *The Victorian Government has mostly implemented Recommendation 314. However, it has not completely addressed part (b) of this recommendation. A process of consultation and negotiation between representatives of government, the developer and representatives of the Aboriginal groups with an interest in the area affected by mining and tourism developments does not occur in all cases.*

Queensland's Mineral Resources Act 1989 (Qld) largely dealt with the intent of Recommendation 314 in establishing administrative arrangements to protect landholders' entitlements. These entitlements were further protected over land granted under the Aboriginal Land Act 1991 (Qld) and Torres Strait Islander Land Act 1991 (Qld), which provided for prior consent of landholders for entry for exploration purposes and before the grant of a mining lease. Initiatives were also introduced to encourage the representation of Aboriginal and Torres Strait Islander perspectives.

Following the commencement of the *Native Title Act 1993* (Cth), procedures were put in place to ensure compliance, which addresses notification and consultation with native title holders. For tourism development approvals under the *Planning Act 2016* (Qld), public notification of development applications may be required. The landowner's consent is required for the making of applications for any change of use of the land being developed. As the application is progressed, the assessment manager (either the state or local government) will confirm if the development proposal has any Native Title interests for that block. The type of development approval and the tenure of the land will determine whether the Native Title Body is notified under the assessment process.


 *The Queensland Government has implemented Recommendation 314 by developing processes for notification and consultation through a range of legislative measures, including the Mineral Resources Act 1989, the Aboriginal Land Act 1991 and the Torres Strait Islander Land Act 1991.*

At the time of the RCIADIC, **South Australian** legislation was already compliant with the intent of Recommendation 314. Currently, land that is subject to native title claim in South Australia is subject to Indigenous Land Use Agreements, which are voluntary agreements made under the *Native Title Act 1993* between native title groups and others and cover various matters, including access to land. Other pertinent legislation includes the *Mining Act 1971*, which deals with how mining operations can be undertaken on native land, and the *Aboriginal Heritage Act 1988*, which sets out consultation processes under the act for use of land. The Government has also recently announced a new tiered approach to relationship building which is intended to enable all South Australian Aboriginal and Torres Strait Islander groups to form a relationship with the government for the purpose of consultation and engagement.


 *The South Australian Government has implemented Recommendation 314 by implementing compliant legislation, such as the Native Title Act 1993, the Mining Act 1971 and the Aboriginal Heritage Act 1988.*

In **Western Australia**, the *Land (Title and Traditional Usage) Act 1993* (WA) requires that the Commissioner for Aboriginal Planning be notified of applications for title over Crown land or water. The Commissioner must then notify any relevant Aboriginal and Torres Strait Islander organisation, nominating the location and the nature of the activity proposed. Aboriginal and Torres Strait Islander people also have provision for objecting to mining and land title applications, particularly where rights of traditional usage will be impaired or extinguished.


Aboriginal and Torres Strait Islander participation in equity, management and employment associated with proposed projects can be facilitated via negotiation of an Indigenous Land Use Agreement. These agreements are between the developer and the native title party under section 31 of the *Native Title Act* — if the relevant project attracts the procedural 'right to negotiate' — or, potentially, as an incentive for the native title party to support the proposed development, in the case of a procedural right to be consulted.

 *Western Australia has implemented Recommendation 314 through the requirement to notify Aboriginal and Torres Strait Islander organisation about proposed developments. In addition to this, Aboriginal and Torres Strait Islander participation in equity, management and employment associated with proposed projects can be facilitated via negotiation of an Indigenous Land Use Agreement.*


In **Tasmania**, Mining Resources Tasmania established a consultation process with Aboriginal and Torres Strait Islander communities to allow for the consideration of interests regarding new mining and exploration licenses. Other Departments also consulted with local Aboriginal and Torres Strait Islander communities where activities would impact the value of Aboriginal and Torres Strait Islander land.

 *Tasmania has partially implemented Recommendation 314 by developing consultation processes for consideration of interests regarding new mining and exploration licenses, as well as other development applications, but has not addressed key elements of this recommendation.*

In their 1993-94 implementation report, the **Northern Territory** Government provided that the Department of Mines and Energy provided information, encouragement and assistance to Aboriginal and Torres Strait Islander individuals and groups with regard to exploration, mining, and mineral development. The Northern Government also provided support for Aboriginal and Torres Strait Islander tourism ventures where requested.

 *The Northern Territory Government has partially implemented Recommendation 314 by providing for the Department of Mines and Energy to engage with Aboriginal and Torres Strait Islander people and communities with regard to mineral development but has not addressed key elements of this recommendation.*

The Australian Capital Territory does not have any mining industries and therefore this recommendation is out of scope for the Australian Capital Territory Government.

 *Recommendation 314 is out of scope for the Australian Capital Territory Government.*

Recommendation 315

That the recommendations submitted to the Conservation and Land Management meeting (held at Millstream on 6-8 August 1990) by representatives of Aboriginal communities and organisations be implemented in Western Australia upon terms to be negotiated between Aboriginal people and appropriate Aboriginal organisations and communities on the one hand and National Park authorities on the other so as to protect and preserve the rights and interests of Aboriginal people with cultural, historical and traditional association with National Parks. The recommendations proposed at the Millstream meeting were:

- a. The encouragement of joint management between identified and acknowledge representatives of Aboriginal people and the relevant State agency;*
- b. The involvement of Aboriginal people in the development of management plans for National Parks;*
- c. The excision of areas of land within National Parks for use by Aboriginal people as living areas;*
- d. The granting of access by Aboriginal people to National Parks and Nature Reserves for subsistence hunting, fishing and the collection of material for cultural purposes (and the amendment of legislation to enable this, where necessary);*
- e. Facilitating the control of cultural heritage information by Aboriginal people;*
- f. Affirmative action policies which give preference to Aboriginal people in employment as administrators, rangers, and in other positions within National Parks;*
- g. The negotiation of lease-back arrangements which enable title to land on which National Parks are situated to be transferred to Aboriginal owners, subject to the lease of the area to the relevant State or Commonwealth authority on payment of rent to the Aboriginal owners;*
- h. The charging of admission fees for entrance to National Parks by tourists;*
- i. The reservation of areas of land within National Parks to which Aboriginal people have access for ceremonial purposes; and*
- j. The establishment of mechanisms which enable relevant Aboriginal custodians to be in control of protection of and access to sites of significance to them.*

Background information

Aboriginal and Torres Strait Islander people possess in-depth expertise and experience relating to native land management and a strong cultural, historical and traditional association with the lands held by National Parks. Inclusion of their perspectives and experience is important for effective conservation and land management policies that are respectful of cultural heritage and connection.

Responsibility

The Commonwealth and the Western Australian governments have responsibility for this recommendation. Conservation and land management practices in Western Australia fall under the jurisdiction of the State and Territories. National Parks and Nature Reserves fall under the jurisdiction of the Commonwealth Government.


Key actions taken and status of implementation

In 1992, the **Commonwealth's** Australian Nature Conservation Agency (ANCA) implemented several recommendations, including developing and administering its Aboriginal Recruitment, Training and Career Development Strategy through a funding agreement with the former Department of Employment, Education and Training (DEET). A review of the strategy found that approximately 12% of ANCA staff were Aboriginal and Torres Strait Islander in 1995.

The Commonwealth Government provided funding for the employment of Aboriginal and Torres Strait Islander people in various activities involved in the management of state-run parks via the Australian National Parks and Wildlife Service's Contract Employment Program for Aboriginals in Natural and Cultural Resource Management (CEPANCRM).

In 1995, CEPANCRM funds were utilised to establish models for designating living areas for Aboriginal and Torres Strait Islander people in National Parks via the Indigenous Protected Areas Program. Also in 1995, the Commonwealth Government amended the *National Parks and Wildlife Conservation Act 1975* and the *Aboriginal Land Claim (Jervis Bay Territories) Act* to address components of this recommendation.

The DOEE noted all of the elements described in the recommendation are reflected in the current joint management arrangements of Commonwealth National Parks on the Australian mainland – Kakadu, Uluru-Kata Tjuta and Booderee. There are no Aboriginal populations associated with the three Commonwealth National Parks located on Islands (Christmas, Cocos and Norfolk). Additionally, it should also be noted that there are no Commonwealth National Parks in Western Australia.

 *The Commonwealth Government has addressed many of the elements of Recommendation 315 via relevant amendments to acts relating to land management and conservation in Australia and funding support for relevant organisations. Specific actions relating to Western Australia are the responsibility of the State given no Commonwealth National Parks are located in Western Australia. For this reason, Recommendation 315 is complete.*

In **Western Australia**, joint committees between the Government and Aboriginal and Torres Strait Islander people were implemented for the management of National Parks and the preparation of management plans. The Western Australian Government has also amended the Conservation and Land Management Act 1984 and various regulations to recognise Aboriginal connection to lands and ensure that the State has an obligation to manage conservation areas in collaboration with Traditional Owners, and to protect and conserve Aboriginal culture and heritage alongside ecological and social objectives. These changes helped to:

- provide for Aboriginal people to become more involved in managing land
- enable the use of parks and reserves for Aboriginal customary activities
- establish a legal framework to enable joint management of lands and waters between the Government and other parties
- introduce a new management objective to protect and conserve the value of the lands and waters to the culture and heritage of Aboriginal people
- enable national parks, nature reserves and conservation parks to be jointly vested with Aboriginal corporations, so that traditional owners can be recognised on the title of national parks, nature reserves and conservation parks
- enable joint vesting of terrestrial reserves.

Park entry fees are also set out in the Conservation and Land Management Act 1984.

The Western Australian Government has commenced implementing these statutory provisions and entered into a number of joint management arrangements across the state, which provide for, among other things:


- the joint management of conservation estate
- the involvement of Aboriginal people in the preparation of management plans
- the recruitment of designated Aboriginal positions
- mechanisms for Aboriginal people to control protection and access of Aboriginal sites of significance.

