# The First Nations Clean Energy Strategy 2024 - 2030



# **Disclaimer**

© Commonwealth of Australia 2024

# Ownership of intellectual property rights

Unless otherwise noted, copyright (and any other intellectual property rights) in this publication is owned by the Commonwealth of Australia (referred to as the Commonwealth).

# Creative Commons licence

All material in this publication is licensed under a Creative Commons Attribution 4.0 International Licence except content supplied by third parties, logos and the Commonwealth Coat of Arms. Inquiries about the licence and any use of this document should be emailed to copyright@dcceew.gov.au.

# Cataloguing data

This publication (and any material sourced from it) should be attributed as: Australian Government 2024, First Nations Clean Energy Strategy, Canberra, February.

This publication is available at dcceew.gov.au/publications.

Department of Climate Change, Energy, the Environment and Water
GPO Box 3090 Canberra ACT 2601

Telephone 1800 920 528

Web dcceew.gov.au

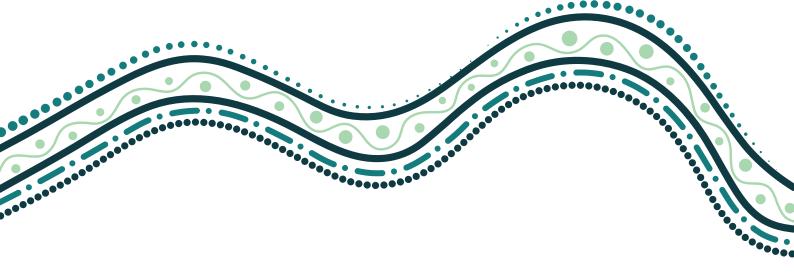
# Disclaimer

The Australian Government acting through the Department of Climate Change, Energy, the Environment and Water has exercised due care and skill in preparing and compiling the information and data in this publication. Notwithstanding, the Department of Climate Change, Energy, the Environment and Water, its employees and advisers disclaim all liability, including liability for negligence and for any loss, damage, injury, expense or cost incurred by any person as a result of accessing, using or relying on any of the information or data in this publication to the maximum extent permitted by law.

# Artworks

All artwork is copyright under © Aboriginal Art by Lani 2024.

The Australian Government has licensed this work for the purpose of this report and associated products.



# Acknowledgement

The Australian Government acknowledges the Traditional Owners of Country throughout Australia and their continuing connection to land, skies, waters and community. We pay our respects to their cultures and their Elders past and present.

First Nations knowledge is critical to living sustainably in Australia. The knowledge that Aboriginal and Torres Strait Islander peoples hold as Custodians of Australia's land and natural resources can and should underpin a fair and just clean energy transition.

# **Appreciation**

The Australian Government acknowledges the cultural load and burden that comes with government engagement and consultations. We extend our deep appreciation to all First Nations peoples and communities for sharing their knowledge and experiences to support the development of the First Nations Clean Energy Strategy (the Strategy).

The Strategy is informed by the expectations of First Nations peoples who provided input into the development of the Strategy. This includes advice from the First Nations Clean Energy and Climate Change Advisory Committee (the Committee) and state and territory governments through the First Nations Working Group of the Energy and Climate Change Ministerial Council. We also extend our thanks to the First Nations Clean Energy Network who have provided advice and support throughout. Finally, we extend our thanks to the National Indigenous Australians Agency for their ongoing partnership in development of the Strategy.

# **A NOTE ON LANGUAGE**

When referring to Aboriginal and Torres Strait Islander peoples, this strategy uses the term 'First Nations peoples'. When referring to people who are not Aboriginal or Torres Strait Islander, we use the terms 'non-Indigenous'.





# Contents





1	Joint Ministerial Statement			
٨	Foreword from the First Nations Clean Energy and Climate Change Advisory Committee			
١	Principles to Guide Australia's Clean Energy Transition			
١	Executive Summary			
١	Vision: Country and Culture at the centre			
٨	The Scope of the Strategy			
١	The Clean Energy Context			
١	What We've Heard			
1	Goal: Power First Nations Communities with Clean Energy			
	Objective 1.1: Address barriers to renewable energy access and supply for First Nations peoples	25		
	Objective 1.2: Invest in research and projects to support access and affordability of clean energy for First Nations peoples	26		
	⇒ Objective 1.3 Improve First Nations housing energy efficiency and sustainability	27		
7	Goal: Enable Equitable Partnerships	28		
	⇒ Objective 2.1 Provide fit-for-purpose information and resources	30		
	⇒ Objective 2.2 Empower First Nations-led coordination and capacity development	31		
	Objective 2.3 Describe and enact best practice First Nations engagement standards in the clean energy sector	32		
	Objective 2.4 Recognise and celebrate First Nations peoples' environmental values and cultural heritage in clean energy project development	32		
7	Goal: Achieve Economic Benefits with First Nations Peoples	33		
	⇒ Objective 3.1 Grow the First Nations clean energy business sector	35		
	Objective 3.2 Grow the First Nations clean energy workforce	36		
	Objective 3.3 Enable First Nations-informed clean energy program development and implementation	37		
	⇒ Objective 3.4: Facilitate First Nations clean energy projects	38		
7	Next Steps			
7	Appendices			
١	Glossary			
٨	References			
1	About the Artwork			

# Joint Ministerial Statement

# We are pleased to present the Australian Government's First Nations Clean Energy Strategy.

Australia is undergoing a clean energy transformation, with a target to reach 82% renewable electricity generation by 2030. This will require significant investment in new transmission and clean energy infrastructure. All Australians will feel the effects of this transformation, and it is important we work closely with communities to share the benefits.

First Nations peoples have a significant stake in clean energy development. They are also among the most energy insecure people in the world, with many households experiencing high rates of unplanned disconnections. The clean energy transformation presents a once-in-a lifetime opportunity to positively shift the lives of First Nations peoples in Australia.

The First Nations peoples and organisations who have participated in the development of the Strategy have outlined a vision where their ongoing connection to all land, water and sea Country across Australia, is acknowledged and celebrated throughout the energy transition. To achieve this, we need to create a new 'business-as-usual' for the clean energy sector, with First Nations peoples at the heart of our plans.

The First Nations Clean Energy Strategy is our framework for action. A sincere partnership between First Nations peoples, governments and industry across Australia. It will help shape thoughtful and considered clean energy policies and programs to 2030 and beyond.

The Strategy aims to maximise the enormous, nation-wide potential for First Nations peoples to benefit from the clean energy transformation. Priority actions identified in the Strategy will also underpin progress on outcomes of the National Partnership Agreement on Closing the Gap, through self-determined participation in large project development, to business development and project ownership, to energy efficient housing and access to reliable and affordable clean energy at the household level.

The Strategy maps out a pathway to realise these opportunities, to go beyond the political and into the practical, and to bring genuine self-determination and new economic power to First Nations peoples and their communities.



The Hon Chris Bowen MP
Minister for Climate Change and Energy



Senator The Hon Malarndirri McCarthy Minister for Indigenous Australians

# Foreword from the First Nations Clean Energy and Climate Change Advisory Committee

The First Nations Clean Energy and Climate Change Advisory Committee established under the National Energy Transformation Partnership of Energy Ministers, welcomed the opportunity to play a major role in the development of Australia's inaugural First Nations Clean Energy Strategy.

The clean energy transformation is a unique and unprecedented opportunity for Australia and for genuine First Nations participation and empowerment through the observation and respect of our statutory and inherent rights as Indigenous people.

This Strategy sets out the principles and actions required by all jurisdictions of Australian governments, industry and community to ensure that First Nations peoples' rights and interests are affirmed as an essential component of this transition. Securing and realising the benefits of First Nations peoples' participation in the emerging new economy also serves to secure a flourishing net zero Australia.

Settler colonial history shows that the social and economic benefits of colonisation have not been shared by First Nations people. Even today, our people experience energy poverty and energy reliability issues unknown by most other Australians. For Australia to have a just transition, this must be addressed.

Investing meaningfully in the electrification of our communities to address these issues is a fundamental human right. Appropriate capacity support and access to investment capital are required for us to participate in and to have the opportunity to develop our own First Nations-led clean energy projects. Appropriate resourcing, planning and accountabilities to establish clear pathways for quality jobs and contracting opportunities must also be a priority for genuine benefits sharing. This not only makes the transition more likely to succeed, but is fundamental to a mature, respectful and productive relationship with First Nations peoples.

Our Songlines traverse the Country. Our cultural heritage is more than sites and artefacts, it is language, rituals, relationships, shared values, connection to Country, knowledge and the transmission of knowledge. We are interconnected through the land, water, sky and animals. We are all responsible for caring for and managing these relationships – just as our ancestors have done for thousands of years. Over generations our people have experienced distress and trauma by witnessing the abuse, mismanagement and wilful destruction of our Country, sacred sites and culture. Part of us is destroyed when this happens – this must stop.

Our communities in remote and regional locations are on the frontline of climate change impacts and environmental degradation. The Island nations of Northern Australia and the Torres Strait know this best, as sea levels continue to rise. For First Nations people, climate change is an existential threat further risking dispossession and entrenching disadvantage. We are well placed to shape and contribute to the solutions to stem the worst effects of climate change for our shared futures. On our vast land estate, we are already making significant contributions to meet Australia's emission-reduction goals.





As the First Nations Clean Energy and Climate Change Advisory Committee we have been guided by key principles in our committee deliberations and decision making. These principles have been endorsed at each of the state and territory gatherings during the Strategy's development. These principles are informed by the United Nations Declaration on the Rights of Indigenous People, the Sustainable Development Goals, the Racial Discrimination Act (1975) and the priority reforms of the Closing the Gap Agreement.

They underpin our right to self-determination. This includes our right to live on our country with access to reliable and affordable clean energy, for our cultural heritage to be recognised, protected and celebrated and to share in the benefits from the energy transformation. We must not repeat the mistakes of the past.

The Strategy represents the perspectives and priorities of First Nations people across Australia. These perspectives and priorities have informed the national framework, which calls on all governments and industry to act now.

With appropriate funding and implemented in true partnership with First Nations peoples this Strategy will realise true economic participation while improving the lives of First Nations peoples through access to reliable and affordable clean energy.

We commend the Strategy to you and to our shared prosperity and ongoing care and responsibility to our Country.

# First Nations Clean Energy and Climate Change Advisory Committee

The Minister for Climate Change and Energy established the First Nations Clean Energy and Climate Change Advisory Committee (the Committee) in 2023. The Committee provides advice to the Minister and the Department of Climate Change, Energy, the Environment and Water (DCCEEW) on First Nations rights and interests in the clean energy transition. It convenes to:

- ⇒ Provide First Nations perspectives on the Australian Government's clean energy and climate change priorities;
- Determine whether First Nations perspectives are being appropriately considered in the development of clean energy and climate change policies and programs;
- > Provide advice on how First Nations heritage and cultural protocols can be respected and protected; and
- ⇒ Identify opportunities for First Nations peoples and communities to share in the benefits of the clean energy transition.



# Principles to Guide Australia's Clean Energy Transition

Contributions from a range of parties across the energy system are needed to support the clean energy transition. These principles are designed to underpin clean energy legislative and regulatory frameworks, policies, guidance, standards, programs and projects. Everyone will need to support the application of these key guiding principles to achieve a just and fair transition.

These principles draw from international frameworks and treaties Australia is a signatory to, including the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Sustainable Development Goals. They are also informed by the Racial Discrimination Act (1975) and the National Agreement on Closing the Gap.

The principles have guided the development of this Strategy, including its goals, objectives and actions. They were distilled during the Strategy engagement with First Nations peoples across Australia and received endorsement through the public 'Have your Say' consultation process.

# The key guiding principles are:

- 1. Aboriginal and Torres Strait Islanders, being the First Nations peoples of Australia, must be enabled to self-determine how they lead, participate in, and benefit from the clean energy transition.
- 2. First Nations peoples maintain their right to live on their land, with access to reliable and affordable clean energy.
- 3. First Nations peoples are stewards and custodians of Country, including the land, waters, skies and seas. This connection is ongoing and enduring.
- 4. Access to clean energy and a safe climate benefits all human and non-human life.
- 5. First Nations peoples cultural heritage must be recognised, protected and celebrated throughout the clean energy transition.
- 6. Building genuine partnerships and collaboration is a shared responsibility. Government has a special duty of care to lead these efforts and ensure they are underpinned by robust and transparent data collection, monitoring and reporting.

