



Australian Government

Department of Climate Change, Energy,  
the Environment and Water

# First Nations Clean Energy Strategy

## Consultation Paper

First Nations Clean Energy Taskforce

Department of Climate Change, Energy, the Environment and Water



© Commonwealth of Australia 2023

### 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](https://creativecommons.org/licenses/by/4.0/) 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](mailto:copyright@dcceew.gov.au).



### Cataloguing data

This publication (and any material sourced from it) should be attributed as: DCCEEW 2023, *First Nation Clean Energy Strategy: Consultation Paper*, Department of Climate Change, Energy, the Environment and Water, Canberra, October. CC BY 4.0.

This publication is available at [dcceew.gov.au/publications](https://dcceew.gov.au/publications).

Department of Climate Change, Energy, the Environment and Water  
GPO Box 3090 Canberra ACT 2601  
Telephone 1800 900 090  
Web [dcceew.gov.au](https://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.

### Acknowledgements

The authors thank roundtable and workshop participants for their input to date, and note further roundtables are in progress throughout 2023 and early 2024. We also acknowledge and thank the First Nations Clean Energy and Emissions Reduction Advisory Committee for their advice and guidance on Strategy development undertaken to date. We also thank the First Nations Clean Energy Network and the National Indigenous Australians Agency for their support on our Roundtables and input into the Strategy Development.

# Acknowledgement of Country

The Department of Climate Change, Energy, the Environment and Water 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, present and emerging.

Indigenous knowledge is critical to living sustainably in Australia. The 65,000 years of 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 energy transformation.

We also acknowledge the expertise, research, advocacy and experience of First Nations peoples who have generously contributed to the development of this consultation paper and look forward to further conversations with First Nations peoples while we continue work to develop the Strategy.

## A note on language and terminology

We recognise that there are differing preferences in terminology when referring to First Nations peoples; we use the following terms throughout this report:

- 'First Nations peoples' when referring Aboriginal and Torres Strait Islander peoples.
- 'non-First Nations peoples' or 'broader Australia' or 'broader community' when referring to all other peoples who are not Aboriginal or Torres Strait Islander.

### *Acknowledgement of terminology: The Capitalisation Rationale*

In this report, we capitalise the following words: Elder, Traditional Owners, First Nations, Custodians, Indigenous, Country, and Aboriginal and Torres Strait Islander. Our capitalisation rationale is to emphasise the significance of certain words, peoples, and groups, and to emphasise our utmost respect for the peoples and groups mentioned.

**Contents**

**First Nations Clean Energy Strategy**..... i

**Consultation Paper**..... i

**Acknowledgement of Country** .....iii

**A note on language and terminology** .....iii

1. Introduction..... 6

    1.1 Current state .....6

    1.2 The importance of authentic partnerships with First Nations peoples for clean energy transformation .....6

    1.3 What we’ve heard so far .....7

    1.4 Have your say .....8

2. Developing the draft Strategy ..... 9

3. Guiding Principles ..... 11

    3.1 Access to reliable clean energy is a human right..... 11

    3.2 First Nations peoples will self-determine how they lead, participate in and benefit from the clean energy transformation ..... 11

    3.3 First Nations peoples are stewards and Custodians of Country, their connection is ongoing and enduring ..... 11

    3.4 Cultural heritage should be recognised, protected and celebrated ..... 12

    3.5 Everyone is responsible for building genuine partnerships and collaboration, underpinned by monitoring and reporting ..... 12

4. Goals and objectives ..... 13

    4.1 Goals ..... 13

    4.2 Objectives ..... 13

        4.2.1 Governments address existing policy and regulatory barriers ..... 13

        4.2.2 Ensure quality information and resources..... 13

        4.2.3 Influence and develop policy frameworks and programs ..... 14

        4.2.4 Support and enable coordination and capacity development in First Nations organisations ..... 15

        4.2.5 Facilitate workforce and business development..... 15

        4.2.6 Ensure access to financial support ..... 16

        4.2.7 Embed cultural and heritage protection ..... 17

        4.2.8 Recognise First Nations environmental values, management and expertise ..... 18

5. Next steps to support engagement, consultation, and communication ..... 19

    5.1 Remaining Australia wide roundtables and regional conversations ..... 19

    5.2 Engagement with the First Nations Clean Energy and Emissions Reduction Advisory Committee and other experts ..... 19

    5.3. Other consultation and communication mechanisms..... 19

5.4 Where to from here? .....	19
6. Privacy.....	20
6.1 What personal information will be collected?.....	20
6.2 How we will use and disclose your personal information? .....	20
6.3 Public disclosure .....	21
6.4 Privacy policy and contact us.....	21
7. Glossary .....	22

# 1. Introduction

## 1.1 Current state

The impacts of climate change are being felt globally and locally, especially in our remote and regional areas. In Australia, we are experiencing longer droughts, longer and more severe fire seasons, floods and detrimental impacts on human health and sites of biological and cultural significance.

