

REPORT

**LOCAL COUNCILS BELONG TO
ABORIGINAL PEOPLE 2**

A NEW STRATEGY

June 2000

Prepared by

Janet Gould + Associates Pty Ltd
242 Pirie Street
Adelaide SA 5000

Telephone: 8232 2277

Contents

EXECUTIVE SUMMARY

- 1. Introduction**
 - 1.1 Project Objectives
 - 1.2 A Collaborative Approach to the Review Project
 - 1.3 The Steering Committee

- 2. The 1994 Strategic Framework “Local Councils belong to Aboriginal People Too”**
 - 2.1 Co-ordination and Integration
 - 2.2 Community Information
 - 2.3 Inter-Governmental Relations
 - 2.4 Participation

- 3. Local Government’s Role – A National Perspective**

- 4. Aboriginal Communities in South Australia**
 - 4.1 Population Distribution
 - 4.1.1 Local Government areas incorporated under the Local Government Act 1999 (SA)
 - 4.1.2 Remote and Rural areas
 - 4.2 Population by Local Government Council Regions and Areas
 - 4.3 Socio-economic Status

- 5. Legislative Framework for Local Government in South Australia**
 - 5.1 Local Government Act 1999 (SA)
 - 5.2 Local Government (Elections) Act 1999
 - 5.3 Local Government (Implementation) Act 1999
 - 5.4 Additional Powers and Responsibilities
 - 5.5 Native Title and Aboriginal Heritage
 - 5.6 Equal Opportunity Legislation

- 6. Services provided by Local Government Councils in South Australia**

- 7. Survey of Local Government Councils**
 - 7.1 Census Data
 - 7.2 Education and Awareness
 - 7.3 Council Strategic/Corporate Planning
 - 7.4 Staffing and Employment

- 7.5 Communication and Consultation with Aboriginal and Torres Strait Islander communities
- 7.6 Community Involvement
- 7.7 Services and Facilities
- 7.8 Barriers and Constraints
- 7.9 Future Planning and Good Examples
- 7.10 Aboriginal Lands Trust communities within Local Government Council areas
- 7.11 Key Findings of the Survey
- 7.12 Observations made from the Survey Results

Contents (continued)

8. Assessing Achievements: Implementation of LGA's 1994 Strategic Framework

- 8.1 Co-ordination and Integration
 - 8.1.1 LGA Facilitation and Leadership
 - 8.1.2 Specific Objectives and Strategies in Local Government Council's Corporate Plans
 - 8.1.3 Aboriginal and Torres Strait Islander organisations delivering local government services in out of Local Government Council areas as members of the LGA
- 8.2 Community Information
 - 8.2.1 Promote knowledge and awareness of Aboriginal and Torres Strait Islander culture
 - 8.2.2 Increase knowledge and awareness of Aboriginal and Torres Strait Islander residents of role, services and facilities provided by Local Government
 - 8.2.3 Increase awareness of Aboriginal and Torres Strait Islander residents to vote and become Local Government Council Elected Members
 - 8.2.4 Links between Local Government Councils and Aboriginal and Torres Strait Islander communities
- 8.3 Inter-Governmental Relations
 - 8.3.1 Legislation
 - 8.3.2 Prescribed Aboriginal Communities located in out of Local Government Council areas
- 8.4 Participation
 - 8.4.1 Election to Local Government
 - 8.4.2 Employment
- 8.5 Native Title
- 8.6 Reconciliation
- 8.7 In Summary

9. A New Three Year Strategic Framework

- 9.1 Recommendations for an Integrated Approach
 - 9.1.1 Inter-Governmental Local Government Aboriginal Issues Group
 - 9.1.2 Local Government Aboriginal Project Officers Network
 - 9.1.3 Resource Options for Implementation
- 9.2 The Strategic Directions
 - 9.2.1 Co-ordination and Integration
 - 9.2.2 Inter-Governmental Relations
 - 9.2.3 Participation in Local Government
 - 9.2.4 Community Awareness
 - 9.2.5 Access to Services and Facilities
 - 9.2.6 Employment and Economic Development
 - 9.2.7 Local and Regional Planning
 - 9.2.8 Native Title
 - 9.2.9 Reconciliation

Bibliography

Appendices Schedule

Appendix A	Aboriginal and Torres Strait Islander Population Profile
Appendix B	Outback Areas Community Development Trust – Role and Function
Appendix C	SA Local Government Grants Commission - Financial Assistance Grants
Appendix D	Survey of Local Government Councils – Survey Form
Appendix E	Local Government Councils in South Australia - Workforce Profile Data
Appendix F	Consultation Program Report
Appendix G	Providing Culturally Appropriate Services – Key Considerations
Appendix H	Aboriginal Project Officers in Local Government – Roles and Responsibilities
Appendix I	National Commitment to Improved Outcomes in the Delivery of Programs and Services for Aboriginal Peoples and Torres Strait Islanders (7 December 1992)

EXECUTIVE SUMMARY

1. Introduction to the Project

The Local Government 1994 Strategic Framework - "*Local Councils Belong to Aboriginal People Too*"¹ (sometimes referred to as "the 1994 Morton Report") proposed an approach to improve Local Government services to Aboriginal and Torres Strait Islander people in South Australia. It addressed issues of coordination and integration, community information, inter-governmental relations, and the participation of Aboriginal and Torres Strait Islander people in Local Government.

The key objectives of the 2000 Review of the 1994 Strategic Framework are to:

- review the achievements to date as a result of the implementation of the 1994 Strategic Framework; and
- develop a new forward plan for improving Aboriginal and Torres Strait Islander communities Local Government outcomes, for the next three years.

The Review Project is a collaborative initiative between the Local, State and Commonwealth Governments, funded through the Commonwealth's Local Government Development Program (1998/99). The Steering Committee convened to guide the development of the 2000 Review Project comprised officer representatives from all spheres of Government, namely:

- Local Government – represented by the Local Government Association of SA and representatives of two Local Government Councils
- State Government – represented by the Office of Local Government, South Australian Local Government Grants Commission, and Division of State Aboriginal Affairs
- Federal Government – represented by ATSIC.

The central theme of the Review Project methodology was to maximise opportunities for Local, State and Federal Governments, and Aboriginal organisations and local communities, to be involved in the review process and update of the strategic framework. The key elements of the review process were as follows:

- research and review of relevant reports and studies
- a survey of Local Government Councils
- consultation workshops in metropolitan and regional locations, involving Local Government, Aboriginal organisations and community representatives; and
- consultation with Aboriginal Project Officers working in local Government
- consultation with Steering Committee members.

As a result, there has been:

- a comprehensive review of the legislative context and environment within Local Government Councils operate;
- an analysis of progress to date in Local Government as a result of the implementation of the 1994 Strategic Framework;
- and the development of recommendations for new Strategic Directions for the next three years.

¹ Morton Consulting Services - *Local Councils Belong to Aboriginal People Too - Local Government and Aboriginal Populations Access and Equity Project, 1994*. Prepared for the Local Government Association of SA funded by ATSIC.

The key findings of the review and analysis, and an outline of the new Strategic Directions for the next three years follows.

2. The Aboriginal and Torres Strait Islander Population in South Australia

In 1998 the total population of South Australia was 1,487,414. At that time, it was estimated 1.22% of the total population were of Aboriginal and Torres Strait Islander descent, that is about 18,150 people. 80% of the Aboriginal and Torres Strait Islander population live in Local Government Council areas incorporated under the Local Government Act which geographically comprises about 15% of the State. About 54% live in metropolitan Adelaide; and about 46% live in country South Australia.

In the metropolitan area, Aboriginal and Torres Strait Islander people are dispersed throughout the community, with particular concentrations in the northern area of Adelaide in the Port Adelaide Enfield, Playford and Salisbury Council areas.

In country South Australia, there are five specific Aboriginal and Torres Strait Islander communities living on Aboriginal Lands Trust Land within Local Government Council boundaries. These communities are at

- Pt Pearce - District Council of Yorke Peninsula
- Raukkan/Point McLeay - Coorong District Council
- Koonibba - District Council of Ceduna
- Davenport - City of Pt Augusta
- Umoona - District Council of Coober Pedy

The remaining 20% of Aboriginal and Torres Strait Islander people live in remote and rural areas in South Australia. Many of these people live in the Anangu Pitjantjatjara lands, with smaller communities in the Maralinga Tjarutja lands, in Nepabunna, Gerard and Yalata communities, and at Oodnadatta, Maree and Copley.

The low socio economic status of Aboriginal and Torres Strait Islander people in general, is well documented and has been the subject of many inquiries by various levels of Government. The most significant issues of concern relate to the poor health, low levels of education attainment and employment, and drug and alcohol abuse. The underlying factors relate to the legacy of history: the dispossession of people from their land and, as a consequence, their lack of access to economic, social and political power.

Clearly, these issues hinder increased participation by Aboriginal and Torres Strait Islander people in the social, economic and cultural life of the community in general.

3. The Role of Local Government Councils

Over recent years, the Local Government landscape in South Australia has changed significantly. Voluntary structural reform has resulted in a reduction of Local Government Councils from 118 in 1996, to 68 by 1998. This has brought about a stronger Local Government sector, improved use of resources, better coordination of programs, and consistency in planning across larger geographical areas.

In addition, the recent Local Government legislative review program has resulted in a new package of legislation for Local Government in South Australia. There are clear themes and expectations arising from the new Local Government Act, in particular that Local Government will take a strategic approach to the delivery of services, and involve their communities in forward planning. Importantly, the Act requires in more explicit terms, that resources are to be allocated fairly and equitably in a responsive and socially just manner, to address the service needs of all sectors of the local community, through transparent and accountable decision making processes.

Local Government Councils have a leadership role in setting local agendas and creating a sense of place and culturally identity. They are ideally placed to demonstrate leadership in creating an environment of tolerance and increased awareness and an understanding of Aboriginal issues in general.

4. Assessing Achievements

A comprehensive review of progress and assessment of Local Government achievements was undertaken as part of the 2000 Review Project. 62 of the 68 Local Government Councils participated in the survey of Local Government Councils and the consultation program. Consultation workshops were convened in metropolitan and regional areas, and these workshops were generally well attended by Local Government, and Aboriginal organisations and community leaders.

The findings of the review and assessment are discussed in considerable detail in the Review Report, and key issues have been identified under the strategy areas identified in the 1994 Strategic Framework, namely

- Co-ordination and Integration
- Community Information
- Inter-Governmental Relations
- Participation.

It is clear that Local Government Councils, in partnership with Aboriginal and Torres Strait Islander communities and other agencies, have made some significant and positive advances in the past 5 years with respect to

- increased awareness in Local Government about Aboriginal and Torres Strait Islander issues, and more positive attitudes about addressing those issues;
- encouraging the involvement of Aboriginal and Torres Strait Islander people in decision making processes;
- employment of Aboriginal Project Officers in Local Government Councils;
- addressing the specific needs of Aboriginal and Torres Strait Islander people; and
- progressing the reconciliation process.

These advances have been made as a result of policy commitments, and through a consultative and collaborative approach.

However, it is also clear, that there is still more to be achieved to improve Local Government outcomes for Aboriginal and Torres Strait Islander people. Some of the key issues to be addressed, particularly in areas where there are high concentrations of Aboriginal and Torres Strait Islander residents, relate to

- an ongoing need for information to be provided in an effective manner to Aboriginal and Torres Strait Islander people and organisations about
 - the entitlement to vote, and how to exercise that right; and
 - services that Local Government provide and how to access those services;
- increasing the employment rate of Aboriginal and Torres Strait Islander people in all areas of Local Government;
- ensuring resources are allocated fairly and equitably; and
- the critical service priorities of Aboriginal and Torres Strait Islander people are addressed through an integrated and collaborative approach to future planning.

Within the context of future planning, it is also important to recognise that achieving improved outcomes is an incremental process, which takes time, commitment and effort. Measuring and evaluating achievements to identify what has worked and what still needs to be done is integral to improving Local Government outcomes for Aboriginal and Torres Strait Islander people.

5. Recommendations for New Strategic Directions

The development of the new Strategic Directions for the next three years has been undertaken in a climate of increased understanding of Aboriginal issues in a broader context, a recognition of past history and heritage, and an emerging commitment to reconciliation by all spheres of Government.

Fundamental to the thrust of the recommendations, is a commitment to fostering partnerships and a collaborative approach by all spheres of Government – Local, State and Commonwealth. This approach will ensure the best use of available resources, and foster integrated planning to address the critical priorities for, and in consultation with, Aboriginal and Torres Strait Islander communities.

The Strategic Directions recommended involve an integration of this commitment by Local Government Councils to operational and service delivery levels, and the development of effective working relationships and partnerships with Aboriginal and Torres Strait Islander communities in the local area.

Recommendations have been made under nine key result areas as follows:

- Integration and Coordination
- Inter Government Relations
- Participation in Local Government
- Community Awareness
- Access to Services
- Economic Development
- Local and Regional Planning
- Native Title
- Reconciliation.

Actions required are also summarised. It is to be noted that more detailed actions are included in Section 9 of the Review Report. Section 9 also includes examples of good practice, and notes about useful resources which may be of assistance to Local Government Councils during the implementation phase.

Discreet *“Implementation Projects”* have also been recommended. However, implementation of these projects will of course be subject to securing the necessary resources through relevant agency resource base/s, or through securing specific project funding.

5.1 Co-ordination and Integration

Recommended Strategic Directions	Action Required:
<p>5.1.1 Structural Framework</p> <p>Establish an Inter-Governmental Local Government Aboriginal Issues Group to promote shared strategic directions and effective working relationships between all spheres of government.</p> <p>Note: This group is not a funding body, nor does it seek to source resources for either Aboriginal and Torres Strait Islander organisations or the Local Government sector.</p>	<p>Lead Agency: OLG to initially convene the Issues Group</p> <p>Involving: Officer representation of</p> <ul style="list-style-type: none"> • Local Government – LGA • State Government – OLG and DOSAA • Commonwealth Government – ATSIC • Other relevant agencies considered appropriate to invite from time to time.
<p>5.1.2 Facilitation and Leadership</p> <p>Establish a Local Government Aboriginal Project Officers' Network to provide peer support and a consultation link to the Inter-Governmental Local Government Aboriginal Issues Group.</p> <p>Consider options to resource the implementation of the new Strategic Directions</p>	<p>Lead Agency: LGA</p> <p>Involving: Local Government Councils supporting Aboriginal Project Officers involvement.</p> <p>Lead Agency: LGA</p>

5.2 Inter-Governmental Relations

Recommended Strategic Directions	Action Required:
<p>5.2.1 Relationships</p> <p>Guide the implementation of strategic directions through open, respectful and cooperative interaction and the exchange of information</p>	<p>Involving: Inter-Governmental Local Government Aboriginal Issues Group members Local Government Councils Aboriginal organisations and communities</p>
<p>5.2.2 Overarching Policy</p> <p>LGA seek endorsement from Local Government Councils for a policy statement on Reconciliation</p>	<p>Lead Agency: LGA</p> <p>Involving: Local Government Councils ATSIC and DOSAA</p>
<p>5.2.3 Aboriginal Communities in out of Local Government areas</p> <p>Develop a project on Principles of Governance to assist relevant Aboriginal</p>	<p>Lead Agencies: OLG and DOSAA</p> <p>Involving:</p> <ul style="list-style-type: none"> • Anangu Pitjantjatjara, Maralinga Tjarutja, Gerard, Nepabunna, and Yalata

<p>Community Councils with their local governance responsibilities.</p> <p>Implementation Project Following development of Principles of Governance, explore possibilities of a mentoring arrangement between a Local Government Council and an Aboriginal Community Council to focus on governance responsibilities and to offer peer support.</p>	<p>communities</p> <ul style="list-style-type: none"> • LGA • Relevant Local Government Councils • Possible support from ATSIC and via ALGA, from interstate Community Councils. <p>Involving: OLG, DOSAA, LGA initially.</p>
<p>Recommended Strategic Directions</p>	<p>Action Required:</p>
<p>5.2.4 LGA Membership</p> <p>LGA to reapproach local governing bodies in out of Local Government Council areas which are not currently members of the LGA to encourage membership or associate membership.</p>	<p>Lead Agency: LGA</p> <p>Involving: Anangu Pitjantjatjara, Maralinga Tjarutja, Gerard, Nepabunna, and Yalata communities, and the Outback Areas Community Development Trust.</p>
<p>Communities on Aboriginal Lands Trust Land in Local Government Council areas</p> <p>5.2.5 Service Agreements Explore the option of Service Agreements between communities located on Aboriginal Lands Trust land and relevant Local Government Councils.</p> <p>Implementation Project : Service Agreements</p> <ul style="list-style-type: none"> • Develop models and guidelines for Service Agreements for use by Local Government Councils. <p>5.2.6 Collaborative Planning Promote achievements and best practice examples of collaborative planning approaches and disseminate models and guidelines to facilitate Local Government Councils adopting a collaborative approach to regional planning with relevant State and Federal Government agencies.</p>	<p>Lead Agency: DOSAA/ALT and LGA jointly</p> <p>Involving:</p> <ul style="list-style-type: none"> • Aboriginal communities on Aboriginal Lands Trust land, relevant Local Government Councils • OLG, Outback Areas Community Development Trust • ATSIC and ATSIC Regional Councils. <p>Lead Agency: LGA</p> <p>Lead agencies: DOSAA/ALT and LGA jointly</p> <p>Involving: ATSIC, ATSIC Regional Councils, Local Government Councils, Communities on Aboriginal Lands Trust lands, OLG.</p>

5.3 Participation in Local Government

Recommended Strategic Directions	Action Required:
<p>5.3.1 Representation – Elections and Voting</p> <p>Continue to</p> <ul style="list-style-type: none"> • Promote Local Government Council elections and encourage increased participation • Foster increased representation of Aboriginal and Torres Strait Islander people. <p>Councils with discrete Aboriginal and Torres Strait Islander communities should explore potential for use of S31 of the Local Government (Elections) Act to maximise Aboriginal and Torres Strait Islander people to vote at Local Government Elections.</p>	<p>Lead Agency: LGA and State Electoral Office</p> <p>Involving: Key Aboriginal and Torres Strait Islander stakeholder agencies, Local Government Project Officers Network, ATSIC Regional Councils, Local Government Councils.</p> <p>Lead Agency: Local Government Councils with support of LGA.</p>