In addition to amendments to the Conservation and Land Management Act 1984, *The Land (Titles and Traditional Usage) Act 1993 (WA)* acknowledges traditional land usage rights of Aboriginal and Torres Strait Islander people. This includes the provision for Aboriginal and Torres Strait Islander people to take flora and fauna for food on land other than nature reserves, with the consent of the occupier of that land.

In 1994, the Western Australia Government implemented the *Conservation and Tourism for Aboriginal People in the Top End of Australia – Cooperative Project* which sought to meet vocational education and training needs, and deliver employment and enterprise opportunities for Aboriginal and Torres Strait Islander people. It also provided Aboriginal and Torres Strait Islander people with oral and written English skills.

The Western Australia Government also supports the control of Aboriginal and Torres Strait Islander cultural information by Aboriginal and Torres Strait Islander custodians. The Western Australia Department of Parks and Wildlife has utilised affirmative actions, and has an employment target that 7% of its employees be Aboriginal and Torres Strait Islander people.

More recently, the State Government has two election commitments including a \$20 million investment in the State's Aboriginal Ranger Program, and to enable joint management and vesting of marine reserves, that further meets the Recommendation.

 Western Australia has mostly implemented Recommendation 315, however has not provided any evidence of actions relating to parts (g), (i), and (j) of this recommendation.

Additional commentary

Although it is outside the scope of this recommendation, the PM&C noted that in responding to Recommendation 315(c), the **Commonwealth** Government is assisting two Aboriginal and Torres Strait Islander communities in the Northern Territory within the boundaries of National Parks to achieve localised decision making and improve land administration jointly with the National Park. These actions are being undertaken through its responsibility for the *Aboriginal Land Rights (Northern Territory) Act 1976*.

Recommendation 316

That the relevant Governments, in consultation with relevant Aboriginal organisations give consideration to funding the establishment of a small unit, comprising Aboriginal people drawn from northern Western Australia, the Northern Territory and northern Queensland, which would be based in the northern part of the country. The function of the unit would be to study, in consultation with the residents of remote communities in those areas, the means of achieving greater self-sufficiency in those communities. The Unit would have the task of keeping remote communities advised of successful initiatives achieved in other communities and assisting remote communities in the preparation of their community plans, so as to assist them in developing economic independence, or at least a greater degree of self-sufficiency.

Background information

Improving self-sufficiency in Aboriginal and Torres Strait Islander people, particularly in remote and rural communities, can have positive impacts on other social outcomes, such as health and employment.

Responsibility


The Commonwealth, and the Queensland, Western Australian and Northern Territory governments have responsibility for this recommendation. This recommendation covers different States and

Territories and falls under the jurisdiction of both State and Territory, and Commonwealth governments.

Key actions taken and status of implementation


The **Commonwealth** Government implemented the Remote Jobs and Communities Programme (RJCP) in 2013 to improve coordination of employment, participation and community-development services, and to build self-sufficiency in rural communities. In 2015, the RJCP was replaced with the CDP. This provides opportunities for job seekers in remote Australia, aged 18 to 49 years, to participate in work-like activities five days a week, 12 months a year.

PM&C noted a number of programs which aimed to address the core objective of Recommendation 316. The NPARSD, which commenced in 2009, aimed to improve the range and standard of services delivered, and improve community engagement and development in selected locations. The position of Coordinator-General for Remote Indigenous Services was created with the aim to drive the development and delivery of services and facilities by governments to a standard broadly comparable with non- Aboriginal and Torres Strait Islander communities of similar size, location and needs elsewhere in Australia. In 2014 PM&C implemented the IAS, supported by PM&C's Regional Network. The Regional Network consists of 37 offices split between 12 regions across the country, positioning senior decision makers close to the communities they serve. The Commonwealth funds Indigenous Engagement Officers, which provides jobs to Aboriginal and Torres Strait Islander people in local communities.

 *Recommendation 316 has been implemented, as the Commonwealth Government did not support the establishment of a small research unit for the purposes of Recommendation 316 but implemented programs that addressed the core objective of Recommendation 316 in improving economic self-sufficiency.*

In 1993, the **Queensland** Government established an Aboriginal Deaths in Custody Interdepartmental Committee to link with the ATSIC State Advisory Committee to determine Aboriginal and Torres Strait Islander views on Recommendation 316. The Department for Industry and Skills' *Building our Regions* program has supported critical community and economic infrastructure development in Aboriginal and Torres Strait Islander communities for the purpose of encouraging economic independence and self-sufficiency. Remote Aboriginal and Torres Strait Islander councils have received capability development assistance in identifying and prioritising projects for funding and in developing quality applications. Funded projects have included fibre optic infrastructure to enhance the connectivity of these remote communities.

The Building our Regions program has supported critical community and economic infrastructure development in Aboriginal and Torres Strait communities, which supports economic independence and self-sufficiency. Remote and Indigenous councils have received capability development assistance in identifying and prioritising projects for funding and in developing quality applications. Funded projects have included fibre optic infrastructure to enhance the connectivity of these remote communities.

 *The Queensland Government has implemented Recommendation 316. While the proposed unit was not established, Queensland implemented the Building our Regions program, which has achieved similar aims to those identified in this recommendation.*

Western Australia worked collaboratively with ATSIC and resource agencies in the development of regional and community planning in the north of the state. The Western Australia Government noted in their 1994 implementation report that the Commonwealth Government did not support the establishment of a unit for the purposes of Recommendation 316.

The Western Australian Government noted that its Regional Services Reform Unit recently undertook the most extensive on-the-ground consultation process ever undertaken with remote Aboriginal and Torres Strait Islander communities in Western Australia. The expansion of economic opportunities formed one of the three focus areas of the consultations. For communities that are not part of mainstream arrangements for essential and municipal services, building greater capacity for self-sufficiency was a key element of discussion.

○ *Western Australia has not implemented Recommendation 316.*

The **Northern Territory** Government supported the *National Commitment to Improved Outcomes in the Delivery of Programs and Services to Aboriginal and Torres Strait Islander people* which promoted greater cooperation and coordination between governments. The Northern Territory Government also supported cooperation between Commonwealth agencies through the Northern Territory Aboriginal Affairs Forum.

● *The Northern Territory Government has implemented Recommendation 316 by supporting and engaging in initiatives and programs that have achieved similar aims to those of the unit discussed in this recommendation.*

Recommendation 317

That further extension of the CDEP Scheme (or some similar program) to rural towns with large Aboriginal populations and limited mainstream employment opportunities for Aboriginal people be considered.

Background information

Providing further support to Aboriginal and Torres Strait Islander people in rural towns is necessary to address economic disadvantage that may be compounded by limited employment opportunities in these areas.

Responsibility

The recommendation is solely the responsibility of the Commonwealth Government. The CDEP Scheme, and rural and regional policy more widely, falls under the jurisdiction of the Commonwealth Government.

Key actions taken and status of implementation

In 2013, the **Commonwealth** Government implemented the RJCP to supplement and eventually replace the CDEP Scheme in 2015. The RJCP provides employment programs and support services to Aboriginal and Torres Strait Islander people in rural communities.

● *Recommendation 317 has been implemented as the Commonwealth Government has extended community employment programs to rural areas through the development of the RJCP.*

Recommendation 318

That in view of the considerable demands placed on staff of ATSIC by the expansion of the CDEP Scheme, consideration be given to developing a mechanism for devolving to appropriate consenting Aboriginal organisations, in particular resource agencies, responsibility for some aspects of the administrative support of CDEP, including in particular:

- a. *Advising communities on the types of work which the community may wish to consider undertaking;*
- b. *Advising communities on the potential for incorporating other types of funding for employment and enterprise development into a CDEP project;*
- c. *Dissemination of information (collected by ATSIC) on successful schemes;*
- d. *Financial and administrative support for management of a scheme; and*
- e. *Assisting in the provision or co-ordination of training for participants and managers of CDEP.*

Those Aboriginal organisations should be adequately resourced to carry out the tasks which are devolved to them.

Background information

It is important that Aboriginal and Torres Strait Islander communities and organisations retain choice in engaging resource agencies and be able to contribute to administration of the CDEP Scheme where efficiencies can be achieved.


Responsibility

The recommendation is solely the responsibility of the Commonwealth Government. The CDEP Scheme, and rural and regional policy more widely, falls under the jurisdiction of the Commonwealth Government.

Key actions taken and status of implementation

A decision was made by the **Commonwealth** in 1995 to devolve responsibilities and delegations in the CDEP to Regional Councils in relation to existing projects, ensuring that Aboriginal and Torres Strait Islander people could be further involved in implementation and planning of the CDEP Scheme.

PM&C noted that although the CDEP no longer exists, as of 2015 the CDP aims to deliver better opportunities for remote job-seekers and to foster stronger economic and social outcomes in remote Australia. It supports job seekers to build skills, address barriers and contribute to their community through participating in a range of flexible activities. Of the 40 providers delivering services, 26 of these are Aboriginal and Torres Strait Islander organisations.

 *The Commonwealth Government has implemented Recommendation 318 by appropriately devolving the CDEP to Regional Councils.*

Additional commentary

The **Commonwealth** PM&C noted that CDP participants receive personalised assistance from their provider to help build their skills, get a job and to participate to their maximum capacity. CDP providers work closely with communities to develop activities that benefit people in their regions and meet the broader aspirations of the community.