Australia has now committed to meeting the Paris goal of keeping warming to well below 2 degrees, and preferably 1.5 degrees. This commitment spans across federal, state and territory governments. The Australian Government has legislated a national emissions reduction target of 43% below 2005 levels by 2030 and net zero by 2050.<sup>1</sup> To achieve these outcomes, collective effort by government, community and industry is needed.

Australia's comparative advantage in producing low-cost renewable energy is fundamental to the decarbonisation of our economy. Delivering 82% renewable electricity by 2030 is a key pillar of the Government's Energy Net Zero Sector Plan, which is one of six plans across key sectors feeding into the development of the Government's whole-of-economy Net Zero Plan.<sup>2</sup> The Government has invested in programs like Rewiring the Nation and has reset relationships with the states and territories through establishing the National Energy Transformation Partnership (the Partnership).<sup>3</sup>

The Partnership is a commitment by all State and Territory Energy Ministers and the Commonwealth Energy Minister, which includes the commitment to develop a First Nations Clean Energy Strategy (the Strategy) as a priority. To support the development of the Strategy, including broad and inclusive engagement of First Nations peoples, the Australian Government has initially allocated \$5.5 million, and the First Nations Clean Energy Strategy Taskforce (the Taskforce) has been stood up within the Department of Climate Change, Energy, the Environment and Water (the Department).

## 1.2 The importance of authentic partnerships with First Nations peoples for clean energy transformation

First Nations peoples are important partners in the clean energy transformation. Many First Nations communities are experiencing the impacts of climate change as well as unreliable and expensive power. First Nations peoples also have strong local and cultural knowledge, including management of Country, and this knowledge can, and should, inform how Australia transforms its energy systems to achieve net zero emissions.

---

<sup>1</sup> *Climate Change Act 2022*, s 10.

<sup>2</sup> Department of Climate Change, Energy, the Environment and Water (DCCEEW) (2023) [Net Zero](#), DCCEEW website, accessed 1 October 2023.

<sup>3</sup> Department of Climate Change, Energy, the Environment and Water (DCCEEW) (2023) [National Energy Transformation Partnership](#), DCCEEW website, accessed 27 September 2023.



First Nations peoples hold rights and interests in over 50 % of Australia's land mass.<sup>4</sup> The Strategy is an opportunity to unlock opportunities for clean energy projects that are developed with, or led by, First Nations peoples. Building better industry partnerships with First Nations peoples will contribute to successful clean energy projects on lands and waters where First Nations peoples hold rights and interests.

The Department is working in partnership with First Nations organisations and communities across Australia to ensure the Strategy reflects First Nations' perspectives and connection to Country and cultural heritage.

The Strategy will also support the priority reforms of the National Agreement on Closing the Gap. This includes importantly a focus on transforming government organisations to work better with and for First Nations peoples, improving First Nations peoples' access to data and information to make informed decisions, and building the community-controlled sector.

### 1.3 What we've heard so far

To support the development of the Strategy, roundtables have been held around Australia throughout 2023. These roundtables bring together representatives from First Nations communities, state and commonwealth government agencies, industry, financing corporations, peak organisations, researchers, academics, and other experts, to hear a variety of perspectives on how the clean energy transformation should be undertaken, and the potential for First Nations peoples to meaningfully share in the benefits and opportunities available.

By providing the space and time for First Nations peoples and organisations to connect, discuss and identify barriers and opportunities, government and industry are better equipped to understand First Nations' perspectives. This will enable better collaboration on actions, policies, and programs that could be implemented as part of the Strategy.

#### **At the roundtables we've been asking First Nations peoples:**

- What's working and what's not in your community?
- What are your big ideas for your community?
- What are your clean energy priorities, who needs to be at the table and what supports are needed?

This consultation paper has been informed by the generous advice and perspectives of First Nations peoples who have contributed to these conversations so far. Further roundtables in remaining jurisdictions, as well as regional conversations to support further Strategy development, will be held throughout the rest of 2023 and into 2024.

The consultation paper has also been informed by advice from the First Nations Clean Energy and Emissions Advisory Committee (the Committee) and the state and territory governments through roundtable participation and the Energy and Climate Ministerial Council. The First Nations Clean

---

<sup>4</sup> National Indigenous Australians Agency (NIAA), [Land and Housing | National Indigenous Australians Agency](#), NIAA website, accessed 28 September 2023.

Energy Network and the National Indigenous Australians Agency have also supported the delivery of roundtables and the development of this consultation paper.

A separate complementary First Nations Clean Energy Strategy Interim Feedback Report (Interim Report) synthesises feedback received to date. Summaries of roundtables held so far are available on the project website [www.fnces.org.au](http://www.fnces.org.au). Policy summaries have been developed for each state and territory to support the roundtable process and are also available from this website.