Recommended Strategic Directions	Action Required:
<p>5.3.2 Representation of Aboriginal and Torres Strait Islander interests</p> <p>Facilitate increased awareness and understanding of Aboriginal and Torres Strait Islander issues through</p> <ul style="list-style-type: none"> • Cross cultural training and • Modules in Elected Members Information Kits <p>to enable the representation of relevant issues by non-indigenous Local Government Elected Members.</p> <p>Implementation Project – Mentoring Program (consider after the May 2003 elections)</p> <p>Implementation Project – Aboriginal Project Contacts Data Base Local Government Councils to nominate a staff member as a contact point for information exchange on matters relating to Aboriginal and Torres Strait Islander communities.</p>	<p>Lead Agency: LGA Involving: Local Government Councils, ATSI Regional Councils</p> <p>Lead Agency: LGA Involving: Local Government Councils, Relevant Elected Members.</p> <p>Lead Agency: LGA Involving: Local Government Councils</p>
<p>5.3.2 Decision Making Processes</p> <p>Increase the involvement of Aboriginal and Torres Strait Islander people in decision making processes through</p> <ul style="list-style-type: none"> • Establishing informal Aboriginal Liaison Panels/Committees • Inviting Aboriginal and Torres Strait Islander representation on Local Government Council committees • Ensuring public consultation policies reflect cultural diversity of the area • Initiate meetings with Aboriginal and Torres Strait Islander key stakeholder organisations. <p>Aboriginal and Torres Strait Islander key</p>	<p>Lead Agency: Local Government Councils with support of LGA</p> <p>Lead Agency: AATSIC Regional Councils, Aboriginal</p>

<p>stakeholder organisations are encouraged to meet their Local Government Members and take advantage of information exchange opportunities.</p> <p>Implementation Project – Consultative Links.</p> <ul style="list-style-type: none"> • Develop a Consultative Links database for use by Local Government, involving ATSIC and DOSAA structures and networks. • Develop guidelines for Aboriginal Advisory Panels/Groups, consulting with Aboriginal and Torres Strait Islander people, encouraging participation of young people. 	<p>Community Councils and organisations.</p> <p>Lead Agencies: LGA with DOSAA and ATSIC Involving: ATSIC Regional Councils and Local Government Councils</p>
---	---

5.4 Community Awareness

Recommended Strategic Directions	Action Required:
<p>5.4.1 Aboriginal and Torres Strait Islander Community – Knowledge of services</p> <p>Prepare and distribute information for Aboriginal and Torres Strait Islander organisations about the services, roles and responsibilities of Local Government Councils.</p>	<p>Lead Agencies: LGA with input from ATSIC and DOSAA Involving: Local Government Councils ATSIC Regional Councils OLG.</p>
<p>5.4.2 Highlighting Achievements</p> <p>Promote Local Government Councils achievements in a Good Practice Information Kit, providing examples of collaborative approaches with Aboriginal and Torres Strait Islander communities which could be adapted for use by other Local Government Councils.</p>	<p>Lead Agencies: LGA, OLG and DOSAA jointly Involving: Local Government Councils Aboriginal and Torres Strait Islander organisations and communities</p>
<p>5.4.3 Local Government and Community Awareness</p> <p>Foster unprejudiced attitudes and</p>	<p>Lead Agency: LGA in consultation with Local</p>

<p>encourage increased understanding of Aboriginal and Torres Strait Islander history, culture and contemporary issues in Local Government through</p> <ul style="list-style-type: none"> • Cultural awareness programs for Elected Members and staff • Promotion and involvement in Aboriginal and Torres Strait Islander cultural events. <p>Build on existing collections and records of local Aboriginal and Torres Strait Islander history and heritage through</p> <ul style="list-style-type: none"> • Planning and project documents involving studies and assessment of indigenous issues • Recording oral histories for inclusion in existing collections. <p>Consistent with principles of transparency and accountability, Local Government Councils with high proportions of Aboriginal and Torres Strait Islander residents should report on programs developed to meet the particular circumstances of local communities in their Annual Reports.</p>	<p>Government Aboriginal Project Officers Network</p> <p>Involving: Local Government Councils ATSIC ATSIC Regional Councils</p> <p>Lead Agency: Local Government Councils</p> <p>Involving: DOSAA Local Aboriginal and Torres Strait Islander communities Possible support from Libraries Board of SA</p> <p>Lead Agency: Local Government Councils</p>
--	---

5.5 Access to Services and Facilities

Recommended Strategic Directions	Action Required:
<p>5.5.1 Barriers to Access</p> <p>Maximise Aboriginal and Torres Strait Islander people's access to Local Government facilities and services, by identifying and addressing potential barriers to access.</p> <p>Note: Considerations relevant to providing "culturally appropriate" services are attached as Appendix G to the Review Report</p>	<p>Lead Agency: Local Government Councils with support of LGA</p> <p>Involving: ATSI ATSI Regional Councils Aboriginal and Torres Strait Islander communities.</p>
<p>5.5.2 Specific Programs</p> <p>Address the specific service needs of Aboriginal and Torres Strait Islander peoples as a disadvantaged group, within the context of organisational planning.</p>	<p>Lead Agency: Local Government Councils with the support of LGA and ATSI jointly.</p>

5.6 Employment and Economic Development

Recommended Strategic Directions	Action Required:
<p>5.6.1 Employment of Aboriginal and Torres Strait Islander People in Local Government</p> <p>Local Government Councils with a high proportion of Aboriginal and Torres Strait Islander residents should</p> <ul style="list-style-type: none"> • Consider employing an Aboriginal Project Officer (full or part time). Other options include <ul style="list-style-type: none"> • group of Local Government Councils employing an officer on a regional basis; or • through consultancy or contract arrangements. • Include "cultural awareness" as a selection criteria where relevant in job and person specifications. • Consider specific recruitment through an application for exemption from the 	<p>Lead Agency: Local Government Councils with support of LGA.</p>

race discrimination provisions of the Equal Opportunity Act 1984 (SA).	
--	--

Recommended Strategic Directions	Action Required:
<p>5.6.2 Economic Development and Competitive Tendering</p> <p>Direct employment of Aboriginal and Torres Strait Islander people is recognised as the priority for Local Government. However, Local Government Councils and ATSIC Regional Councils should continue to seek opportunities for work experience through CDEP schemes</p> <p>Local Government Councils to consider the impact on local Aboriginal and Torres Strait Islander communities when assessing tenders within the context of competitive tendering arrangement criteria.</p> <p>Opportunities for economic development initiatives involving Aboriginal and Torres Strait Islander communities, should be explored between Local Government, State and Federal Government agencies</p>	<p>Lead Agency: Local Government Councils with support of LGA and ATSIC jointly</p> <p>Lead Agency: Local Government Councils</p> <p>Lead Agency: ATSIC and DOSAA jointly Involving: LGA Local Government Councils Aboriginal and Torres Strait Islander organisations</p>

5.7 Local and Regional Planning

Recommended Strategic Directions	Action Required:
<p>5.7.1 Policy Objectives and Regional Plans</p> <p>Local Government Councils with high numbers of Aboriginal and Torres Strait Islander residents</p> <ul style="list-style-type: none"> • Consider adopting a policy objective to specifically provide for the consideration of Aboriginal and Torres Strait Islander Issues within the context of organisational planning. • Give due consideration to ATSIC Regional Plans in planning processes 	<p>Lead Agency: Local Government Councils with support of LGA</p>
<p>5.7.2 Planning Processes</p> <p>Local Government Councils to initiate involvement of Aboriginal and Torres Strait Islander communities in Local</p>	<p>Lead Agency: Local Government Councils with support of LGA and ATSIC jointly Involving:</p>

<p>Government planning processes.</p> <p>Local Government Councils to consider inclusion of appropriate references to Aboriginal culture, community issues and heritage in Development Plans.</p> <ul style="list-style-type: none"> • LGA to promote “best practice” models <p>Local Government Councils to establish links to facilitate collaborative planning initiatives between all spheres of Government, and regular exchange of information about existing and future programs.</p>	<p>ATSIC Regional Councils</p> <p>Lead Agency: LGA and Planning SA Involving: Local Government Councils, DOSAA and ATSIC Regional Councils</p> <p>Lead Agency: Local Government Councils with support of LGA, ATSIC and DOSAA Involving: ATISC Regional Councils Aboriginal and Torres Strait Islander key organisations.</p>
<p>Recommended Strategic Directions</p>	<p>Action Required</p>
<p>5.7.3 Integration of Services</p> <p>Local Government Councils should promote and support coordinated planning efforts, and collaborative partnerships with other service provision agencies to facilitate more effective planning and use of available resources.</p>	<p>Lead Agency: Local Government Councils with support of LGA and ATSIC jointly Involving: ATSIC Regional Councils LGA Regional organisations Office of Regional Development.</p>

5.8 Native Title

<p>Recommended Strategic Directions</p>	<p>Action Required</p>
<p>5.8.1 Native Title Issues</p> <p>LGA to continue to support ALGA’s strategic involvement and leadership role in Aboriginal and Torres Strait Islander issues of national significance.</p> <p>LGA to continue to provide support and assistance to Local Government Councils with respect to native title issues.</p>	<p>Lead Agency: LGA Involving: ALGA</p> <p>Lead Agency: LGA Involving: Local Government Councils SA Attorney-General’s Department/ILUA Framework Negotiating Committee and National Native Title Tribunal.</p>

5.9 Reconciliation

<p>Recommended Strategic Directions</p>	<p>Action Required</p>
<p>5.9.1 Reconciliation initiatives</p> <p>Local Government to advance</p>	<p>Lead Agency: Local Government Councils</p>

reconciliation between non-indigenous and Aboriginal and Torres Strait Islander communities in South Australia, through <ul style="list-style-type: none">• Developing and adopting a formal statement of reconciliation, and• Initiatives which demonstrate leadership in Local Government.	with support of LGA Involving: Aboriginal and Torres Strait Islander communities.
---	--

The Strategic Framework recommended represents a collaborative and coordinated response to addressing information, access, and service delivery issues of relevance to Aboriginal and Torres Strait Islander people and communities. Achieving successful outcomes will be dependent on the involvement and commitment of all spheres of Government - Local, State and Federal – and through a collaborative and integrated approach by Local Government Councils in consultation with local Aboriginal and Torres Strait Islander organisations and communities.

Of significance, Local Government, State and Federal Government agencies, and Aboriginal and Torres Strait Islander organisations have demonstrated a clear commitment to a continued collaborative and integrated approach to address the shared goal of improving Local Government outcomes for Aboriginal and Torres Strait Islander people and communities in South Australia.

1. INTRODUCTION

The review of the 1994 Strategic Framework, “the Review Project”, involves:

- the review of achievements to date as a result of the implementation of the 1994 Strategic Framework – “*Local Councils Belong to Aboriginal People Too*”², and
- the development of a new forward plan for the next three years.

The Review Project is a collaborative initiative between the Local, State and Commonwealth Governments, funded through the Commonwealth’s Local Government Development Program (1998/99).

The 1994 Strategic Framework (sometimes referred to as “The 1994 Morton Report”) addressed issues relating to coordination and integration, community information, inter-governmental relations, and the participation of Aboriginal and Torres Strait Islander people in Local Government. It proposed an approach to improve Local Government services to Aboriginal and Torres Strait Islander communities in South Australia, through collaboration between the Local, State and Commonwealth Governments.

Subsequently, the LGA, Local Government Councils, and the Office of Local Government (South Australian Government) have worked towards implementing the strategies identified in the 1994 Strategic Framework.

In addition, the Minister for Local Government in South Australia has approved funding for the development and production of a “good example” information kit to profile Local Government Councils’ achievements in the provision of services to Aboriginal and Torres Strait Islander communities. This project has been integrally linked to the Review Project and, as a result, examples of good practice are identified in the Review Report. The information kit will be produced as a separate document.

The Steering Committee convened to guide the development of the Review Project, comprised representatives from Local, State and Commonwealth Government organisations, as follows:

- Chris Russell, Director Policy & Public Affairs, Local Government Association of SA
- Faye Barrett, Senior Project Officer, Office of Local Government
- Jane Gascoigne, Executive Officer, South Australian Local Government Grants Commission
- Eric Roberts, Manager, Public Affairs, Aboriginal and Torres Strait Islander Commission, SA
- Ceilia Divakaran, Principal Policy Officer, Strategic Development, Department of State Aboriginal Affairs
- Nick Stewart, Project Officer, Strategic Development, Division of State Aboriginal Affairs
- Dorothy Davey, Aboriginal Development Officer, City of Adelaide
- Tony Irvine, Chief Executive Officer, District Council of Ceduna.

² Morton Consulting Services - *Local Governments Belong to Aboriginal People Too - Local Government and Aboriginal Populations Access and Equity Project, 1994*. Prepared for the Local Government Association of SA funded by ATSIC.

Janet Gould + Associates Pty Ltd were appointed by the LGA which is hosting the Review Project, to undertake the review and develop the new strategic framework. The Janet Gould + Associates project team comprised:

- Janet Gould – Project Director and Consultation
- Margaret Heylen – Research, Analysis and Report Writing
- Fred Graham – Community Consultation and Aboriginal and Torres Strait Islander Advisor
- Fran Whittingham – Research Assistant and Community Consultation

1.1 Project Objectives

The Review Project objectives are to:

- Review the implementation of LGA's 1994 Strategic Framework – *“Local Councils Belong to Aboriginal People Too”*
- Identify examples of good practice to assist in the production of an “Information Kit”, profiling and showcasing South Australian Council achievements and illustrating practical examples of provision of services to ATSI communities
- Develop a new three-year strategic framework to guide improved delivery of Local Government services to Aboriginal and Torres Strait Islander people, with a focus on recommendations for practical, realistic and achievable strategies.

1.2 A Collaborative Approach to the Review Project

The central theme of the Review Project methodology is to maximise opportunities for Local, State and Federal Governments, and Aboriginal organisations and local communities to be involved in the review process and update of the strategic framework.

A collaborative approach is essential to ensure that the final strategic framework is manageable within relevant roles, responsibilities and available resources. This approach seeks to maximise the commitment to, and support for, the proposed new strategic framework.

The methodology developed in consultation with the Steering Committee encompassed the following components:

- review of relevant reports and studies, and Census and statistical data analysis;
- design and implementation of a survey of Local Government Councils in South Australia to gauge achievements to date as a result of the implementation of the 1994 Strategic Framework;
- consultation workshops convened in targeted locations in metropolitan and country South Australia, inviting the participation of Local Government Councils and Aboriginal and Torres Strait Islander community leaders and organisations;
- design and use of a questionnaire to assist in the collation of information arising from consultations with Aboriginal and Torres Strait Islander organisations;
- consultation with Steering Committee members;
- consultation with Local Government Council Aboriginal Project Officers;
- consultation interviews with interested parties unable to attend consultation workshops;

- analysis of survey data and consultation program outcomes to identify key issues and options for future strategic directions; and
- formulation of a new three year strategic framework.

1.3 The Steering Committee

The roles and responsibilities of Local Government Councils in South Australia have been explored in this Report for the purpose of developing a new strategic framework for improved Local Government outcomes for Aboriginal and Torres Strait Islander communities.

This section profiles the roles and responsibilities of the agencies which have representation on the Steering Committee.

1.3.1 Local Government Association of SA Inc (LGA)

The LGA is the representative body of Local Government in South Australia. It is the only organisation funded and authorised by Councils to speak for them in the State and Commonwealth spheres. LGA's principal role is to promote local governance, provide leadership and represent the interests of Local Government in South Australia, in particular to State and Commonwealth Governments, in order to enhance the capacity, efficiency and effectiveness of member Councils. LGA's role includes the following functions.

- Providing information and advice to member Local Government Councils on a range of human service, structural and management reform, legal and legislative, environmental, financial infrastructure and community services issues.
- Continue to improve communication and information dissemination to member Local Government Councils
- In association with member Local Government Councils, map the future of Local Government, recognising the need for responsiveness in an environment of continuous change.
- Research policy and service issues relevant to public policy on Local Government.
- Facilitate change, innovation and excellence in Local Government services by creating opportunities for collaboration between member Local Government Councils, provide leadership, and participate in training and project development.

The LGA is federated with other State Associations in the Australian Local Government Association, which is funded by State Local Government bodies.

1.3.2 Office of Local Government, Department of Transport, Urban Planning and the Arts (OLG)

The OLG is located in the South Australian Government's Department for Transport, Urban Planning and the Arts, and is responsible to the Minister for Local Government. The role of the Office of Local Government is to advise the Minister for Local Government on:

- the administration and operation of the Local Government Act and other local government legislation committed to the Minister; and
- the development or reform of the Local Government system.

The Office also supports three statutory authorities – the Outback Areas Community Development Trust, the Boundary Adjustment Facilitation Panel, and the SA Local Government Grants Commission.

In carrying out its business, the Office interacts with the Local Government Association, Local Government Councils and Regional Associations, and with a range of State and Commonwealth agencies. Working with the Local Government sector, the OLG advances the Government's Objectives of the Local Government Reform Program which are:

- to develop a stronger Local Government system which is better able to deliver more efficient and effective services;
- to enable Local Government to participate effectively in strategies for regional development, as well as to provide services to local communities in SA; and
- to encourage improved interaction between Local Government and other spheres of Government.

The Reform Program involves three phases which are closely inter-related and overlapping. Significant advances have been made in the first phase, structural reform, resulting in a reduction of the number of Local Government Councils from 118 (in 1996) to 68 (1998). The second phase, legislative reform, has successfully resulted in new Local Government legislation as from 1 January 2000. Planning is under way for the third phase, the State/Local Government Partnerships Program.

The role of the SA Local Government Grants Commission in the allocation of financial assistance grants is relevant within the context of the Review Project. As mentioned elsewhere in this report, the Commonwealth Local Government (Financial Assistance) Act 1995 provides Principles for financial grant allocations. These Principles underpin the methodology adopted by the SA Local Government Grants Commission in the distribution of financial assistance grants.

One of the Principles is that financial assistance is allocated to Local Government Councils in a way which recognises the needs of Aboriginal and Torres Strait Islander people within their boundaries. The SA Local Government Grants Commission's philosophy is to continue to enhance its methodology and look at opportunities for more equitable distribution of the SA grant allocation to the State's 68 Local Government Councils and 6 prescribed local governing authorities.

1.3.3 South Australian Local Government Grants Commission (LGGC)

The South Australian Local Government Grants Commission is responsible for the distribution of Local Government Financial Assistance Grants in accordance with established National Principles. Financial Assistance Grants are divided into two components – General Purpose Component and Identified Road Component.

The General Purpose Component aims to compensate Local Government Councils with below average capacity to raise revenue through its rates base, and above average costs of service provision.

The National Principles require a distribution of grants to Local Government Councils to recognise the needs of Aboriginal and Torres Strait Islander people in their communities.

The States/Territories receive the General Purpose Component of the Financial Assistance Grants on a per capita basis from the Commonwealth Government. Each State and Territory receives an allocation from the Commonwealth Government for distribution to Local Government Councils within their State/Territory.

Aboriginal and Torres Strait Islander people are included in the grant provided to each Local Government Council. Grants are untied and Local Government Councils use the funds according to local priorities. This allocation offers flexibility to Local Government Councils, which have the responsibility to determine local priorities to respond to specific community needs.

More detailed information about the South Australian Local Government Grants Commission role, and administration and allocation of Financial Assistance Grants, is attached at Appendix C.

1.3.4 Aboriginal and Torres Strait Islander Commission (ATSIC)

ATSIC is an independent authority established by the Commonwealth Government under the ATSIC Act (Cwth), 1989. ATSIC is Australia's national policymaking and service delivery agency for Aboriginal and Torres Strait Islander people. ATSIC's key role encompasses:

- advocating Aboriginal and Torres Strait Islander issues nationally and internationally;
- advising the Minister for Aboriginal and Torres Strait Islander Affairs; and
- delivering programs to Aboriginal and Torres Strait Islander people.