Recommendation 319

That in the coming review of the CDEP Scheme consideration be given to

Funding

- a. *Improved mechanisms for the combining of funds from different programs (such as the Aboriginal Enterprise Incentive Scheme and the Enterprise Program) to supplement the capital and recurrent funding of CDEP in order to facilitate greater Aboriginal community control over infrastructural components of projects;*
- b. *The introduction of a mechanism which ensures that CDEP projects are not used as a substitute for the provision of an adequate level of municipal and other social services, unless funds equivalent to those which would have been provided in respect of municipal and social services are provided to supplement the operation of CDEP;*
- c. *The recognition by the Department of Finance of CDEP as a discrete program with considerable offset savings to the government (in respect of administrative savings from non-payment of Unemployment Benefits), and the automatic provision of the 20% on-cost component--not from the ATSIC existing global allocation;*

Equity Considerations

- d. *The improved policing of payments under CDEP to ensure that all participants in CDEP receive an income equivalent to Unemployment Benefit regardless of work actually performed, subject to the participants' performance of their obligations under the scheme;*
- e. *Addressing issues of access to income, and meaningful work activities for women participants in CDEP;*

Administrative and Financial Management Support

- f. *The enhanced involvement of Aboriginal controlled organisations and resource agencies in the provision of administrative expertise and advice in the operation of particular schemes;*
- g. *Improvements in the financial control systems for CDEP and provision for the training of CDEP managers in the maintenance of financial controls;*
- h. *Initiatives for the development of ATSIC staff training in negotiation and consultation skills, and in cultural sensitivity, in order to improve the effectiveness and minimise the burden of consultation and support provided by ATSIC to communities on CDEP;*

Training and Employment Potential

- i. *An improved level of training and planning support for projects, and for the development of medium and long term plans for CDEP projects which reflect the aspirations of participants for access to mainstream employment opportunities, enterprise development or culturally appropriate work;*
- j. *Increased co-ordination between ATSIC and DEET in respect of the training requirements of both new and ongoing CDEP projects, and in relation to the enterprise development potential of CDEP projects; and*
- k. *The dissemination of information to Aboriginal communities who are on CDEP or who are planning to apply to receive CDEP funds about successful work programs undertaken by other communities under CDEP.*

Background information

In order for the review of the CDEP Scheme to be effective, considerations must be made of the wider social and structural context in which Aboriginal and Torres Strait Islander clients live, including issues of equity and economic situation.


Responsibility

The recommendation is solely the responsibility of the Commonwealth Government. The CDEP Scheme, and rural and regional policy more widely, falls under the jurisdiction of the Commonwealth Government.

Key actions taken and status of implementation

Means of addressing issues raised in points (a) (b) (e) (g) and (i) were identified by the **Commonwealth** Government as part of the Three Year Operational Plans developed for the CDEP Scheme. In 1995, guidelines for the conduct of spot checks and project reviews were expanded in the CDEP Procedures Manual to assist in addressing point (d).

The CDEP was replaced with the RJCP, which has since been superseded by the CDP. PM&C, which has policy oversight of the program, advised that the CDP addressed many of the concerns that the review had with CDEP including the creation of meaningful activities that support the community; introducing no show no pay to ensure participants are paid subject to meeting their mutual obligations; enhancing the involvement of Aboriginal and Torres Strait Islander controlled organisations in the provision of expertise and advice; and improving financial control systems and training for managers.

-  *The Commonwealth Government has implemented Recommendation 319 through ongoing processes and changes to the CDEP Scheme, and the introduction of the CDP.*

Recommendation 320

That further research be undertaken in relation to

- a. *The particular economic circumstances of Aboriginal people in discrete geographical areas, in order to:*

- i. determine the contribution which Aboriginal people make to the local or regional economy;*
 - ii. identify the sources of and amounts of funding which might be available to them; and*
 - iii. facilitate realistic economic planning by Aboriginal people which is consistent both with the prevailing economic circumstances and with their aspirations and lifestyle; and*
- b. The impact of the overall taxation system on Aboriginal people and on Aboriginal organisations, and the extent to which Aboriginal people benefit from the Australian taxation system.*
- c. Where research is commissioned or funded, a condition of the research being undertaken should be the active involvement of Aboriginal people in the area which is the subject of the research, the communication of research findings across a wide cross-section of the local Aboriginal community in an easily understood form, and the formulation of proposals for further action by the Aboriginal community and local Aboriginal organisations.*

Background information

Due to their differing socioeconomic circumstances, the impact of economic policy, including Australia's taxation policies, may have unanticipated impacts on Aboriginal and Torres Strait Islander people and their contributions to the local or regional economy.

Responsibility


The Commonwealth, and all State and Territory governments have responsibility for this recommendation. The imperative to ensure that government policy is based on sound evidence and research is relevant to all levels of government.

Key actions taken and status of implementation

The **Commonwealth** Government has provided funding to the Australian National University's Centre for Aboriginal Economic Policy Research, which focuses on Aboriginal and Torres Strait Islander economic policy from a national perspective. In the 2017-18 Budget, the Government announced additional funding to strengthen Aboriginal and Torres Strait Islander Research and Evaluation.

Indigenous Business Australia, an Australian Government body, prepares an annual report that reviews the circumstances of Aboriginal and Torres Strait Islander people and their contributions to the economy.


PM&C noted that in 2016, the Government allocated \$1.9 million for PM&C to deliver an Indigenous Business Sector Strategy to provide Aboriginal and Torres Strait Islander people with a clear roadmap to take advantage of the transitioning economy and the increasing opportunities available to Aboriginal and Torres Strait Islander businesses. PM&C further noted that they had conducted public consultations with around 120 stakeholders as part of developing the Indigenous Business Sector Strategy. A further round of consultations will be undertaken in 2017, with implementation also in 2017.

 *Recommendation 320 has been partially implemented, as although the Commonwealth has funded and continues to fund research into Aboriginal and Torres Strait Islander economic policy, there is no evidence of research into the impact of taxation outlined in part (b) of the recommendation. Further, the final part of the recommendation – that Aboriginal and Torres Strait Islander people be involved in research, that the results of the research be widely disseminated in an easy to understand form, and that proposals for further action be formulated – does not appear to have been consistently implemented.*

The **New South Wales** Department of Aboriginal Affairs provided support to community organisations which sought to develop plans consistent with Recommendation 320. The Department of Aboriginal Affairs also completed a series of community development plans and associated research.


Since the RCIADIC, there has been a significant amount of research in this area. Economic prosperity has been identified as a research priority under the NSW Aboriginal Affairs research agenda –

Transforming the relationship between Aboriginal peoples and the NSW Government 2018-2023. This will be progressed in partnership with the Centre for Aboriginal Economic Policy Research at the Australian National University. The first study will investigate how Aboriginal economic prosperity is defined and who defines its meaning.

 *The New South Wales Government has partially implemented Recommendation 320 by undertaking relevant research to address part (a), but part (b), and requirement to disseminate the research, findings, have not been addressed.*


The **Victorian** Government, in collaboration with ATSIC and relevant Commonwealth Government agencies in 1993, contributed to the establishment of a database which clearly identified the needs and planning requirements of Aboriginal and Torres Strait Islander people in regional locations. In the *Victorian Aboriginal Affairs Framework (2013)*, the Victorian Government reiterated a commitment to delivering measurable results towards Aboriginal and Torres Strait Islander economic participation, based on accurate and reliable data.

Since this time, the Victorian Aboriginal Economic Board has been established as a part of the implementation of the Victorian Aboriginal Economic Strategy 2013-2020. The Victorian Aboriginal Economic Board is comprised of leaders in the corporate sector, Aboriginal and Torres Strait Islander communities, tertiary education and government. The Board meets regularly on its three priority areas: (1) to encourage more businesses to procure Aboriginal and Torres Strait Islander goods and services (2) to encourage Aboriginal and Torres Strait Islander entrepreneurs and enterprises (3) to increase place-based opportunities. The Board also plays a role in procuring research on Aboriginal and Torres Strait Islander economic development, education, training, entrepreneurship, business development and procurement.


 *The Victorian Government has partially implemented Recommendation 320, as there is no evidence that key parts of (a) and (b) have been addressed.*

The former **Queensland** Office of Aboriginal and Torres Strait Islander Affairs conducted research into the economic circumstances of Aboriginal and Torres Strait Islander people in 1996. This formed part of the *Queensland Aboriginal and Torres Strait Islander Economic Development Strategy*. The research included the compilation of statistics on Aboriginal and Torres Strait Islander employment status, occupation, industry, education and training levels, and the development of a profile on *Queensland Community Development Employment Projects*.

Currently, the Queensland Government supports and promotes all agencies utilising tools such as Indigenous Employment Opportunity Plans, Key Result Areas, and various other models for capital investment projects that maximise local employment, training and business supply opportunities for Aboriginal and Torres Strait Islander people. DATSIP has also undertaken research to develop a whole-of-government integrated capital investment program to develop local employment, skills development and business opportunities.

 *The Queensland Government has partially implemented Recommendation 320 by undertaking relevant research under the Queensland Aboriginal and Torres Strait Islander Economic Development Strategy to address part (a), but part (b), and requirement to disseminate the research, findings, have not been addressed.*


The **South Australian** Government developed an Aboriginal Economic Participation Strategy in 2015 focused on leveraging opportunities for improved Aboriginal and Torres Strait Islander employment and economic participation. The SA Government undertook a survey of Aboriginal and Torres Strait Islander business operating or intending to operate in South Australia. The majority of respondents supported the development of a locally based Aboriginal and Torres Strait Islander business register, resulting in the development of Aboriginal Business Connect – a free online register of South Australian Aboriginal and Torres Strait Islander owned businesses.

 *The South Australian Government has partially implemented Recommendation 320 by undertaking a survey of Aboriginal and Torres Strait Islander businesses but has not addressed key elements of this recommendation.*


The **Western Australia** Government supported the conduct of research on the economic circumstances and need for programs and services for Aboriginal and Torres Strait Islander people in discrete geographical areas. Support was provided for staff and committees in order to promote the implementation of Recommendation 320.

In addition to regular Western Australian lead research into Aboriginal and Torres Strait Islander economic interests and strategy development, the Western Australian Government uses economic research covering the topics outlined in the recommendation, from sources such as the Productivity Commission and Centre for Aboriginal Economic Policy Research, to inform policy development.


In 2016 and 2017, the Regional Services Reform Unit within the Department of Communities undertook a consultation process including exploring economic and social matters with remote Aboriginal and Torres Strait Islander community residents – a process that involved communities that are home to 90 per cent of Western Australia’s remote Aboriginal and Torres Strait Islander residents. The Unit partnered with Aboriginal and Torres Strait Islander organisations in conducting the process and in the dissemination of consultation findings in a variety of formats, including formats specifically designed for community consumption.