## 1.4 Have your say

Deep and inclusive engagement and broad consultation on the development of the Strategy are the foundations of good policy. We invite your submissions over coming months on how to enable First Nations peoples to lead and benefit from the clean energy transformation.

Responses to this consultation paper will be brought together with feedback received through roundtables, regional conversations, and other engagements with First Nations communities and organisations, the wider energy sector, all levels of government, industry peak bodies, social and consumer groups and researchers.

### **How to make a submission**

We invite your views on the focus areas for Australia's First Nations Clean Energy Strategy.

You can complete the survey via our Consultation Hub by clicking the *Take the survey* button. In addition, you will also have the option to make a written submission.

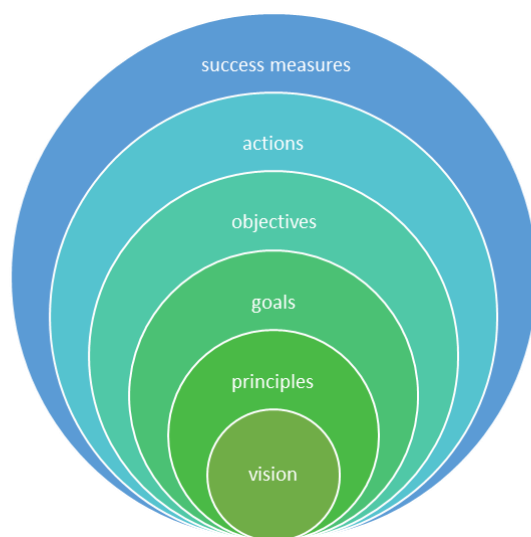
The deadline for submissions in response to this consultation paper is 31 January 2024.



## 2. Developing the draft Strategy

All levels of government are working towards the transformation of Australia's energy systems. Plans and actions to reach net zero by 2050 are in development across Australia and the world.

The Strategy will build on and inform these existing commitments. It will also stimulate investment, cooperation and enduring benefits for First Nations peoples. To achieve this, the Strategy will be grounded in First Nations knowledge, perspectives, research, and advocacy. It will identify opportunities for First Nations peoples to lead and benefit from Australia's clean energy transformation and support First Nations self-determination.



The proposed Strategy framework will articulate a vision, guiding principles, goals, objectives, and actions, and defined success measures.

For Australia's energy transformation to succeed, all parties need to work together.

This consultation paper seeks your initial views on the draft

principles, goals and objectives developed from feedback received to date. These are further outlined in the following sections.

Table 1: Proposed framework for the First Nations Clean Energy Strategy

<p><b>Guiding Principles for Australia’s clean energy transformation:</b></p>
<p>These principles are informed by the United Nations Declaration on the Rights of Indigenous People and the Sustainable Development Goals. Principles provide guidance to the development of goals and the framing of opportunities presented by the clean energy transformation.</p>
<p style="text-align: center;">Access to reliable clean energy is a human right.</p> <p>First Nations peoples will self-determine how they lead, participate in and benefit from the clean energy transformation.</p> <p style="text-align: center;">First Nations peoples are stewards and Custodians of Country, connection is ongoing and enduring.</p> <p style="text-align: center;">Cultural heritage should be recognised, protected, and celebrated.</p> <p>Everyone is responsible for building genuine partnerships and collaboration, underpinned by monitoring and reporting.</p>
<p><b>Goals: Australia’s clean energy transformation will aim to ensure:</b></p>
<p>All Australians can access affordable and reliable renewable energy, energy efficient and climate safe homes and community infrastructure.</p> <p style="text-align: center;">First Nations peoples’ lives and livelihoods are improved.</p> <p style="text-align: center;">First Nations peoples’ cultural knowledge, heritage and connection to land and sea Country is respected.</p> <p>Government and industry create opportunities to build deeper collaboration, consensus, and new ways of working with First Nations peoples.</p>
<p><b>Objectives</b></p>
<p><b>Governments address existing policy and regulatory barriers:</b> to enable First Nations households in a range of housing types and community infrastructure to access benefits of renewable energy. This includes rooftop solar, electrification and energy efficiency measures.</p> <p><b>Ensure quality information and resources:</b> expand and consolidate existing data, research, and create culturally sensitive First Nations led research to improving accessibility, grow awareness and support participation.</p> <p><b>Influence and develop policy frameworks and programs:</b> so that First Nations peoples can participate in and benefit from the clean energy transformation.</p> <p><b>Support and enable coordination and capacity development in First Nations organisations:</b> to improve regional planning and support engagement with the risks and opportunities.</p> <p><b>Facilitate workforce and business development:</b> by identifying options and activities to build First Nations participation in workforce and supply chains and expanding the opportunities for jobs on Country.</p> <p><b>Ensure access to financial support:</b> create an enduring economic legacy through government and private sector financing initiatives to enable participation at the household, community, and large-scale project levels.</p> <p><b>Embed cultural and heritage protection:</b> that supports First Nations peoples and all Australians to recognise, respect and celebrate our cultural heritage.</p> <p><b>Recognise First Nations peoples’ environmental values, management, and expertise:</b> at all stages of the clean energy project life cycle and create opportunities for environmental co-benefits through Indigenous design thinking.</p>