Through ATSIC's Regional Councils and the Board of Commissioners, Indigenous elected representatives are brought into the processes of government. These representatives have power over decision making on policy and funding. ATSIC's vision and goals are set out in its Corporate Plan. Supporting the elected arm is an administration staffed by public servants.

ATSIC's "Planning, Service Agreements and Local Government Program" acknowledges the nexus between Regional planning (required under the ATSIC Act) and Local Government. Through this program, funds are used to support planning by its thirty five ATSIC Regional Councils across Australia, and to promote strategic advocacy activities jointly undertaken with Local Government. This program may also facilitate the evolution of innovative structures of local and regional governance for Aboriginal and Torres Strait Islander communities and the development of service agreements between Aboriginal and Torres Strait Islander communities and other government agencies. There are three ATSIC Regional Councils in South Australia.

Some Local Government Councils in South Australia have established collaborative links with ATSIC Regional Councils.

1.3.4 Division of State Aboriginal Affairs, Department of Transport, Urban Planning and the Arts (DOSAA)

The key responsibilities of DOSAA, which are of particular relevance to the Review Project, are as follows.

- Providing and maintaining essential services (water, sewerage and power) in Aboriginal and Torres Strait Islander communities under the State/ATSIC Essential Services Agreement.
- Assisting Aboriginal and Torres Strait Islander communities and people to establish economic development enterprises.
- The Aboriginal Lands Trust is a statutory authority located within DOSAA.
- Providing policy advice relating to a broad range of Aboriginal and Torres Strait Islander affairs and issues across the State Government.
- Monitoring across agency programs to evaluate the effectiveness of services to Aboriginal and Torres Strait Islander people.

DOSAA's current initiatives which may provide opportunities for links with Local Government Councils in South Australia include:

- the development of the South Australian Aboriginal Economic Development plan with the aim of creating enterprises and job creation for Aboriginal and Torres Strait Islander people; and
- clarification of who and how to consult with the Aboriginal and Torres Strait Islander heritage community on Aboriginal and Torres Strait Islander heritage issues.

The specific role and function of each agency which has representation on the Review Project Steering Committee has been taken into account in the development of the new strategic framework.

2. The 1994 STRATEGIC FRAMEWORK - “LOCAL COUNCILS BELONG TO ABORIGINAL PEOPLE TOO”

In 1991, the LGA formed a State-based Reference Group to consider strategies to increase the involvement of ATSI people in local government, and to address access and equity issues. This initiative was in response to issues raised by the LGA in negotiations with the State Government and also in response to a similar initiative at the national level coordinated through the Australian Local Government Association.

OLG, ATSIC and DOSAA were invited to be observers to the Reference Group. Recommendations were made for the LGA's consideration and subsequent development of the 1994 Strategic Framework, funded by ATSIC.

The 1994 Strategic Framework proposed strategies on a number of fronts to facilitate improved access by Aboriginal and Torres Strait Islander people in South Australia to Local Government services. The proposed strategies are summarised as follows under the key areas of co-ordination and integration, community information, inter-government relations and participation.

2.1 Co-ordination and Integration

- Maintain LGA facilitation and leadership in enhancing the role for Local Government in meeting needs of Aboriginal and Torres Strait Islander persons and communities. The employment of an Aboriginal Policy Officer by LGA through specific funding allocation was a key action to be implemented as part of this new strategy.
- Encourage Local Government Councils to include in Corporate Plans a specific policy objective and strategy in relation to meeting needs of Aboriginal and Torres Strait Islander communities and residents.
- Provide opportunities for Aboriginal and Torres Strait Islander organisations delivering local government services in “unincorporated areas” to become members of LGA with a voice on LGA Executive.

2.2 Community Information

- Promote increased knowledge and awareness of Aboriginal and Torres Strait Islander culture within local communities
- Increase knowledge and awareness of Aboriginal and Torres Strait Islander residents of the role, services and facilities provided by Local Government
- Increase awareness of Aboriginal and Torres Strait Islander residents of the opportunity to vote at Local Government elections and nominate as candidates.
- Develop forums to link Local Government Councils directly with the Aboriginal and Torres Strait Islander community for advice on issues, concerns and needs of Aboriginal and Torres Strait Islander residents as members of the total community.

2.3 Inter-Government Relations

- Ensure legislation and its implementation does not constrain Local Government in providing required services or in allowing Aboriginal and Torres Strait Islander people equitable access and involvement in Local Government.

- Support specific Aboriginal and Torres Strait Islander communities in unincorporated areas who provide local government services to obtain formal recognition as local governing bodies for funding under the Financial Assistance Act.
- Consider options for legislative changes to voting provisions to encourage increased participation by Aboriginal and Torres Strait Islander people.

2.4 Participation

- Increase the number of Aboriginal and Torres Strait Islander people elected to Local Government and provide support services in developing member roles.
- Increase the number of Aboriginal and Torres Strait Islander persons employed by Local Government in both absolute terms and in functional scope.

Implementation of the 1994 Strategic Framework was led by the LGA. Rather than duplicate processes already in place, the State Government approach was to support the LGA and to take effective action on issues identified in the 1994 Strategic Framework where they lie within its sphere of influence, for example, in relation to legislation.

The approach in South Australia continues to be characterised by collaboration between governments and a concentrated effort on direct assistance to Local Government Councils.

3. LOCAL GOVERNMENT'S ROLE - A NATIONAL PERSPECTIVE

At a National level, the Australian Local Government Association convened a workshop in Adelaide on 4 and 5 November 1999, to consider the role of local government in delivering services to Aboriginal and Torres Strait Islander people. Representatives of Local Government in all Australian States and Territories; Commonwealth, State and Territory Aboriginal Affairs Departments; OLG and ATSIC participated in the workshop.

The aim of the workshop - "Forward Directions - A Framework for the new Decade"³ - was to identify ways in which local government, in partnership with Commonwealth, State and Territory Departments and ATSIC, could build on past achievements in addressing a number of crucial concerns in the provision of services to indigenous people. The following key issues of relevance to the Review Project emerged at the workshop:

- **Aboriginal Policy Officers** at State based Local Government Associations - Queensland was the only State Local Government Association with an Aboriginal Policy Officer position remaining in place. Options for maintaining the momentum of the previous five years would need to be considered within this context.
- **Partnerships** - The need to adopt a regional focus and partnerships with government and non-government organisations was identified.
- **Inter-Government Relations** - Clarification of roles and responsibilities, financial relations, and establishment of formal agreements between Local Government Councils and Aboriginal and Torres Strait Islander communities.
- **Relationships with Aboriginal and Torres Strait Islander people** - The need to increase participation of Aboriginal and Torres Strait islander people in Local Government, for leadership, to further the Reconciliation process, and for effective linkages.

Other key findings were:

- Local Government had put considerable effort over recent years, and Commonwealth funding had assisted to provide the momentum for change. It was important to build on and strengthen these achievements, and to reaffirm and reinvigorate the commitment to improved Local Government outcomes for Aboriginal and Torres Strait Islander people, particularly at local and regional levels.
- Negotiated agreements between Local Government, State and Commonwealth service providers and ATSIC were seen as necessary to facilitate a more effective approach to service delivery, with an emphasis on partnership and joint planning.
- There should be close collaboration with, and involvement of, Indigenous communities in all stages of service planning and delivery.

³ Australian Local Government Association. *Forward Directions - A framework for the new decade. Record of proceedings 4-5 November 1999, Adelaide*

- The task of addressing the extensive and pressing needs of Indigenous people for local government services was well beyond the present financial capacity of Local Government. Existing government-funded programs fell well short of covering the deficiency and a needs based approach to the distribution of available funding was urgently required.

Relevant issues identified for consideration in formulating future directions included:

- Decision making should be primarily at the local level, requiring a more integrated approach and improved linkages between Local, State and Commonwealth Governments.
- A mechanism was needed for Aboriginal and Torres Strait Islander issues to be fed back from the grass roots level to the political arena.

4. ABORIGINAL AND TORRES STRAIT ISLANDER POPULATION AND LOCATIONS IN SOUTH AUSTRALIA

Population data in this section has been sourced from the Australian Bureau of Statistics (ABS) 1991, and 1996 Census data, projected 1998 population data provided by the South Australian Local Government Grants Commission, and the research findings prepared by Remote and Rural Resources Pty Ltd (June 1998)⁴.

A schedule of total population, ATSI population and percentages of the total population, by Local Government Council area and Local Government Region is attached as Appendix A. Figures 1 and 2, pages 12 and 13, depict the Local Government Council area boundaries in South Australia. There are three ATSI Regional Council Areas in South Australia, namely:

- Patpa Warra Yunti (administration located in Adelaide)
- Wangka - Wilurrara (administration located in Ceduna)
- Nulla Wimia Kutju (administration located in Pt Augusta)

The metropolitan area falls within the ATSI Regional Council Area of Patpa Warra Yunti. The boundaries of ATSI Regional Council Areas in country areas, which are not consistent with Local Government Council boundaries, are indicated by shaded areas in Figure 2, page 12.

It is important to note that the 1991 and 1996 Census data was prepared on previous Local Government Council boundaries, prior to amalgamations. The data has been collated for the purpose of the Review Project to reflect current Local Government Council boundaries as far as is possible. Therefore, some anomalies may exist, particularly where boundary adjustments have occurred.⁵

4.1 Population distribution

The total population in South Australia as at the projected 1998 data, drawn from the 1996 Census, was 1,487,414. Aboriginal and Torres Strait Islander people represented 1.22% of the total population.

The 1991 Census data estimated the Aboriginal and Torres Strait Islander population in South Australia was .94% of the total population. The increase to 1.22% in the projected 1998 data, suggests an increased statistical recognition of Aboriginality and involvement by Aboriginal and Torres Strait Islander people in the Census.

The projected 1998 data shows the distribution of Aboriginal and Torres Strait Islander people in the following diverse situations.

4.1.1 Local Government areas incorporated under the Local Government Act, 1999 (SA)

The project 1998 data indicated a total population of Aboriginal and Torres Strait Islander people in South Australia of about 18,150 people. Over 80% live within incorporated Local Government areas under the Local Government Act (1999), with 53.62% living in metropolitan Adelaide, and 46.38% living in country South Australia.

⁴ Remote Rural Resources Pty Ltd (Phillpot S), Local Government Services to Aboriginal and Torres Strait Islander Communities. Prepared for the Local Government Ministers' Conference June 1998

⁵ Boundary adjustments: For example (a) suburban areas of Skye and Auldana affecting Burnside and Adelaide Hills Councils (b) former Willunga District Council, affecting Onkaparinga and Alexandrina Councils areas.

Figure 1: Map of Metropolitan Local Government Council boundaries, all within the ATSI Adelaide Region – Patpa Warra Yunti

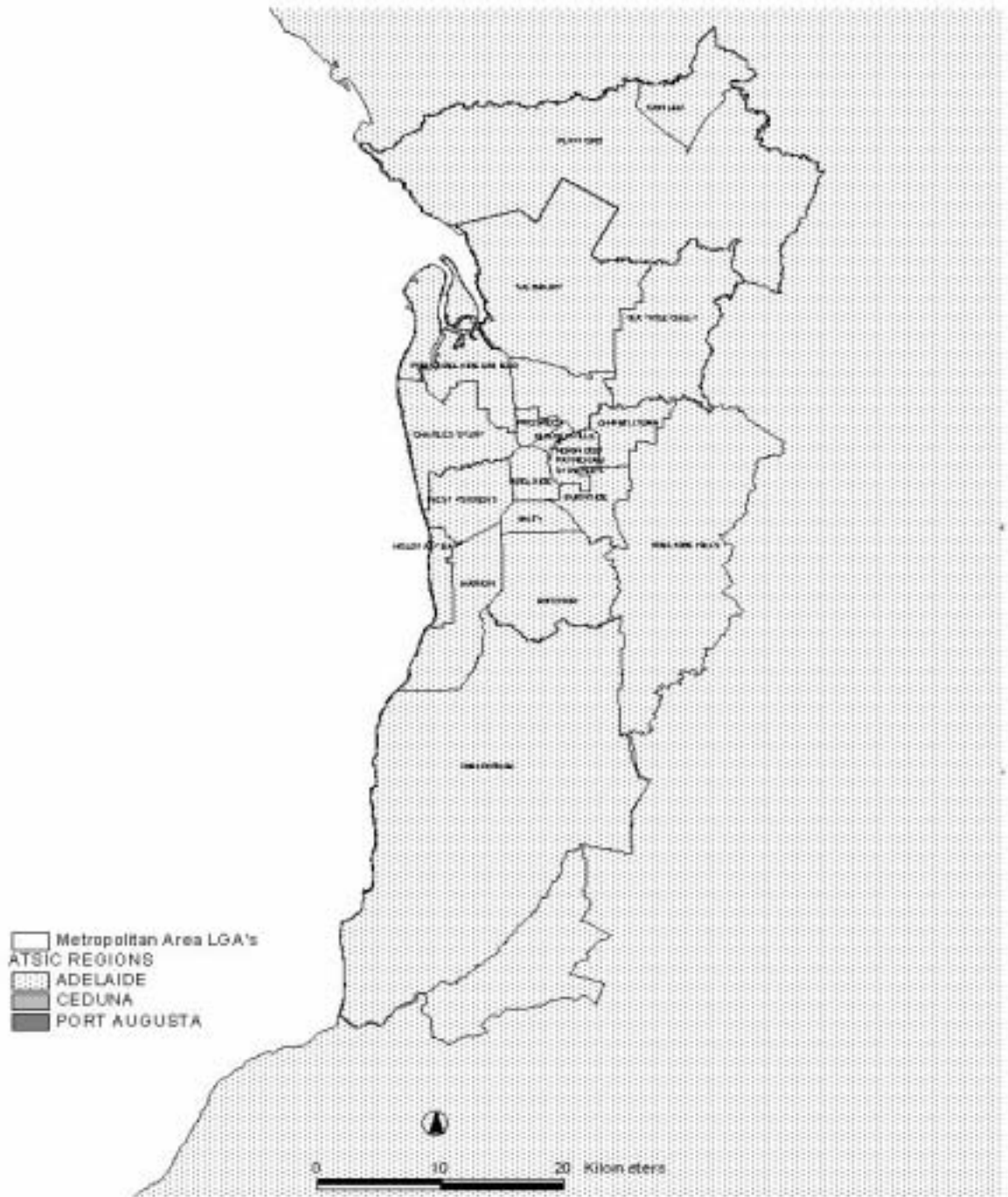
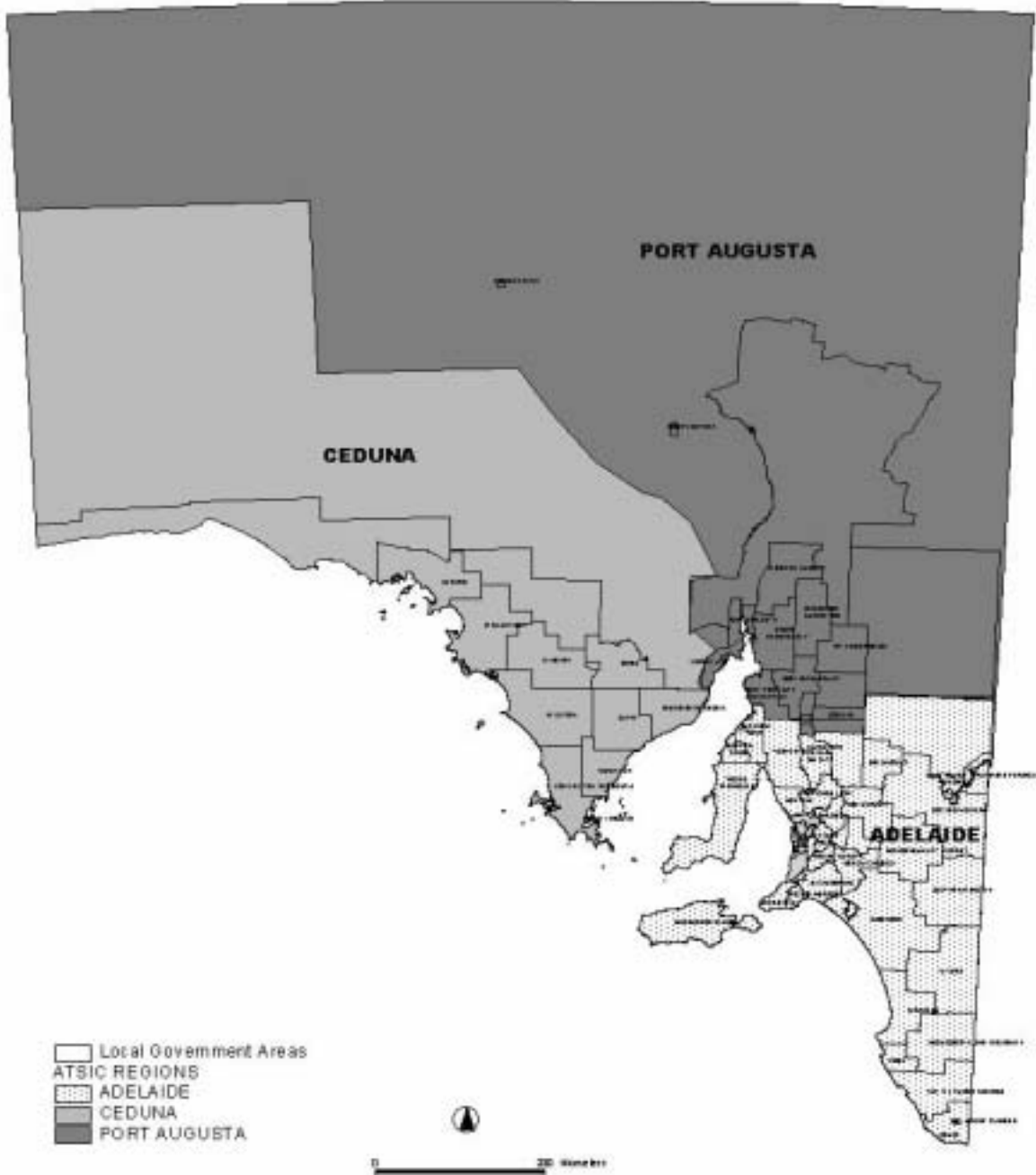


Figure 2: Map of Country Local Government Council boundaries and approximate location of ATSIC Regional Council boundaries



Generally in the metropolitan area, the population of Aboriginal and Torres Strait Islander people is dispersed throughout the community, with particular concentrations in the northern and southern areas of metropolitan Adelaide. In country South Australia, there are five Aboriginal and Torres Strait Islander communities on Aboriginal Lands Trust land, which are within Local Government Council areas, as follows:

- Pt Pearce District Council of Yorke Peninsula
- Raukkan/Point McLeay Coorong District Council
- Koonibba District Council of Ceduna
- Davenport City of Pt Augusta
- Umoona District Council of Coober Pedy

4.1.2 Remote and Regional areas

20% of Aboriginal and Torres Strait Islander people⁶ reside in remote and regional areas of South Australia. They are not situated within Local Government Council areas under the Local Government Act 1999.