 *The Western Australian Government has partially implemented Recommendation 320 by undertaking additional economic research and a consultation process relating to economic and social matters with remote Aboriginal community residents. However, key parts of this recommendation have not specifically been addressed.*

No information could be found on **Tasmania’s** implementation of Recommendation 320.

 *Tasmania has not implemented Recommendation 320.*

As part of the *Stronger Futures* measures, the **Northern Territory** conducted consultation and prepared a discussion paper on the views of Aboriginal and Torres Strait Islander people regarding effective and ineffective policies, and further actions required to reduce disadvantage.

 *The Northern Territory has not implemented Recommendation 320.*

 No relevant evidence was provided on actions taken by the **Australian Capital Territory** Government towards the implementation of Recommendation 320. *The Australian Capital Territory has not implemented Recommendation 320.*

Additional commentary

The **Commonwealth** PM&C noted that they are currently undertaking work to measure the contribution of Aboriginal and Torres Strait Islander businesses to the Australian economy. The information will form part of a body of evidence that shows the contribution that Aboriginal and Torres Strait Islander people make to support the economy.

While no evidence was observed of actions that have responded to part (b) of the recommendation, the Australian Taxation Office (ATO) noted that they have conducted research with Aboriginal and Torres Strait Islander groups to ensure that the ATO offers contemporary services to this community. This includes:

- understanding how or when the different client experiences, market segments and revenue products administered by the ATO are used or accessed by Aboriginal and Torres Strait Islander groups;
- providing tailored advice and services to take a ‘whole of client’ view; and
- providing the ATO with guidance on how it can ensure that Aboriginal and Torres Strait Islander people have the same opportunities to make informed decisions in managing their tax and superannuation affairs.

11.2 Improving the living environment: housing and infrastructure (321-327)

Recommendation 321

That any future accommodation needs survey include not only an emphasis on the physical housing needs but also incorporate assessments that relate to management, administrative and housing support needs; in respect of remote communities such surveys should also establish the need for hostel accommodation in service towns where people may be required to spend time utilising services not available in remote areas.

Background information

Alternative housing arrangements, as opposed to traditional conceptions of physical housing alone, may be more suited to and compatible with the needs of Aboriginal and Torres Strait Islander people in remote areas.


Responsibility

The Commonwealth, and all State and Territory governments have responsibility for this recommendation. Housing policy and planning falls under the jurisdictions of both the Commonwealth, and State and Territory governments.


Key actions taken and status of implementation

A variety of surveys have been conducted into the housing needs of Aboriginal and Torres Strait Islander communities on a national basis by **Commonwealth** Government entities, which focus on such issues as homelessness, overcrowding and affordability. These surveys include the ABS' Population Census, Community Housing and Infrastructure Needs Survey, and NATSISS, and surveys undertaken by the AIHW.


All States and Territories cooperated with ATSIC in conducting a housing needs survey in 1993, which covered matters relating to management, administration, and the housing support needs of Aboriginal and Torres Strait Islander people. Additionally, all States and Territories signed the *National Commitment to Improved Outcomes in the Delivery of Programs and Services for Aboriginal Peoples and Torres Strait Islanders*. The Commitment called for greater coordination in the delivery of programs and services by all levels of government to Aboriginal and Torres Strait Islander people.

 *Recommendation 321 has been implemented through surveys conducted by Commonwealth Government entities.*

In 1995, the **New South Wales** Government negotiated and developed a bilateral agreement with the Commonwealth on the provision of housing and infrastructure services. The Department of Family and Community Services is currently examining the projected supply of social housing against projected demand for social housing by Aboriginal people, based on demand modelling utilising ABS income data to inform policy settings.

 *The New South Wales Government has partially implemented Recommendation 321 by negotiating and developing a bilateral agreement with the Commonwealth on housing and infrastructure needs but has not addressed support for remote communities or proposed housing research in their response.*

The **Victorian** Government supported the activities of the Aboriginal Housing Board, through the provision of funding and staff, in assisting with the implementation of Recommendation 321. Aboriginal Housing Victoria has responsibility for the provision of appropriate, affordable housing for Aboriginal and Torres Strait Islander people.


 *The Victorian Government has partially implemented Recommendation 321 by cooperating with ATSIC in conducting research, but has not addressed key elements of this recommendation.*

The **Queensland** Government cooperated with ATSIC in conducting a housing needs survey in 1993, which covered matters relating to management, administration and the housing support needs of


Aboriginal and Torres Strait Islander people. Steps were also taken towards improved data collection and collation.

Currently, the Department of Housing and Public Works (DHPW) records local housing need through its State-wide Housing Register. Consultation with communities about housing need has also occurred in the development of the National Partnership on Remote Indigenous Housing (2008-09, 2015-16), the National Partnership on Remote Housing (2016-17, 2017-18) and the Queensland Housing Strategy 2017-2027.


The DHPW has also responded to community aspirations for tenancy management, with approximately a third of all social housing dwellings in Aboriginal and Torres Strait Islander Local Government Areas (LGAs) managed by councils. As such, the DHPW has supported Aboriginal and Torres Strait Islander Councils to increase their responsibilities in property and tenancy management, including the option of becoming registered under the National Regulatory System for Community Housing. DHPW has also delivered a range of accommodation in regional centres to better enable people in remote communities to access education, training and employment.

 *The Queensland Government has fully addressed Recommendation 321 by having the DHPW regularly consult Aboriginal and Torres Strait Islander communities on their housing and accommodation needs through the development of several agreements and strategies, and by incorporating the needs of remote communities into accommodation delivery.*


In **South Australia**, accommodation needs surveys are conducted as part of a variety of programs. The remote housing tenancy audit establishes housing and new bedrooms required to address overcrowding while Housing SA has provided information and data to the Australian Government's Remote Housing Review Panel regarding the number of applicants applying for housing in regional centres. Recently, a review was conducted of the Ceduna Transitional Accommodation Centre, which assessed Centre policy and operational settings and the level of demand from people to relocate from their remote community to the Ceduna township.

 *The South Australian Government has partially implemented Recommendation 321 by collecting relevant information on remote housing for the Remote Housing Review Panel to incorporate into accommodation decision making but has not specifically addressed the needs of Aboriginal and Torres Strait Islander people in their response.*

In **Western Australia**, the Western Australia Government contributed to the collation and integration of data relating to Aboriginal and Torres Strait Islander housing needs. However, no details have been provided relating to the data collected.

 *The Western Australian Government has partially implemented Recommendation 321 by contributing to the collation and integration of data relating to Aboriginal and Torres Strait Islander housing needs. However, Western Australia has not specifically addressed parts of the recommendation relating to the data to be collected.*


In **Tasmania**, the Australian Government provided funding for Employment Related Accommodation as part of the former National Partnership Agreement on Remote Indigenous Housing (NPARIH). This funding was initially intended to provide metro/regional centre accommodation options for Aboriginal and Torres Strait Islander people leaving remote locations to access training and employment opportunities. However, extensive consultation with Flinders Island Aboriginal Association Inc. and Cape Barren Island Aboriginal Association Inc. has indicated targeted on-island housing is likely to better service community and cultural direct need. Planning for implementation is currently underway. Options for hostel style accommodation located in Tasmanian metro centres are also proposed under the agreed funding.

 *Tasmania has fully addressed Recommendation 321 by consulting on the concerns of Aboriginal and Torres Strait Islander communities with regards to housing and infrastructure needs, and taking them into consideration in planning and implementation of accommodation projects.*

As part of the **Northern Territory's** implementation of Recommendation 321, the Aboriginal Community Housing and Infrastructure Database was launched in 1993 with data gathered on 640


communities. The database was designed for the purpose of continuous assessment of new housing need and assessment of the condition and adequacy of existing housing stock.

Data continues to be gathered to help inform new housing requirements, determine the condition of existing housing, and housing related infrastructure. Under the NT Government's \$1.1 billion Remote Housing Program, communities are consulted about their specific accommodation needs.

 *The Northern Territory Government has fully addressed Recommendation 321 by undertaking regular data-gathering and consultation as part of its Remote Housing Program.*

The **Australian Capital Territory** Government provided funding for an Aboriginal Emergency Accommodation Project which provided crisis accommodation for Aboriginal and Torres Strait Islander people. The Housing Advisory Committee also provided advice on the strategic direction and priorities for the Housing Trust. This included Aboriginal and Torres Strait Islander representation.

Currently Housing ACT conduct a biennial survey of their tenants. The survey includes questions about satisfaction with physical housing needs, overall service provision (i.e. tenancy management) as well as satisfaction with dwelling proximity to transport and services etc. The ACT Government has also partnered with the ACT Aboriginal and Torres Strait Islander Elected Body and has developed public housing specifically for older members of the Aboriginal and Torres Strait Islander community in Canberra.

 *The Australian Capital Territory Government has implemented Recommendation 321 through their biennial survey on housing. Parts of Recommendation 321 relating to remote communities are not relevant to the Australian Capital Territory.*

Additional commentary

As part of the **Commonwealth** Government's response, the ABS noted that the Community Housing Needs Survey is conducted to collect reliable national statistics on Aboriginal and Torres Strait Islander housing and infrastructure. The data inform a number of policy and decision making processes relating to the needs based allocation of funding to Aboriginal and Torres Strait communities and housing organisations.

Recommendation 322

That quantification of required housing stock take into account community aspirations as to the number of people who are likely to share a house, its location and potential impact on present and future infrastructure requirements.

Background information


Understanding the housing needs and community aspirations of Aboriginal and Torres Strait Islander people is key to the effective development of required housing stock.

Responsibility

The Commonwealth, and all State and Territory governments have responsibility for this recommendation. Housing policy and planning falls under the jurisdictions of both the Commonwealth, and State and Territory governments.