## 3. Guiding Principles

The following principles aim to underpin all government and industry activity towards achieving Australia's clean energy transformation and the Strategy. The principles are informed by Australia's support for the United Nations Declaration on the Rights of Indigenous People (UNDRIP) and commitment to the United Nations 2030 Agenda for Sustainable Development.<sup>5,6</sup>

### 3.1 Access to reliable clean energy is a human right

Access to energy is a fundamental right enshrined in the United Nations 2030 Agenda for Sustainable Development. Australia is committed to the 2030 Agenda, which includes Sustainable Development Goal 7 to 'ensure access to affordable, reliable, sustainable and modern energy for all'. In the context of Australia's clean energy transformation, this means access to reliable and clean energy sources.

### 3.2 First Nations peoples will self-determine how they lead, participate in and benefit from the clean energy transformation

First Nations peoples must be empowered to freely determine their economic, social, and cultural development in relation to the clean energy transformation. Self-determination means being able to make choices and take decisions without coercion or prejudice.

Respectful engagement with First Nations peoples must be at the heart of the clean energy transformation. Free, Prior and Informed Consent (FPIC) is a best practice standard found in the UNDRIP. The Australian Government announced its support for UNDRIP in 2009.

Early engagement with First Nations peoples will have benefits across all stages of the project life cycle and program implementation. Benefits may include better project and program design, improved social and environmental outcomes, and robust and ongoing consent. Relationships are key to attaining consent and adequate time must be allowed.

### 3.3 First Nations peoples are stewards and Custodians of Country, their connection is ongoing and enduring

First Nations peoples often use the term Country to describe the lands, waterways, and seas to which they are connected. The term also encompasses complex ideas about law, place, customs, language, spiritual belief, cultural practices, material sustenance, family, and identity.<sup>7</sup>

---

<sup>5</sup> Department of Economic and Social Affairs, United Nations 2030 Agenda for Sustainable Development (n.d.) [Transforming our world: the 2030 Agenda for Sustainable Development](#), United Nations website, accessed 3 October 2023.

<sup>6</sup> United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) (13 September 2007).

<sup>7</sup> Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS), [Welcome to Country](#), AIATSIS website, accessed 28 September 2023.

Recognition of First Nations peoples' ongoing and enduring connection to Country is essential throughout all stages of the clean energy transformation. The close linkage between the health of Country and First Nations peoples reflects a reciprocal relationship: 'if you look after the Country, the Country will look after you'.<sup>8</sup> Connection to Country supports wellbeing. Contact with nature builds First Nations peoples' relationship with and understanding of natural systems and strengthens resilience to climate change.<sup>9</sup>

### **3.4 Cultural heritage should be recognised, protected and celebrated**

Nearly all states and territories have their own First Nations cultural heritage protection Acts (except for New South Wales).

While these laws and policies exist, First Nations peoples' cultural heritage is often still not adequately protected or celebrated. For example, in 2010 an Aboriginal rock engraving of a footstep was damaged during excavation work in Sydney's Northern Beaches.<sup>10</sup> In 2020, the destruction of the 46,000 Juukan Gorge rock shelters in Western Australia attracted mass media attention. Both these examples further highlight the need for improved cultural heritage protections.<sup>11</sup>

To avoid the same problems arising from the clean energy transformation, adequate consideration of Country, cultural heritage, and the unique value of this ongoing cultural landscape for First Nations peoples and all Australians should be recognised, protected and celebrated.

### **3.5 Everyone is responsible for building genuine partnerships and collaboration, underpinned by monitoring and reporting**

Everyone has a role to play in achieving Australia's energy transformation and how it is achieved. For this major restructure of our energy system and economy to succeed, support from First Nations peoples, the broader community, industry, and governments is required. The creation of genuine partnerships and improved ways of collaborating will be fundamental to securing support and ultimately Australia's success. For First Nations peoples, these improved practices will need to include reference to key principles such as Free, Prior and Informed Consent.

---

<sup>8</sup> Indigenous Land and Sea Corporation, [Caring for Country Factsheet](#), National Indigenous Land and Sea Strategy, accessed 25 September 2023.

<sup>9</sup> Department of Climate Change, Energy, the Environment and Water (DCCEEW), [First Nations and Country](#), Australia State of the Environment, accessed 28 September 2023.