# The United Nations Declaration on the Rights of Indigenous Peoples

In November 2023, the Parliament of Australia's Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs published a report on its inquiry into the application of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in Australia. It recommended the Commonwealth Government ensure its policies and legislation on matters relating to Aboriginal and Torres Strait Islander peoples be consistent with the articles of UNDRIP. The Commonwealth Government is still considering its response to the recommendations of the report.

UNDRIP outlines rights-based principles for Indigenous peoples, including: the right to self-determination; the right to be recognised as distinct peoples; the right to free, prior and informed consent; and the right to be free from discrimination.

# **Executive Summary**



Australia has begun its journey to net zero by 2050, legislating a 43% reduction in greenhouse gas emissions below 2005 levels by 2030. The energy sector is currently the highest emissions producing sector in Australia. It is also critically important to our way of life. As much of our electricity generation infrastructure approaches retirement age, the Australian Government is focused on delivering reliable and affordable electricity while on the journey to net zero emissions by 2050.

This journey brings with it a range of important decisions about how we transition, the pace of change, the technologies involved, how we protect heritage and culture, and how we manage development to ensure biodiversity outcomes. It also brings great opportunities. Decisions made now, including the policies, regulations and programs governments put in place to support the transition, will influence how First Nations peoples in Australia participate in, and benefit from, the journey to net zero.

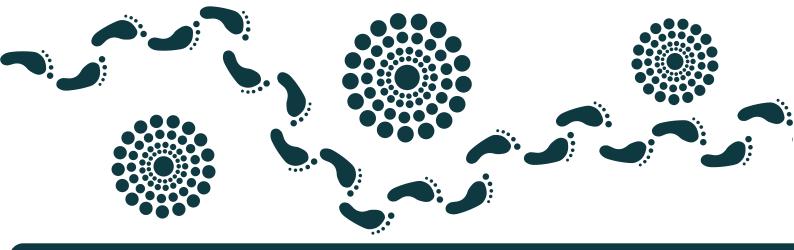
The clean energy transition is a critical moment for Australia's relationship with First Nations peoples. The journey to net zero can be a catalyst for economic self-determination by creating opportunities for First Nations peoples' effective economic participation and leadership. By prioritising investment in the right technology, in the right place, the transition can also ensure that First Nations peoples have access to the kind of reliable and affordable electricity that most other Australians already enjoy.

For First Nations peoples, ensuring effective economic participation with real benefits requires a regional approach, including long term planning, clear pathways for quality jobs and careers, and capacity support underpinned by genuine partnerships and self-determination. The transition also needs to support the National Agreement on Closing the Gap to address the entrenched disadvantage experienced by First Nations peoples in Australia.

The First Nations Clean Energy Strategy (the Strategy) is a priority commitment of the National Energy Transformation Partnership (the Partnership). The Partnership is a framework for Commonwealth, state and territory governments to work together on reforms to help transform Australia's energy system to net zero by 2050. The scale of the transition and the wide range of opportunities it presents vary across the country. The Strategy establishes a national framework for action to guide investment, influence policy design and improve outcomes for First Nations peoples across the broad scope of the transition.

Although implementation may look different in each jurisdiction, the Strategy sets out the vision, principles, goals and objectives that governments should align with when designing and implementing clean energy policy and programs. The Strategy also provides guidance to industry about the key concerns and priorities articulated by First Nations peoples right across Australia and signals the Federal Government's expectation on the changes needed.

Wherever possible, implementation of the Strategy should enable First Nations leadership, strong partnerships, and collaboration amongst all parties to create a new 'business as usual' that puts Country and Culture at the heart of Australian's journey to net zero.



# Vision: Country and Culture at the Centre

The Strategy has been developed in collaboration with First Nations peoples and organisations. Throughout the Strategy engagement and consultation, First Nations peoples have outlined a vision where their connection to all land, water and sea Country across Australia, and First Nations peoples' cultural knowledge and heritage, is acknowledged and celebrated throughout the transition. This vision strongly aligns with Closing the Gap Outcome 15, where First Nations peoples' distinctive cultural, spiritual, physical and economic relationship with their land and waters is maintained.



# **GOAL:**

Power First Nations communities with clean energy

# **VISION:**

A sustainable clean energy future for all Australians, with Country and Culture at the heart

# **GOAL:**

Achieve economic benefits with First Nations peoples

# **GOAL:**

Enable equitable partnerships

# The Vision is underpinned by three goals, 11 objectives and 24 priority areas for action.

GOALS	OBJECTIVES	ACTIONS
Power First Nations	Address barriers to renewable energy access and supply for First Nations peoples	Review and extend regulatory protections.
Communities with Clean Energy		Future proof community infrastructure
	Invest in research and projects to support access and affordability of clean energy for First Nations peoples	Document First Nations peoples' experience of energy systems
		Invest in clean energy systems to transition away from diesel usage, and improve reliability and affordability
	Improve First Nations housing for energy efficiency	Improve the energy performance of First Nations housing
		Support better access to renewable energy for First Nations households
Enable Equitable Partnerships	Provide fit-for-purpose information and resources	Raise First Nations awareness about the clean energy transition
		Develop toolkits and agreement resources
		Establish a 'one door' First Nations information portal
	Empower First Nations- led coordination and capacity development	Initiate On-Country clean energy mapping & planning
		Provide access to expertise and advice for negotiation support
	Describe and enact best practice First Nations engagement standards in the clean energy sector	Build a new best practice: dialogue series
		Build a new best practice: industry awards
	Recognise and celebrate First Nations people's environmental values and cultural heritage in clean energy project development	Empower First Nations collaboration to achieve improved heritage protection
Achieve Economic Benefits with First Nations Peoples	Grow the First Nations clean energy business sector	Implement a First Nations clean energy business program
	Grow the First Nations clean energy workforce	Coordinate First Nations clean energy workforce development
		Improve First Nations workforce readiness
		Develop a First Nations clean energy job guide
	Enable First Nations- informed clean energy program development and implementation	Embed First Nations informed program design across government clean energy programs
		Elevate First Nations voices in clean energy program development and decision-making
		Increase First Nations peoples' access to Special Investment Vehicles
	Facilitate First Nations Clean Energy Projects	Deliver needs-based funding across the project lifecycle
		Broker an investor forum on access to capital and equity ownership
		Investigate a First Nations Clean Energy Investment Fund and new models for collaborative finance

Table 1: The First Nations Clean Energy Strategy framework for action

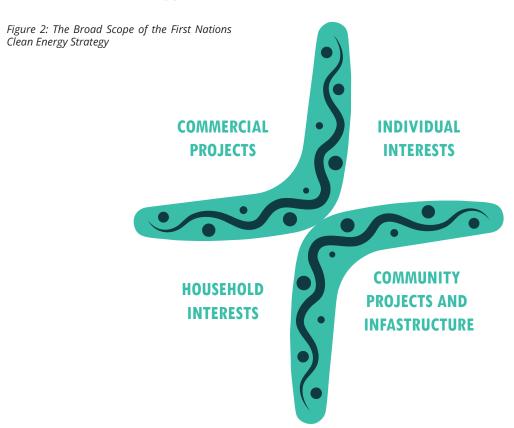
# The Scope of the Strategy

# The Strategy addresses the intersection between the clean energy transition and the rights and interests of all First Nations peoples in Australia.

Across Australia, there are many different policies and programs that speak to either clean energy or First Nations rights and interests. Currently, there is limited vision or investment at the overlap between these areas. There is enormous potential for First Nations peoples to benefit from the clean energy transition, through self-determined participation in large project development, to business development and project ownership, to energy efficient housing and access to reliable and affordable clean energy at the household level (Figure 2).

First Nations peoples have a holistic approach to caring for Country. Wherever possible, governments and industry should be working collaboratively to enable approaches that support this holistic approach, especially with respect to program design and implementation.

Important nuance exists across the nation, with different legal frameworks, policy settings and placed-based contexts within each jurisdiction. Implementation of the Strategy will align with and support First Nations peoples' rights and interests across these jurisdictions. This Strategy, through its principles, goals, objectives and actions, aims to maximise these opportunities nation-wide.



# **Description** Beyond business as usual

Strategy consultations identified the need for systemic reforms to support culturally appropriate partnerships with First Nations peoples, and to strengthen recognition and respect for their rights and values.

Strategy consultations also highlighted that while there are encouraging examples of industry's ability to engage in a culturally appropriate manner with First Nations peoples, this is not consistent across the sector. To move beyond 'business as usual', governments and industry need to establish a better understanding of, and respect for, First Nations rights and interests in the clean energy sector, including cultural heritage protection, environmental management and economic self-determination.

# Strength based and future focused

First Nations peoples' intelligence, creativity, wisdom, resilience and initiative are assets to be recognised and celebrated, while also acknowledging and addressing existing disadvantage. By recognising the strength of First Nations peoples and their communities, it is possible to lay down pathways that support self-determination. This requires a broad understanding of the diverse needs of different people, and a genuine appreciation of First Nations politics and identity. This includes consideration of specific cohorts, including women, people living with disability, youth, LGBTQIA+ people, older persons, and First Nations peoples who live in remote and regional areas.

# Alignment with work already underway

The Australian Government is currently progressing a range of reforms that are fundamentally important to achieving the goals of this Strategy. These include reform in the areas of cultural heritage, environment and biodiversity, jobs and economic empowerment, housing affordability and supply, Indigenous procurement, the National Agreement on Closing the Gap, clean energy workforce and skills development, and national health and climate policy.

The Strategy has an important role to play in drawing focus to these reforms and complementing them where relevant. This includes coordination with states and territories to support system-wide reform that leads to better outcomes for First Nations peoples.

In March 2024 the Clean Energy Council, in partnership with KPMG and the First Nations Clean Energy Network, released the Leading Practice Principles: First Nations and Renewable Energy Projects.

This document provides guidance to industry on minimum and leading practice on working with First Nations peoples when undertaking renewable energy projects, including engagement, participation and benefit sharing. The principles are:

- 1. Engage respectfully
- 2. Prioritise clear, accessible and accurate information
- 3. Ensure cultural heritage is preserved and protected
- 4. Protect Country and environment
- 5. Be a good neighbour
- 6. Ensure economic benefits are shared
- 7. Provide social benefits for community
- 8. Embed land stewardship
- 9. Ensure cultural competency
- 10. Implement, monitor and report back

(Clean Energy Council and KPMG, 2024)



# The Clean Energy Context



# The clean energy transition

The way Australia generates, stores and transmits electricity is changing. In line with Australia's emissions reduction target, the Australian Government has set an ambition to reach 82% renewable electricity generation by 2030 and net zero emissions by 2050. The Government's Reliable Renewables plan will deliver the lowest cost energy to power households and industries. The Australian Government is investing in the capacity and capability needed to increase clean energy generation and transmission. Investments made now will unlock Australia's potential to become a renewable energy superpower and support future clean energy industries.

Australia's renewable energy resources can support the development of new clean energy industries, especially in regional areas. The changing energy system will create opportunities for a skilled clean energy workforce and businesses to support its development and ongoing operation and maintenance. It also creates the opportunity for governments and industry to do things differently by building genuine and ongoing partnerships with First Nations peoples.

# The national partnership approach

The National Energy Transformation Partnership is underpinned by a commitment between Australian governments to work together to maximise the economic opportunities of the clean energy transition, ensure reliable and affordable electricity, and deliver the greatest benefits for Australian households, businesses and communities.

Emissions reduction targets vary across the country, as do the rules and regulations at the intersection of clean energy and First Nations rights and interests (see Figure 3 and Appendix B for a comprehensive overview).

The Strategy is designed to create a flexible and workable framework for coordinated action by all governments. This framework will enable jurisdictions to develop implementation plans that respond to their unique contexts and meet their emissions reduction targets in a way that maximises benefits for First Nations peoples.

# > First Nations peoples and the clean energy transition

The clean energy transition is a critical moment for First Nations peoples' participation and wealth creation. First Nations peoples have occupied and cared for this continent and its land, skies, waters and seas for over 65,000 years. As the original custodians of Australia, First Nations peoples hold a unique and enduring relationship with Country.

Right now across Australia, including in regional and remote areas, significant renewable energy project development is underway. Large amounts of government and industry investment is being directed into this sector. First Nations peoples could significantly benefit from this transition through effective economic participation.

Project mapping predicts that clean energy infrastructure will include significant development on the Indigenous Estate (Net Zero Australia 2023). It is expected that the 350% increase in international demand for critical minerals before 2040 (International Energy Agency 2023), will require access to land covered by a Native Title claim or determination, lands which already host more than 60% of Australia's current resource projects (Productivity Commission 2020).

The transition also brings an opportunity to address existing inequalities. First Nations peoples in Australia are among the most energy insecure people in the world, experiencing high rates of unreliable and expensive energy supply, along with frequent rates of disconnection (see glossary).