The following bodies in remote and regional areas have been prescribed as local governing bodies for the purposes of the South Australian Local Government Grants Commission funding arrangements:

- **Anangu Pitjantjatjara** incorporated by the Pitjantjatjara Lands Rights Act 1981, with an estimated Aboriginal and Torres Strait Islander population of 1650 people.
- **Maralinga Tjarutja Lands** incorporated by the Maralinga Tjarutja Lands Rights Act 1984. The Aboriginal and Torres Strait Islander population varies for seasonal and ceremonial reasons, however, it would not often exceed 150 people.
- Three Community Councils, administered within the terms of the Aboriginal Lands Trust Act 1966:
 - **Nepabunna Community Council**, with an estimated population of 70 people
 - **Gerard Community Council**, with an estimated population of 124 people; and
 - **Yalata Community Council**, with an estimated population of 272 people.
- **Outback Areas Community Development Trust**, established by the Outback Areas Community Development Trust Act 1978. The area covered by the Trust includes pastoral areas as well as townships in outback areas. The estimated total population in the area covered by the Trust as at June 1998 was 5587. It is estimated there are about 200 Aboriginal and Torres Strait Islander people living in the townships of Oodnadatta, Marree and Copley, with small numbers dispersed throughout the rest of the area.

Each of the above bodies has different statutory arrangements, organisational structures and Local Government service delivery arrangements. All receive funding through the SA Local Government Grants Commission to deliver “local government type services” to their communities.

⁶ Data sourced from ATSIIC and DOSAA.

4.2 Population by Local Government Council Regions and Areas

Tables 1 and 2, which follow indicate the total population, ATSI population, and ATSI percentage of the total by Local Government Region using the 1998 projected data.

Table 1: Population distribution by Local Government Region – Metropolitan

LG Region	1998 Total Population	1998 ATSI Population	1998 ATSI % of total (State average 1.22%)
Central Adelaide	152,190	524	.34%
Eastern Metro	203,299	1,105	.54%
Northern Metro	196,419	2,905	1.48%
Southern Metro	256,582	1,610	.63%
Western Metro	256,087	3,506	1.35%
Total	1,064,577	9,650	Metro average .9%

Table 2: Population distribution by Local Government Region – Country

LG Region	1998 Total Population	1998 ATSI Population	1998 ATSI % of total (State average 1.22%)
Central	125,182	3,204	2.56
Eyre	56,294	2,078	3.69
Murray & Mallee	68,286	1,507	2.3%
South East	62,776	587	.94%
Southern & Hills	95,641	517	.54%
Remote Areas	6,085	390	6.41%
Total	414,264	8,346	Country average 2%

Table 3 which follows, summarises the population in specific Aboriginal and Torres Strait Islander communities, living on Aboriginal Land Trust Land within Local Government Council boundaries.

Table 3: Aboriginal and Torres Strait Islander population living in communities on Aboriginal Land Trust land within Local Government Council boundaries

Aboriginal and Torres Strait Islander Community	Population ⁷	Local Government Area
Point Pearce	154	Yorke Peninsula
Raukkan (Pt McLeay)	103	Coorong
Koonibba	155	Ceduna
Davenport	180	Port Augusta
Umoona	282	Cooper Pedy

Table 4, which follows, indicates the Local Government Council areas in country South Australia where there are specific concentrations of ATSI people, both in percentage terms and actual numbers of people.

⁷ 1996 Census data, source "Population and Housing – Aboriginal and Torres Strait Islander People, SA"

Table 4: ATSI population in selected Local Government areas

LG Area	1998 Total Population	1998 ATSI Population	1998 ATSI % of total (State average 1.22%)
Berri Barmera	11,030	268	2.33%
Ceduna	3,502	786	22.44%
Cooper Pedy	2,637	345	13.08%
Coorong	6,099	294	4.82%
Flinders Ranges	1,875	122	6.51%
Murray Bridge	16,664	653	3.92%
Port Augusta	14,966	1,884	13.45%
Port Lincoln	13,006	629	4.84%
Port Pirie	18,094	275	1.52%
Whyalla	23,980	528	2.2%
Yorke Peninsula	11,728	332	2.83%

It is noted that the 1994 Strategic Framework Report identified a gradual increase of Aboriginal and Torres Strait Islander population to Provincial Cities. Port Augusta Local Government area has the highest number of Aboriginal and Torres Strait Islander people, representing a significant proportion of its population. Ceduna Local Government area, with a lesser number of Aboriginal and Torres Strait Islander people, has the highest proportion (22.44%) of Aboriginal and Torres Strait Islander people as a percentage of the total population. Cooper Pedy Local Government area also has a high proportion of Aboriginal and Torres Strait Islander people as a percentage of the total population (13.08%).

Other Local Government areas where there is a higher proportion of Aboriginal and Torres Strait Islander people than the State average (1.22%), but low numbers relative to the total population are as follows:

Local Government Area

- Lower Eyre Peninsula (1.35%)
- Mid Murray (1.27%)
- Mount Remarkable (1.54%)
- Peterborough (3.01%)
- Renmark Paringa (1.32%)
- Roxby Downs (1.31%)

With respect to metropolitan areas, overall percentages are relatively low in all Local Government areas, with only three Local Government areas exceeding the state average. The Aboriginal and Torres Strait Islander population is generally concentrated in the northern suburbs and, to a lesser extent, in the southern suburbs. Table 5 shows the metropolitan Local Government areas with high numbers of Aboriginal and Torres Strait Islander people residing in the area.

Table 5: Specific concentrations of ATSI population in metropolitan Local Government Council areas

LG Area	1998 Total Population	1998 ATSI Population	1998 ATSI % of total (State average 1.22%)
Adelaide	12,922	134	1.04%
Onkaparinga	146,367	951	.65%
Port Adelaide Enfield	101,225	2,025	2.00%
Playford	66,453	1,171	1.76%
Salisbury	112,344	1,584	1.41%

The highest concentration of actual numbers and relative percentage in terms of the total population is in the Port Adelaide Enfield Local Government area.

The survey of Local Government Councils indicated that in some areas, the Census data did not necessarily accurately reflect the population of Aboriginal and Torres Strait Islander people in the area. Respondents commented that this was due to:

- the transient nature of some of the Aboriginal and Torres Strait Islander population; and
- a result of a perceived reluctance to be involved in the Census.

For example, higher numbers of Aboriginal and Torres Strait Islander people than indicated in the 1996 Census are reported by the respective Local Government Councils to live in the Local Government areas of Ceduna, Port Lincoln, and Onkaparinga. In addition, there are high numbers of homeless and/or transient Aboriginal and Torres Strait Islander people in the City of Adelaide.

4.3 Socio-economic status

The past and continuing disadvantage experienced by Aboriginal and Torres Strait Islander people is well documented, and has been the subject of many inquiries by various levels of Government. Many commentators describe the descendants of Australia's original occupants as living in unacceptable social and physical environments.

The following data, sourced through ATSIIC, illustrates the low socio-economic status of Aboriginal and Torres Strait Islander people in general.

- Indigenous Australians die on average 20 years earlier than other Australians
- maternal and infant mortality rates are higher for Indigenous people
- Infectious diseases and chronic diseases such as diabetes, trachoma, ear disease and renal failure are far more common in Indigenous people than non-Indigenous people
- About one third of Indigenous students are finishing secondary school, compared with a national retention rate of more than 77%
- The unemployment rate for Indigenous people as at the 1996 Census was 24.3% compared with 10.4% for the general community. However, it is considered that the actual unemployment rate for Indigenous people is more likely to be in excess of 35%.
- There is considerable and severe deficits in housing and infrastructure in indigenous communities, and it is estimated that the cost of addressing these basic needs is \$4 billion.

Clearly, these factors hinder increasing participation in the social, economic and cultural life of the community in general.

5. LEGISLATIVE FRAMEWORK FOR LOCAL GOVERNMENT IN SOUTH AUSTRALIA

Over recent years, the Local Government landscape in South Australia has changed significantly.

Voluntary structural reform has resulted in a reduction of Local Government Councils from 118 (in 1996) to 68 (by 1998). This has brought about a stronger local government sector, improved use of resources, better local coordination of programs and consistency in planning across larger geographical areas.

Moreover, the recent Local Government legislative review program in South Australia has resulted in a package of legislation which:

- recognises the fundamental importance of Local Government to the communities of South Australia;
- provides a modern operational framework for Local Government; and
- a simplified and more cohesive approach to regulatory functions.

Local Government legislative framework consists of a number of Acts of Parliament. However, the Local Government Act 1999 itself sets out the framework within which Local Government Councils operate. This Act came into operation on 1 January 2000.

5.1 The Local Government Act 1999

The Local Government Act embodies a new legal framework for the constitution and operation of the system of Local Government in this State. It includes provisions setting out the roles of Local Government Councils, Elected Members and staff, arrangements for Local Government Council meetings, and mechanisms for the accountability of Local Government Councils to their communities.

Throughout this report, the following sections are highlighted as being particularly relevant for improving Local Government Council outcomes for Aboriginal and Torres Strait Islander communities and people:

- Section 6 - Principal role of a Council
- Section 8 – Objectives of a Council
- Section 41 – Committees
- Section 50 – Public consultation policies
- Section 107 – Human Resource Management Principles
- Section 122 – Strategic Management Plans
- Section 131 – Annual Reports

5.1.1 The principal role of Local Government include:

- To provide and co-ordinate various public services and facilities and to develop its community and resources in a socially just and ecologically sustainable manner (Section 6 (b))
- To encourage and develop initiatives within its community for improving the quality of life of the community (Section 6 c)).

Specific reference is made to the importance of service provision, equity in access to services and the use of resources in an effective and efficient manner.

5.1.2 The Objectives of Local Government.

A range of provisions establish the parameters for community accountability and transparency in decision making. These provisions encourage involvement by the community and participation in the decision making processes of Council.

A Council must, in the performance of its roles and functions:

- be responsive to the needs, interests and aspirations of individuals and groups within its community (Section 8 (b))
- seek to ensure that council resources are used fairly, effectively and efficiently (Section 8 (h))
- seek to provide services, facilities and programs that are adequate and appropriate and seek to ensure equitable access to its services, facilities and programs (Section 89 (i)).

5.1.3 Committees

Within the terms of Section 41, Local Government Councils have the new capacity to establish Committees to:

- ***assist in the performance of its functions***
- ***inquire into and report to the Local Government Council on matters within the ambit of the Local Government Council's responsibilities***
- ***provide advice to the Local Government Council, to exercise, perform or discharge delegated powers, functions or duties (refer section 41).***

The membership of a committee will be determined by the Local Government Council and may consist of, or include, persons who are not members of the Local Government Council.

5.1.4 Public Consultation Policies (Section 50)

Local Government must prepare and adopt a public consultation policy. The Act at times requires Local Government to follow the steps set out in its public consultation policy and at other times simply requires consultation. In some instances it also sets out what a Council must do rather than referencing consultation or the public consultation policy.

The provisions therefore provide an opportunity for Local Government to apply flexible approaches to consulting with their communities, and to have a policy that enables techniques to be adopted relative and appropriate to the issue for which consultation is taking place.

Of specific relevance is consultation requirements in relation to strategic planning processes, which determine future directions and priorities for local areas.

Public Consultation Guidelines and Model Policies prepared by the LGA note the importance of ensuring that consultation strategies and techniques are designed to provide opportunities for all sectors of the local community to participate in consultative and decision making processes.

5.1.5 Equal Employment Opportunity Programs.

Section 107 (1)(g) of the Local Government Act requires Local Government to implement an equal opportunity program, and to review the program on a regular basis. An equal employment opportunity program within the terms of the Act means a program designed to ensure that all persons have equal opportunities with others in securing employment with the council, and subsequent promotion or advancement and in other respects, in relation to employment with the Council.

5.1.6 Local Government must develop and adopt strategic management plans which

- give an indication of the extent to which consideration has been given to strategies which are relevant to the economic, social, physical and environmental development and management of its area (Section 122 (1) (a)(ii)); and
- includes a process to ensure that members of the public are given a reasonable opportunity to be involved in the development and review of its strategic management plans. (Section 122 (2)(6))

These new provisions support the strategic planning framework already adopted by many Local Government in South Australia.

5.1.7 Annual Reports are required to be prepared and adopted by Local Government, which report

- on performance in implementing strategic plans; and
- the implementation of equal employment opportunity programs (Section 131 (1), (2), and Schedule 4).

The annual reporting is one of the key provisions in the Act that reinforce local accountability.

In summary, there are clear themes and expectations arising from the new Local Government Act, in particular that Local Government will take a strategic approach to the delivery of services, and involve their communities in forward planning. Importantly, resources are to be allocated fairly and equitably in a responsive and socially just manner, to address the service needs of all sectors of the local community, through transparent and accountable decision making processes.

5.2 Local Government (Elections) Act 1999

The new Local Government (Elections) Act 1999 contains provisions for the conduct of Local Government Council elections and polls.⁸ This Act aims to encourage greater community participation and consistent practices in elections, as follows.

- The Act appoints the State Electoral Commissioner as Returning Officer for every Local Government Council.
- Universal postal voting, with the possibility for exemptions in specific cases.
- All elections will be conducted using the Proportional Representation method of casting and counting votes.

⁸ In South Australia, Local Government Council elections are held every three years. Elections were held in May 2000.

The Electoral Act provides that a non-metropolitan Council may use booth voting rather than postal voting if the Returning Officer determines, on the basis of an application from the Local Government Council that exclusive postal voting is unlikely to result in a significant increase in voter participation.

5.3 Local Government (Implementation) Act 1999

The Local Government (Implementation) Act 1999 provides the necessary transitional arrangements required for implementation of the two new Acts. Briefly, provision has been made for new procedures to be progressively implemented to avoid the likelihood of overly onerous requirements. For example, Local Government have until 30 November 2001 to prepare their Annual Reports. These Reports, for the first time, are required to be submitted to the Parliament.

5.4 Additional Powers and Responsibilities

Other South Australian Acts confer powers and responsibilities on Local Government. For example, Local Government have responsibility for administrative and regulatory functions under the:

- Development Act 1993 (SA);
- Public and Environmental Health Act 1987 (SA); and the
- Dog and Cat Management Act 1985 (SA).

5.5 Native Title and Aboriginal Heritage

Local Government authorities in Australia have obligations within the terms of the Native Title Act 1993 (Cwth), as well as complementary State legislation relating to Aboriginal and Torres Strait Islander heritage. In South Australia, this is the Aboriginal Heritage Act 1988 (SA) and the Native Title (SA) Act 1994. The key legislative provisions are summarised as follows.

5.5.1 Native Title Act 1993 (Cwth)

The LGA's 1994 Strategic Framework was prepared before the Native Title Act 1993 (Cwth) came into effect. The Review Project has provided an opportunity to consider any relevant issues about the potential impact of native title for Local Government in South Australia. Native title is the term used by the common law to recognise the pre-existing and continuing connection that Aboriginal and Torres Strait Islander peoples have in relation to land and waters.

"Native title is an existing right that originates in indigenous law and custom (as opposed to a Crown grant). As such, it pre-exists European settlement and in certain areas continues to the present day. For example, "unallocated" Crown lands are not blank or empty landscapes void of cultural relationships to places and country. Native title is a common law right that may already exist over areas of Crown land administered and managed by Local Government."⁹

⁹ Australian Local Government Association (ALGA) in cooperation with the Aboriginal and Torres Strait Island Commission and the National Native Title Tribunal *Working with Native Title - A Practical Guide for Local Government*"

As administrators, managers and developers of Crown land, Local Government authorities are required to consider native title rights and interests in their land use planning and management processes. Dealing with native title considerations is therefore an integral part of Local Government's responsibilities as land managers and developers.

Under the Native Title Act, different kinds of valid grants and activities that took place in the past extinguish native title. In these areas, native title will no longer be a consideration. However, it is important that Local Government Councils are familiar with the kinds of areas over which native title may continue to exist, as native title must be taken into consideration.

The Native Title Act sets out specific procedures that all governments, private agencies and/or individuals must comply with when dealing with areas where native title exists or may exist. For many kinds of Local Government activities that take place over areas where native title may exist, there is a procedure set out in the Native Title Act that must be complied with to ensure the activity is valid in terms of its effect on native title. These procedures generally involve some form of notification and consultation with the registered native title bodies corporate/common law holders, registered native title claimants and/or other specific bodies. In summary, it is necessary for Local Government Councils to

- assess their obligation in relation to native title
- take native title into account in relevant areas
- establish processes and practices in relation to native title matters, and
- incorporate the existence or possible existence of native title into planning documents.

A key issue discussed in the "Action Plan for Good Governance - Working with Native Title" is the challenge for Local Government in resolving any uncertainties regarding native title. Whilst resolution of native title matters must be through a process of agreement and/or through litigation, it is noted that past experiences show that litigation is not an efficient method for determining native title matters.

"There will always be a winner and a loser. The costs involved include the toll on communities in publicly taking sides on issues such as existence of connection, and the very identity of the applicant group".¹⁰

In addition, Local Government Councils should be mindful that relationships with Aboriginal and Torres Strait Islander communities and people will need to be maintained beyond any court action.

"Often a good place to start is in sharing local histories.....an important way of acknowledging the past, reconciling it with the present and building a foundation for the future."¹¹

¹⁰ Ibid page 49

¹¹ Ibid page 49

5.5.2 Aboriginal Heritage Act 1988 (SA)

The principal legislation which applies to Local Government Councils in South Australia with respect to Aboriginal and Torres Strait Islander heritage is the Aboriginal Heritage Act 1988 (SA). The primary objective of the Act is to provide for the protection and preservation of Aboriginal and Torres Strait Islander sites, objects and remains. The legislation generally sets out what cannot be done to sites or places on a heritage register. In addition, the Act gives the Minister powers to prohibit or restrict access to a site or an area surrounding the site as well as activities on or in relation to the site or an area surrounding the site.

Local Government Councils must comply with the requirements of the Aboriginal Heritage Act in its planning and works activities. It is generally the case, that Local Government Councils have in place a range of initiatives to ensure compliance with heritage protection legislation. These initiatives need to ensure that sites or places of significance to Aboriginal and Torres Strait Islander people are adequately protected. This may require anthropological and archaeological surveys, conducted by suitably qualified professionals, before any works are undertaken that might disturb sites of significance including on land where native exists or may exist.

"At the local level it makes good management sense to ensure the relevant Aboriginal and Torres Strait Islander communities are fully involved in all decisions about cultural heritage, including physical protection of places."¹²

5.6 Equal Opportunity Legislation

The 1994 Strategic Framework observes that "*—a number of Councils raised questions on why Aboriginal people should be singled out rather than treated as part of the total community.*" (page 58). As noted in the 1994 Strategic Framework Report, Local Government have historically provided services and developed programs to address the specific needs of minority groups within their areas.

Programs which target specific groups, where an identified need exists, are supported by provisions in State and Federal Human Rights and Equal Opportunity legislation¹³, both of which apply to Local Government in South Australia.