<sup>10</sup> NSW Government, [Ausgrid convicted and fined for destroying Aboriginal rock engraving](#) [media release], NSW Government, 23 April 2013, accessed 3 October 2023.

<sup>11</sup> Hamman E, [Protecting Indigenous cultural heritage](#), Parliament of Australia website, accessed 3 October 2023.

## 4. Goals and objectives

### 4.1 Goals

The goals outline the aspirational outcomes that First Nations peoples, government, industry, and the broader community will work to achieve through the clean energy transformation.

Australia's clean energy transformation will ensure:

1. **All Australians can access affordable and reliable renewable energy, energy efficient and climate safe homes and community infrastructure**
2. **First Nations peoples' lives and livelihoods are improved.**
3. **First Nations peoples' cultural knowledge, heritage and connection to land and sea Country is respected.**
4. **Government and industry create opportunities to build deeper collaboration, consensus, and new ways of working with First Nations peoples.**

1. Are the draft principles, and goals proposed appropriate and achievable? Are there any gaps or do you have suggestions for others that could be considered?

### 4.2 Objectives

By building on the research and experience of our partners, the FNCEN and NIAA, and with the feedback from engagement undertaken to date, initial objectives have been identified.

#### 4.2.1 Governments address existing policy and regulatory barriers

Research and feedback have identified that there are barriers that prevent First Nations peoples from accessing the benefits of renewable energy.

By understanding and addressing these barriers, the Strategy can support improved access to lower cost, clean energy for First Nations peoples.

Addressing barriers could reduce reliance on diesel fuel, improve the installation of renewable energy systems, and create skilled employment with direct community wellbeing outcomes.

Removing these barriers will meet renewable energy, climate, and emissions targets.

#### Questions for consultation

2. What needs to change to ensure that First Nations peoples can access reliable, clean energy on an equitable basis, including those First Nations peoples located in metropolitan, regional and remote areas of Australia?

3. How should government and industry support First Nations peoples to own and manage renewable energy assets for long-term sustainability and community benefit?

#### 4.2.2 Ensure quality information and resources

There is currently limited data about First Nations peoples' ability to access clean energy or participate in the energy market. These data gaps limit the ability to support First Nations peoples'

experience as energy consumers. Quality information and resources will increase First Nations peoples' awareness, knowledge, and capacity of all aspects of the clean energy transformation.

For First Nations peoples who want to develop clean energy infrastructure, or who are being approached by developers, quality information and resources are essential. These information resources are crucial for understanding the design, construction, operation, financial returns and impacts of potential projects throughout their life cycle. Access to independent expertise and good data can support First Nations peoples' participation in, and ownership of, clean energy projects.

Quality information and resources can also help First Nations peoples identify future economic development opportunities, including potential sites for generation facilities and supply chain and employment. Good data allows First Nations peoples to capitalise on their existing assets and undertake economic and regional planning.

Ready access to information can support First Nations families and households to make decisions about energy use and consumption, including options to reduce energy costs and household expenses.

#### **Questions for consultation**

4. What strategies are most likely to improve how quality information, data and resources concerning the clean energy transformation is developed and disseminated to First Nations communities?

5. What is the best way to build First Nations awareness and knowledge of clean energy and who should foster and deliver these outcomes? Do you have any suggested examples?

### **4.2.3 Influence and develop policy frameworks and programs**

As Australia undergoes the biggest economic transformation in modern times, the energy system will need to adapt and respond. Generation and transmission infrastructure will be required to facilitate this transformation across the landscape.

The generation and supply of energy, and who gets to connect and supply energy, is carefully managed by governments and regulators. The rules which contribute to the operation of the energy system, could be adapted to support First Nations peoples to participate and benefit from the transformation.

Policy frameworks and programs can incentivise behaviours or actions and can help to deliver desired outcomes. Beyond specific rules associated with the operation of the energy system, government policy and legislation are important frameworks for the construction of clean energy infrastructure. This includes planning schemes, tenure arrangements, and other rules, that help balance and manage competing uses of land and waters.

These rules can also play a role in incentivising behaviours or reaching a desired outcome to ensure First Nations peoples' participation in and benefit from Australia's transformation to clean energy.

#### **Questions for consultation**

6. What aspects of the current regulatory environment that presently govern Australia's energy system most impact First Nations people's ability to participate in and benefit from the clean energy transformation? What strategies would be effective in reducing these impacts?

7. Which behaviours or outcomes should government consider incentivising through regulation, policy, or programs to improve First Nations people’s participation in Australia’s energy system?

#### **4.2.4 Support and enable coordination and capacity development in First Nations organisations**

The historic economic and technological opportunity presented by the clean energy transformation will require access to vast areas of land and waters. In areas of high clean energy development, opportunities are already being negotiated between developers and First Nations peoples.