First Nations communities outside the major electricity grids are 15% more likely to miss out on the consumer protections that the rest of Australia's population takes for granted (White et al. 2024). First Nations peoples are also on the frontline of climate change, especially in remote and regional areas. Many First Nations peoples living on Country are already disproportionally exposed to extreme heat, rising sea water levels and climate impacts on food sources, exacerbating already lower health and wellbeing outcomes (United Nations n.d.). Climate change affects First Nations peoples' health through its impact on the cultural and social determinants of health. This includes connection to Country, housing, infrastructure, and food and water security. Extreme weather events, loss of biodiversity, and the destruction of Country by climate change can adversely impact First Nation peoples' wellbeing (National Health and Climate Strategy 2023).

In contrast, cultural factors – such as connection to Country and caring for Country, knowledge and beliefs, language, self-determination, family and kinship, and cultural expression – can be protective and positively influence First Nations peoples' health and wellbeing. Traditional knowledge is an important asset belonging to First Nations peoples, their communities, organisations and businesses. Clean energy planning and development processes can be improved and enriched by traditional knowledge. However, access to this information must be shared with First Nations communities and organisations to support data sovereignty and intellectual property rights.

The socio-economic transformation of Australia's energy systems is an opportunity to genuinely partner with First Nations peoples, to build energy systems to meet the needs and aspirations of the people they serve and new industries that enable real benefit sharing and participation. Australia's clean energy transition requires First Nations peoples' unique and valuable contributions and strong participation to ensure its success.

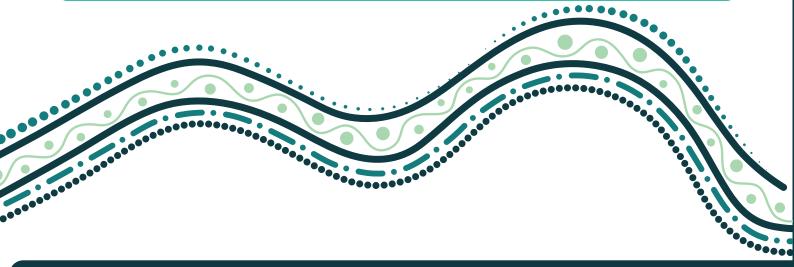
# On the Path to Clean Energy and First Nations Policy Design

The United States of America (USA) and Canada have both implemented national legislation and made significant investments to support First Nations peoples to lead and benefit from their clean energy transitions.

In the USA, programs worth US\$720 million are currently available to Tribal lands and Native communities who have experienced underinvestment which has contributed to poor health and economic outcomes. These programs aim to provide more Tribal households with access to affordable and clean electricity; make Native communities more resilient to the growing impacts of climate change; and support Tribal efforts to transition to cleaner sources of energy (The White House, 2023).

Canada has established a range of Indigenous clean energy initiatives to encourage ownership and benefit sharing models. There has been growing Indigenous participation in its clean energy transition over the last two decades, placing Indigenous peoples at the forefront of the country's clean energy evolution. First Nations, Métis and Inuit entities are now partners or beneficiaries of almost 20 per cent of Canada's electricity-generating infrastructure (Indigenous Clean Energy 2022). At least 204 mid-large scale renewable energy projects with Indigenous participation are operating or slated to come online in two years (Indigenous Clean Energy & Canadian Institute for Climate Choices 2021).

These examples show what can be achieved through effective legislation, policy and program design at the intersection of clean energy and First Nations rights and interests.



Targets: · Net zero emissions by 2050 **Policies & Programs:** · Remote Power System Strategy · NT Solar Banks QLD  $\cdot$  Social Housing Energy Performance Initiative · Indigenous Essential Services Program Targets: · Homelands Program · 30% emissions reduction on 2005 levels by 2030 · A whole-of-government 2030 · 75% emissions reduction on 2005 levels by 2035 greenhouse gas emissions · Zero net emissions by 2050 reduction target of 80% below 2020 levels Policies & Programs: · Queensland Microgrid Pilot Fund Policies & Programs: · Decarbonising Remote Communities Program · Remote Areas Essential Services · Isolated Networks Strategy Program · Energy Transformation Strategy · Community Energy Program Targets: Targets: · 50% reduction on 2005 levels by · Net 100% renewable energy by 2030 2027 Reduce greenhouse gas emissions 70% reduction on 2005 levels by by more than 50% below 2005 · Net zero emissions by 2050 levels by 2030 · Net zero emissions by 2050 Policies & Programs: · Electricity Infrastructure Roadmap Policies & Programs: First Nations Guidelines · Hydrogen Jobs Plan · Remote Area Energy Supply Scheme · Community and Employment Benefit Program for Renewable **Energy Zones in NSW** · NSW Hydrogen Strategy Targets: ACT · Legislated target of net zero emissions by 2045 · Legislated targets to supply 40% renewable energy by Targets: 2025 & 95% by 2035 · Reduce emissions by 50% to 60% (from 1990 levels) by 2025 **Policies & Programs:** · Net zero emissions by 2045 · Victorian Transmission Investment Framework · Victoria's Climate Change Strategy Targets: Policies & Programs: · Gas Substitution Roadmap · Legislated target to reduce emissions by at · ACT Climate Change Strategy · First Peoples' Adoption of Renewable Energy Program least 60% below 1990 levels by 2050 · Integrated Energy Plan · Renewable Energy Zone Fund · Legislated 200% renewable energy target by · ACT's Zero Emissions Vehicles · Traditional Owner Renewable Energy Program Strategy · Traditional Owner Offshore Wind Engagement Program **Policies & Programs:** · Renewable Energy Coordination Framework · Tasmania's Climate Change Action Plan

Figure 3: State & Territory clean energy targets, policies & initiatives that have an impact on First Nations rights and interests correct at October 2024

· Your Energy Support Program · Energy Sector Emissions Reduction &

Resilience Plan

# Culture, place, land rights and native title

As the Government, through the Strategy, works to support First Nations peoples to participate in and benefit from the clean energy transition, industry and government will need to ensure the inclusion of Traditional Owner groups in project opportunities and consider the views of other First Nations peoples with connections to project areas.

Agreement making is often the most effective way to formalise participation with Traditional Owner Groups and agree terms of engagement over the project lifecycle. Investing the time and effort to engage early and build ongoing relationships with relevant Traditional Owners and broader community returns significant dividends in the long term.

Project proponents should develop engagement plans to guide collaboration with Traditional Owner groups and relevant First Nations communities.

In places where there is recognised native title or statutory land rights, the rights of Traditional Owners are recognised by law, which may include specific procedural requirements for those seeking to undertake business on First Nation's land.

First Nations peoples' rights and interests related to land and sea, according to traditional law and custom, are recognised in the Australian legal system. The Native Title Act 1993 creates a national framework for that recognition. Native title determinations do not create native title rights, but recognise pre-existing rights and interests in the common law, held in accordance with traditional laws and customs. In addition, state and territories also have their own land rights legislation which grants and recognises interests in land for the benefit of Aboriginal and Torres Strait Islander people across these jurisdictions. These are a form of collective property rights as groups, not individuals, hold the rights and interests communally. The nature of rights granted is dependent on which legislation they are granted under.

In many instances, clean energy project developers and First Nations peoples will be faced with legal considerations linked to access to, and the effect of their proposals on, First Nations rights and interests and the effect of proposals on cultural heritage. It is beyond the scope of the Strategy to detail the diverse ways that land rights and native title interact in each instance and in each jurisdiction. A summary of relevant legal instruments and policy settings is included in Appendix B.

In addition to specific legal obligations, it is considered usual business practice for proponents to engage early and in an ongoing way with Traditional Owner representative bodies and First Nations communities to support genuine collaboration and certainty for all parties. The Strategy will support First Nations peoples to engage and partner with industries of key strategic value through the energy transition including to support agreement making, community benefits sharing and First Nations economic opportunity.

The Government recognises Prescribed Bodies Corporate (PBCs) and other Traditional Owner groups have a key role to play as partners, leaders and supporters of Australia's clean energy transition. At a project level, PBCs and other First Nations groups' participation can save time, reduce costs and improve overall outcomes through the life of clean energy projects.

The Government is committed to working in partnership with native title holders, their PBCs, state and territory governments, and other key stakeholders to consider a range of options to support PBCs, build their capacity and ensure native title holders are well-placed to support, engage in and benefit from Australia's clean energy transition.

### The National Agreement on Closing the Gap

The National Agreement on Closing the Gap (the Agreement) is the key policy driver for system-wide reform across all levels of government in Australia. The Agreement recognises that entrenched inequality creates gaps between Indigenous and non-Indigenous Australians in life expectancy, economic participation, employment, education and in other fundamental areas. While none of these are specific to the provision of clean energy, targets like employment, housing, health and education are all underpinned by access to an affordable and reliable energy supply.

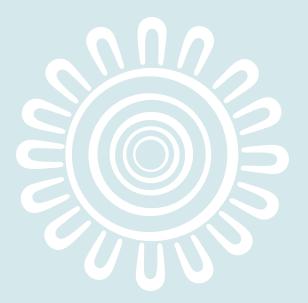
The Strategy is guided by the priority reforms of the Agreement. This includes:

- 1. Supporting genuine formal partnerships and shared decision-making with First Nations peoples in all aspects of the clean energy transition;
- 2. Building the community-controlled sector through First Nations-led clean energy initiatives;
- 3. Transforming government organisations to work better with and for First Nations peoples to achieve the vision of the Strategy; and
- 4. Improving First Nations peoples access to data and information to make informed clean energy decisions.

The actions embedded in the Strategy will make a direct contribution to the achievement of the following Closing the Gap (CTG) targets:

- ⇒ Target 8 Strong economic participation and development of people and their communities;
- ⇒ Target 9 People can secure appropriate, affordable housing that is aligned with their priorities and need;
  - ⇒ 9b: By 2031, all Aboriginal and Torres Strait Islander households:
    - ⇒ Within discrete Aboriginal and Torres Strait Islander communities receive essential services that meet or exceed the relevant jurisdictional standard
    - ⇒ In or near to a town receive essential services that meet or exceed the same standard as applies generally within the town (including if the household might be classified for other purposes as a part of a discrete settlement such as a "town camp" or "town-based reserve".)
- ⇒ Target 15 People maintain a distinctive cultural, spiritual, physical and economic relationship with their land and waters; and
- ⇒ Target 17 People have access to information and services enabling participation in informed decision-making regarding their own lives.





# **What We've Heard**



Since March 2023, we have engaged with over 1,200 people in Strategy development activities. We have talked with First Nations communities and organisations, federal, state and territory government agencies, industry, academics, and other experts. These discussions focused on identifying the opportunities and barriers for First Nations peoples to share in the benefits of the clean energy transition.



# REFRAMING FIRST NATIONS ENGAGEMENT AND RESPECT FOR COUNTRY, CULTURE AND HERITAGE

- ⇒ Free, prior and informed consent.
- ⇒ Collaboration, beyond consultation.
- ⇒ Respect for and protection of Country, culture, heritage and rights.



# KEY ENABLERS TO ENSURE A JUST ENERGY TRANSITION

- Skills and workforce development.
- Access to funding.
- ⇒ Impactful policy and governance.



# MEANINGFUL ECONOMIC PARTICIPATION ACROSS THE CLEAN ENERGY LANDSCAPE

- Access to electricity as a basic human right.
- ⇒ Opportunities across the energy ecosystem.
- ⇒ Varying types of participation.



### **DISMANTLE SYSTEMIC BARRIERS AND ADDRESS INEQUALITY**

- ⇒ Improving wellbeing and increasing equity in addition to economic benefits.
- ⇒ Acknowledging the links between energy, welfare, and health.
- ⇒ Aligning the Strategy to existing efforts to address inequality, such as the National Agreement on Closing the Gap.



### TAILORED AND CULTURALLY APPROPRIATE COMMUNICATION

- ⇒ Nationwide communications to increase information dissemination.
- ⇒ First Nations-led delivery of culturally appropriate resources.
- ⇒ Address misinformation with trusted advice.



### **WORK WITH TRUSTED MODELS AND PARTNERS**

- Adopt existing models and proven strategies.
- Partner with trusted organisations in the sector.
- Collaborate across states and territories.