The legislation makes provision for "special measures" to be taken to address past social or economic disadvantage, through implementation of programs specifically targeted to ATSI people. The special measures provisions in the Equal Opportunity laws recognise that providing equitable services does not necessarily mean treating everyone the same. That is, some groups in our society have suffered disadvantage in the past and particular programs or services may need to be provided to enable those groups to "catch up", and achieve the same outcomes as people or groups not so disadvantaged.¹⁴

¹² ALGA Ibid page 243

¹³ Equal Opportunity Act 1984 (SA) Section 65.

¹⁴ Equal Opportunity Commission - *Seventeenth Annual Report the Commissioner for Equal Opportunity 1992-1993* Adelaide (p26)

Applications for an exemption may also be made within the terms of the State and Federal legislation in certain circumstances, to enable specific recruitment and employment of a person of a particular race, or to target particular services to a group to address particular service needs. Exemptions may be granted conditionally or unconditionally for a period not exceeding three years. In this respect, decisions have regard to the desirability of certain discriminatory actions being allowed for the purpose of redressing the effect of past discrimination or disadvantage, and other factors considered relevant.¹⁵

Also of relevance are the indirect discrimination provisions in the State and Federal legislation. Indirect discrimination occurs when a requirement or criteria is applied which appears to be fair, but in effect has an adverse affect on a particular group or class of people and in the circumstances the requirement or criteria is unreasonable. In relation to providing services to Aboriginal and Torres Strait Islander communities, it is important to review and assess service delivery criteria to determine whether there is potential for indirect discrimination due to cultural mores, values, or living environment.

¹⁵ Ibid

6. SERVICES PROVIDED BY LOCAL GOVERNMENT COUNCILS IN SOUTH AUSTRALIA

As previously stated, Local Government Councils in South Australia operate within the terms of the Local Government Act 1999 (SA), which describes key functions of Local Government as:

- providing services and facilities that benefit its area, its ratepayers and residents, and visitors to its area, including general public services or facilities, health, welfare or community services or facilities, and cultural or recreational services or facilities (Section 7(b));
- providing for the welfare, well-being and interests of individuals and groups within its community (Section 7(c)); and
- providing infrastructure for its community and for development within its area.

The vast majority of services provided by Local Government Councils are established by local decision making processes of Local Government Council Elected Members. The services Local Government must provide include:

- town planning and development or building assessment;
- some environmental health services, such as food inspection;
- fire prevention. (Some building inspection relating to fire prevention and some bushfire prevention planning functions are a duty, others are discretionary); and
- dog control.

The range and extent of other services provided are generally subject to local community circumstances and requirements. For example, the following types of services and programs may be provided and vary from one Council area to another. They will largely depend on the demographic profile, population base and available resources:

- community infrastructure such as roads, footpaths, street trees and lighting;
- parks, reserves and recreational facilities;
- library and information services;
- community centres and halls;
- cultural development programs;
- environmental and coastal management projects; and
- employment and economic development programs.

However, as previously discussed in this Report, whether a service is required or is provided by local choice, the Local Government Act requires that Local Government Councils' resources are used fairly in response to local community needs.

7. SURVEY OF LOCAL GOVERNMENT COUNCILS

A survey of Local Government Councils was designed and implemented as part of the Review Project to assist in

- the review of the implementation of the 1994 Strategic Framework;
- to identify issues relevant to improving service delivery and developing a new three year strategic framework; and
- to identify examples of effective service delivery models and programs to show case and promote in a “good example” information kit for use as a resource for other Local Government Councils.

A copy of the survey form is attached as Appendix D.

62 of the 68 Local Government Councils responded to the survey, representing an impressive 91% response rate and comprehensive participation. The 7 Local Government that did not respond, were generally smaller country Local Government Councils with lower than average percentages of Aboriginal and Torres Strait Islander people residing in the Local Government area.

Some Local Government Councils were unable to respond to all of the questions. In these circumstances, respondents noted the information was either not applicable to their situation, or the information was not available. However, the survey of Local Government Councils has resulted in a comprehensive representation of Local Government Councils in both metropolitan and country areas in South Australia.

This section summarises the results of the survey questions under the topics of:

- Census Data
- Education and Awareness
- Local Government Council Strategic/Corporate Planning
- Staffing and Employment
- Communication and Consultation with Aboriginal and Torres Strait Islander people
- Community Involvement
- Services and Facilities
- Barriers and Constraints
- Future Planning and Good Examples
- Aboriginal Lands Trust Communities in Local Government Council areas.

Comparison with the 1994 Strategic Framework data is made where relevant. However, as previously stated, there has been considerable organisational change in the Local Government sector since 1996. In addition, staff changes in the intervening years, mean some respondents to the survey may have no knowledge of the 1994 Strategic Framework prior to the current period. Therefore, direct comparison of the statistical data has not been possible in most cases.

7.1 Census Data

As previously stated in this Report, the survey of Local Government Councils indicated that, in some areas, the Census data did not accurately reflect the population of Aboriginal and Torres Strait Islander people in Local Government areas. Respondents commented that this was due to

- the transient nature of some Aboriginal and Torres Strait Islander people, and
- possibly through a perceived reluctance of some Aboriginal and Torres Strait Islander people to be involved in the Census.

For example, higher numbers of Aboriginal and Torres Strait Islander people than shown in the 1996 Census live in the Local Government areas of Ceduna, Port Lincoln, and Onkaparinga, and there are high numbers of homeless and/or transient Aboriginal and Torres Strait Islander people in the City of Adelaide.

7.2 Education and Awareness

Q2. “Are you familiar with the policy support and training available from LGA?”

- 85% responded “to a large extent” or “to some extent”
- 15% responded “not at all” or “do not know”.

The results suggested a there was generalised knowledge in Local Government Councils about the policy support and training assistance available from the LGA.

Q3 “Have you displayed posters prior to previous Local Government elections for Aboriginal and Torres Strait Islander people regarding enrolment and voting, in public places?”

- 65% responded “not or all” or “do not know/not applicable”
- 35% responded “to some extent” or “to a large extent”.

Posters which promoted the involvement in elections were displayed by most Local Government Councils with high numbers of Aboriginal and Torres Strait Islander residents. For example, in Adelaide, Ceduna, Murray Bridge, Coorong, Whyalla, Coober Pedy, Pt Augusta, Salisbury, Loxton Waikerie and Renmark/Paringa Local Government areas.

Q4 “Over the past five years, do you consider there has been increased awareness of Local Government Council members and staff regarding Aboriginal and Torres Strait Islander issues and service needs?”

- 88% responded “to some extent” or “to a large extent”
- 7% responded “not at all”
- 5% responded “did not know/not applicable”

Respondents commented that the increased awareness is likely to be due to

- LGA’s information and awareness campaign
- broader community debate about Aboriginal and Torres Strait Islander reconciliation issues
- as a result of specific initiatives taken by the organisation relating to Aboriginal and Torres Strait Islander community cultural events or other projects.

Q5.1 “Over the past 5 years, do you consider there has been an increase in Local government services to Aboriginal and Torres Strait Islander people?”

- 61% responded “to some extent” of to a “large extent”
- 24% responded “not at all”
- 15% responded “did not know/not applicable”.

In general, the “not at all” responses were in Local Government Council areas where there are low numbers of Aboriginal and Torres Strait Islander residents. “to a large extent” responses included some of the Local Government where there are high concentrations of Aboriginal and Torres Strait Islander people, such as Adelaide, Ceduna, Salisbury, and Yorke Peninsula.

Q5.2 “Over the past 5 years, do you consider there has been an increase in awareness in the Aboriginal and Torres Strait Islander community about elections and entitlement to vote?”

Many respondents commented that they found this question difficult to answer, and that their response was their personal perception only.

- 48% responded “to some extent” or to a “large extent”. These included respondents in areas with high concentrations of Aboriginal and Torres Strait Islander residents
- 37% responded “did not know”
- 15% responded “not at all” (included comments about low numbers of Aboriginal and Torres Strait Islander people in the area)

Q5.3 “Over the past 5 years, do you consider there has been an increase in voter turn out by Aboriginal and Torres Strait Islander people?”

Similar to Q 5.2, many respondents commented that they found this question difficult to answer. In the past, anecdotal evidence from observations made at voting booth attendance sometimes gave impressions about voter turn out. However, with the introduction of postal voting, conclusions about voter profile can not be drawn.

Survey responses indicate that there is a perception of increased voter turn out of Aboriginal and Torres Strait Islander people in areas where there is a high concentration or residents, for example, in Ceduna, Murray Bridge, Yorke Peninsula, Coober Pedy, Port Augusta, and Salisbury.

Q5.6 “What strategies/actions do you consider have been the most effective in improving access by, and services to Aboriginal and Torres Strait Islander people?”

Responses to this question were as follows:

- Commitment by Elected Members and Senior Managers to reconciliation
- Programs and projects that address disadvantage and specific needs of Aboriginal and Torres Strait Islander people
- “Promotion and a pro-active inclusive approach”
- Employment of Aboriginal Project Officers, and Aboriginal and Torres Strait Islander people in other positions in Local Government
- Involvement of Aboriginal and Torres Strait Islander people in service design and delivery, and employment and contracting Aboriginal and Torres Strait Islander people to work with the Aboriginal and Torres Strait Islander community
- Education and information programs, including through Council newsletter
- Discussions between Elected Members and Council staff with Aboriginal and Torres Strait Islander representatives
- Networking with key Aboriginal and Torres Strait Islander Elders and communities, and other agencies
- Aboriginal Committees (Reconciliation, Advisory, or project based) facilitating increased communications, knowledge and trust

- Availability of Aboriginal Community Liaison Officer (neighbouring Council area)
- Partnerships and connections with Aboriginal community
- Involvement through the HACC program.

Q7 “If you consider no improvement has been made, please comment on why you consider this may be the case.”

Only a few respondents made comments in relation to this question. These related to the need to improve communication in general, and a lack of interest in Aboriginal issues within the organisation, as barriers to improving access by Aboriginal people.

7.3 Council Strategic/Corporate Planning

Q8 “Does your Council have a specific policy objective in relation to reconciliation or providing services to Aboriginal communities, with a social justice objective?”

Of the 59 responses relating to this question:

- 29% responded “yes” and “in progress”
- 70% responded “no”
- 1% responded “not known by person completing the survey”.

The “yes” responses represent a significant increase on the 1994 data, at which time there were no “yes” responses to this question. It is noted, however, that in 1994 the previous Port Adelaide Council had established specific goals and objectives relating to Aboriginal and Torres Strait Islander people.

The “no” responses included some Local Government Council areas where there are high concentrations of Aboriginal and Torres Strait Islander residents.

Q9 “Does your Council have a general policy in relation to access and equity?”

The number of Local Government which have a general policy in relation to access and equity was much higher than the scores reported for a specific social justice objective relating to Aboriginal and Torres Strait Islander communities.

- 68% responded “yes” or “in progress”
- 29% responded “no”
- 3% responded “not known by person completing the survey”.

The “yes” response is significantly higher than the 12.5% recorded in 1994.

Q10 “Does your Council have an equal employment opportunity policy and/or program in place?”

All but one Council advised that they have an equal employment opportunity policy in place, or in the process of development. However only 52% of Local Government have evaluated the effectiveness of the policy within the last 5 years.

The implementation of an equal employment opportunity program, and review of the program on a regular basis, is a requirement within the terms of the Local Government Act 1999 (SA).

7.4 Staffing and Employment

Q11 “Has your organisation employed a person specifically to work with Aboriginal and Torres Strait Islander communities?/people?”

12%, or eight Local Government Councils, currently employ or engage on a contract basis, a person to specifically work with Aboriginal and Torres Strait Islander people. This compares with 4%, or five Local Government Councils in 1994. It is to be noted that the current eight Local Government Councils encompass the area of fourteen previous Local Government in 1994.

Aboriginal Project Officers are currently engaged by Adelaide, Ceduna, Marion, Onkaparinga, Playford, Port Adelaide Enfield, Salisbury, and Yorke Peninsula. All of these Officers are of Aboriginal or Torres Strait Islander descent, employed full time with the exception of Yorke Peninsula, where the officer provides consultancy services on a contract basis.

Q12 sought information about staffing profile, relating to the whole Council workforce, identifying the total number of Aboriginal and Torres Strait Islander staff and type of employment.

The data relating to staffing profile collected in the survey is incomplete. However, data sourced through the South Australian Local Government Grants Commission, and the survey responses has been collated to provide a snapshot of the Local Government work force profile.

A schedule containing the available information about employment of Aboriginal and Torres Strait Islander people in Local Government is attached as Appendix E.

In total, it is estimated there are 75 Aboriginal and Torres Strait Islander people employed in Local Government, representing .95% of the total workforce of 7850.

As previously stated, the amalgamation of Local Government since 1994 has resulted in organisational restructuring and workforce changes. However, the current data is almost directly comparable to the 1994 data, at which time there was 7653 total employees, including 70 Aboriginal and Torres Strait Islander people representing 0.9% of the total workforce. At that time there were only 13 inside staff, and it is likely that this number is now in excess of 20.

There appears to have been a marginal increase in real terms in the actual number of Aboriginal and Torres Strait Islander people employed in Local Government Councils, although participation rates in work placement programs, as reported in Q13, appear to be higher.

Q13 “Have you participated in any Aboriginal and Torres Strait Islander specific work placement, traineeships or training programs in the past 5 years?”

31% of respondents (5 metropolitan and 14 country Local Government Councils) indicated they have participated in Aboriginal and Torres Strait Islander specific employment related schemes.

These placements have been in the following areas:

- Middle management, policy development
- Library and information services
- Social Work Placements
- Reception and clerical areas
- Environmental health
- Horticulture, works, and maintenance
- Through CDEP programs.

In some cases, the programs have involved a number of participants. For example, a program at Salisbury involved eight trainees, and at Ceduna a range of schemes through New Work Opportunities, IN Work and CDEP programs, have provided work programs for many Aboriginal and Torres Strait Islander people in that area.

Work experience opportunities have been provided by all Local Government Councils in areas of high numbers of Aboriginal and Torres Strait Islander people, namely at Adelaide, Ceduna, Port Lincoln, Murray Bridge, Whyalla, Yorke Peninsula, Coober Pedy, Port Adelaide Enfield and Salisbury, as well as in other metropolitan and country areas.

Q14 “Have Aboriginal and Torres Strait Islander community organisations (including CDEP schemes) tendered for local works and services?”

14% of respondents, 8 Local Government areas have had Aboriginal and Torres Strait Islander organisations involved in undertaking local works, namely, Port Lincoln, Ceduna, Yorke Peninsula, Victor Harbor, Port Augusta, Salisbury, Onkaparinga and Marion.

These works have included waste recycling, various maintenance and municipal services, environmental management projects such as walking trails and re-vegetation, and site protection. These works have been largely term contracts or project based. It is also reported that with the implementation of competitive tendering arrangements, some Aboriginal and Torres Strait Islander organisations have been unsuccessful in being awarded repeat contracts, for example, in the area of waste management.

7.5 Communication and Consultation with Aboriginal and Torres Strait Islander Communities

Q15 “Has information on Council services been provided to Aboriginal and Torres Strait Islander organisations in your area?”

- 40% responded “yes” or “in progress”. These respondents largely included the Local Government with specific Aboriginal and Torres Strait Islander communities in their area, or Local Government with a higher than average proportion of Aboriginal and Torres Strait Islander residents.
- 60% responded “no”.

Some Local Government responded “...they get the same information as everyone” such as through Council notices and newsletters, and the local media. However, it was recognised that quite often Aboriginal and Torres Strait Islander people do not use these information networks to obtain information.

Q16 “Do you have a current directory of Aboriginal and Torres Strait Islander organisations and services they provide in your area?”

- 34% responded “yes” or “in progress”
- 66% responded “no”.

Some smaller country Local Government Councils commented that they knew of no Aboriginal and Torres Strait Islander organisations in their area, and that it was necessary for Aboriginal and Torres Strait Islander people to go to regional centres to access services through Aboriginal and Torres Strait Islander organisations.

Q17 “Do you use any of the following consultative links to facilitate participation of Aboriginal and Torres Strait Islander communities in Council decision making?”

The “yes” responses were as follows:

- Regular Meetings 21% (13 Local Government Councils)
- Aboriginal Advisory Committees 21% (13 Local Government Councils)
- Community Forums on specific issues 23% (14 Local Government Councils)
- Elected Member/Staff Member responsible for Aboriginal and Torres Strait Islander issues 38% (23 Local Government Councils)
- Other, including 10% (6 Local Government Councils)

The “other” category included:

- direct contact with Aboriginal and Torres Strait Islander agency; and
- advice from another Local Government Council’s Aboriginal Project Officer.

Some respondents answered “yes” in more than one of the above categories. Local Government Councils which reported consultative links totalled:

- Metropolitan area 12 of a total of 18 (67%)
- Country areas 20 of a total of 50 (40%).

The number of Local Government Councils which have established an Aboriginal Advisory Committee or Forum has increased considerably since 1994. At that time, only 5% (8 Local Government Councils prior to amalgamations) had undertaken this initiative.

7.6 Community Involvement

Q18 “Does your library and information service include a collection of resources on local Aboriginal and Torres Strait Islander history and culture?”

7%, (4 of the 57 respondents) answered “no” to this question, and 93% responded “yes”. Comments made as part of the “no” response included “we have no records of specific Aboriginal and Torres Strait Islander local history, but only broader and general information”.

Q19 “Do Council representatives actively participate in any of the following local Aboriginal and Torres Strait Islander community/cultural events?”

The “yes” responses are as follows:

Event	Total % “yes”	No of Local Government Councils Metropolitan	No of Local Government Councils Country
NAIDOC Week	41%	10	15
Reconciliation Week	41%	12	13
Aboriginal Youth Cultural Week	1.5%	4	5
Fly the Aboriginal Flag – NAIDOC Week	50%	10	20

23% (14 Local Government Councils) allocated specific funding for these purposes, and a further eight provided “in kind” support.

In addition, the above Local Government Councils have also been involved in other activities, such as exhibitions of indigenous art, and specific cultural celebrations involving Aboriginal and Torres Strait Islander communities.

Q20 and 21 “Has your Council undertaken any specific reconciliation initiatives?”

41% of respondents have been involved in specific reconciliation initiatives. These have included:

- Reconciliation Statement endorsed by Council
- Sorry Day Acknowledgments
- Memorial plaques and structures at sites of significance to Aboriginal and Torres Strait Islander people
- Recognition of, and Aboriginal and Torres Strait Islander signage for special places
- The Pledge Book
- Establishing Aboriginal Forums and linkages with past residents. For example, the Tjilbruke Dreaming Forum.
- Environmental projects with local Aboriginal and Torres Strait Islander interpretative signs. For example, the Warriparinga Wetland at Marion.

15 Local Government Councils have allocated specific resources or provided assistance through “in kind” support for reconciliation initiatives.

7.7 Services and Facilities

Q22 “Have you established programs, facilities or services specifically for Aboriginal and Torres Strait Islander people? Include initiatives developed in collaboration with other organisations or government agencies, for example, HACC programs Crime Prevention strategies.”