To realise potential benefits, First Nations peoples and their representative organisations require knowledge and access to expertise that may not be currently available to them. The complex nature of commercial project development requires technical knowledge to adequately assess clean energy project details.

While improving engagement practices is an important objective, best practice engagement will not be enough to deliver enduring benefits to First Nations peoples. Support is needed for First Nations peoples to undertake on-Country planning for clean energy needs and aspirations. This will support capacity development and enable communities to identify their own priorities, develop their own projects, and negotiate with developers from an informed and empowered position.

##### **Questions for consultation**

8. What is the best way to build First Nations organisations’ capacity and expertise in clean energy development?

9. What is the best way that governments and industry can build their internal capacity to support First Nations participation and benefit?

10. What role should industry play in supporting First Nations develop their coordination and capacity?

11. What role do you think First Nations on-Country planning can play in realising benefits in the energy transformation?

#### **4.2.5 Facilitate workforce and business development**

For Australia to achieve its net zero emissions target, there is an urgent need to build a skilled workforce. Job opportunities across the renewable energy industry sector are expected to grow as the sector expands, with the workforce across the renewables sector (solar, wind and storage) anticipated to rise from 26,000 workers to 85,000 by 2030 and 194,000 workers by 2050.<sup>12, 13</sup> As many of these professions are already experiencing shortages, there are opportunities for skilled First Nations peoples or those who can undertake the necessary training.

---

<sup>12</sup> Clean Energy Council (CEC) (2023) [Clean energy careers by occupation and demand](#), CEC website, accessed 28 September 2023.

<sup>13</sup> Chau S, Moffatt C, Kilroy G, Robinson M, Gray C & Schmidt A (2023) [Australian Industry Energy Transitions Initiative](#), Australian Industry Energy Transitions Initiative, accessed 28 September 2023.



Feedback so far indicates a strong desire for local employment for First Nations peoples. The nation-wide need for skills and the place-based nature of clean energy development suggests opportunities for local employment across the supply chain, including in associated industry sectors.

Expanded pathways for First Nations business involvement with the renewables sector are needed on a range of scales. Currently, national and state level grids are the focus of most new investment in renewables. This investment is currently yielding only limited opportunities for First Nations business entities to participate as investors, funders, or owners.

#### Questions for consultation

12. What is required to ensure First Nations businesses are ready and able to participate in Australia's clean energy transformation?

13. How could more opportunities for First Nations owned businesses be created for the Clean Energy industry?

14. What workforce development approaches will maximise First Nations participation in the clean energy workforce? What are the barriers to this happening and how can they be overcome?

### 4.2.6 Ensure access to financial support

To achieve Australia's ambition of 82% renewable energy by 2030, exceptional volumes of capital investment in renewable energy infrastructure need to be deployed by government and the private sector.<sup>14</sup>

Historically, First Nations peoples have been largely excluded from accessing financial capital. The impacts of this exclusion continue to be experienced today, with over 48% of First Nations Australians living in chronic financial stress and 75% struggling with accessing financial services.<sup>15</sup> Barriers include the lack of intergenerational wealth transfer, limited opportunities for borrowing significant sums from family and friends, and difficulty securing loans from banks. First Nations peoples living in remote areas are less likely to own a home than their urban counterparts and have a lower median income compared to First Nations peoples living in major cities.<sup>16</sup>

For First Nations peoples to fully benefit from the transformation to clean energy, government and private sector financing initiatives need to enable participation at the household, community, and large-scale levels. A range of financial products and approaches need to be considered, including building on and consolidating existing government grants programs, ensuring best practice approaches within government special investment vehicles and maximising and mobilising private finance supporting First Nations ambitions.

---

<sup>14</sup> Net Zero Australia (2023) [How to make net zero happen](#), accessed 29 September 2023.

<sup>15</sup> First Nations Foundation, Centre for Social Impact & Nab (2019) [Money Stories: Financial Resilience among Aboriginal and Torres Strait Islander Australians](#), accessed 27 September 2023; Centre for Social Impact (2019) [Groundbreaking report reveals level of Indigenous financial exclusion](#), Centre for Social Impact website, accessed 27 September 2023.

<sup>16</sup> Brand E, Bond C & Shannon C (2016) [Indigenous in the City: Urban Indigenous populations in local and global contexts](#), University of Queensland, accessed 27 September 2023.

Improved access to capital for First Nations peoples will increase pathways to participate in and benefit from the renewable energy transformation. With better access to capital, First Nations peoples can develop clean energy projects and determine how the costs and benefits of these projects are shared.

#### Questions for consultation

15. To improve First Nations access to finance, what strategies are required? What additional financing opportunities are needed so First Nations peoples can participate in and benefit from the renewable energy transformation?