Figure 4: Key Themes Emerging from Engagements and Consultations

Strategy development was led by the Department of Climate Change, Energy, Environment and Water, with support from the National Indigenous Affairs Agency. Activities included:

- ⇒ Nine roundtables in each jurisdiction, supported by the First Nations Clean Energy Network.
- Monthly meetings with the First Nations Clean Energy and Climate Change Advisory Committee.
- Regular meetings with State and Territory government representatives of the First Nations Engagement Working Group of Energy and Climate Change Ministerial Council, along with bilateral meetings.
- A public consultation paper, including the draft Strategy Framework, open for comment from mid-November 2023 to mid-February 2024, and a series of virtual public webinars to support this process.
- ⇒ Development of case studies through desktop research and direct engagement with participants; and
- ⇒ A series of virtual focus groups with First Nations organisations, research bodies and industry.

Of the 90 responses received through the public 'Have your Say' process, 89% expressed strong support for the draft Strategy Framework. Responses came from a broad range of industry groups, along with academia, not-for-profit organisations and government. All states and territories were represented, and responses came from city, regional and remote areas. A detailed Feedback Report (Appendix E) includes further description and analysis.

The following sections detail the Strategy's goals, objectives and proposed actions.



# Goal: Power First Nations Communities with Clean Energy

Increased access to reliable and affordable clean energy for First Nations peoples, no matter where they live, by improving regulatory protections, removing barriers and through the supply and installation of renewable energy systems.

# What we know

Access to reliable and affordable clean energy is fundamental to achieving better health, wellbeing and social outcomes as recognised by Sustainable Development Goal (SDG) 7.

This goal aligns with CTG Target 9b that by 2031, all First Nations households within discrete First Nations communities receive essential services that meet or exceed the relevant jurisdictional standard.

Currently, many First Nations peoples do not have access to reliable and affordable electricity within existing energy supply systems. This lack of access and affordability is exacerbated by extreme temperatures where households rely more on heating and cooling (Longden et al. 2020, 2022).

Households in off-grid or fringe-of-grid (see glossary) communities are impacted by poor system reliability, high energy costs (including diesel fuel costs), thermally inefficient housing and reliance on prepaid metering. In these areas, electricity is often supplied through off-grid systems, sometimes from renewable sources, but mostly supported in some capacity by diesel generators. Many of these communities report inadequate regulatory oversight and lower consumer protections (Riley et al. 2023).

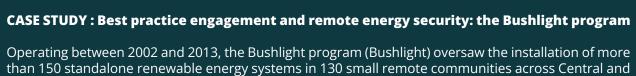
Diesel generators are expensive to run and maintain and are impacted by rising fuel costs. Replacing generators with renewable energy systems requires an up-front capital investment in clean energy projects which can take time to generate financial returns. Private banking institutions and most government funded investment vehicles cannot currently fund non-commercial projects due to limitations in their design and operational rules. Credit rating requirements can also limit access to finance for First Nations community and household scale projects.

In communities that are required to prepay for access to household electricity (often via the use of payment cards) unplanned disconnections occur when the pre-payment credit runs out, leaving households without electricity for significant periods of time. Higher demand for energy due to extreme climatic conditions, along with a lack of energy efficient and climate resilient housing in First Nations communities, increases the likelihood of unplanned disconnections.

Current regulations for rental properties and community housing can prevent many First Nations households from benefiting from existing subsidies and incentives for household solar, including in areas that have excellent renewable energy generation potential.

In Australia, the benefits of solar panels, including reduced energy bills and improved energy reliability, are unevenly distributed. In 2018, only 4% of rental households had solar panels installed (Tilbury 2018). In 2021, 56.1% of First Nations households were renters, with 14.76% living in social or community housing (ABS 2021).

Many First Nations peoples live in homes with low energy efficiency ratings. For example, a 2016 study showed that most First Nations households in Victoria lived in homes older than 20 years old (Bedggood et al. 2017). Of the 867 First Nations households studied, 13% reported having no fixed heating appliance, leading to the use of smaller, less efficient appliances that cost more to run. First Nations peoples were also shown to live in homes with higher-than-average occupancy levels and relied heavily on gas heating in winter.



Northern Australia. Bushlight was a \$40 million program, funded by the Commonwealth Government and led by the Centre for Appropriate Technology (CfAT), an Aboriginal organisation based in Alice Springs, Northern Territory.

Bushlight applied a community development approach to develop principles of best practice engagement with a strong emphasis on culturally informed and relevant education and outreach. The program also drew on the technical expertise of engineers to develop a robust stand-alone solar PV system with a traffic light demand management signal to help people understand their energy supply and consumption.

See Appendix A for more information.

# What is already being done

In August 2023, the federal, state and territory governments agreed to update the National Housing Accord (Accord) target to 1.2 million new 'well-located' homes over 5 years from mid-2024 (Treasury 2022). The Accord includes some First Nations specific initiatives. A range of other federal, state and territory government housing investments and reforms are also underway. These are fundamental to improving housing in remote and regional communities, while increasing access to energy efficient housing. Given the range of housing supply and energy efficiency initiatives underway, actions under this Strategy focus on better coordination of existing government policy and funding.

The Australian Government is also leading work with states, territories and energy market bodies on consumer-focussed energy retail reform to address issues raised in market body reports such as the Australian Competition and Consumer Commission's Inquiry into the National Electricity Market (December 2023), the Australian Energy Regulator's Game Changer Report (November 2023) and regular reporting by Energy Consumers Australia on consumer sentiment. The reforms will focus on improving outcomes for electricity and gas customers facing barriers to accessing reliable and affordable clean energy or experiencing financial hardship. The reforms will enable all electricity and gas consumers to engage with their energy retailer more effectively.

In the Northern Territory and Western Australia, where prepayment metering is most common, smart meters are being rolled out to replace old mechanical meters (Power and Water Corporation 2023). Smart meters provide consumers with better visibility of their energy use, allowing them to better understand and manage their energy consumption to avoid higher costs. They are also compatible with solar panel installations, making it easier for households to connect rooftop solar and batteries. This transition to smart meters will deliver cost savings, and better access to energy use data and to clean energy technologies for First Nations households.



With the advancement in technology and reduction in costs that comes with renewable energy, microgrids (see glossary) have become a competitive solution for some communities. Microgrids can solve access issues and empower First Nations communities to become more self-reliant. They can support communities to produce and maintain their own power solutions and provide opportunities to partner on microgrid projects.

In 2019, the Commonwealth established the Regional and Remote Communities Reliability Fund (RRCRF) to support feasibility studies for microgrid technologies in regional and remote areas (DCCEEW 2023). RRCRF supported 37 microgrid feasibility studies, 13 of which were First Nations community focussed, comprising more than 80 communities (ARENA 2023). In 2023, further funding was announced by ARENA to establish the Regional Microgrids Program. (ARENA 2023) This program was allocated \$75 million to develop and deploy microgrid technologies in First Nations communities through the First Nations Community Microgrids Stream (ARENA 2023). Applications will remain open until December 2025 or until funds are exhausted.

### **Prepayment metering and remote First Nations Households**

For First Nations peoples living in remote areas, electricity disconnections are a regular feature of their lives.

Pre-payment metering systems are designed to allow households to pay for electricity before it is used. The household meter has an inbuilt disconnection device that is triggered once the pre-paid value of electricity has been used.

Pre-paid and post-paid consumers are both protected under Australian Consumer Law, the national legal framework for consumer protection and fair trading. Prepaid consumers in NSW, QLD, SA, TAS and ACT are also covered by the National Energy Retail Rules (NERR). The NERR provides some additional protections such as on-request energy consumption information and limits on disconnection times.

Pre-paid customers do not fall within the National Energy Customer Framework (NECF) which regulates the sale and supply of electricity and gas to retail consumers in the ACT, TAS, SA, NSW, QLD and part VIC. This means consumers living in WA and the NT, where most pre-paid services are located, are not protected under the NECF or NERR, but under state and territory legislation.

Pre-payment meters in the Northern Territory are widely used for residential electricity (McKenzie 2013). A 2013 report found that communities expressed satisfaction with aspects of pre-payment meters such as helping with household budget management, but also identified challenges arising from unplanned disconnections when the pre-payment credit runs out.

A 2022 paper shows that of 3,300 households across 28 remote communities, 91% experienced a disconnection during the 2018-19 financial year. Of those who experienced a disconnection, 74% were disconnected more than 10 times. When disconnection protections were put in place during the COVID-19 pandemic, more than 10,000 households in remote and regional communities on prepaid systems were not adequately included. Households experienced similar disconnection rates to those prior to the pandemic, while also needing to manage the challenges of the pandemic. Households in homelands were also found to be paying significantly higher electricity bills than those in communities where they have state regulated and maintained energy systems (Longden et al. 2022).

Disconnection information is not always visible to agencies like community welfare services and goes largely unreported (Riley et al. 2023). It can also be a barrier to energy security for those households who incur travel costs to recharge a pre-payment card at a community store, which may have limited business hours.

Combined exposure to extreme climate events and inconsistent electricity supply detrimentally impacts health outcomes and contributes to a wide range of social and community issues for First Nations peoples.











# Next steps: Objectives and priorities for action

# Objective 1.1: Address barriers to renewable energy access and supply for First Nations peoples

# A.1.1.1 Review and extend regulatory protections

As energy systems are redesigned to integrate renewable technology, there is an opportunity to redesign consumer protections. Done well, introducing renewable energy, strengthening consumer protections and improving the energy efficiency of First Nations households, will improve the affordability and reliability of energy for these communities and deliver lower emissions.

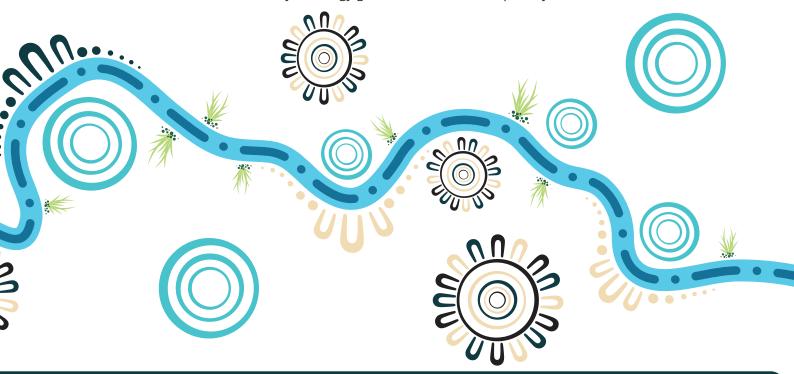
Equitable energy access and consumer protections need to be addressed for households experiencing energy hardship and/or in remote areas. Extension of regulatory protections for consumers outside the regulated energy markets should include consideration of:

- Mandating the reporting of disconnection data from utility providers;
- Aligning hardship and disconnection protections with those in the National Energy Customer Framework where appropriate and necessary;
- ⇒ Updating prepayment meter system to reflect technological improvements in systems since the code was introduced in 2005;
- ⇒ Prohibiting disconnections when temperatures rise above a certain threshold;
- ⇒ Entrenching protections for vulnerable groups e.g. people with medical conditions requiring a reliable source of electricity; and
- Requiring utilities to offer payment plans for consumers who have fallen behind on their payments.

This action includes undertaking a coordinated review and development of an improved consumer protection framework for First Nations peoples living outside the major electricity markets to improve consumer outcomes.

### A.1.1.2 Future proof community infrastructure

Significant planning and action is needed to accelerate and coordinate global efforts towards net zero ambitions. This involves a combination of both immediate action and forward planning to put in place the building blocks for longer term priorities. For example, frameworks are needed to support new clean energy industries and nation-wide electric vehicle (EV) charging infrastructure. Innovative technology solutions are increasing the potential for community infrastructure and housing to generate renewable electricity suitable for power sharing and load moderation, enabling communities to participate in energy markets or place-based battery storage. First Nations communities' self-determination should be considered in the design and roll out of each innovation, particularly in remote areas where self-sufficiency in energy generation should be a priority.



# Objective 1.2: Invest in research and projects to support access and affordability of clean energy for First Nations peoples

### A.1.2.1 Document First Nations peoples' experience of energy systems

Strategy consultations identified a need for greater First Nations-led data and research on First Nations peoples's experience of energy systems. This is needed to address gaps in the evidence base, including:

- Understanding First Nations peoples' current access to clean energy;
- Uncovering market and regulatory design options that support improved affordability;
- ⇒ Interrogating whether existing consumer protections adequately meet the needs of First Nations peoples;
- ⇒ Documenting the current energy performance of First Nations housing; and
- ⇒ Undertaking a consolidated cost and benefit analysis of diesel displacement.