Key actions taken and status of implementation

As part of the **Commonwealth** Government's Community Housing and Infrastructure Program (CHIP), ATSIC promoted effective consultation and appropriate design of housing. Findings from surveys conducted on Aboriginal and Torres Strait Islander housing needs (see Recommendation 321) have informed government assessments regarding the adequacy, effectiveness and efficiency of relevant housing policy.


 *Recommendation 322 has been implemented, as the Commonwealth Government has shown consideration of community aspirations in its assessment of required housing stock for Aboriginal and Torres Strait Islander people. While it is unclear as to whether this has translated into appropriate housing provision, implementation of this is under the responsibility of the States and Territories.*

All States and Territories contributed to the National Needs Assessment conducted by ATSIC in 1992, which studied the housing needs of Aboriginal and Torres Strait Islander people.


In 1993, the **New South Wales** Government conducted community consultations and provided for Aboriginal people to provide input into the design of housing. As part of the *Aboriginal Rental Housing Program* (1993), Aboriginal community organisations were asked to complete an application form detailing housing needs.

The-then Department of Housing (Now Department of Family and Community Services) also incorporated a range of designs to cater for the different needs of Aboriginal people. The NSW Government contributed to funding for the Aboriginal Housing Office, and launched a range of initiatives such as the *Build and Grow Aboriginal Community Housing Strategy* (2010) which sought to address Recommendation 322.


In NSW, an 'extra bedroom' policy is applied for tenants of Aboriginal Housing Office properties. This policy allows tenants to be allocated housing with one extra or spare bedroom, acknowledging the kinship obligations of demand sharing.

 *The New South Wales Government has implemented Recommendation 322 through their support of the Aboriginal Rental Housing Program, the work of the Aboriginal Housing Office, and other associated initiatives, which seek to accommodate Aboriginal housing needs and cultural sensitivities.*

Key initiatives undertaken by the **Victorian** Government have included the *Victorian Homelessness Action Plan* and the *Victorian Aboriginal Affairs Framework 2013-18* which set out targets towards housing and services provision for Aboriginal and Torres Strait Islander people. Aboriginal Housing Victoria conducts research into the housing requirements of Aboriginal and Torres Strait Islander people in Victoria, and advises the Department of Human Services on housing needs. The Victorian Government also noted in AJA 3 the establishment of an Indigenous Homelessness Working Group which had responsibility for identifying evidence-based housing and support models that assist Aboriginal and Torres Strait Islander people.


 *The Victorian Government has implemented Recommendation 322 through their support of the National Needs Assessment and the work of Aboriginal Housing Victoria.*

The **Queensland** Government conducted community consultations to develop appropriate designs for Aboriginal and Torres Strait Islander housing. The *Housing Act 2003* (Qld) also provides consideration to local and regional differences, cultural diversity, Aboriginal and Torres Strait Islander custom, and the needs, views and interests of Aboriginal and Torres Strait Islander community members and representatives. Currently, planning schemes have been adopted for 15 Aboriginal and Torres Strait Islander LGAs, which provide a framework for the growth of communities including by identifying areas suitable for development.

 *The Queensland Government has implemented Recommendation 322 through the Housing Act, which takes into consideration such concerns as local and regional differences, cultural diversity, and Aboriginal and Torres Strait Islander custom.*


The **South Australian** Government provided in their 1993 implementation report that the South Australia Housing Trust, the Aboriginal Housing Unit, and the Housing Policy Branch of State Aboriginal Affairs had quantified required housing stock in line with Recommendation 322. This is further set out in the *Housing Act 1991* (SA), which states that the design of housing must incorporate the need for access to employment and the need for accessibility and suitability for habitation by various people groups.

Housing SA also regularly undertakes a tenancy audit, which includes household mapping (e.g. occupancy, relationships) and future new housing needs, in alignment with infrastructure capacity and works required. Housing SA has adopted the Canadian National Occupancy Standard to assess overcrowding.

 *The South Australian Government has implemented Recommendation 323 through its support of the South Australia Housing Trust, the Aboriginal Housing Unit, and the Housing Policy Branch of State Aboriginal Affairs.*


The **Western Australia** Government noted that the housing application system, and application review process, allowed for consideration of the housing stock and design needs of Aboriginal and Torres Strait Islander people.

The Western Australian Government also noted that the Department of Communities actively seeks opportunities to support the capacity and capability of the Aboriginal and Torres Strait Islander workforce through Aboriginal and Torres Strait Islander corporations that have the governance structures in place to support the delivery of housing maintenance services to their community.


 *The Western Australia Government has implemented Recommendation 322 through their consideration of the housing stock and design needs of Aboriginal and Torres Strait Islander people.*

In **Tasmania's** 1993 implementation report, it was noted that the Aboriginal and Torres Strait Islander community representatives had control over the allocation of Aboriginal Housing Program stock, thus ensuring that the community's aspirations as to the number of tenants sharing a house were addressed. Regional Allocation Committees were established to provide input into meeting locational and access needs.


The former NPARIH supplied new build housing to both Flinders Island and Cape Barren Island Aboriginal and Torres Strait Islander communities to cater for shortfalls in forecast housing needs. Twelve houses were delivered of a variety of configurations catering for community diversity and social demographics. Utilising the funds from the early conclusion of the NPARIH, the Stronger Remote Aboriginal Services Program proposes six new units on Flinders Island and modifications/upgrades to all existing housing stock to cater for the community's changing needs, such as ageing in place requirements and accessibility.

 *The Tasmanian Government has implemented Recommendation 322 by ensuring that Aboriginal and Torres Strait Islander community representatives have control over the allocation of Aboriginal Housing Program stock.*

The **Northern Territory** has not identified any actions of relevance to respond to Recommendation 322.

 *The Northern Territory Government has partially implemented Recommendation 322 as they have contributed to ATSIC's work on the National Needs Assessment but have not addressed key elements of the recommendation in their response.*

The **Australian Capital Territory** Government has commenced long-term asset planning for its substantial social housing portfolio. This planning uses long-term trends in demography and tenant need to inform the growth and renewal of the portfolio over the next 5 years and has been undertaken in consultation with the ACT Environment, Planning and Sustainable Development to ensure alignment with broader city and urban infrastructure planning.

 *The Australian Capital Territory Government not implemented Recommendation 322.*

Additional commentary

As part of the **Commonwealth** Government's response, the ABS noted that the Census of Population and Housing is collected every five years and supports release of data to local level, providing housing and population counts. Population estimates and projections of Aboriginal and Torres Strait Islander people are released as the estimated resident population after each Census.

Recommendation 323

That:

- a. *Increased funding be made available to Aboriginal community groups for the implementation of homemaker schemes. Groups that may be appropriate to receive such funding should include women's groups, housing organisations and community councils; and*
- b. *Adult education providers, and particularly Aboriginal community controlled adult education providers, be encouraged and supported to provide:*
 - a. *courses in homemaking and domestic budgeting; and*
 - b. *courses for training Aboriginal persons as community advisers and teachers in homemaking.*

Background information

Homemaker services have been seen to deliver significant benefits to Aboriginal and Torres Strait Islander housing stock, including upkeep and maintenance of housing and infrastructure.

Responsibility

The Commonwealth, and all State and Territory governments have responsibility for this recommendation. Adult education and training schemes, and funding for such initiatives, fall under the responsibility of both the Commonwealth, and State and Territory governments.


Key actions taken and status of implementation

The **Commonwealth** Government's ATSIC promoted the provision of homemaker services as part of its funding under the CHIP. The Household Organisational Management Expenses Program provided assistance to families with tenancy issues or problems maintaining their homes due to personal or financial difficulty. While not the exclusive recipients of the program, Aboriginal and Torres Strait Islander people were one of the specific target groups.

PM&C noted the CDP, which commenced in 2015, works closely with communities to develop activities that benefit people in their regions and meet the broader aspirations of the community. Specifically, activities can include budgeting, language, literacy and numeracy.


DSS invests approximately \$100 million per year to support activity funded under the Financial Wellbeing and Capability activity. This provides a range of services such as financial counselling, and financial capability workers who provide budgeting support and financial literacy education.

Under the NPARIH, prospective tenants of new houses are offered Living Skills support training as part of tenancy management. PMC noted that, as at June 2016, the proportion of Aboriginal and Torres Strait Islander households in public housing in the Northern Territory was 43% (excluding remote housing). Of all individuals and families in the Northern Territory receiving Commonwealth Rent Assistance, 24% were Aboriginal and Torres Strait Islander individuals and families.


 *The Commonwealth Government has provided increased funding to Aboriginal and Torres Strait Islander people via national programs to assist with homemaking and development of financial skills. While there is still scope for increased funding for the implementation of homemaker schemes directed at Aboriginal and Torres Strait Islander community groups, given that 43% of Aboriginal and Torres Strait Islander householders in the Northern Territory are in public housing, the training provided through this program is considered to be widely available. As such, Recommendation 323 is complete.*

The 1993 **New South Wales** implementation report provided that Aboriginal communities could negotiate with TAFE NSW to provide courses to meet the areas of concern in Recommendation 323. TAFE NSW also introduced courses in lifestyle and nutrition, alongside other training and employment skills. The *Education Act 1990* (NSW) also provided for education to have regard for the needs, cultures, and issues of Aboriginal people.

Currently, the Department of Family and Community Services' *Aboriginal Child, Youth and Family Strategy* provides funding to communities to deliver supported playgroups, parenting programs, and family workers. In addition, nine Aboriginal child and Family Centres bring together a range of early childhood, health and family support services to improve the overall health and wellbeing of children, and support for their families.


 *The New South Wales Government has partially addressed Recommendation 32 by supporting the delivery of family support services through the Aboriginal Child, Youth and Family Strategy, but does not appear to have funded courses on homemaking skills.*

The **Victorian** Government allocated funding to Aboriginal and Torres Strait Islander agencies for Aboriginal Family Aides. These funds provided Aboriginal and Torres Strait Islander people the ability to furnish their homes without necessarily falling into rental arrears. The Victorian Government also provided representatives to work with Local Aboriginal Education Consultative Groups to support community initiatives such as men's groups, homework centres, cultural identity projects, and home management support.