16. What actions will lead to greater First Nations ownership of major renewable energy projects?

17. What are the key barriers to greater First Nations participation and benefit in renewable energy projects and how can they be overcome?

### 4.2.7 Embed cultural and heritage protection

Australia's First Nations culture is the oldest continuing culture in the world, spanning over 65,000 years. First Nations peoples have ongoing cultural heritage rights, responsibilities, and practices. It is critical that these rights and practices are respected and protected for future generations.

Ongoing access to and protection of First Nations peoples' land and cultural sites throughout the life cycle of clean energy projects (from project inception through to decommissioning) will be essential. For some First Nations communities, the clean energy transformation may be an opportunity to access their cultural heritage sites for the first time in decades. To ensure First Nations peoples' cultural heritage rights and practices are respected, developers will need to engage early and closely with impacted communities.

Federal, state and territory governments have various laws in place to protect First Nations cultural heritage sites. They also have a range of funding mechanisms to support First Nations communities, to assist with caring for Country, and to protect their cultural heritage.<sup>17</sup> For example, the NIAA funds heritage projects to ensure places important to First Nations peoples are kept in good condition.<sup>18</sup>

Despite this, the Australian Government recognises that more can and must be done to strengthen legislation and protect First Nations cultural heritage sites which are frequently damaged, disturbed, or displaced.<sup>19</sup> In 2021, the Australian Government signed an agreement with the First Nations Heritage Protection Alliance to work in partnership to reform and strengthen Australia's First Nations cultural heritage protection laws. This includes consideration of existing national and state and territory legislation such as the Aboriginal and Torres Strait Islander Heritage Protection Act 1984. This reform process will help to embed cultural and heritage protection in clean energy projects.

#### Questions for consultation

---

<sup>17</sup> 'Caring for Country' is used here to describe First Nations peoples' approaches to land and water management.

<sup>18</sup> National Indigenous Australians Agency (NIAA) (n.d.) *Heritage*, NIAA website, accessed 28 September 2023.

<sup>19</sup> Department of Climate Change, Energy, the Environment and Water (DCCEEW), [First Nations and Country](#), Australia State of the Environment, accessed 28 September 2023.

18. What can industry put in place when developing clean energy projects to ensure the cultural responsibilities of First Nations peoples are implemented throughout the project life cycle?

19. What does an ideal scenario look like where First Nations peoples can effectively manage their Country and cultural heritage responsibilities in co-existence with clean energy assets?

20. What does Free, Prior and Informed Consent look like to you and/or your organisation? And how can it be achieved in practice?

21. Please suggest documented examples of best practice cultural heritage protection models or standards being applied in domestic or international jurisdictions?

#### **4.2.8 Recognise First Nations environmental values, management and expertise**

Environmental considerations are a key part of caring for Country. First Nations peoples have practiced sustainable land and water management for thousands of years.

While the clean energy transformation offers enormous benefits for Australia, including critical emissions reductions, this needs to be achieved sustainably to minimise environmental impacts at all stages of the clean energy project lifecycle.

The Australian Government is committed to strengthening environmental protection mechanisms. For example, it is reforming Australia's national environmental protection legislation, the Environment Protection and Biodiversity Conservation Act 1999, in line with the independent review undertaken by Professor Graeme Samuel. It is also establishing an independent national environmental protection agency.

With a shared interest in environmental sustainability, the clean energy transformation offers opportunities for government and industry to partner with First Nations peoples to ensure that environmental impacts on Country are minimised.

#### **Questions for consultation**

22. What can government and industry put in place to ensure that First Nations environmental values and expertise inform the clean energy transformation and that indigenous design thinking is integrated into clean energy projects?

23. Please provide any other comments and suggestions you might have in relation to the development of a First Nations Clean Energy Strategy?

## 5. Next steps to support engagement, consultation, and communication

As outlined above, we are seeking formal submissions via the *Have your Say* process to further inform the Strategy development. A range of further consultation and engagement activities will continue to support Strategy development.

### 5.1 Remaining Australia wide roundtables and regional conversations

Roundtables will continue to ensure that First Nations communities in all states and territories have had an opportunity to share their perspectives. The remaining roundtables are planned to take place between November 2023 and February 2024 in Victoria, New South Wales and Tasmania.

In addition to these roundtables, regional conversations are being undertaken to support respectful and deep engagement. An Interim Feedback Report is available for review at the *Have your Say* site.

### 5.2 Engagement with the First Nations Clean Energy and Emissions Reduction Advisory Committee and other experts

The Committee advises the Minister and the Department on First Nations perspectives on clean energy and climate change. Members of the Committee are experts in various areas such as Indigenous affairs, energy, climate change, social and legal services. The [Committee](#) was established on 30 April 2023.

The Committee is providing advice to support Strategy development including:

- The design and implementation of the Strategy's communications and engagement plan
- Participation in community roundtables; and
- Strategic consultation across key activity areas.