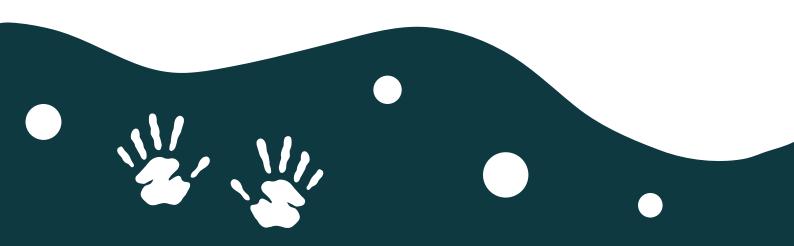
Future research needs to address inadequacies with existing research sampling approaches, especially concerning the lack of quality data from remote areas. Implementing best-practice research approaches must include the use of First Nations researchers and incorporate language translation services. Appropriate data sovereignty protocols are also needed in line with the CTG priority reforms. Ideally, research priorities will support:

- ⇒ Nationwide data documenting First Nations energy supply and experience of energy hardship;
- Baseline data relevant to CTG targets, in particular target 9B;
- ⇒ Investment decisions on capital investments to power communities with clean energy; and
- Consideration of how disadvantaged cohorts e.g. women, people living with disability, youth, etc. are currently impacted by clean energy and opportunities to improve this experience.

Initial research is needed to improve and extend consumer protections for First Nations people living outside the main electricity markets. This could include consolidation of existing data on the costs and benefits of diesel displacement needed to identify suitable financing options. Research has the potential to understand opportunities for tariff reform and improved energy affordability for First Nations peoples and communities. It would also support First Nations-led community scale projects to progress through the project development lifecycle to construction and operation (see action 3.4.1 below); and set a baseline for tracking progress of the Strategy to 2030.

# A.1.2.2 Invest in clean energy systems to transition away from diesel usage, and improve reliability and affordability

Considered, fit-for-purpose solutions that incorporate community aspirations, needs, geography, climate, renewable resources and existing circumstances along with capital investment will enable First Nations communities to transition away from energy systems reliant on diesel fuel. Switching to renewable generation such as solar and battery systems can improve access to reliable, affordable and clean energy for First Nations communities. Electrification (see glossary) of gas reliant appliances can also improve energy performance. By working together, governments can identify financing solutions to enable this transition and a self-determined outcome for First Nations peoples.



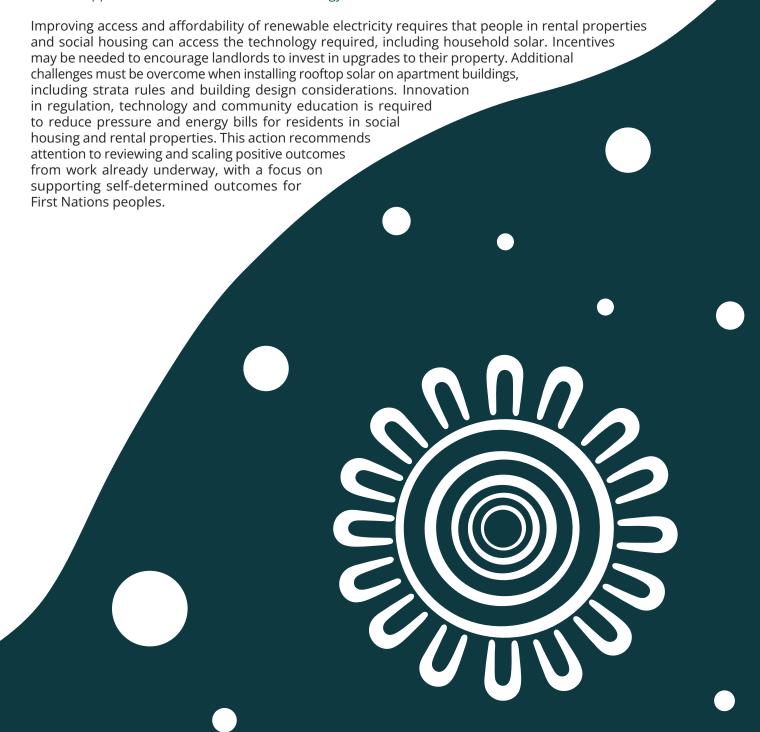
# Objective 1.3 Improve First Nations housing energy efficiency and sustainability

### A.1.3.1 Improve the energy performance of First Nations housing

A focus on upgrading and building higher quality, energy efficient and climate-proof First Nations housing will help to realise the benefits of renewable energy. Across the country, governments are investing in housing through energy efficiency, and improved building standards and clean energy supply initiatives. Governments are also investing in support programs for energy efficiency upgrades including reverse cycle air conditioners, heat pump hot water systems, LED lighting, ceiling fans, window shading, insulation and draught proofing.

Ongoing efforts to coordinate and deliver a coherent suite of initiatives and reforms will improve the housing energy performance of First Nations households. By working together, all governments can strengthen alignment of existing initiatives to improve the energy performance of First Nations housing and community infrastructure in both urban and remote contexts.

### A.1.3.2 Support better access to renewable energy for First Nations households



# Goal: Enable Equitable Partnerships

Equitable partnerships require a common understanding, shared practices, and effective support. Meaningful partnerships between First Nations peoples, industry, and governments in the clean energy sector are fundamental to a successful clean energy transition.

# What we know

For First Nations peoples, meaningful partnerships with government and industry require enduring and ongoing relationships based on mutual respect and trust. To enable this First Nations peoples need to be equipped with the knowledge and resources to actively participate, including in decision-making. Equitable partnerships also require early collaboration and the opportunity to influence outcomes before decisions are made on projects, policies and programs.

This Goal aligns with Closing the Gap Outcome 17, that First Nations peoples have access to information and services enabling participation in informed decision-making regarding their own lives.

Across Australia, First Nations organisations' capacity to participate is varied. To establish equitable partnerships, governments need to both improve awareness and knowledge sharing regarding clean energy, and support First Nations organisational capacity to understand and act on opportunities.

Improved access to better quality information and resources increases First Nations peoples' awareness and knowledge of the clean energy transition, its opportunities and its risks. These resources should be available to all, regardless of land tenure. Quality information and resources can also empower First Nations peoples to make informed decisions about energy use and consumption, including options to reduce energy costs and household expenses.

Creating culturally appropriate First Nations-led toolkits, guidance and training programs can improve accessibility while also growing awareness and supporting First Nations participation. It will also provide First Nations peoples with the information and tools they need to navigate the clean energy transition.

Capacity requires First Nations peoples, organisations and communities having the right information, support and capabilities to evaluate their opportunities, including if projects are in their best interests, especially when they are not First Nations-led. Trusted and independent expertise, tools and advice are needed to support negotiation of benefit sharing and land access arrangements. This also includes the means of establishing the conditions to participate in and benefit from projects (including skills training, technical resource access and support from government and other partners).

Land and sea interests are held by First Nations peoples in a wide range of tenure types across Australia. Informed consent to development proposals requires First Nations peoples to understand the full suite of arrangements and their interaction. For example, renewable energy projects can be negotiated under s24K of the Native Title Act 1993. Under this section, the 'right to be notified' principle applies but not the 'right to negotiate' regime which exists in relation to mining provisions under s30 of the same act. This can lead to different expectations of consultation and agreement-making for project development. Indigenous land use agreements (ILUAs) are voluntary agreements made between governments or land users with native title groups about the use and management of land and waters. The scope of these agreements can be wide and can include access to land, the relationship between native title rights and the rights of other land users, activities such as mining or exploration, or be part of the resolution of a native title claim. There are also differing systems of land administration across jurisdictions. Strategy consultations confirmed First Nations peoples' desire to have better understanding and support available in relation to these different tenure types and the implications for project development and negotiation.

Improving the clean energy awareness, understanding and capacity of First Nations peoples will support First Nations communities, and help industry and governments to accelerate the delivery of clean energy projects and achieve Australia's emissions reduction commitments.

Better practices and standards would also guide how industry operates and engages with First Nations peoples. As well as strengthening internal cultural capability, governments have an important role to play by harmonising First Nations engagement standards and incentivising clean energy industry proponents towards better cultural capability and practices.

# What is already being done

The Australian Government currently provides grants through the Indigenous Advancement Strategy to assist native title holding corporations known as Prescribed Body Corporates (PBCs). The grant program is designed to build the long-term capacity of PBCs to support native title holders to sustainably manage their land, grow organisational capacity and generate economic benefits (NIAA 2023). A key focus of this program includes supporting effective native title agreement-making. The government has also asked the Australian Law Reform Commission to review the Native Title Act and report back to government at the end of 2025 with options to support fair negotiations and encourage proponents and native title groups to work collaboratively in relation to future acts.

Australia's national environmental law (the Environmental Protection and Biodiversity Conservation Act 1999) is currently being reformed to include the development of National Environmental Standards, including a standard for First Nations engagement and participation in decision-making. As part of this reform, the Australian Government is supporting 'Nature Positive' regional planning to improve the environmental, social and economic outcomes of development projects. This initiative aims to provide clear information to decision makers, project proponents and communities on what geographic areas are appropriate for development. Through a collaborative approach, First Nations peoples' values, aspirations, knowledge and science will be incorporated into the objectives of every regional plan. Local First Nations cultural knowledge will also be embedded so that appropriate methods of caring for Country are fostered throughout the planning process.

Alongside this reform of environmental law, the Australian Government is working in partnership with the First Nations Heritage Protection Alliance (the Alliance), to develop reforms aimed at strengthening protection of First Nations cultural heritage. This includes reforming the current standalone legislation – the Aboriginal and Torres Strait Islander Heritage protection Act 1984.

The Australian Government is also developing standards for improved community engagement and benefit sharing in response to the findings of the 2023 Dyer Review into community engagement for renewable energy development, with specific consideration of First Nations communities.

While the reforms underway demonstrate progress, further action and resourcing would shift existing ways of doing business towards better practice. For best practice in partnering and benefit sharing with First Nations groups to be broadly understood and adopted, it must be identified and promoted.



# Next steps: Objectives and priorities for action

Objective 2.1 Provide fit-for-purpose information and resources

A.2.1.1 Raise First Nations awareness about the clean energy transition

A lack of awareness and understanding of Australia's clean energy transition and its importance was highlighted as a key information gap during strategy consultations. First Nations experts and advisors recommended the development of a culturally relevant national narrative to support improved understanding of the clean energy transition and its possible benefits. Improved national public information and awareness is needed to provide targeted and culturally appropriate information to First Nations communities across Australia.

### A.2.1.2 Develop toolkits and agreement resources

The development of culturally appropriate toolkits and resources that build knowledge, particularly on agreement-making, benefit sharing and land administration is needed. This will support First Nations communities to self-determine benefit sharing negotiations with industry proponents. Required resources include better practice agreement examples, Native Title fact sheets and other demand-driven resources related to agreement-making, including agreement guides and examples to provide practical support for First Nations organisations looking to assess and enter into agreements.

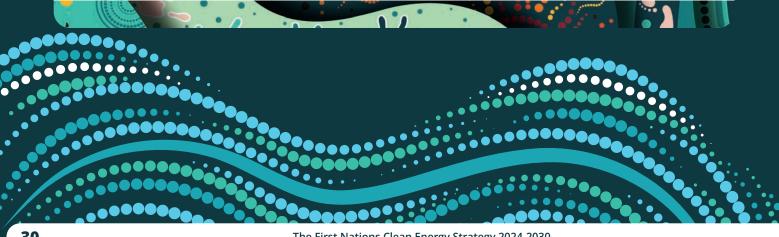
### A.2.1.3 Establish a 'one-door' First Nations information portal

A central knowledge portal would bring together and consolidate existing information and research in a coordinated and easy-to-use way. This could include information related to First Nations rights, interests and opportunities in clean energy, as well as existing toolkits and guides. This would strengthen First Nations peoples' awareness of available clean energy resources, funding opportunities and programs such as energy efficiency and supply rebate opportunities, training opportunities and workforce initiatives. This would also bring together federal, state and territory government initiatives in a more coordinated way by providing First Nations organisations, government agencies, job service providers and industry with clearly targeted information about how to participate in the clean energy sector.

# CASE STUDY: WAH-ILA-TOOS: A 'NO-WRONG-DOOR' APPROACH FOR INDIGENOUS, RURAL, AND REMOTE **CLEAN ENERGY INITIATIVES**

This case study describes one approach for how government programs can be designed to be more accessible, collaborative and responsive to the needs of Indigenous communities. The Government of Canada's approach to breaking down barriers and improving access to clean energy funding led to the creation of Wah-ila-toos, a 'no-wrong-door' access point for Indigenous, rural and remote communities to obtain funding and resources for clean energy initiatives. Wah-ila-toos began in 2022 as part of the Government of Canada's commitment to achieving net-zero emissions by the year 2050 while rebuilding and strengthening relationships with First Nations, Inuit, and Métis Peoples based on the recognition of rights, respect, and partnership.