 *The Victorian Government has partially addressed Recommendation 32, but does not appear to have funded courses on homemaking skills.*

In 1992, the **Queensland** Government helped to facilitate homemaker schemes in conjunction with ATSIC. Queensland's *Learning, Earning, Active Places 2011-14* sought to combat Aboriginal and Torres Strait Islander disadvantage through improving access to education. Under this initiative, education was provided on health, wellbeing, positive lifestyle choices, and home skill training.


As part of its role in supporting and delivering tenancy management in Queensland's Aboriginal and Torres Strait Islander LGAs, the Queensland Government has also implemented programs to raise awareness about tenant rights and responsibilities, including home safety and maintenance. In 2015-16, the Queensland Government delivered more than 14,000 intensive support services in Aboriginal and Torres Strait Islander LGAs where the State is the tenancy manager. These services aim to identify and assist with issues which may impact on a tenant's ability to sustain housing. DATSIP is also delivering the Kickstart and Housing upgrade initiative in Mossman Gorge, which provides training and employment opportunities and supports Aboriginal and Torres Strait Islander home ownership.

 *The Queensland Government has partially implemented Recommendation 322 by developing programs aimed at improving Aboriginal and Torres Strait Islander capabilities in home safety and maintenance, but does not appear to have addressed funding of homemaking education in its response.*

As part of **South Australia's** response to Recommendation 323, the Department of Employment, Technical and Further Education established Women's Learning Centres to provide training in arts and craft activities, home-making services, and women's studies. The South Australian Government also implemented a three-year Aboriginal and Torres Strait Islander homemaker program for rural and remote communities.

 *South Australia has mostly implemented Recommendation 322 by funding and providing courses on homemaking skills through Women's Learning Centres but has not addressed elements of part (b) of the recommendation.*


The **Western Australia** Government increased the scope of training courses offered at TAFE to include the areas identified in Recommendation 323. More recently, the *Western Australia Affordable Housing Strategy 2010-20* was introduced to improve community-owned housing stock and housing management practices. The Western Australia Government has also funded the *Support and Tenant Education Program* which aids tenants experiencing difficult meeting rental obligations.

 *Western Australia has partially implemented Recommendation 322 by funding the Support and Tenant Education Program, and offering TAFE to include the areas identified in the recommendation. However, no information was provided as to whether increased funding has been*


made available to Aboriginal and Torres Strait Islander community groups for the implementation of homemaker schemes.

The **Tasmanian** Government provides funding for the Tasmanian Aboriginal Corporation to provide family support services, which are targeted towards at-risk Aboriginal and Torres Strait Islander families to promote the safety, stability and wellbeing of vulnerable children, young people and their families, and to build community capacity and resilience. This includes the provision of community education programs in areas of personal development and family life, parent education and skills development.


The Tasmanian Government also provides funding to the Karadi Aboriginal Corporation to manage the Karadi Neighbourhood House in Hobart. This Neighbourhood House offers the community a broad range of capacity development activities.

 *Tasmania has mostly implemented Recommendation 322 by funding the Tasmanian Aboriginal Corporation to provide community education programs that address the objectives of this recommendation but has not addressed elements of part (b) of the recommendation.*

The **Northern Territory** Government implemented a *Tenancy Sustainability Program* to provide Aboriginal and Torres Strait Islander people with case management and life skills training services. This covered topics including money and resource management, visitor and crowding management, household management and functionality, and maintaining a safe, healthy and hygienic home.

 *The Northern Territory has mostly implemented Recommendation 322 through the Tenancy Sustainability Program but has not addressed elements of part (a) of this recommendation.*

The **Australian Capital Territory** offered adult education courses focusing on homemaking skills through evening TAFE courses. The ACT Government also provided Liaison Officers to assist Housing ACT clients with applications, tenancy related matters, arrears and ongoing engagement.

 *The Australian Capital Territory has mostly implemented Recommendation 322 by funding courses on homemaking skills but has not addressed elements of part (b) of the recommendation.*

Recommendation 324

That the model which Tangentyere Council offers for integrating the various service delivery and administrative needs associated with Aboriginal housing be studied in other regions.

Background information

The RCIADIC commended the Tangentyere Council in Alice Springs for its innovative approach to offering integrated housing services, which included a philosophy of Aboriginal and Torres Strait Islander control, direct and indirect provision of Aboriginal and Torres Strait Islander schooling to town camp children, and the provision of convenient services such as the integration of a rent collection service into a bank agency.


Responsibility

The Commonwealth, and all State and Territory governments have responsibility for this recommendation. The recommendation invites consideration of Tangentyere Council by other regions to inform housing policy, which falls under both Commonwealth, and State and Territory governments.


Key actions taken and status of implementation

Tangentyere Council has been the subject of a number of case studies by the **Commonwealth** Government, and visits from Aboriginal and Torres Strait Islander communities in examining leading practice in integrated service delivery, housing management and CDEP. However, PM&C noted that the exact model that Tangentyere Council offers was not implemented, although funding was provided to the Northern Territory Government for remote housing through the NPARIH, the Strategy and the Northern Territory Remote Aboriginal Investment.


The *Coordinator-General for Remote Indigenous Services Act 2009* established the role of Coordinator-General to monitor, assess and promote the development and delivery of services and facilities by governments in remote areas.

 *Recommendation 324 has been implemented through the case studies of the Tangentyere Council model, and as the creation of the role of Coordinator-General is considered to be in the spirit of Recommendation 324 in its approach to integrated service delivery.*

In 1995, the **New South Wales** Housing Management Steering Committee assessed the appropriateness of the model developed by Tangentyere Council. Currently, the Aboriginal community housing sector in New South Wales provides integrated service delivery to tenants in a mostly informal way with several housing providers operating as multi-service providers, similar to the Tangentyere Council model. Formalised wrap-around service delivery, which is planned and sustainable, is a priority for the Aboriginal Housing Office (AHO) and will be a key aspect of the AHO's forthcoming Aboriginal Housing Strategy.


 *The New South Wales Government has addressed Recommendation 324 by studying the Tangentyere Council model.*

In their 1993 implementation report, the **Victorian** Government referred Recommendation 324 to the Commonwealth. However, the Victorian Government has not taken any actions since this time.


 *The Victorian Government has not taken actions towards the implementation of Recommendation 324. Instead, this recommendation was referred to the Commonwealth.*

In their 1993 implementation report, the **Queensland** Government referred Recommendation 324 to the Commonwealth. The Queensland government has noted that it has sought to support Aboriginal and Torres Strait Islander Local Government Authorities to have more control over local housing arrangements, where they wish to do so.


The Queensland Government has also noted that staff attend regular inter-agency meetings in remote communities designed to facilitate coordinated / co-operative responses to local issues. Indigenous Councils and community organisations also attend. Additionally, tenants of housing in remote communities can choose to pay rent via direct debit of their bank account or through automatic deductions from wages or Centrelink

 *The Queensland Government has partially implemented Recommendation 324 by seeking to support Aboriginal and Torres Strait Islander Local Government Authorities to have more control over local housing arrangements, where they wish to do so (in a manner similar to the Tangentyere Council model). However, no evidence indicating that the Tangentyere Council model has been studied in Queensland was provided.*


Housing **South Australia** officers met with the Tangentyere Council and visited two of its facilities as part of the Transitional Accommodation Centre. The South Australian Government also engaged with APY Land communities, conducted baseline community profiles on major APY Lands, established a Regional Operations Centre in Adelaide, and conducted a survey which collected information on Aboriginal and Torres Strait Islander populations and infrastructure. This involved the study of service delivery and administrative needs associated with Aboriginal and Torres Strait Islander housing.

 *The South Australia Government has addressed Recommendation 324 by studying the Tangentyere Council model and meeting with the Tangentyere Council.*


The **Western Australia** Government provided in their 1994 implementation report that the Aboriginal Housing Board was cognisant of the Tangentyere Council model and its benefits in relation to town camper populations. The Western Australian Government also noted that the management of service and administrative functions relating to housing, essential and municipal services in remote Aboriginal and Torres Strait Islander communities are consolidated under a single directorate within the Department of Communities.

 *The Western Australian Government has addressed Recommendation 324 by studying the Tangentyere Council model.*


The **Tasmanian** Government investigated the Tangentyere Council Model as part of the delivery of Aboriginal and Torres Strait Islander housing and noted that there is limited relevance in the Tasmanian context with respect to consulting with Local Government on Aboriginal and Torres Strait Islander services. The Department of Health and Human Services regularly consulted with Flinders Island Council on initiatives under the NPARIH, and are consulting with the Council on the Stronger Remote Aboriginal Services program. The main focus of these consultations is to alert the Council of intended activity in terms of town planning and building.

 *The Tasmanian Government has addressed Recommendation 324 by studying the Tangentyere Council model although it considers that the model is of limited relevance to the Tasmanian context.*

In the **Northern Territory's** 1993-94 implementation report, the Northern Territory Government recognised Tangentyere Council's role in the provision of Housing and Education services and supported this initiative through the provision of funding.

 *The Northern Territory Government has addressed Recommendation 324 by studying and supporting the Tangentyere Council model with funding.*

The **Australian Capital Territory** Government examined the Tangentyere housing model and considered aspects of the model as part of the Aboriginal and Torres Strait Islander housing review.

 *The Australian Capital Territory Government has addressed Recommendation 324 by studying the Tangentyere Council model and considering aspects for inclusion in its Aboriginal and Torres Strait Islander housing review.*

Recommendation 325

That the question of providing assistance to Aboriginal housing organisations in relation to administration costs and the cost of repair of housing stock receive close attention. In this respect the CDEP scheme appears to offer an excellent opportunity for communities to solve some of the problems of the cost of housing repairs while at the same time providing work of a type that opens the way for training in important areas of skill development.