28% (17 Local Government Councils) responded “yes” to this question, affirming that they have strategies in place to address the specific needs of Aboriginal and Torres Strait Islander people in their area. In general, these are the Local Government Councils with an above average population of Aboriginal and Torres Strait Islander people.

Local Government Councils' strategies vary from area to area, and relate to direct service delivery or community development initiatives. This represents a significant increase from 5% in 1994, or six Local Government Councils prior to amalgamations, 4 metropolitan, 2 country.

The most significant initiatives are summarised.

Metro (8 Local Government Councils)	Examples of Program/Initiative
Adelaide	Health, Housing, Recognition of history and heritage, and cultural development
Holdfast Bay	Renovation of sacred site at Kingston Park
Marion	Warraparinga Wetland Interpretive Centre
Onkaparinga	Community development focus – Neporendi Community Centre programs
Playford	Recent appointment of Aboriginal Policy Officer – Project planning in progress
Port Adelaide Enfield	Parks Youth Service and LeFevre Community Centre Drop in, Aboriginal Youth Council, IT Project, Aboriginal Meeting Place Project, HACC project with Kera Yerlo
Salisbury	Martirendi Partnership Agreement with Northern Metropolitan Aboriginal Council Kurna Park Indigenous Interpretative Trail
Tea Tree Gully	Group at Community Centre, and Local Study Circle course

Country (9 Local Government Councils)	Examples of Program/Initiative
Ceduna	Town Camp Project, Youth Centre Project, Environmental services to Homelands, Employment projects
Cooper Pedy	Crime Prevention, Dry Zones
Coorong	HACC program, Community Transport scheme
Murray Bridge	Murrundi Voices – Ngarrinderi Stories Cultural Audit Report to plan Strategies
Pt Augusta	Participated in reconciliation initiatives
Pt Lincoln	Crime Prevention
Pt Pirie	Crime Prevention, Support to Aboriginal community initiatives
Victor Harbor	Development and upgrade of Granite Island
Whyalla	Aboriginal Arts Projects targeted at youth

Q23 “Do you provide other specific funding or “in kind” support for an Aboriginal and Torres Strait Islander project/organisation/event?”

In addition to the services and initiatives summarised in Q22, 28% of respondents indicated that they provided “in kind” support to Aboriginal and Torres Strait Islander communities or organisations. The support provided includes the following:

- Transport assistance (community bus)
- Supporting cultural events, including theatre, community murals, art and craft exhibitions
- Facilitating meetings and providing administrative assistance
- Co-ordination of community centre and providing interim funding for the facility to remain open.
- Community Grants Scheme.

One respondent (in an area with a below average proportion of Aboriginal and Torres Strait Islander residents) commented that support is available, but no requests have been made.

Q24 “Do you consider that Aboriginal and Torres Strait Islander People in your area have access to appropriate Local Government services?”

- 91% of respondents answered “yes”
- 7% of respondents answered “no”
- 2% of respondents answered “not sure”.

Some respondents commented: *“Aboriginal and Torres Strait Islander people have the same access to services as other people in the area”*.

Comments accompanying the “no” responses included:

- funding was required for specific services for Aboriginal and Torres Strait Islander people, for example, health, housing, education to enable improved access
- lack of public transport limits access.
- services are available but not marketed appropriately

Q25 “Do you record statistics relating to access to services by Aboriginal and Torres Strait Islander people?”

Only one Council indicated they kept statistics on use of services by Aboriginal and Torres Strait Islander people. This related to specific programs only.

Q26 “Do you consider that Aboriginal and Torres Strait Islander people are making use of the available services?”

- 69% respondents answered “yes”
- 18% respondents answered “no”
- 13% respondents provided no response.

Comments accompanying the “no” responses included:

- “itinerant population”
- strategies being developed to improve access
- transport problems.

7.8 Barriers and Constraints

Q27 “Are there any matters you consider impede the progress towards meeting needs of Aboriginal and Torres Strait Islander people in your area?”

Barriers impeding progress towards meeting the needs of Aboriginal and Torres Strait Islander people are summarised as follows:

- Resources and funding. Funding on an annual budget cycle basis makes longer term planning difficult. This also causes tensions within an organisation as it is perceived that programs are short term, and staff become de-motivated.
- Specific programs cannot be funded in areas where low populations, and small budgets.
- Low socio-economic status. Essential to meet basic survival needs first – health, housing, and education

- Low level of employment and retention in Local Government. Aboriginal and Torres Strait Islander people working in Local Government can facilitate better understanding and culturally appropriate service delivery
- Lack of community facility as a focal point for Aboriginal and Torres Strait Islander people
- General community knowledge, and overcoming negative attitudes
- Ignorance and lack of understanding about Aboriginal and Torres Strait Islander history and cultural traditions, particularly in urban areas
- Native Title issues – fear and misinformation, “special court systems – special treatment”, and delays in progress of matters
- Establishing effective communication links – “Who is the right person to represent the community”, “What is the best way to communicate and negotiate”
- No local organisation to represent Aboriginal and Torres Strait Islander issues
- Formal processes and requirements under Local Government Act – “eg Advisory Committees”

7.9 Future Planning and Good Examples

Q28 “Please comment on issues which you consider important to address in future planning for services to Aboriginal and Torres Strait Islander people in your area.”

Comments made in response to this question broadly focussed on the barriers identified in Q 27.

Q29 “Please list any projects or initiatives involving your Council in partnership with Aboriginal and Torres Strait Islander communities and/or other agencies in your area.”

Respondents were asked to identify examples of Local Government working with Aboriginal and Torres Strait Islander communities and people. In general, the initiatives identified have been included in the response to Q22. These examples will be further considered as another aspect of the Review Project, for inclusion in a “good example” information kit showing casing initiatives in the area of Local Government.

7.10 Aboriginal Lands Trust (ALT) communities in Local Government Council areas

Responses were received from the five Local Government Councils with Aboriginal Lands Trust communities within their boundaries, namely:

- | | |
|---------------------------------------|------------------------|
| • District Council of Yorke Peninsula | Pt Pearce |
| • District Council of Coorong | Raukkan (Point McLeay) |
| • District Council of Ceduna | Koonibba |
| • City of Pt Augusta | Davenport |
| • District Council of Coober Pedy | Umoona |

Q30 “Are roles and responsibilities regarding provision of Local Government services to ALT communities clearly defined?”

All respondents replied “yes” to this question, with some qualification that this was from their perspective. That is, the relevant Acts outline service and statutory responsibilities. ALT communities were reported by Local Government Councils to have some difficulty understanding these parameters.

Q 31 “The private nature of ALT owned land may create particular issues for townships within such areas. How has your Council dealt with the provision of local government services to such townships, in relation to the following?”

• **Roads, Planning and Building**

LG Council area	Roads	Planning & Building	Public Health
Ceduna	School bus routes no charge Contract to maintain other routes	Contract to assist under ATSIC grant Other work no charge	Contracted to carry out Environmental health monitoring. Aboriginal health organisations run programs
Cooper Pedy	Self managed by Community	Self managed	Self managed
Coorong	Build/maintain roads to property, not within ALT property	No issues	No issues
Port Augusta	Maintained on regular basis	As per legislative requirements. Council's building inspections etc.	As per legislative requirements. Council's Environmental Health Officer
Yorke Peninsula	Services provided – legislative requirement	No issues	Services provided – legislative requirement

• **Dog and Cat Management, and other Local Government Services**

LG Council area	Dog/Cat Management	Other Local Government Services
Ceduna	Services delivered – no charge	Water Scheme – User pays Effluent/STEDS – Contracted to assist in some maintenance, other services no charge Pest Plants and Animals control monitoring – no charge Economic Development assistance – no charge Garbage collection and disposal – Contracted to do some Parks and Gardens – Advice and assistance – free of charge.
Cooper Pedy	Services provided	No involvement in other services
Coorong	No issues	No issues
Port Augusta	Through Animal Control Services Officer	Crime prevention, youth activities, mobile assistance program, substance abuse programs.
Yorke Peninsula	Services provided	No issues

Q32 “If the private nature of ALT owned land has caused difficulties what do you consider are the barriers to overcoming these difficulties?”

There were no specific issues raised by Local Government Councils in relation to this question. Comment was made that the key issues for Aboriginal Lands Trust communities was the “lack of resources in ALT”.

Q33 “Has a service agreement been reached and documented?”

Ceduna is the only Local Government Council that has a documented service agreement with an ALT community. The Service Agreement currently in place at Ceduna is for the provision of essential services and municipal works. All work is done on a contractual basis with the District Council of Ceduna employing and training Aboriginal and Torres Strait Islander employees.

Q34 “Has your Council made any specific arrangements to maximise opportunities for Aboriginal and Torres Strait Islander communities to vote at Local Government elections?”

Ceduna, Coorong and Coober Pedy all indicated they provided specific information about elections, and assistance with enrolment procedures, to Aboriginal and Torres Strait Islander people to become enrolled to vote.

It is also noted that the District Council of Ceduna is currently considering having one or two members of ATSIC Regional Council attend District Council of Ceduna Council meetings to assist the Local Government Council in the consideration of Aboriginal and Torres Strait Islander issues in its area. The recently appointed Aboriginal Liaison Officer at Ceduna will be attending ATSIC Regional Council meetings.

7.11 Key Findings of the Survey

62 Local Government Councils responded to the survey, representing a 90% return rate. The key findings of the survey are summarised as follows:

Education and Awareness

- 88% of respondents considered there has been an increase in awareness in Local Government about Aboriginal and Torres Strait Islander issues, and more positive attitudes about addressing those issues.
- 48% of respondents considered that there had been some increase in awareness in the Aboriginal and Torres Strait Islander community about Local Government elections and entitlement to vote. These respondents included Local Government Council areas where there are high concentrations of Aboriginal and Torres Strait Islander residents. There was also a perception of increased voter turn out of Aboriginal and Torres Strait Islander people in areas where there is a high concentration of Aboriginal and Torres Strait Islander residents.

Council/Strategic Corporate Planning

- 68% of respondents have a general policy in relation to access and equity, compared to 12.5% in 1994. In addition, 29% have a specific social justice policy objective relating to Aboriginal and Torres Strait Islander communities compared to 0% in 1994. However, some Local Government Councils where there are high concentrations of Aboriginal and Torres Strait Islander residents, have not taken this initiative as yet.

Staffing and Employment

- Eight Local Government Councils currently employ, or contract the services of, an Aboriginal Project Officer (covering 14 previous Local Government Councils prior to amalgamations) compared to five Local Government Councils in 1994.
- Across the board, there has been no significant increase in the number of Aboriginal and Torres Strait Islander employees in Local Government.

Communication and Consultation

- 47% of Local Government Councils have established communication and consultative links and forums. Most Local Government Councils with high concentrations of Aboriginal and Torres Strait Islander residents have taken this initiative.

Community Involvement

- 93% of respondents indicated that their library and information service includes a collection of resources on local Aboriginal and Torres Strait Islander history and culture.
- 41% of respondents participate in local Aboriginal and Torres Strait Islander community and/or cultural events, such as NAIDOC week and Reconciliation week.
- 41% of respondents have undertaken specific reconciliation initiatives.

Services and Facilities

- 28% of respondents (17 Local Government Councils) have established programs or services to address the specific needs of Aboriginal and Torres Strait Islander people. Some of these initiatives have been in collaboration with Aboriginal and Torres Strait Islander communities and other agencies. In general, these are the Local Government Councils with an above average population of Aboriginal and Torres Strait Islander residents.
- This represents a significant increase from 5% in 1994, or six Local Government Councils prior to amalgamations.
- These programs include community and cultural development, recognition of special places and sites, environmental management, and reconciliation initiatives.

Barriers and Constraints

- Factors affecting increased access to services by Aboriginal and Torres Strait Islander people have been highlighted as follows:
 - Aboriginal and Torres Strait Islander people continue to experience disadvantage as a result of their low socio-economic status. *“Health and education are the main areas needing priority and are the core issues to many problems.”*
 - Information and services need to be provided in culturally appropriate ways. For example, formalised and written procedures are barriers to a cultural group where traditions are based on oral representations.
 - Higher levels of employment of Aboriginal and Torres Strait Islander people, at “reception” as well as in other service delivery roles, will facilitate improved access and promote positive attitudes.

Aboriginal Communities on Aboriginal Lands Trust land within Local Government Council areas

- Local Government Councils report that whilst they consider their role and responsibilities regarding provision of Local Government services to ALT communities is clearly defined, Aboriginal and Torres Strait Islander communities have experienced some difficulty understanding these parameters.
- Ceduna is the only Local Government Council that has a formal documented service agreement with an ALT community for the provision of Local Government services.

7.12 Observations made from the survey results

Local Government Councils, in partnership with Aboriginal and Torres Strait Islander communities and other agencies, have made positive advances in the past 5 years with respect to

- increased awareness in Local Government about Aboriginal and Torres Strait Islander issues, and more positive attitudes about addressing those issues; and
- addressing the specific needs of Aboriginal and Torres Strait Islander people.

This appears to have occurred in most Local Government areas with high concentrations of Aboriginal and Torres Strait Islander residents.

These advances have been made as a result of policy commitments, and through a consultative and collaborative approach. However, there are still some Local Government Councils with high concentrations of Aboriginal and Torres Strait Islander people which have not adopted a policy objective that recognises the specific needs of Aboriginal and Torres Strait Islander people.

Some of the key issues to be addressed, particularly in areas where there are high concentrations of Aboriginal and Torres Strait Islander residents, relate to

- an ongoing need for information to be provided to Aboriginal and Torres Strait Islander people and organisations about
 - the entitlement to vote, and how to exercise that right; and
 - services that Local Government provide and how to access those services; and
- increasing the employment rate of Aboriginal and Torres Strait Islander people in all areas of Local Government.

There may also be a need to clarify Local Government's service provision role and statutory responsibilities with communities on Aboriginal Lands Trust land within Local Government Council areas.

The relevant issues arising from the survey results are discussed in Section 8.

8. ASSESSING ACHIEVEMENTS: IMPLEMENTATION OF THE 1994 STRATEGIC FRAMEWORK

This section seeks to draw together feedback from the consultation process, the Local Government Council survey summarised in Section 7, and other information gathered throughout the consultation program, so as to assess the achievements of the past 5 years. It also seeks to provide a sound base for recommending the new strategic directions aiming at improved Local Government outcomes for Aboriginal and Torres Strait Islander communities. These directions are provided in Section 9.

A consultation program was designed and implemented to assist in

- assessing achievements to date as a result of the implementation of the 1994 Strategic Framework, and
- the development of a new three to five year strategic framework.

Overall, the consultation program involved Local Government, Commonwealth and State Government agencies, Local Government Council Elected Members and staff, Aboriginal Project Officers employed by Local Government Councils in South Australia, and Aboriginal and Torres Strait Islander organisations and community leaders in metropolitan and country South Australia. An outline of the consultation program and outcomes, is attached at Appendix F. Issues raised, which were recognised to have relevance only to a specific Local Government Council, have not been included in this Report. However, as part of the consultation process, participants were encouraged to pursue these specific matters directly with the relevant Local Government Council or Aboriginal and Torres Strait Islander organisation.

It is also to be noted that the title of Aboriginal Project Officers employed by Local Government Councils in South Australia varies from Council to Council. To assist readers of this document the title "Aboriginal Project Officer" has been used generically throughout the report. The varying role of these officers are discussed in Section 8.4.2 of this Report.

In Section 8, key issues are summarised under the strategies identified in the 1994 Strategic Framework. Such an approach enables us to take stock of what has been achieved and what still requires progressing. The 1994 Strategies are as follows:

- 8.1 Co-ordination and Integration
- 8.2 Community Information
- 8.3 Inter-Governmental Relations
- 8.4 Participation

Within the overall direction of the 1994 Strategic Framework, a number of recommendations were implemented, namely:

- the Council for Reconciliation's vision was adopted at LGA's 1995 Annual General Meeting
- five Aboriginal and Torres Strait Islander communities in out of Local Government Council areas were recognised as Local Governing bodies for the purposes of the Local Government (Financial Assistance) Act 1995
- Anangu Pitjantjatjara became a member of the LGA
- eight Local Government Councils employed Aboriginal Project Officers
- a range of information was made available and cultural awareness initiatives undertaken which aimed at facilitating access and increasing participation of Aboriginal and Torres Strait Islander people in Local Government generally
- the State Government's Local Government legislative review program involved consultation with key Aboriginal and Torres Strait Islander stakeholder organisations to identify issues to be addressed in statutory provisions, such as postal voting
- increased awareness of Aboriginal and Torres Strait Islander communities and their needs was promoted through working with individual Local Government Councils and Local Government Regional organisations
- the LGA Aboriginal Policy Officer initiated regular monthly meetings between Local Government Council Aboriginal Project Officers, promoting information exchange and support for local initiatives
- LGA contributed to organisational arrangements for a number of National Workshops in Regional South Australia. For example, in 1997 two significant Workshops were held in Wudinna and Quorn for Elected Members and Local Government Council staff in conjunction with the National Native Title Tribunal
- increased cultural awareness has been fostered through Local Government Councils' involvement in Reconciliation ventures
- specific initiatives aimed at increasing numbers of Aboriginal and Torres Strait Islander people on the State Electoral Roll, and a perceived increase in this regard;
- increased number of Aboriginal and Torres Strait Islander candidates for Local Government Elections in the 1995 and 1997 elections
- one Local Government Council has entered into a Service Agreement with an Aboriginal and Torres Strait Islander community located on Aboriginal Lands Trust lands.

8.1 CO-ORDINATION AND INTEGRATION

1994 Strategic Framework Strategies:

- *8.1.1 Maintain LGA facilitation and leadership in enhancing the role for Local Government in meeting needs of Aboriginal persons and communities*
- *8.1.2 Encourage Local Government Councils to include in Corporate Plan a specific policy objective and strategy in relation to meet needs of Aboriginal communities and residents.*
- *8.1.3 Provide opportunity for Aboriginal organisations delivering local government services in unincorporated areas to become members of LGA and to have a voice on LGA Executive.*

8.1.1 LGA Facilitation and Leadership

A key recommendation in the 1994 Strategic Framework Report was the employment of an Aboriginal Policy Officer at the LGA to take responsibility for the implementation of an agreed Action Plan addressing the recommendations in the Report.

The Aboriginal Policy Officer position was established at the LGA in August 1994, initially jointly funded by the Commonwealth Department of Employment, Education, Training and Youth Affairs and the National Office of Local Government (NOLG). The position was extended through the joint funding of the LGA and NOLG from June 1998, to the end of June 1999. Funding for the position ceased in June 1999.

Through the Aboriginal Policy Officer position, the LGA concentrated on five priority areas as identified in the 1994 Strategic Framework, namely:

- the interface between Local Government Councils and Aboriginal and Torres Strait Islander communities on Aboriginal Lands Trust land
- improvements in service delivery to Aboriginal and Torres Strait Islander people through Local Government
- increasing participation of Aboriginal and Torres Strait Islander people in Local Government
- Native title, and
- Reconciliation.