See Appendix A for the full Case Study.



# Objective 2.2 Empower First Nations-led coordination and capacity development

### A2.2.1 Initiate on-Country clean energy mapping and planning

First Nations peoples can self-determine how best to coordinate First Nations-led mapping and planning at a regional scale. This early planning can enable communities to come together to identify the potential renewable energy resources across their Country, protect their cultural heritage and to prioritise clean energy project proposals where appropriate.

Undertaking an on-Country clean energy planning process supports First Nations peoples to:

- ⇒ Recognise and protect the rights and responsibilities of Traditional Owners to lands, waters and cultural heritage;
- ⇒ Identify and take advantage of feasible and valuable opportunities for clean energy on their lands and waters;
- ⇒ Assess and identify areas on Country that will have potential for generating and exporting clean energy; and
- Realise opportunities and pathways for Traditional Owners to invest in, own or co-own clean energy infrastructure developments.

This action would complement broader Australian Government regional planning and cultural heritage reform efforts. It would also uplift First Nations capacity to participate in project development opportunities through a self-determined approach. First Nations communities would own the planning information and be able to decide how they wish to use it. On-Country mapping could include the development of skills and associated training required for First Nations peoples to influence and lead these clean energy mapping processes. This increased capacity would also support early engagement and better understanding of clean energy developments.

# A.2.2.2 Provide access to expertise and advice for negotiation support

Strategy consultations highlighted that First Nations peoples need access to independent advice and resources to support negotiations with industry. Immediate negotiation support could be best targeted to areas of high renewable energy intensity where multiple projects have been identified for potential development. Access to expertise and advice can support self-determination in establishing benefit sharing arrangements and strengthening participation in and ownership of projects. The availability of this negotiation support should not displace any existing regulatory requirements for industry to provide support for specific agreement making and associated legal processes. Government, industry and philanthropic investors can improve First Nations negotiations experiences by providing access to expertise and funding dedicated staff to support these negotiations. This action requires consideration of fit-for-purpose models to resource negotiation support.



# Objective 2.3 Describe and enact best practice First Nations engagement standards in the clean energy sector

### A.2.3.1 Build a new best practice: dialogues series

Establishing a series of dialogues between First Nations experts, governments and industry is a priority area for action to enable First Nations peoples to challenge and interrogate existing practice. Establishing a collaborative dialogue series would help build a 'new norm' that recognises self-determined First Nations values, rights and expertise in the context of the clean energy transition.

# A.2.3.2 Build a new best practice: industry awards

To build a new best practice, governments should work with First Nations clean energy organisations and industry bodies to establish an industry award for Best Practice in First Nations Clean Energy Outcomes. Assessment criteria and determinations of awards would most appropriately be self-determined by First Nations peoples. Categories could include economic and social benefit sharing, equity share and co-ownership, employment, procurement, engagement, environmental protection, heritage protection and cultural competency.

# Objective 2.4 Recognise and celebrate First Nations peoples' environmental values and cultural heritage in clean energy project development

### A.2.4.1 Empower First Nations collaboration to achieve improved heritage protection

Ongoing and regular dialogues at senior and operational levels can increase transparency, foster collaboration, accelerate decision-making, and build trust between government, industry and Traditional Owners. Empowering First Nations clean energy organisations to self-determine their involvement in cultural heritage assessment can lead to better outcomes for clean energy project development, where trust is established through good decision making.

This can include funding First Nations organisations to undertake cultural heritage inductions and cultural training for project proponents; compensating community members for sharing cultural knowledge; repatriating any data collected during the process; and building extra time into scheduled engagements for two-way growth and development.

### **Best Practice Guidance to Achieve Improved Cultural Heritage**

The recently launched Dhawura Ngilan Business and Investor Initiative offers a Vision of Australian cultural heritage that is protected and celebrated by all. A comprehensive Guidebook has been developed to assist companies across all sectors to work alongside First Nations peoples in the protection and celebration of cultural heritage in alignment with culturally appropriate expectations and best practice standards. The Guidebook provides practical and First Nations-led advice to both Australian and international companies on how to manage their businesses in a way that enables and supports First Nations peoples to manage and protect their heritage and Country in accordance with their right to free, prior and informed consent (FPIC). This Initiative is led by the First Nations Heritage Protection Alliance in partnership with the Responsible Investment Association Australasia and UN Global Compact Network Australia. (Dhawura Ngilan Business & Investor Initiative, 2023)

# Goal: Achieve Economic Benefits with First Nations Peoples

First Nations peoples' lives and livelihoods can be improved through selfdetermination and economic participation mechanisms built into government and industry investment in the clean energy transition.

# What we know

As the growth of the clean energy industry accelerates to meet Australia's legislated climate commitments, 82% renewable electricity by 2030 target, policy aspirations to become a Renewable Energy Superpower and enable a Future Made in Australia are unlocking enormous economic opportunities across the country.

⇒ This Goal aligns with Closing the Gap Outcome 8 - Strong economic participation and development of people and their communities

With the right investment and policy settings, First Nations communities, businesses and organisations can realise a substantial portion of the opportunities generated by this growth. These potential economic benefits range from workforce, business and project development to clean energy project development and ownership. Across Australia there are existing First Nations businesses and organisations all at different stages of organisational maturity. To capture the potential opportunities and genuinely participate in the growing clean energy sector, these entities will need a range of supports from governments and industry at different stages of the business development cycle, from start-up through to organisational maturity. These entities also require support across the project development lifecycle to enable active participation in clean energy project development through to operation.<sup>1</sup>

Across Australia, First Nations businesses and organisations already deliver significant and much needed socio-economic outcomes for First Nations peoples and their communities. These First Nations owned and operated businesses and organisations are more likely to operate with social and environmental objectives aligned to First Nations cultural values. On that basis, they may be attractive investment targets for investors seeking to fulfil social and environmental investment mandates. However, Strategy consultations have also shown that the risk-return profile of First Nations businesses and enterprises can hinder access to large-scale private investment markets and public funding programs. These same First Nations businesses can also find it difficult to raise the capital required to lead their own project development.

Governments have a leading role to play in improving access to investment capital by supporting First Nations-led businesses, enterprises, and projects to lower the risk threshold for private investors and financiers. Investment programs, policies, schemes, and funds can be designed to support alignment and consistency of existing special investment vehicles across jurisdictions and strengthen the focus on supporting First Nations applicants and proponents. Incentivising rounds of grant funding to establish merit-based investment criteria can also support First Nations businesses and enterprises and deliver benefits to First Nations communities.

Equity models of loan guarantees are one way to enable upfront capital investment where there will be long-term return on investment. Strategy consultations identified a range of potential options which include:

- Revising financial return requirements of government economic development assistance programs to increase First Nations uptake of clean energy projects;
- ⇒ Using grants to create First Nations held equity in projects; and
- ⇒ Providing concessional terms for debt financing and/or loan guarantees or taxation concessions to stimulate First Nations held equity shares.

<sup>&</sup>lt;sup>1</sup> The First Nations Clean Energy Network maintains a <u>project tracker</u> of First Nations involvement, ownership and equity in clean energy projects through negotiated participation agreements.

An economic transformation of the scale and pace currently underway also requires a significantly skilled workforce. Building First Nations employment and workforce development pathways are another important way to create intergenerational economic opportunities from the clean energy transition. First Nations peoples remain under-represented in the workforce generally. According to the Productivity Commission, only 55.7% of First Nations peoples (aged 25-64 years) were employed nationally in 2021. While at the same time, it is estimated that Australia needs a 30% increase in the clean energy workforce by 2033 to deliver the energy transition (KPMG 2024), including 32,000 additional electricians and 450,000 jobs in construction alone (Jobs & Skills Australia 2023). Coordinated action across jurisdictions is required to ensure the skilled workers needed are available in the right places and at the right time. First Nations peoples will benefit from programs that well-coordinated, fit-for-purpose and designed to deliver to strong completion and employment rates.



# What is already being done

There are a range of Commonwealth special investment vehicles that invest public funds to enable development in numerous sectors. They include energy, climate, critical minerals, resources, housing, agriculture and export trade. There are also a range of existing business development programs available at federal, state and territory levels, which provide direct support to First Nations entities. For example, Indigenous Business Australia (IBA) is a Commonwealth entity under the Aboriginal and Torres Strait Islander Act 2005 that offers a diverse range of financial services, including tailored business support and finance solutions. IBA can invest in entities that might otherwise face structural barriers to sourcing capital. Currently, IBA funding is available to First Nations clean energy projects once they have developed a financial investment decision ready business case. The Australian Government is exploring ways to expand the scope of IBA's investment model to align with other similar government investment vehicles.

Job & Skills Australia (JSA) highlights the role that First Nations peoples' skills and talent can play in the clean energy workforce (2023). First Nations peoples currently make up 1.9% of the clean energy workforce, presenting an opportunity to increase participation. JSA's report found that First Nations peoples face significant structural barriers to gaining employment. This includes a disconnect between industry and First Nations service providers, and low levels of First Nations participation in skilled jobs or in management. It can also include job-readiness preparation such as having the necessary documents to sign employment contracts and set up bank accounts.

The vocational education and training (VET) system can support First Nations peoples with the skills and training needed to engage in equitable partnerships and to directly participate in clean energy infrastructure projects.

The National Skills Agreement (NSA) recognises the critical role of the VET system in providing pathways to secure, well-paid work and building the skills Australia needs. VET is key to addressing many critical workforce shortages and ensuring all Australians, including First Nations peoples, benefit from our national prosperity. National cooperation, through a new stewardship approach and shared priorities, is critical to address challenges in a lasting way. Intentional, informed leadership and national planning, guided by industry knowledge, evidence and true collaboration, will ensure our VET sector is greater than the sum of its parts.

The new Remote Jobs and Economic Development (RJED) program is set to start in the second half of 2024. The RJED program, which aims to provide people in remote communities with meaningful jobs with fair pay and conditions, is currently being developed by the Australian Government in partnership with First Nations peoples. This program could also support developing the clean energy workforce, especially in regional areas, and includes a focus on pathways for youth, from education through to employment, which has also been identified by communities as critically important.

The national priorities agreed in the NSA provide a focus for these efforts and shared action. Closing the Gap priorities are embedded in the NSA as a crosscutting priority. Skills ministers have agreed to improve outcomes for First Nations VET students and to deliver CTG commitments for skills in full and genuine partnership with First Nations Australians. This includes establishing a nationally networked VET policy partnership, enabling First Nations peak bodies to represent First Nations communities and organisations. Additionally, from 2024, all Aboriginal and Torres Strait Islander students in Australia will be guaranteed a Commonwealth supported place at a university of their choice, when accepted into their chosen course of study.

Skills Ministers agree that the transition to net zero is a priority. The NSA acknowledges that many of the roles required for the transition will be in regional and remote Australia and will require dedicated support to ensure an appropriately skilled workforce is available in those areas. This creates a once-in-a-generation opportunity to build First Nations peoples' workforce participation in areas where jobs are often scarce or underpaid.

# Next steps: Objectives and priorities for action

# Objective 3.1 Grow the First Nations clean energy business sector

# A.3.1.1 Implement a First Nations clean energy business program

Action to support existing and emerging First Nations clean energy stakeholders includes development of a fit for purpose program for First Nations energy businesses to support each other, share knowledge, resources and experiences. A business development program could leverage existing business investment and seek additional sources of financial support to implement targeted 'incubator style' support for First Nations clean energy projects and business concepts. This approach could explore the potential for First Nations clean technology innovation and new ways of doing business within a First Nations values system. This could include adult learning programs and enhancing existing mentoring and access to professional services initiatives.

### Supporting First Nations Clean Energy Entrepreneurs: The Power Makers Program

PowerMakers is a five-day training program that connects First Nations peoples across Australia who are working in or have a desire to work in clean energy. The program is designed to cultivate leadership and equip First Nations participants with the knowledge, skills and resources to participate in and lead clean energy initiatives. This includes in areas such as project ownership, community energy planning and business management. Participants also engage with industry experts, mentors and like-minded individuals.

This program provides a forum for First Nations people to come together, share knowledge and experiences, and develop their understanding of renewable energy. PowerMakers also prepares participants to be proactive in pursuing opportunities as Australia undergoes its energy transition. By participating in such programs, First Nations people are able to build their networks, have access to mentorship opportunities and learn from others' experiences. It is expected that through these programs, First Nations people will be empowered to build and own energy solutions that positively impact their communities, and work in partnership with industry and government to progress mid to large-scale clean energy projects.