Targeted engagements and discussions are also being held with First Nations organisations, broader community, subject matter experts, and peak organisations.

### 5.3. Other consultation and communication mechanisms

The project website, [www.fnces.org.au](http://www.fnces.org.au), is regularly updated. It includes important publications supporting and informing Strategy development. A newsletter will provide updates on progress between now and finalisation of the Strategy. To subscribe, email [FNCES@dcceew.gov.au](mailto:FNCES@dcceew.gov.au).

### 5.4 Where to from here?

Following consideration of feedback received on this consultation paper and further engagements as outlined above, a draft Strategy will be developed and shared in early 2024, with the final Strategy to be delivered by mid-2024.

## 6. Privacy

If you choose to respond to this consultation process, we will collect personal information about you. Please read this Privacy Notice before submitting your response.

We are bound by the Australian Privacy Principles in Schedule 1 of the [Privacy Act 1988](#) (Cth). The Privacy Act regulates how we may collect, use, disclose and store personal information. We also hold personal information in accordance with the [Archives Act 1983](#) (Cth).

We use technology by Converlens Pty Ltd to provide this consultation service and website. Our contractual arrangements require Converlens to comply with the Privacy Act and store data securely in Australia.

### 6.1 What personal information will be collected?

Personal information means information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not and whether the information or opinion is recorded in a material form or not.

Sensitive information is a subset of personal information and attracts a higher level of privacy protection. Sensitive information includes information or opinions about an individual's racial or ethnic origin (e.g., indigeneity), a political opinion or association, religious beliefs or affiliations, trade or professional associations and memberships, a criminal record and health information.

If you submit a response to this consultation, we will collect your personal information, including your name, organisation, industry, email (or other contact details), location, comments and opinions, and any other personal information you include in your submission.

By completing and submitting a response to this consultation, you consent to the collection, use and disclosure of all personal information provided in your response as set out in this Privacy Notice.

If your submission contains the personal information of another individual, you need to inform that individual of the contents of this statement and obtain their consent to us collecting their personal information.

### 6.2 How we will use and disclose your personal information?

The Department will use any personal information provided in your submission to:

- Inform the development of the First Nations Clean Energy Strategy and related policies or activities;
- Contact you about your submission, including if we require further information or feedback; and
- Keep you informed about future consultation activities or other opportunities that we consider may interest you.

For the development of the First Nations Clean Energy Strategy, related policies or activities, and related purposes, your information may be used by or disclosed to:

- Department personnel;
- External consultants and organisations engaged by the department in relation to the First Nations Clean Energy Strategy and related activities;
- Other Australian Government agencies and personnel; and
- The Minister, and the Minister's Office staff and delegates.

We may also disclose your personal information where authorised or required by law. We will not use or disclose personal information for a purpose other than a purpose outlined above without your consent, unless it is a secondary use or disclosure related to a purpose outlined above or is otherwise authorised or required by law. Your personal information will not be disclosed to overseas recipients unless we notify you.

### **6.3 Public disclosure**

We may publish your full submission or parts of your submission on the Department's website or in department publications unless you expressly ask us not to. This includes any personal or business information contained in your submission. Published submissions will be accessible online and by overseas recipients.

You can claim confidentiality over all or part of your submission by expressly indicating this or marking it up in the relevant part(s) of your submission, and by completing the Confidentiality section on the next page.

The Department reserves its right to edit and/or not consider or publish submissions that contain potentially offensive, defamatory, or irrelevant material.

Submissions marked as confidential may be disclosed on a confidential basis as authorised or required by law.

### **6.4 Privacy policy and contact us.**

For more information on how we handle personal information, how to access or correct your personal information, and how to make a complaint, please see our Privacy Policy at <https://www.dcceew.gov.au/about/commitment/privacy>.

Converlens' Privacy Policy is available at <https://converlens.com/privacy>.

If you have a question about this privacy notice, please use the Contact Us link on our website at <https://www.dcceew.gov.au/about/contact>.

## 7. Glossary

<b>Acronym</b>	<b>Definition</b>
AIATSIS	Australian Institute of Aboriginal and Torres Strait Islander Studies
DCCEEW	Department of Climate Change, Energy, the Environment and Water
FNCEN	First Nations Clean Energy Network
FPIC	Free, Prior and Informed Consent
Interim Report	First Nations Clean Energy Strategy Interim Feedback Report
NIAA	National Indigenous Australians Agency
The Committee	First Nations Clean Energy and Emissions Advisory Committee
The Department	Department of Climate Change, Energy, the Environment and Water
The Partnership	National Energy Transformation Partnership
The Strategy	First Nations Clean Energy Strategy
The Taskforce	First Nations Clean Energy Taskforce
UNDRIP	United Nations Declaration on the Rights of Indigenous People