As a result of the LGA Aboriginal Policy Officer's role, the LGA

- maintained a high profile in relation to Aboriginal and Torres Strait Islander issues in Local Government, and
- demonstrated leadership for Local Government Councils in improving Local Government sector outcomes for Aboriginal and Torres Strait Islander communities.

The 1994 Strategic Framework represented a huge leap forward in drawing attention to Aboriginal and Torres Strait Islander issues in Local Government in South Australia. The placement of the Aboriginal Policy Officer within the LGA at the time was crucial in focussing Local Government's attention on implementation aspects of the Strategic Framework and in highlighting Aboriginal and Torres Strait Islander issues for Local Government Councils.

It is also noted that, in consultation with the LGA, the State Government contributed to progressing the 1994 Strategic Framework by responding to areas within the State Government's sphere of influence, for example, legislative responsiveness and statutory recognition of Aboriginal and Torres Strait Islander communities located within out of Local Government Council areas.

Some Local Government Councils have also contributed significantly to advancing the Local Government sector strategies with their Aboriginal and Torres Strait Islander communities, for example, through an appreciation of culture and history.

However, that having been said, it is evident that a consequence of the actions outlined in the Strategic Framework was that much of its implementation relied on the Aboriginal Policy Officer position at the LGA. Clearly the tasks at hand for one person were vast and this is reflected in the evaluation report of the LGA's Aboriginal Policy Officer Project Report for the period 1/12/97 to 30/6/99. The evaluation revealed that the workload involved to implement the recommended strategies was beyond what could reasonably be expected of one person in the LGA to achieve. The assertion in the evaluation report is supported by the research undertaken for the Review Project.

During the consultation program, there was a generalised and shared view expressed by Aboriginal and Torres Strait Islander organisations and Local Government Councils that the employment of an Aboriginal Policy Officer at the LGA had unquestionably assisted in influencing the role that Local Government Councils play in relation to Aboriginal and Torres Strait Islander issues in South Australia.

Importantly, links between Aboriginal and Torres Strait Islander communities and Local Government Councils were established and a network of Aboriginal Project Officers employed by Local Government Councils was maintained. This assisted in raising Local Government Council awareness about Aboriginal and Torres Strait Islander issues and provided a cross fertilisation of ideas about programs. Through the LGA's approach of providing Local Government Council's with a vehicle for information exchange on relevant matters, programs which focussed on the specific local service needs of Aboriginal and Torres Strait Islander communities were promoted throughout the Local Government sector. The survey of Local Government Councils found that the position demonstrated leadership for the Local Government sector, and a commitment (real and symbolic) to reconciliation – "leading the way for Local Government".

Some Local Government Councils with lower proportions of Aboriginal and Torres Strait Islander people, reported that they relied on the LGA for advice and assistance to identify and address Aboriginal and Torres Strait Islander issues. No longer having this position in place has, in some cases, resulted in Local Government Councils now relying on assistance and advice from Aboriginal Project Officers in other Local Government Council areas.

The policy framework set by Local Government Councils at the State level (LGA Policy Manual) is also an important guiding document. As mentioned previously, in 1995 the LGA's Annual General Meeting adopted the Council for Aboriginal Reconciliation's Vision Statement and in 1996 the LGA adopted a comprehensive "Community Relations" policy for Local Government Councils. The "Community Relations" policy document does however lack a more detailed policy on reconciliation or Aboriginal and Torres Strait Islander issues and Local Government.

It is noted that the LGA's March 2000 General Meeting carried a motion:

"....that the LGA:

- 1. Seek funding to continue to resource the Aboriginal Liaison Officer functions with reference to Reconciliation;*
- 2. Develop a detailed policy on Reconciliation and Aboriginal Affairs in consultation with interested Councils for presentation at the 2000 Annual General Meeting."*

It is envisaged that this Review Report will assist the LGA in preparing such a policy on Reconciliation and Aboriginal Affairs in consultation with Local Government Councils.

Issue 1: *The LGA has a key role in providing leadership to the Local Government sector through taking effective action on issues of social and economic concern where they lie within the sphere of interest and responsibility of local government and in developing strategies that improve the level of participation of Aboriginal and Torres Strait Islander people in local government.*

Issue 2: *LGA, key Aboriginal and Torres Strait Islander stakeholder organisations, and Local Government Councils recognise that:*

- *progress was made in improving links and raising awareness amongst the Local Government sector through the LGA employing an Aboriginal Policy Officer. "It kept the issues on the agenda and provided a gate-keeper to Local Government"; and*
- *Local Government Councils with lower proportions of Aboriginal and Torres Strait Islander people, who had relied on the LGA Aboriginal Policy Officer for advice and assistance to identify and address Aboriginal and Torres Strait Islander issues facing their Councils, require access to assistance and advice from time to time*

Issue 3: *LGA, Local Government Councils, and key Aboriginal and Torres Strait Islander organisational stakeholders will need to consider the nature of the tasks for the future as they enter the next three year implementation phase of improved Local Government services for Aboriginal and Torres Strait Islander communities, to determine whether an Aboriginal Policy Officer located at the LGA remains the most effective means of responding to the new strategic framework.*

Issue 4: *LGA and Local Government Councils intend to revisit the "Community Relations" policy document, with the aim of developing a policy on Reconciliation and Aboriginal Affairs.*

8.1.2 Specific Objectives and Strategies Relating to Aboriginal and Torres Strait Islander Communities in Local Government Councils' Corporate Plans

The 1994 Strategic Framework identified the need to encourage Local Government Councils in their corporate plans to include specific policy objectives and strategies in relation to meeting the needs of Aboriginal and Torres Strait Islander communities.

Since that time, considerable legislative changes have occurred with the new Local Government Act 1999 coming into effect on 1 January 2000.

Amongst the Act's purpose is for Local Government Councils to have greater capacity and flexibility to be able to respond to local community circumstances and for processes adopted by Local Government Councils to be transparent. Local Government Councils are accountable to their communities for their decisions.

The new Local Government Act 1999 provides clear objectives for Local Government Councils in performing their roles and functions. These include to seek to provide services, facilities and program that are adequate and appropriate and to seek to ensure equitable access to its services, facilities and programs. While it seeks to provide a level of certainty considered necessary for good Governance, the new legislation is designed to be flexible enough to accommodate change and provide for local responsiveness.

With respect to responding to the 1994 Strategic Framework, the Local Government Act offers Local Government Councils the following:

- **Strategic Management Plans**

Local Government Councils under section 122 of the Act are now required to develop and adopt Strategic Management Plans for the management of their areas, by 1 July 2002. Such plans must identify the Local Government Council's objectives for the area and provide a clear indication of a range of considerations such as the extent to which the Local Government Council intends to coordinate with State and National Government in the planning and delivery of services in which there is a common interest. Moreover a Local Government Council must adopt a process or processes to ensure that members of the public are given a reasonable opportunity to be involved in the development and review (at least every three years) of their strategic management plans. Plans must be made available for viewing without charge to the public.

It is to be noted that there are no statutory specific objectives relating to Aboriginal and Torres Strait Islander communities. The Local Government Survey showed that many Local Government Councils have a general policy relating to access and equity, and some have a specific policy objective relating to reconciliation and/or recognising Aboriginal and Torres Strait Islander people as a disadvantaged group. Importantly, an identified policy objective is the reference point for integrating strategies and actions into organisational planning, and for the identification of service priorities and resources.

***Issue 5:** The Local Government Act 1999 clearly sets out provisions for forward strategic planning in Local Government through a consultative approach, and the allocation of resources fairly and equitably. Therefore,*

- *Local Government Councils need to consider the particular needs and circumstances of Aboriginal and Torres Strait Islander people as they develop, and consult on, their Strategic Management Plans.*
- *Local Government Councils' consultation strategies should take account of how best to involve Aboriginal and Torres Strait Islander people in strategic planning processes.*

***Issue 6:** There may be opportunities for Local Government Councils to establish links with existing Aboriginal and Torres Strait Islander community planning and consultative forums.*

***Issue 7:** State and Federal Government planning processes are relevant to Local Government Councils' strategic planning, both locally and in a regional context.*

***Issue 8:** Local Government Councils should be encouraged to consider including a specific policy objective which recognises the disadvantaged position of Aboriginal people in general, and provides for consideration of Aboriginal issues within the context of organisational planning processes.*

- **Annual Reports**

Local Government Councils are required to produce an Annual Report which is to be submitted to the Parliament. The production of a Local Government Council's Annual Report is a key accountability measure. Annual Reports need not comply with the new statutory requirements, requiring production and submission of the Annual Report, until the Annual Report for the year 2000/2001.

***Issue 9:** Local Government Councils, with high proportions/populations of Aboriginal and Torres Strait Islander people, should report on programs and services provided to meet the particular needs and circumstances of ATSI people/communities within their areas in their Annual Reports.*

- **Strategic Alliances and Collaborative Planning**

There are good examples of partnerships between Local Government, State and Commonwealth Government agencies, Aboriginal and Torres Strait Islander organisations and local communities. Such partnerships and collaborative approaches offer opportunities for

- development of local infrastructure
- employment programs
- health programs
- involvement in cultural festivals and events; and
- Reconciliation initiatives.

Establishing links with Aboriginal and Torres Strait Islander communities for this purpose is therefore an important aspect of the planning process.

However, as previously discussed some Local Government Councils experience difficulties in identifying the relevant Aboriginal and Torres Strait Islander community leaders and organisations, and determining the approach to use to involve Aboriginal and Torres Strait Islander people to assist in planning processes.

***Issue 10:** Some Local Government Councils seek assistance in identifying the relevant Aboriginal and Torres Strait Islander community leaders and organisations, and the approach to use for the involvement of Aboriginal and Torres Strait Islander people in forward planning processes.*

***Issue 11:** Benefits would be derived from identifying the best means of ensuring Aboriginal and Torres Strait Islander representation of views to assist Local Government Councils in their planning activities.*

Within a broader context, there is a range of other relevant planning processes, funding arrangements, and accountability and reporting requirements related to Aboriginal and Torres Strait Islander communities, as follows.

- ATSIC provides funding direct to Aboriginal and Torres Strait Islander Communities (for example, National Health Strategy and Community Housing (CHIP))
- ATSIC provides direct funding to ATSIC Regional Councils – Papta Warra Yunti, Nulla Wimila Kutju, Wangka-Wilurrara. The Councils produce Annual Reports
- Aboriginal and Torres Strait Islander communities located in out of Local Government Council areas receive South Australian Local Government Grants Commission allocations direct to provide local government type services
- 5 Aboriginal and Torres Strait Islander communities on Aboriginal Lands Trust land within Local Government Council areas are considered as part of the

allocation process undertaken by the South Australian Local Government Grants Commission.

- DOSAA's Essential Services Team maintains the power, water and effluent infrastructure in eighteen Aboriginal and Torres Strait Islander communities. It also provides project management of essential services capital upgrade projects funded by Regional Councils and ATSIC.

Also of relevance is the recent review of the Outback Areas Community Development Trust. As previously mentioned, the Trust has administrative and funding responsibilities in relation to the remote and rural areas of Oodnadatta, Marree and Copley (refer Appendix B). The Trust has recently undergone an extensive review process, involving considerable community consultation. New directions for the Trust involve:

- an increased emphasis on the Trust's liaison with State Government and other relevant agencies in developing and implementing strategic management plans for Outback communities. A planning process which takes into account regional, State, and national priorities, is consistent with the approach for Councils established under the Local Government Act 1999.
- encouraging participation by the relevant Aboriginal and Torres Strait Islander communities in the planning and development of operations within their local communities.

Issue 12: *There are many planning activities undertaken for a range of specific processes. Coordination and integration of planning on a regional basis will facilitate more effective use of available resources and better outcomes for Aboriginal and Torres Strait Islander communities.*

Issue 13: *There may be opportunities to establish strategic planning partnerships and collaborative approaches to forward planning and reporting requirements, involving Local Government Councils, key Aboriginal and Torres Strait Islander stakeholder organisations, and other service agencies. This is likely to maximise the effectiveness of available resources.*

Issue 14: *Collaborative planning and consultative processes between Aboriginal and Torres Strait Islander communities, ATSIC Regional Councils, Local Government, State and Federal Governments are essential to addressing the critical service priorities and to ensure the best use of available resources.*

8.1 3 Aboriginal and Torres Strait Islander organisations delivering local government services in out of Local Government Council areas as members of the LGA

Eligibility for membership of the LGA has been extended to Aboriginal and Torres Strait Islander organisations delivering local government services in unincorporated areas This includes 3 Aboriginal and Torres Strait Islander communities on Aboriginal Lands Trust land, Anangu Pitjantjatjara and Maralinga Tjarutja. However, only the Anangu Pitjantjatjara Council has become a member, in 1994. Distance and small populations are likely to hinder Aboriginal Councils in out of Local Government Council areas nominating one representative of the group to serve on the LGA Executive. Moreover, as indicated already although eligible for LGA membership, only one has taken up the offer.

Issue 15: The LGA could re-approach the four local governing authorities in out of Local Government Council areas advising of its services and ATSIC Regional Councils could support the LGA in this initiative.

8.2 COMMUNITY INFORMATION

1994 Strategic Framework Strategies:

- *8.2.1 Promote increased knowledge and awareness of Aboriginal culture within local communities.*
- *8.2.2 Increase knowledge and awareness of Aboriginal residents of the role, services and facilities provided by Local Government.*
- *8.2.3 Increase awareness of Aboriginal residents of the opportunity to vote at Local Government elections and become elected members.*

8.2.1 Promote knowledge and awareness of Aboriginal and Torres Strait Islander culture

A range of strategies which aimed to facilitate increased Local Government and community awareness about Aboriginal and Torres Strait Islander culture and issues and about the services provided by Local Government Councils have been implemented as a result of the 1994 Strategic Framework.

The results of the Local Government Council survey indicate a perception of increased community awareness and understanding of Aboriginal and Torres Strait Islander issues in general. This is likely to have occurred as a result of the specific information strategies adopted by some Local Government Councils, as well as through public debate about current issues of national significance such as Native Title and Reconciliation.

However, some Local Government Councils and Aboriginal and Torres Strait Islander organisations observed that whilst there has been an improvement in attitudes and increased respect for Aboriginal and Torres Strait Islander people in general, there is still much more to be achieved.

During the consultations, it was reported that some Local Government Elected Members and staff are disrespectful and do not appear to support Aboriginal and Torres Strait Islander issues. Comments were made about negative experiences and ineffective working relationships in some instances.

In other cases, there appeared to be a high level of willingness and motivation to establish good working relationships between Aboriginal and Torres Strait Islander people and organisations, and Local Government.

These discussions highlighted the importance of providing services in culturally appropriate ways, that is, in ways which respect the culture of Aboriginal and Torres Strait Islander people. Continued reference is made in this Report to providing “culturally appropriate” services, and some of the important issues to consider are summarised in Appendix G.

With respect to the availability of information about local Aboriginal and Torres Strait Islander history and culture, it was suggested that Local Government Councils often have a range of reports containing information about history and culture of local indigenous groups, and archaeological and anthropological investigations. These resources are developed for planning processes and as research data for specific projects and locations. These reports could complement the resources already available in libraries and local collections. They may be an important resource for preparing funding and grant applications, for student research, and general community awareness. Through an Aboriginal and Torres Strait Islander specific collection, valuable knowledge and information could be kept and retrieved in an accessible and user friendly manner.

Issue 16: *Continuing educative processes will enhance the knowledge, understanding and appreciation of Aboriginal and Torres Strait Islander culture and heritage, and the needs of Aboriginal and Torres Strait Islander communities. This understanding is fundamental to providing services in culturally appropriate ways.*

Issue 17: *Local Government involvement in events and celebrations of significance which respect the dignity and protocols of local Aboriginal and Torres Strait Islander communities, will further advance awareness and understanding of heritage and cultural issues.*

Issue 18: *Local Government Councils are likely to commission reports which contain information about local Aboriginal and Torres Strait Islander history and heritage. These reports could add to the collection of local knowledge about heritage and cultural issues.*

Issue 19: *The promotion of community awareness and the positive achievements could be fostered through a State Government and LGA “good example” information kit, for dissemination amongst Local Government Councils and Aboriginal and Torres Strait Islander organisations and communities.*

8.2.2 Increase knowledge and awareness of Aboriginal and Torres Strait Islander residents of the role, services and facilities provided by Local Government

The consultation program outcomes indicated that many Aboriginal and Torres Strait Islander participants had limited knowledge about Local Government Councils' role and service provision responsibilities.

Accordingly, there continues to be a need for strategies to inform Aboriginal and Torres Strait Islander people in culturally appropriate ways about the role, extent, and types of services and facilities provided by Local Government Councils.

During the consultation program information networks of ATSIC and DOSAA were used to disseminate information about this Review Project, which proved to be an effective strategy for optimising involvement of ATSIC Regional Committees and Aboriginal and Torres Strait Islander people in the consultation program.

Issues were also raised by some Aboriginal and Torres Strait Islander organisations about the basis upon which financial assistance grants are determined and allocated. There is clearly some confusion regarding the nature and purpose of the grants, and some participants in the consultation program, perceived that "untied" grants went into a general "slush fund". Clearly this is not the case, and therefore there is a need for relevant Local Government Councils to provide accurate information to local Aboriginal and Torres Strait Islander communities about funding arrangements and how allocation of resources is decided.

***Issue 20:** Aboriginal communities would benefit from general information about the role of Local Government Councils and the services provided. This could be prepared by the LGA, in consultation with key Aboriginal and Torres Strait Islander organisation stakeholders. Aboriginal and Torres Strait Islander organisations could promote this through their information networks.*

***Issue 21:** There appears to be a need for Local Government Councils with high proportions of Aboriginal and Torres Strait Islander people in their areas, to develop and distribute culturally appropriate information about the services and facilities they provide, and how the allocation of resources is decided.*

***Issue 22:** Local Government Councils could include details of Aboriginal and Torres Strait Islander organisations and the services provided by these organisations in community directories/publications.*

***Issue 23:** ATSIC Regional Councils could provide Local Government Councils with information about the role of Aboriginal and Torres Strait Islander organisations and the services provided locally.*

One important aim of the 1994 Strategic Framework was to increase access to, and participation in, Local Government Councils by Aboriginal and Torres Strait Islander people.

1994 Strategic Framework observes:

"Regardless of whether Aboriginal people live within a local government area in a community such as Aboriginal Land Trust Land or are dispersed throughout the population, they can expect to receive services from local government which recognise their particular circumstances and needs and which take into account matters of social justice in the provision of local government services through the area." (p24)

The extent and nature of disadvantage experienced by Aboriginal and Torres Strait Islander people is well documented and has been referred to elsewhere in this Report. In planning for the provision of services, the specific needs of disadvantaged communities must be a service priority if socially just and equitable service provision is to be achieved. As mentioned elsewhere, this disadvantage should be considered within the context of Local Government Council's organisational planning and decision making processes, and resource base.