The First Nations Clean Energy Network in collaboration with Canada's Indigenous Clean Energy (ICE) delivered the inaugural PowerMakers program in October 2023. PowerMakers was inspired by ICE's 20/20 Catalysts capacity building program for First Nations, Inuit and Métis people in Clean energy in Canada.

# Objective 3.2 Grow the First Nations clean energy workforce

### A.3.2.1 Coordinate First Nations clean energy workforce development

In Australia multiple agencies and governments hold responsibilities in jobs, skills and workforce development. A coordinated approach is needed so that workforce opportunities and investments under the National Energy Workforce Strategy (NEWS) are targeted to the locations where clean energy development is occurring and planned. This action includes working with developers and jurisdictions to increase understanding of the benefits of place-based workforce development.

The unique challenges and opportunities for First Nations peoples require a dedicated focus to build on the recommendations of the JSA report and include specific considerations, including:

- ⇒ Workforce needs and skill building opportunities in designated areas of regional clean energy development, such as Renewable Energy Zones, off-shore wind and hydrogen hotspots;
- ⇒ How to build on the success of established national programs such as the Indigenous Ranger Working on Country programs;
- ⇒ Integrating targets for employment, training and general education outcomes into project designs for clean energy developments on lands under Aboriginal Land Rights, Native Title and other land stewardship arrangements. This is best done in consultation with local Traditional Owners;
- Exploring opportunities for greater take-up of the Commonwealth Indigenous Procurement Policy targets, including Mandatory Minimum Indigenous Participation Requirements, for clean energy supply chains; and
- Further investigation of existing workforce participation and vocational education programs to identify opportunities to increase tangible workforce outcomes for First Nations peoples.

### A.3.2.2 Improve First Nations workforce readiness

Many First Nations peoples are well placed to meet workforce requirements in regional and remote parts of Australia. The findings of remote employment trial projects have identified the potential of large-scale infrastructure projects to catalyse remote and regional employment (NIAA 2024). However, evidence shows that this requires careful balancing of demand for skills, and place-based investment in workplace readiness, to pre-position First Nations communities to take up jobs in and around the clean energy sector. Coordinated action is needed to leverage existing investments and project development processes to improve First Nations workforce readiness.

# A.3.2.3 Develop a First Nations clean energy job guide

Development of First Nations clean energy job guide is recommended to coordinate existing and emerging programs and point people in the right direction for employment, skills and qualifications opportunities. This guide could build on coordination (A.3.2.1) and leverage (A.3.2.2) actions to provide a culturally appropriate, user-friendly guide for First Nations peoples. This resource could also support regional development agencies and industry bodies to navigate the First Nations clean energy job sector.



# Objective 3.3 Enable First Nations-informed clean energy program development and implementation

### A.3.3.1 Embed First Nations informed program design across government clean energy programs

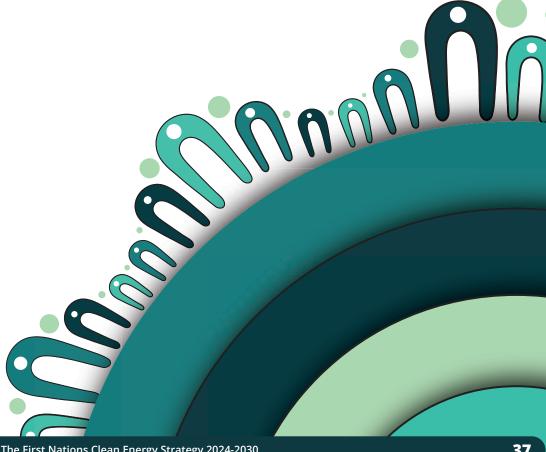
Government funding programs need to be designed in ways that do not create additional barriers for First Nations peoples while also incentivising self-determined benefits and participation opportunities. Simplifying and standardising existing and new clean energy programs to improve accessibility is essential. Best practice guidance outlining how mechanisms such as minimum thresholds, eligibility criteria, merit criteria and other design measures is needed to enact First Nations informed program design across government clean energy programs. Criteria could reflect best practice consultation guidance and uphold First Nations rights and interests while mitigating negative impacts and reducing barriers to access. This guidance would also aim to reflect First Nations values and maximise First Nations participation and decision-making (where possible) and deliver tangible benefits including employment and business outcomes and improved energy security. While working to incentivise better outcomes across the full range of clean energy programs and subsidies being designed and delivered, complementary capacity support for First Nations organisations to engage with these opportunities is also needed (see Action 2.2.1 above).

# A.3.3.2 Elevate First Nations voices in clean energy program development and decision-making

Best practice policy design requires First Nations self-determined interests and perspectives be embedded in all policy and programs that affect them. This requires strengthening First Nations clean energy leadership, advice and advocacy at senior levels. This can also be supported through roles on relevant advisory and assessment committees and boards. The Australian Government will continue to prioritise opportunities for First Nations leaders to actively participate in policy development and program design to ensure First Nations-led design wherever possible and appropriate.

# A.3.3.3 Increase First Nations peoples' access to Special Investment Vehicles

This action is focused on the potential for governments to increase First Nations peoples' access to investment capital by improving considerations across existing clean energy funding entities. At the federal level this includes seeking opportunities to create beneficial conditions in Special Investment Vehicles such as the Northern Australia Infrastructure Facility (NAIF), National Reconstruction Fund, Clean Energy Finance Corporation (CEFC), and Australian Renewable Energy Agency (ARENA). Design considerations can include targeted annual levels of First Nations related investment, or improved access to capital for projects that embed First Nations economic participation and self-determination in a significant way.



# Objective 3.4: Facilitate First Nations clean energy projects

### A.3.4.1 Deliver needs-based funding across the project lifecycle

Clean energy projects require capital investment. A range of clean energy projects which feature First Nations leadership, partnership or meaningful participation already exist but have not been able to progress from feasibility studies through to securing investment. Additionally, due to existing systemic barriers there are currently very few First Nations-led organisations participating in the clean energy sector. Needs-based funding can bridge the identified gaps and address systemic barriers across the project development pathway. Existing bodies such as Indigenous Business Australia (IBA) and the Indigenous Land and Sea Corporation (ILSC) are well placed to deliver these investments, along with impact investors and sustainable financiers. Access to required funds can expedite the development and investment readiness of First Nations clean energy projects. It would also enable a larger proportion of self-determined First Nations-led projects to access existing government concessional and equity financing arrangements.



### A.3.4.2 Broker an investor forum on access to capital and equity ownership

A shared investment protocol is needed to successfully broker access to capital across the current tension between private finance, investment returns and self-determined First Nations clean energy projects. This requires leveraging government investment to mobilise private capital for First Nations proponents. Government is best placed to broker an investor forum with equity investors and debt financiers to consider the benefits and drawbacks of alternative models and draw on the evidence and experience of those involved in Environmental Social Governance (ESG) investing, along with managers of significant federal and state industry development programs to identify further solutions to bridge the financing gap.

This forum could also investigate international examples and recommend how to embed incentives for partnerships that seek to access government investment. For example, investigating the potential for investment incentives to require minimum First Nations equity shares and/or revenue sharing of profits, and the extent to which these deliver superior contract outcomes, greater certainty for network connection outcomes, streamlined approval processes and improved First Nations economic participation.

### A.3.4.3 Investigate a First Nations clean energy investment fund and new models for collaborative finance

Improving access to finance requires consideration of options for a First Nations clean energy fund or a similar model with the ability to provide clean energy financing opportunities to First Nations-led businesses and communities. There is a need to consider potential models and international examples to increase First Nations access to capital investment and investigate options for leveraging investment from other governments, as well as private and philanthropic sources.

# **Next Steps**

Achieving the vision of a sustainable clean energy future for all Australians, with Country and Culture at the heart, will require commitment and accountability from all parties involved in the clean energy transition.

All Energy and Climate Ministers have endorsed the Vision, key guiding Principles, overarching Goals and Objectives of the First Nations Clean Energy Strategy national framework for action.

Each objective is underpinned by a set of priority actions that have been developed through an intensive process of deliberation and design. This included First Nations community members, experts and advisors; along with Commonwealth departments and jurisdictional counterparts, and industry stakeholders.

The unique circumstances of each First Nations community and individual, combined with the different contexts of each jurisdiction, means that implementation of these actions will require considered planning.

Under the auspice of the National Energy Transformation Partnership, the Australian Government will work with jurisdictions to develop an implementation plan and associated evaluation framework to support a meaningful roll out of the Strategy. This could include an annual progress report to track and publicly report on the development and implementation of actions that support progress towards the Strategy's Objectives.

This approach will ensure accountability at the intersection of First Nations rights and interests and the clean energy transition.

Through the endorsement of this Strategy framework and implementation approach, all Australian governments commit to providing First Nations peoples, regardless of where they live, with the best opportunity to benefit from, and participate in, the clean energy transition.

# **Find out more**

Email: fnces@dcceew.gov.au

Website: First Nations Clean Energy Strategy | energy.gov.au

# **Appendices**

The Appendices can be found on the Strategy website: First Nations Clean Energy Strategy.

Appendix A – Case Studies

Appendix B - Jurisdictional Policy Mapping

Appendix C – Data Resources

Appendix D - Maps

Appendix E - Feedback Report

# Glossary

Term	Meaning
AIATSIS	Australian Institute of Aboriginal and Torres Strait Islander Studies.
ARENA	Australian Renewable Energy Agency.
Battery	Batteries are critical to the energy transition, as they allow for renewable energy to be accessed even when it isn't being produced.
Battery bank	One or more individual batteries used to store energy.
CEFC	Clean Energy Finance Corporation.
Clean energy	Clean or renewable energy is produced using natural resources that are abundant and able to be constantly renewed, including the sun, wind, water and trees. Clean energy, renewable energy and renewable electricity are used interchangeably in the Strategy.
The Committee	First Nations Clean Energy and Climate Change Advisory Committee.
Consumer	Households and small businesses who purchase and use energy for own use and not for wholesale or retail purposes. The terms 'consumer' and 'household' are used interchangeably in the Strategy.
Country	Country is the term often used by First Nations peoples to describe the lands, waterways and seas to which they are connected. The term contains complex ideas about law, place, custom, language, spiritual belief, cultural practice, material sustenance, family and identity.
Critical minerals	Metallic or non-metallic materials that are used to manufacture key clean energy technologies such as electric vehicles, batteries, wind turbines and solar photovoltaics. They include copper, lithium, nickel and cobalt.
Cultural competence	Cultural competence is the knowledge, behaviours, attitudes, policies and systems that enable service providers and workers to work effectively in cross-cultural situations and respond to the needs of a culturally diverse population
Cultural heritage	First Nations cultural heritage refers to the knowledge and lore, practices and people, objects and places that are valued, culturally meaningful and connected to identity and Country.
CTG	The National Partnership Agreement on Closing the Gap.
Data sovereignty	First Nations data sovereignty refers to the right of First Nations peoples to govern the collection, ownership and application of data about First Nations communities, peoples, lands and resources.
DCCEEW/ the Department	Department of Climate Change, Energy, the Environment and Water.
Diesel displacement	Replacing diesel fuelled electricity with renewable sources of electricity, including solar, wind and batteries.
Disconnection	The term 'self-disconnection' is commonly used to describe households that run out of prepaid electricity credit and are therefore disconnected from the electricity supply. In this Strategy, the term 'disconnection' is used.
Electric vehicle	Cars or other vehicles with motors that are powered by electricity.

Term	Meaning
Electrification	Replacing technologies or processes that use fossil fuels with less emissions-intensive electric sources like renewable electricity. For example, replacing petrol cars with electric vehicles, or gas boilers with electric heat pumps.
Energy efficiency	Using less energy to perform the same task or produce the same result.
Energy security	Access to reliable and affordable energy.
Energy transition	Australia's shift from fossil fuel-based systems of energy production and consumption to renewable energy sources.
Environmental values	The environmental, social and economic uses of lands and waterways that First Nations communities agree are important.
Equity	The term 'equitable' carries its ordinary meaning, being fair and impartial. However, for the purposes of this Strategy, the term 'equity' refers to partial ownership of a company or project.
Fringe-of-grid	Parts of the main electricity grid that are remote, and far from the main load and population centres.
Hydrogen	For the purposes of this Strategy, hydrogen refers to clean hydrogen produced using renewable energy or fossil fuels with carbon capture and storage.
Indigenous Estate	First Nations peoples hold rights and interests in over 50% of Australia's lands and waters (NIAA n.d.). This is often referred to as the 'Indigenous Estate'.
Industry	Clean energy companies, project developers, electricity generators, retailers and essential service providers.
Microgrid	An islandable group of interconnected electricity loads and distributed energy resources that are coordinated using a microgrid controller.
NAIF	Northern Australia Infrastructure Facility.
NIAA	National Indigenous Australians Agency.
Off-grid	Electricity users or systems that are not connected to the main electricity grid, usually located in regional and remote areas.
The Partnership	National Energy Transformation Partnership.
Prepayment meter	Also known as 'pay-as-you-use meters' where the consumer buys electricity in advance, often by loading credit to a prepaid card.
Prescribed Body Corporate/ PBC	The Native Title Act 1993 (Cth) (NTA) states that when a native title determination is made, native title holders must establish a corporation called a Prescribed Bodies Corporate (PBC) to manage and protect their native title rights and interests.
Self-determination	Self-determination is a collective right of Aboriginal and Torres Strait Islander peoples to determine and control their own destiny.
The Strategy	First Nations Clean Energy Strategy.
Supply chain	Activities involved to make, move, store and use a product.
Tariff	The amount charged to the customer for the electricity they use.
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples.