Background information

The CDEP Scheme can help to facilitate the labour component of the cost of housing repairs while providing valuable work experience that can lead to enhanced skills for CDEP participants.

Responsibility

The Commonwealth, and all State and Territory governments have responsibility for this recommendation. Housing policy and planning falls under the joint responsibility of the Commonwealth, and State and Territory governments.

Key actions taken and status of implementation


In 1999, the **Commonwealth** Government's Fixing Houses for Better Health program was established as a sub-program of the CHIP and involved recruiting and training local Aboriginal and Torres Strait Islander people to repair and maintain houses in the community, alongside contracted tradespeople and employed staff.

In 2008, the Commonwealth Government partly funded the Place to Call Home program, which was dedicated to building 600 new homes for Aboriginal and Torres Strait Islander and non-Aboriginal and Torres Strait Islander individuals and families who were homeless.

PM&C noted that under the National Partnership Agreement for Remote Indigenous Housing the Commonwealth provided State governments with \$340 million in funding for reforms to housing owned by Indigenous Community Housing Organisations. This funding included a contribution to the

administrative costs each jurisdiction would incur in undertaking the reforms and a 'make good' component to enable repair/refurbishment of housing to a public housing standard.

PM&C noted that the CDP supports job seekers in remote Australia to build skills, address barriers and contribute to their communities through a range of flexible activities. The CDP also allows providers to engage with communities in their regions to ensure activities are aimed at generating outcomes to benefit the community. Specifically, these activities include those that benefit job seekers and improve community facilities (i.e. delivery of a housing maintenance activity).


 *The CDEP Scheme is no longer in existence, however, the Commonwealth Government has funded initiatives that provide assistance to Aboriginal and Torres Strait Islander people with housing stock repair and maintenance. Recommendation 325 is therefore complete.*

All States and Territories have, through the development and implementation of the *National Partnership Agreement for Remote Indigenous Housing* and the *Commonwealth Aboriginal and Torres Strait Islander Employment Strategy*, provided increased focus on providing business and employment opportunities. Outputs delivered include an increase in the percentage of works delivered under the agreement and the percentage of contracts awarded to Aboriginal and Torres Strait Islander businesses.


Under the *Remote Housing Strategy*, the States and the Northern Territory agreed to develop a range of housing related projects under the CDP for delivery by CDP providers. The Northern Territory is required to inform PM&C, who then work with local CDP providers, about any proposed works to be delivered, and associated work requirements, within relevant communities in advance (where possible) of works commencing. This allows CDP providers the opportunity to assist skill development and prepare housing related projects for local Aboriginal and Torres Strait Islander participants.

The **New South Wales** Government provided technical advice to Aboriginal organisations on property assessments for acquisition and maintenance purposes. CDEP funds were allocated to landscaping and minor repairs and maintenance as part of the *Aboriginal Rental Housing Program*. The NSW Aboriginal Housing Organisation encouraged Aboriginal employment in local and regional communities by regularly engaging Aboriginal builders, and through funding allocations.

Currently, the Asset Maintenance Service contract for social housing requires maintenance contractors to engage Aboriginal people to undertake maintenance work to a minimum of 1.5% of the contract value. Currently the contractors are achieving 3% contract value. Achievements to date include the establishment of training opportunities in TAFE Colleges, engagement of Aboriginal organisations as an avenue to identify training needs, and establishment of mentors and additional employment opportunities with the Asset Maintenance Service contractors and subcontractors. This is monitored to ensure that the training and employment opportunities continue for the life of the contract. The Aboriginal Housing Office is committed to Aboriginal employment and procurement of Aboriginal business in its construction projects as well as general business requirements.

 *The New South Wales Government has implemented Recommendation 325 by cooperating with the Commonwealth and providing funds towards Aboriginal building teams through the Asset Maintenance Service.*


The **Victorian** Government supported Aboriginal and Torres Strait Islander building teams, and the Aboriginal Housing Board encouraged the construction of new houses by Aboriginal and Torres Strait Islander building companies to facilitate the training and development of Aboriginal and Torres Strait Islander tradespeople.

 *The Victorian Government has implemented Recommendation 325 through cooperating with the Commonwealth and by providing funds towards Aboriginal and Torres Strait Islander building teams.*

In their 1993 implementation report, the **Queensland** Government noted that the Commonwealth Government through ATSIC had primary responsibility for Recommendation 325. The Queensland Government has since responded to Recommendation 325 by supporting Aboriginal and Torres Strait Islander training, education and employment in the delivery of social housing construction and other

infrastructure projects under the National Partnership Agreement on Remote Indigenous Housing and the National Partnership Agreement on Remote Housing.


In 2012, the DHPW created local housing officer roles to support the standardisation of tenancy management in communities funded by the National Partnership on Remote Housing. DHPW has also supported Aboriginal and Torres Strait Islander LGA Councils to undertake their own construction, facilitate skill and economic development, and increase community control in the delivery of housing.

 *The Queensland Government has implemented Recommendation 325 by providing assistance with housing construction and delivery to Aboriginal and Torres Strait Islander communities through the National Partnership Agreement on Remote Indigenous Housing and the National Partnership Agreement on Remote Housing.*

The **South Australian** Government responded to Recommendation 325 through the introduction of building programs for Aboriginal and Torres Strait Islander people, such as the *Aboriginal Rental Housing Program*, and the *Aboriginal Education Program* which offered rental assistance, and training and trade skill development, respectively.


As Aboriginal and Torres Strait Islander community managed housing has become ineligible for funding support under the National Partnership on Remote Housing, Housing SA has developed a project to support the transition to independent operation. This has included a capital response of approximately \$7 million to address the backlog of maintenance and to fund a support program to ensure all dwellings are returned to a safe, healthy and tenable standard. Housing SA multi-trade contractors, in partnership with local Aboriginal and Torres Strait Islander Business Enterprises, are primarily leading the work.

A second initiative involves a 12-month contract with a mainstream community housing provider or consultant to work with Aboriginal and Torres Strait Islander housing providers to focus on housing viability through operational capacity building and governance. Housing SA also provides emergency maintenance to homes in the APY Lands.


 *The South Australian Government has implemented Recommendation 325 through programs such as the Aboriginal Rental Housing Program, and the Aboriginal Education Program, and through partnerships administered by Housing SA.*

In 1994, the **Western Australia** Government allocated partnership funding towards capital works projects, repairs and maintenance to support Aboriginal and Torres Strait Islander building initiatives.

The Western Australian Government also noted that Aboriginal and Torres Strait Islander community housing and regional service providers contracted by the Western Australian Government build administration costs into their contractual pricing frameworks. A number of these providers (as well as non-Aboriginal and Torres Strait Islander providers) seek to use local Aboriginal and Torres Strait Islander workers and businesses when delivering services in remote Aboriginal and Torres Strait Islander communities.

 *The Western Australian Government has implemented Recommendation 325 through partnership funding towards capital works projects, repairs and maintenance to support Aboriginal and Torres Strait Islander building initiatives.*


In **Tasmania**, the current funding agreements for property and tenancy management, for Cape Barren Aboriginal Association Inc. and the Flinders Island Aboriginal Associations Inc., support the direct employment of Aboriginal and Torres Strait Islander people in key roles within the organisations.

 *The Tasmanian Government has partially addressed Recommendation 325 by requiring the employment of Aboriginal and Torres Strait Islander people in key roles in relevant organisations as part of current funding agreements for property and tenancy management.*


The **Northern Territory's** *Aboriginal Housing Program* allocated funding to communities for the renovation and upgrading of dwellings, and a small proportion to repairs and maintenance. In their

1994-95 implementation report, the Northern Territory Government supported the notion of using CDEP for housing management, maintenance and construction.

Currently, the Northern Territory Government's procurement policy and guidelines are consistent with Recommendation 325. The Northern Territory has largely adopted these initiatives in its delivery of housing and infrastructure related programs.

 *The Northern Territory Government has implemented Recommendation 325 through the Aboriginal Housing Program and its procurement policy and guidelines.*

The **Australian Capital Territory** cooperated with Commonwealth partnership arrangements in ensuring the provision of funds to Aboriginal and Torres Strait Islander building initiatives. For example, the program *A Place to Call Home* provides as a target that 50% of new homes be allocated to homeless Aboriginal and Torres Strait Islander people. This was achieved in the three years to 2011-12.

 *The Australian Capital Territory Government has partially addressed Recommendation 325 through the *A Place to Call Home* program but has not addressed key elements of the recommendation.*

Additional commentary

The **Commonwealth** PM&C noted that governments have provided funding for public and community Indigenous housing systems for almost 50 years through various programs, including the CHIP and the Australian Remote Indigenous Accommodation Program.

Recommendation 326

That in recognition of both the depressed economic conditions in many remote communities and the importance of Aboriginal participation in the control of new construction:

- a. *Where governments require tenders to be called for public works, they introduce procedures to enable Aboriginal communities to participate in the determination of the award of the construction contract;*
- b. *Such contracts should provide for the employment of labour from the community as far as is possible;*
- c. *The training of local persons in preparation for employment pursuant to such contracts should be a high priority for training providers; and*
- d. *Contracts should be let where possible to local tenderers, provided that their tender price is not unreasonably high.*

Pending these arrangements being put in place, and with consequent improvements in income for housing organisations, governments and authorities should take into account the need of housing organisations for assistance with their recurrent costs, in addition to funding for new dwellings.

Background information

Remote communities face disproportionately high levels of economic disadvantage that can affect the circumstances of Aboriginal and Torres Strait Islander people living in these areas. New construction of public works in these communities provide Aboriginal and Torres Strait Islander people with new opportunities for employment, economic growth and engagement.

Responsibility


The Commonwealth, and all State and Territory governments have responsibility for this recommendation. Procurement policy for public works falls under the jurisdiction of both Commonwealth, and State and Territory governments.