# References

ABS 2021, Aboriginal and Torres Strait Islander people: Census, Australian Bureau of Statistics, Canberra, accessed April 2024

ABS 2021, Census of Population and Housing – Counts of Aboriginal and Torres Strait Islander Australians, Australian Bureau of Statistics, Canberra, accessed April 2024

ABS 2021, Housing Statistics for Aboriginal and Torres Strait Islander Peoples, Australian Bureau of Statistics, Canberra, accessed April 2024

AEMO 2024, Draft 2024 Integrated System Plan for the National Electricity Market: A roadmap for the energy transition, Australian Energy Market Operator, accessed April 2024

ARENA 2023, New funding for renewable energy in First Nations communities, Canberra, accessed April 2024

ARENA 2023, Regional Microgrids Program, Australian Renewable Energy Agency, Canberra, accessed February 2024

Barnett, R. 2023, Murru waaruu Economic Development Seminar Series Background Paper: Seminar 4 - Self-determination or the highway? Background Paper, First Nations Portfolio, Australian National University.

Bedggood, R, Perenyi, A, Meyer, D, Farquharson, K, Johansson, C, Bedggood, P & Milgate, G 2017, <u>The Living Conditions of Aboriginal People in Victoria</u>, paper presented at the International Conference on Improving Residential Energy Efficiency, Wollongong, 14-16 February, accessed April 2024

CEC 2020, Clean Energy at Work, Clean Energy Council, accessed April 2024

CEC 2024, Project Tracker: Renewable Energy Generation Projects, Clean Energy Council, accessed April 2024

CEC & KPMG 2024, <u>Leading Practice Principles: First Nations and Renewable Energy Projects</u>, Clean Energy Council & KPMG, accessed April 2024

Chalmers, J 2022, National Housing Accord: working together to help tackle housing challenges, media release, Department of the Treasury, Canberra, 25 October 2022, accessed April 2024

Closing the Gap n.d., <u>Closing the Gap Targets and Outcomes</u>, Department of Prime Minister and Cabinet, Canberra, accessed April 2024

DCCEEW 2022, Nature Positive Plan: better for the environment, better for business, Department of Climate Change, Energy, the Environment and Water, Canberra, accessed April 2024

DCCEEW 2023, <u>Powering Australia</u>, Department of Climate Change, Energy, the Environment and Water, Canberra, accessed April 2024

DCCEEW 2023, Regional and Remote Communities Reliability Fund, Canberra, accessed April 2024

Department of Treasury 2022, National Housing Accord 2022, Department of Treasury, Canberra, accessed April 2024

DHAC 2023, National Health and Climate Strategy, Department of Health and Aged Care, Canberra, accessed April 2024

Department of Economic and Social Affairs Indigenous Peoples n.d., Climate Change, United Nations, accessed April 2024

Department of Economic and Social Affairs Indigenous Peoples 2015, <u>The 17 Sustainable Development Goals</u>, United Nations, accessed April 2024

Economic Regulation Authority 2022, Energy Reports, accessed April 2024

Economic Regulation Authority 2023, Meters, Western Australia, accessed February 2024

FNCEN 2024, First Nations Energy Projects, First Nations Clean Energy Network, accessed April 2024

Grattan, M 2024, <u>Grattan on Friday: Can the Albanese government show muscle in Indigenous policy? One test is coming next week,</u> The Conversation, accessed April 2024

Griffiths, K., Coleman, C., Lee, V. et al. 2016 <u>How colonisation determines social justice and Indigenous health—a review of the literature</u>. J Pop Research 33, 9–30, accessed July 2024

ICE 2022, Waves of Change: Indigenous clean energy leadership for Canada's clean, electric future, Indigenous Clean Energy, accessed April 2024

IEA 2022, Waves of Change: Indigenous clean energy leadership for Canada's clean, electric future, Indigenous Clean Energy, accessed April 2024

International Energy Agency 2023, Critical Minerals Dataset, accessed July 2024

Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs 2023, <u>Inquiry into the application of the United Nations Declaration on the Rights of Indigenous Peoples in Australia</u>, Parliament of Australia, Canberra, accessed April 2024

Joint Standing Committee on Northern Australia 2021, A Way Forward Final report into the destruction of Indigenous heritage

sites at Juukan Gorge, Parliament of Australia, Canberra, accessed April 2024

JSA 2023, <u>The Clean Energy Generation: Workforce needs for a net zero economy</u>, Jobs and Skills Australia, Canberra, accessed April 2024

KPMG 2024, Skilling the Workforce for Energy Transition, accessed April 2024

Longden, T, Quilty, S, Riley, B, White, LV, Klerck, M, Napaltjari Davis, N & Frank Jupurrurla, N 2022, <u>Energy insecurity during temperature extremes in remote Australia</u>, Nature Energy, vol. 7, pp. 43-54, DOI: 10.1038/s41560-021-00942-2, accessed April 2024

Longden, T, Quilty, S, Riley, B, White, LV, Klerck, M, Napaltjari Davis, N & Frank Jupurrurla, N 2022, <u>Temperature extremes exacerbate energy insecurity for Indigenous communities in remote Australia</u>, Nature Energy, vol. 7, pp. 11-12, DOI: 10.1038/s41560-021-00968-6, accessed April 2024

Lea, T, Grealy, L, Moskos, M, Brambilla, A, King, S, Habibis, D, Benedict, R, Sun, C & Torzillo, P 2021, <u>Sustainable Indigenous</u> housing in regional and remote Australia, Australian Housing and Urban Research Institute, report no. 368, accessed April 2024

McKenzie, M 2013, <u>Pre-Payment Meters and Energy Efficiency in Indigenous Households</u>, Centre for Appropriate Technology, accessed April 2024

Pascale, A, Davis, D, Watson, J, Smart, S, Brear, M, McCoy, J, Lopez Peralta, M, Keenan, R, Eckard, R, Reside, A, Ward, M, & Possingham, H 2024, <u>Downscaling – Net-zero transitions, Australian communities, the land and sea</u>, Net Zero Australia, accessed April 2024

PowerWater 2023, Rollout of new digital smart meters underway, Northern Territory, media release, 6 February 2023, accessed February 2024

Productivity Commission 2020, Resources Sector Regulation, accessed July 2024

PWC 2018, The Contribution of the Indigenous Business Sector to Australia's Economy, PwC Indigenous Consulting, Australia, accessed March 2024

Minderoo Foundation 2022, Indigenous Employment Index, accessed March 2024

NIAA 2023, Capacity building for native title corporations, National Indigenous Australians Agency, accessed July 2024

NIAA n.d., Land and Housing, National Indigenous Australians Agency, accessed April 2024

RIAA 2024, Dhawura Ngilan Business and Investor Initiative, Responsible Investment Association Australasia, accessed April 2024

Riley, B, White, LV, Quilty, S, Longden, T, Frank-Jupurrurla, N, Morton Nabanunga, S & Wilson, S 2023, <u>Connected: rooftop solar, prepay and reducing energy insecurity in remote Australia</u>, Australian Geographer, vol. 54, pp. 2-22, DOI: 10.1080/00049182.2023.2214959, accessed July 2024

Riley, B, White, LV, Wilson, S, Klerck, M, Napaltjari-Davis, V, Quilty, S, Frank Jupurrurla, N & Harrington, M 2023, <u>Disconnected during disruption: Energy insecurity of Indigenous Australian prepay customers during the COVID-19 pandemic</u>, Energy Research & Social Science, vol. 99, pp. 1-7, DOI: 10.1016/j.erss.2023.103049, accessed April 2024Straughan, L 2023, Jobs Report Guides Future for the Clean Energy Workforce, media release, Clean Energy Council, 3 October 2023, accessed April 2024

The White House, Funding for Tribes in the Inflation Reduction Act, The White House, Washington DC, accessed April 2024

White, LV, Riley, B, Wilson, S, Markham, F, O'Neill, L, Klerck, M & Davis, VN 2024, <u>Geographies of regulatory disparity underlying Australia's energy transition</u>, Nature Energy, January, vol. 9, pp. 92-105, DOI: <a href="https://doi.org/10.1038/s41560-023-01422-5">https://doi.org/10.1038/s41560-023-01422-5</a>, accessed April 2024

United Nations 2007, <u>United Nations Declaration on the Rights of Indigenous Peoples</u>, adopted 13 September 2007, accessed January 2024

UTS Tech Lab n.d., Reliable and affordable power for regional and remote Australians, University of Technology Sydney, accessed April 2024

World Health Organisation (WHO) 2008, Closing the gap in a generation: health equity through action on the social determinants of health - Final report of the commission on social determinants of health, accessed July 2024

# **About the Artwork**

# "Renewal: Connecting Country, Cultures, and Clean Energy"

In Australia, where ancient landscapes meet modern challenges, a vibrant and transformative Aboriginal contemporary artwork tells the story of Renewal. This piece encapsulates the shared journey towards a sustainable future, where the impacts of climate change are acknowledged and addressed through collaboration, respect, and the integration of First Nations perspectives.

The central theme of the artwork revolves around a powerful representation of the interconnectedness between Country, culture, and clean energy. The canvas is divided into distinct sections, each illustrating key aspects of the journey towards a renewable future.

**Cultural Guardians:** Aboriginal people symbol stands tall as custodians of the land, embodying the Guiding Principles. The figures are adorned with symbols reflecting cultural heritage, emphasising the ongoing and enduring connection to Country.

**Harmony in Diversity:** A visual depiction of diverse landscapes, symbolising the remote and regional areas of Australia. From arid deserts to lush coastlines, the artwork reflects the nation's varied ecosystems impacted by climate change.

**Rivers of Resilience:** Flowing rivers illustrate the floods and the detrimental impacts on human health. Indigenous motifs along the riverbanks emphasise the importance of water and its sacred connection to life and culture.

**Environmental Harmony:** Native flora and fauna are intertwined, representing the recognition of First Nations peoples' environmental values. The Indigenous design thinking concept is visually portrayed, showcasing the potential for environmental co-benefits.

**Hands of Collaboration:** Surrounding the central theme, handprints symbolize the collaboration between government, communities, and industry. The diverse colours represent the commitment to inclusive engagement, reflecting the allocation of funds for the First Nations Clean Energy Strategy.

**Flames of Transformation:** A section is dedicated to the challenges faced, with flames representing the longer droughts and severe fire seasons. Amidst the flames, resilient Aboriginal symbols emerge, signifying the strength of First Nations communities in the face of adversity.

**Pathways to Participation:** Footprints trace pathways throughout the artwork, illustrating the varying roles of participation outlined in the guiding principles. From community engagement to workforce development, the pathways symbolize the journey towards a sustainable and inclusive future.

**Economic Legacy:** A section focuses on economic development, featuring line and dot design representing financial support and opportunities for First Nations businesses. It emphasises the enduring economic legacy created through government and private sector initiatives.

**Goals and Objectives:** Within this ripple are elements such as the boomerang representing sending out, gathering and the return of information as well as gathering elements representing summarising the goals and objectives of Australia's clean energy transition. These serve as anchors, providing viewers with a deeper understanding of the purpose and vision behind the collaborative effort.

**Renewable Horizons:** A sun radiates rays of hope, embodying Australia's commitment to achieving the Paris goal. Wind turbines and solar panels are seamlessly integrated, showcasing the nation's move towards 82% renewable electricity by 2030.

"Renewal" stands as a visual narrative, inviting viewers to contemplate the significance of cultural heritage, the connection to land, and the collective responsibility in building a sustainable and inclusive future for all Australians.

Aboriginal Artist and Graphic Designer - Lani Balzan, a proud Aboriginal woman from the Wiradjuri people of the three-river tribe.