Key actions taken and status of implementation

In 1993, the **Commonwealth** introduced a contracting policy to increase Aboriginal and Torres Strait Islander participation in the award of contracts for construction and associated works for local


communities. An independent evaluation of this policy concluded that the policy had not generated employment as envisioned and would require further action. In 1994, ATSIC funded the CAT/National Technology Resource Centre to research the building consultancy and buying processes in remote communities.

PM&C noted the incorporation of the suggestions outlined in Recommendation 326 into a number of contracts. One example includes the contracts associated with the \$700 million road works which will include targets for Aboriginal and Torres Strait Islander employment and procurement. Similarly, the \$5 billion Northern Australia Infrastructure Facility also requires private sector project proponents to provide strong employment, training and business development opportunities for Aboriginal and Torres Strait Islander people. Similar targets are being developed for major infrastructure developments jointly funded under City Deals (Townsville, Launceston and Western Sydney).


 *The Commonwealth Government has taken steps to address the intention of Recommendation 326, with some examples of contracts that are consistent with the recommendation. However, given that there is no evidence of a consistent approach across all contracts, Recommendation 326 is considered partially complete.*

In their 1994-95 implementation report, the **New South Wales** Government noted that Aboriginal organisations had the ability to participate in the development of contracts where the work to be performed is to fulfil Aboriginal needs. The NSW Government also announced the *Aboriginal Participation in Construction Policy* (2015) which established mandatory project requirements to support Aboriginal people in construction work. Under the APIC policy, all NSW government construction contracts over \$10 million and/or contracts primarily directed to Aboriginal communities, includes requirement for expenditure on Aboriginal participation. The target must be at least 1.5% of the projects construction and design costs. Head contractors have scope to determine how to meet this target including through employment, engagement of Aboriginal businesses or by supporting Aboriginal organisations and community initiatives.

In addition, under the *Aboriginal Procurement in Construction Policy*, the NSW Government identifies construction projects where Aboriginal employment is required. The NSW Procurement Board provides an exemption from competitive tendering for Aboriginal owned businesses. A NSW agency may purchase goods and services valued up to \$150,000 from a recognised Aboriginal business, provided the supplier's rates for the goods or services are reasonable and consistent with normal market rates and the agency obtains at least one written quotation.

 *The New South Wales Government has partially implemented Recommendation 326 by providing opportunities to Aboriginal businesses through the Aboriginal participation in Construction Policy but has not addressed parts (a) and (c) of this recommendation.*


In 1993, the **Victorian** Government provided Aboriginal and Torres Strait Islander communities with the right to make decisions on the allocation of funding under the *Capital Projects Program*. Aboriginal Affairs Victoria also provided input into this process to ensure that projects maximised the employment of Aboriginal and Torres Strait Islander people in the completion of the work.

 *The Victorian Government has implemented Recommendation 326 through the Capital Projects Program and initiatives to encourage the employment of Aboriginal and Torres Strait Islander people in the completion of construction work.*

In 2013, the **Queensland** Government introduced the *Queensland Procurement Policy* which sought to ensure that competitive local suppliers were given a full, fair and reasonable opportunity to supply the Queensland Government. The Queensland Government works in partnership with Aboriginal and Torres Strait Islander communities to support increased employment and training opportunities from housing construction, maintenance and infrastructure development.

All tenders let for new housing construction in remote Aboriginal and Torres Strait Islander communities have a requirement for the proponent to comply with the Indigenous Economic Opportunities Plan, which seeks to provide employment, training and business supply opportunities for Aboriginal and Torres Strait Islander people. The Queensland Indigenous Procurement Policy also


includes a target to increase the value of Queensland Government procurement with Aboriginal and Torres Strait Islander business to 3% of addressable spend by 2022.

 *The Queensland Government has partially implemented Recommendation 326 by providing opportunities to Aboriginal and Torres Strait Islander businesses through the Indigenous Economic Opportunities Program but has not addressed parts (a) and (c) of this recommendation.*

The **South Australian** Government provided in their 1993 implementation report that tendering processes allowed Aboriginal and Torres Strait Islander communities to participate in the award of contracts. A number of other initiatives were introduced to provide training for Aboriginal and Torres Strait Islander people, to establish local labour requirements, and to promote employment opportunities for Aboriginal and Torres Strait Islander tradespeople.

More recently, Housing SA has implemented a process to include local Aboriginal and Torres Strait Islander employment in contracts for capital and maintenance services, with a target of 35% employment in 2017. Housing SA has employed a Senior Project Officer for Aboriginal and Torres Strait Islander Employment who works with contractors to promote skill development through training, apprenticeships and job-based experience.

The National Partnership on Remote Housing also includes a 30% performance benchmark for engagement of Aboriginal and Torres Strait Islander business enterprise in capital works. In addition, Housing SA's procurement process enables direct procurement within new SA Government guidelines to enable Aboriginal and Torres Strait Islander business engagement to undertake works.

 *The South Australian Government has implemented Recommendation 326 through a range of initiatives established by Housing SA.*


In 1994, **Western Australia's** Homeswest program had both an Aboriginal Tender Preference Scheme and a Regional Preference Scheme. The then Department of Training also contributed funds to be used for adult vocational education and training facilities in remote locations including Halls Creek, South East Kimberley, Fitzroy Crossing, and Ngaanyatjarra Lands. Western Australia's *Regional Development Policy Framework* establishes policy and project priorities, including employment, infrastructure and skills, and education. The *Training Together Working Together* policy, and the associated Aboriginal Workforce Development Centre, also assists in offering a range of programs to promote Aboriginal and Torres Strait Islander skill development and workforce engagement.

Currently, the Housing Directorate (within the Western Australian Department of Communities), has Aboriginal Employment Targets in construction and civil works contracts which mandate specific employment targets for each region (20 per cent for Kimberley and Pilbara) for all new contracts awarded by the Directorate. The targets are reviewed annually and increased from 2020 onwards. For construction and civil works in the Kimberley and Pilbara regions, contractors must submit an Aboriginal Employment Plan as part of their tender submission.


In addition, the Western Australian Government is currently developing the North West Aboriginal Housing Fund to construct new homes in the Kimberley and Pilbara. The project has reserved funding for service and construction contracts for Aboriginal and Torres Strait Islander organisations. All projects under the fund will be required to achieve Aboriginal and Torres Strait Islander employment targets and facilitate local Aboriginal and Torres Strait Islander apprenticeships and traineeships.

 *Western Australia has implemented Recommendation 326 through a range of policies developed by the Western Australian Department of Communities, Housing Directorate.*


In **Tasmania**, Skills Tasmania has responsibility for administering skill development opportunities and training. Aboriginal and Torres Strait Islander people are part of the target group for Skills Tasmania. Additionally, Tasmania allocates national partnership funding to the development of additional properties, repairs and maintenance, local Aboriginal and Torres Strait Islander employment, and implementation of service delivery.

 *The Tasmanian Government has not implemented Recommendation 326.*

In their 1993-94 implementation report, the **Northern Territory** Government provided that it was policy to encourage Aboriginal and Torres Strait Islander participation in government works such as through community consultation initiatives. The Northern Territory's *Indigenous Responsive Program* provides training, skill development and employment opportunities for Aboriginal and Torres Strait Islander people. Currently, the Northern Territory Government has a policy of employing labour from the community as far as is possible and utilising local suppliers when completing housing and related infrastructure programs in remote areas (provided tender prices are not unreasonably high).

 *The Northern Territory Government has partially implemented Recommendation 326 by implementing the Indigenous Responsive Program and through its procurement policy and guidelines but has not expressly addressed elements of parts (b) and (c) of the recommendation in its response.*

This recommendation is of limited relevance to the **Australian Capital Territory** as there are no remote Aboriginal Communities in the Australian Capital Territory.

 *Recommendation 326 is not applicable to the ACT.*

Recommendation 327

That:

- a. *Relevant Aboriginal training institutions and Aboriginal housing organisations, in consultation with DEET, devise and implement a strategy specifically directed to the training of Aboriginal people to build and maintain essential community infrastructure; and*
- b. *This training program should be adequately co-ordinated with employment strategies established under the AEDP and CDEP.*

Background information

Aboriginal and Torres Strait Islander communities have been identified as being under serviced by relevant municipal and State authorities with regard to essential community infrastructure and services. Increased involvement of Aboriginal and Torres Strait Islander people in building and maintaining these facilities can contribute to community development as well as to training and employment opportunities.

Responsibility

The recommendation is solely the responsibility of the Commonwealth Government. DEET was a Commonwealth Department.


Key actions taken and status of implementation

In 1991, the **Commonwealth** Government provided additional resources to undertake a Community Infrastructure Training Program, designed to provide Aboriginal and Torres Strait Islander people with improved access to employment and associated training on infrastructure projects. The Commonwealth Government developed a Community Enterprise training package, in conjunction with DEET, the Department of Health, Housing and Community Services, ATSIC and the Housing Industry Association to assist communities to become involved in housing construction projects. In 1994, ATSIC committed \$60 million over three years under the Health Infrastructure Priority Projects scheme for 31 large-scale housing and infrastructure projects.

PM&C noted that through the development and implementation of the National Partnership Agreement for Remote Indigenous Housing and the Commonwealth Aboriginal and Torres Strait Islander Employment Strategy, there has been an increased focus on providing business and employment opportunities. PM&C further noted that outputs delivered include an increase in the percentage of works delivered under the agreement and the percentage of contracts awarded to Aboriginal and Torres Strait Islander businesses.

Under the Remote Housing Strategy, the States and the Northern Territory agreed to develop a range of housing related projects under the CDP for delivery by CDP providers. The Northern Territory are

required to inform PM&C, who then work with local CDP providers, about any proposed works to be delivered, and associated work requirements, within relevant communities in advance (where possible) of works commencing. This allows CDP providers the opportunity to assist skill development and prepare housing related projects for local Aboriginal and Torres Strait Islander participants.

 *The Commonwealth Government has completed Recommendation 327 via a number of programs and initiatives, including through the CDP. While the AEDP and CDEP no longer exist, the CDP allows job seekers to undertake training that will improve their job readiness and assist in gaining employment.*