The survey findings demonstrate that many Local Government Councils, either independently or in collaboration with other agencies, have initiated a range of programs to address the specific needs of Aboriginal and Torres Strait Islander communities within their area. These programs include community and cultural development, sporting and recreational programs, recognition of special places and sites, employment of an Aboriginal Project Officer, environmental management, and reconciliation initiatives.

However, in areas where Aboriginal and Torres Strait Islander people represent a small proportion of the population, these initiatives are less of a priority. In these circumstances there is potential for Aboriginal and Torres Strait Islander people to experience further isolation or disadvantage due to the absence of cultural support structures and networks, in addition to the lack of targeted programs.

Factors affecting increased access to Local Government Council services by Aboriginal and Torres Strait Islander people have been highlighted during the consultation program as follows:

- Aboriginal and Torres Strait Islander people continue to experience disadvantage as a result of their low socio-economic status. *“Health and education are the main areas needing priority and are the core issues to many problems.”*
- Lack of awareness about the services available, and rights to access services.
- No effective forums to discuss community issues, and inadequate mainstream representation and advocacy of Aboriginal and Torres Strait Islander issues and service requirements.
- Cultural barriers, for example,
 - formalised and written procedures are barriers to a cultural group where traditions are based on oral representations;
 - some Aboriginal and Torres Strait Islander people find the physical environment of Local Government Council facilities “unfriendly” and intimidating. They feel uncomfortable entering formal reception areas, and Local Government Council chambers in particular.
- Higher levels of employment of Aboriginal and Torres Strait Islander people in Local Government Councils will facilitate improved access and promote positive attitudes.

Resource and funding issues were highlighted as the most significant barrier or constraint for Local Government Councils to provide and maintain services to Aboriginal and Torres Strait Islander communities. Aboriginal and Torres Strait Islander communities expressed the view that funding on an annual basis and specific project funding makes it difficult to plan ahead and be responsive to their local needs. Uncertainty in this regard can create tensions between the Aboriginal and Torres Strait Islander communities and their Local Government Councils in a climate where there are increasing demands for services.

***Issue 24:** Local Government Councils need to consider and address cultural barriers to accessing services and facilities by Aboriginal and Torres Strait Islander people in their areas. (Refer Appendix G)*

8.2.3 Increase awareness of Aboriginal and Torres Strait Islander residents to vote and become Local Government Council Elected Members

A range of community information and awareness strategies, as outlined in the 1994 Strategic Framework has been undertaken by the LGA with the aim of advising of democratic rights and encouraging the involvement of Aboriginal and Torres Strait Islander people in Local Government elections and voting. These strategies were supported and promoted on an on-going basis by the Aboriginal Policy Officer at the LGA.

Local Government Councils, and candidates, also made significant efforts to promote Local Government Council elections to the whole of their community.

In addition, in the early 1990s, the State Department of Aboriginal Affairs implemented a campaign aimed at increasing awareness of Aboriginal and Torres Strait Islander people about Local Government. This campaign included posters and brochures about voting and how to become an Elected Member.

There appears to be a direct relationship between the provision of information in a timely manner prior to elections, and the level of interest in Aboriginal and Torres Strait Islander people nominating as candidates in Local Government Council elections, and registering to vote (refer discussion "Nominating as a Candidate" later in this report.)

***Issue 25:** Aboriginal and Torres Strait Islander people are more likely to become involved in Local Government elections if they have information about the democratic process and how they can influence decision making processes, and about the entitlement to vote, and to encourage exercising that right.*

***Issue 26:** Established Aboriginal and Torres Strait Islander community information networks are the most effective method to communicate information to Aboriginal and Torres Strait Islander communities about elections.*

Since the development of the 1994 Strategic Framework, there have been changes to the elections and voting provisions in the legislation for the system of Local Government, as follows.

- **Advance postal ballots**

As a way of increasing voter participation in Local Government Council elections, the Government in its Local Government (Miscellaneous Provisions) Bill, 1996, provided all Local Government Councils with the option of conducting elections entirely by post. The 1994 Strategic Framework suggested that postal voting may be disadvantageous to Aboriginal and Torres Strait Islander people with respect to voting in Local Government Elections.

Under the postal voting system, ballot papers and envelopes with various declarations on them are posted to all electors, the envelopes are placed in an envelope, a form on the envelope is completed, and the envelope is returned by close of voting. A provision was included for Local Government Councils to make arrangements for the personal delivery of advance postal voting papers to persons who reside at a specified place and who are entitled to advance voting papers, and for the taking of advance votes before electoral officers. The provision leaves decisions as to advance/postal voting arrangements with Local Government Councils.

The nature of this provision is preserved in the new Local Government (Elections) Act 1999. The Elections Act provides that a non-metropolitan Local Government Council may use booth voting rather than postal voting if the Returning Officer determines, on the basis of an application from the Local Government Council, that exclusive postal voting is unlikely to result in a significant increase in voter participation.

More recently, the new Local Government (Elections) Act 1999, provides for universal postal voting. It was recognised during the Local Government Legislative Review Program that postal voting may represent a barrier and hinder increasing voter turnout of Aboriginal and Torres Strait Islander people in some communities. However, another proposition put forward was that postal voting, where voting papers are posted to all residents on the Electoral Roll, may increase access to information in a general sense, as residents receive advance notice of Local Government elections which may not have been the case with booth voting. With either system, however, participation depends on Aboriginal and Torres Strait Islander people registering on the State Electoral Roll.

It has been suggested during the consultation program that Aboriginal and Torres Strait Islander people may be reluctant to be involved in the census and registering to vote, due to a lack of trust of Government agencies in some cases, and concern about confidentiality and linking voter's personal information with other agencies' data bases. It was also reinforced that Aboriginal and Torres Strait Islander culture and tradition respects oral histories with less emphasis on written and administrative processes. Aboriginal and Torres Strait Islander people want to be "talked through" elections, which are seen as complicated and "government business".

The Local Government (Elections) Act does, however, allow the Returning Officer to tailor approaches to local needs and for assistance to be provided in specific cases. Section 31 of the Act specifically allows a returning officer to send staff to a specified place to provide information/assist voters, distribute voting papers or to collect voting papers.

It is understood that a previous equivalent to this provision has been used to take a mobile voting booth to an Aboriginal and Torres Strait Islander community on at least one occasion. Given the cultural issues for Aboriginal and Torres Strait Islander voters, use of the provision in this way could be seen as being responsive and equitable – rather than taking the "one size fits all" approach.

Local Government conducted General Elections in South Australia in May 2000. Whilst there has been an overall increase in voter turnout at Local Government elections recorded subsequent to the development of the 1994 Strategic Framework, specific data relating to voters' race or ethnicity is not available.

During the consultation program, Local Government Councils and Aboriginal and Torres Strait Islander organisations share the view that over the past five years

- there has been an increased awareness by Aboriginal and Torres Strait Islander people about voting;
 - increased voter turn out by Aboriginal and Torres Strait Islander people;
 - and to a lesser extent, some interest in becoming a Local Government Council Elected Member.
-
- **Nominating as a Candidate**

As nomination forms do not require a candidate to indicate Aboriginality the LGA has relied on Local Government Councils and Aboriginal and Torres Strait Islander networks for information on Aboriginal and Torres Strait Islander nominees.

Data collected in this way since 1987 suggests that there was one Aboriginal and Torres Strait Islander Councillor elected in the 1987 and 1989 elections, two elected at each of the 1991, 1993, 1995 and 1997 elections and none elected in 2000. It also suggests that there were eight Aboriginal and Torres Strait Islander candidates in 1995, fourteen in 1997, and two in 2000. Aboriginal and Torres Strait Islander Councillors have served in this period at Ceduna, Pt Augusta, Barmera, Coober Pedy, Pt Adelaide and Murray Bridge.

It appears there may be a direct relationship between the number of Aboriginal and Torres Strait Islander nominees and the work of the LGA's Aboriginal Policy Officer in relation to promoting Local Government elections within Aboriginal and Torres Strait Islander communities in 1995 and 1997. Noticeably these numbers reduced significantly at the 2000 Local Government elections.

It is important to recognise that while non-indigenous Elected Members represent Aboriginal and Torres Strait Islander constituents and vice versa, there are important role model issues addressed by ensuring that appropriate Aboriginal and Torres Strait Islander candidates at least have enough information to stand for election. The very high percentage of Members of State and Federal parliaments who have served as Local Government Elected Members also suggest Local Government provides an important "training ground" for service in other levels of government.

The adverse effect of Local Government Council areas within a Ward system on the successful election of Aboriginal and Torres Strait Islander candidates was raised in the 1994 Strategic Framework. This issue has been raised again during the consultation program. However, as noted in the 1994 Strategic Framework, Wards are an important part of the system of representation of Local Government, enabling specific communities of interest to feel that they can be represented within the Local Government system. What is of significance, is that

..”regardless of the system of voting and of division of a Council area into wards, there are only a limited number of Council situations where an Aboriginal person could be expected to be elected to a Local Government Council other than where widespread support for the candidate existed through the total community. This means that Aboriginal people cannot expect to be elected to local government to represent Aboriginal issues alone but can be expected to be elected to play a part in representing the community as a whole.”¹⁶

It is likely the direct representation of Aboriginal and Torres Strait Islander people as Elected Members will not change significantly without wider community support for Aboriginal and Torres Strait Islander candidates, due to the small proportion of Aboriginal and Torres Strait Islander people as an overall percentage of the total population.

Issue 27: *It is critical that Local Government Councils, the LGA, DOSAA, ATSIC and ATSIC Regional Councils continue to promote Local Government elections in culturally appropriate ways, to encourage more Aboriginal and Torres Strait Islander candidates, and advise of electoral roll entitlements. Strategies could include posters, brochures, and training sessions.*

Issue 28: *Elected Members should be informed of their roles and responsibilities in relation to Aboriginal and Torres Strait Islander people in their communities. This could be achieved through modules on cross cultural awareness, including Aboriginal and Torres Strait Islander protocols, in Elected Members Training programs.*

Issue 29: *Aboriginal and Torres Strait Islander organisations have a key role to play in identifying potential candidates in their area, and advising of assistance available, for example, workshops on standing for Local Government elections.*

Issue 30: *Strategies to increase representation of Aboriginal and Torres Strait Islander issues in Local Government by necessity must focus on non-Aboriginal Elected Members taking responsibility for specifically representing Aboriginal and Torres Strait Islander people and issues in the decision making process.*

- **Booth Voting approved by Return Officer (non-metropolitan Local Government Councils)**

The Local Government Act 1999 now provides for postal voting which ensures that transportation issues at voting time (as reported in the 1994 Strategic Framework) are overcome.

The 1994 Strategic Framework also identified the need for Local Government Councils with communities living on Aboriginal Lands Trust Land, to consider location of polling booths in Aboriginal and Torres Strait Islander communities to maximise the opportunity to vote at Local Government elections. The Electoral Act provides that a non-metropolitan Local Government Council may use booth voting rather than postal voting if the Returning Officer determines, on the basis of an application from the Local Government Council, the exclusive postal voting is unlikely to result in a significant increase in voter participation.

Issue 31: *Where a Local Government Council is given approval to use booth voting, it is suggested the location of polling booths in Aboriginal and Torres Strait Islander communities will maximise opportunities for voting at Local Government elections.*

¹⁶ LGA's 1994 Strategic Framework "Local Councils Belong to Aboriginal People Too" 1994, page 26.

8.2.4 Links between Local Government Councils and Aboriginal and Torres Strait Islander Communities

The Local Government Act 1999 requires Local Government Councils to prepare and adopt a public consultation policy. The principle which underlies this requirement is that effective governance involves providing opportunities for the views and aspirations of local community members to be expressed, and taking these views into account in a balanced way in making decisions about the management of the local area.

A range of communication and consultation techniques need to be considered and put in place, which take account of the specific circumstances of the cultural and demographic profile of the local community. When consulting with Aboriginal and Torres Strait Islander communities, techniques should include some which are formalised, but mostly those which are informal and less structured (Refer Appendix H). Consultation meetings should also be conducted in venues which are familiar to the Aboriginal and Torres Strait Islander community.

Of significance, Local Government Councils need to be pro-active in ensuring that Aboriginal and Torres Strait Islander communities and people have information about what services are available, and how to access those services. That is, a “one size fits all” approach, using mainstream information networks and communication methods, is not likely to capture the interest or involvement of Aboriginal and Torres Strait Islander communities and people. Consideration therefore must be given by Local Government Councils to using culturally appropriate techniques to foster this involvement (Refer Appendix G).

Initiatives have been taken by most Local Government Councils with high numbers of Aboriginal and Torres Strait Islander residents, to establish communication and consultative links.

As previously stated, if Aboriginal and Torres Strait Islander people are to be involved in decision making processes, strategies other than encouraging nomination to Local Government Councils must be considered. These strategies need to include both

- involving Aboriginal and Torres Strait Islander people in Local Government decision making, through committee representation, more informal advisory panel membership, and other consultation forums and initiatives; and
- encouraging non-Aboriginal Elected Members and staff to take responsibility for specifically representing Aboriginal and Torres Strait Islander people and their issues in the decision making process.

It also noted that there appeared to be tensions in some areas during the consultation program with respect to the extent of communication and consultation with Aboriginal and Torres Strait Islander communities. Aboriginal and Torres Strait Islander organisations considered that consultations needed to be more focussed on local priority issues and representative groups should be invited to participate at an early stage of the planning and decision making process.

Some Local Government Councils expressed concern that they had difficulty in identifying the relevant Aboriginal and Torres Strait Islander community leaders and organisations, were unsure of the approach to use to involve Aboriginal and Torres Strait Islander people in decision-making processes. In addition, it was suggested that young Aboriginal and Torres Strait Islander people do not perceive they have a role in consultative processes as cultural mores expect this is the role of Elders.

Aboriginal and Torres Strait Islander people are few in numbers relative to the total population. When an Aboriginal and Torres Strait Islander person shows effective leadership skills, they are often invited to be members of many groups and committees. For example, the Aboriginal Elected Member in Murray Bridge was known to be on 22 committees. Most positions on committees are voluntary and impose extra time demands on an already busy person's life.

It was suggested that local Aboriginal and Torres Strait Islander organisations with paid employees, be approached to provide representation on Local Government Council committees. This would reduce the extent of volunteer involvement through Aboriginal and Torres Strait Islander representation.

***Issue 32:** Linkages could be developed between Local Government Councils and ATSIC Regional Councils as the first point of contact for advice on Aboriginal and Torres Strait Islander issues. ATSIC is well placed to identify appropriate Aboriginal and Torres Strait Islander organisation in local areas, perhaps through an up to date register of Aboriginal and Torres Strait Islander organisations in local Government Council areas.*

***Issue 33:** Key Aboriginal and Torres Strait Islander organisations could be encouraged to:*

- *invite Local Government Elected Members and staff representatives to important cultural events*
- *meet their Local Government Elected Members and take advantage of opportunities to learn about Local Government Councils' roles and responsibilities.*

***Issue 34:** The following strategies are suggested for Local Government Councils in areas where there is a high concentration of Aboriginal and Torres Strait Islander residents :*

- *establishment of Aboriginal Liaison Committees*
- *public consultation policies which reflect the cultural diversity of the area*
- *Aboriginal and Torres Strait Islander organisations advising Local Government Councils on appropriate venues and ways of generating discussion with local communities.*

8.3 INTER-GOVERNMENTAL RELATIONS

1994 Strategic Framework Strategy:

- *8.3.1 Ensure legislation and its implementation does not act to constrain local government in providing required services or in allowing Aboriginal people equitable access and involvement of Aboriginal people in Local Government*
- *8.3.2 Support specific Aboriginal communities in unincorporated areas providing local government services to obtain formal recognition as local governing bodies for funding under the Financial Assistance Act.*

8.3.1 Legislation

Since the development of the 1994 Strategic Framework, a major Local Government legislative review program has resulted in a new legislative framework for Local Government in South Australia. The new Local Government Act 1999 (SA) and the Local Government (Elections) Act 1999 came into operation on the 1st January 2000.

Briefly, and as mentioned previously, the Local Government Act 1999 requires services and facilities to be provided in a socially just manner, and for Local

Government Councils to be responsive to local community needs and to provide equitable access to services, facilities and programs. In addition, Local Government Councils are required to consult with their community in preparing strategic plans, and other matters which are likely to have a significant effect on local communities.

As part of the comprehensive review of the Local Government Act 1934, the State Government, in collaboration with the LGA, considered legislative issues which were identified as affecting the participation of Aboriginal and Torres Strait Islander people in local government. These were identified in the 1994 Strategic Framework and included:

- Arrangements for advance postal ballots – refer 8.2.3 above
- Relationships between Local Government Councils and communities on Aboriginal Lands Trust land within their areas
- The need for inclusion in corporate plans of specific objectives and strategies relating to Aboriginal and Torres Strait Islander communities – refer 8.1.2 above

There are five discrete communities on Aboriginal Lands Trust land located within Local Government Councils constituted under the Local Government Act. They are, Point Pearce (District Council of Yorke Peninsula), Raukkan/Point McLeay (The Coorong District Council), Koonibba (District Council of Ceduna), Davenport (City of Pt Augusta), and Umoona (District Council of Coober Pedy).

In South Australia, The Aboriginal Lands Trust Act 1966 vests the fee simple of certain lands in the Aboriginal Lands Trust as inalienable freehold land, with some qualifications, for example, regarding mineral rights. These provisions are designed to preserve the land base for future generations of Aboriginal and Torres Strait Islander people. The Aboriginal Lands Trust leases the land and assets to Aboriginal and Torres Strait Islander communities, organisations and individuals, for a 99-year term and grants full management and control of the land to the Community Council.

In 1996, a discussion paper was prepared by the State Government (Office of Local Government) on the issues for the Aboriginal Policy Officer at the LGA to take to the five communities and the relevant Local Government Councils. The objective was to enable the five communities and Local Government Councils to identify any uncertainty regarding roles and responsibilities in providing services to Aboriginal Lands Trust communities, to facilitate improved access to appropriate services. This formed part of the Local Government legislative review process.

The overall new statutory approach developed through the comprehensive Local Government legislative review process, is to provide for Local Government Councils to be accountable and responsive to their communities with public consultation processes built in along the way. This means there are not specific statutory prescriptions on the relationship between Local Government Councils and the Aboriginal Lands Trust lands. The preferred approach was for Local Government Councils to have the flexibility to be able to make agreements with Aboriginal Lands Trust community management with respect to Local Government functions and services.

The Local Government Council survey responses have shown that Local Government Councils are clear about their roles and responsibilities for communities on Lands Trust land within their areas, with some qualification that this was from their perspective. That is, the relevant Acts outline service and statutory responsibilities. However, the survey did reveal that Local Government Councils considered Aboriginal and Torres Strait Islander people had some difficulty understanding these parameters.

The Local Government Council survey and consultation outcomes showed a higher degree of communication and interaction between Local Government Councils and Aboriginal Lands Trust communities than in 1994.

However, it also showed considerable gaps in understanding of Aboriginal and Torres Strait Islander community issues by the Local Government Councils and of Local Government generally by Aboriginal and Torres Strait Islander community representatives.

***Issue 35:** Ways could be explored by State Government, key Aboriginal and Torres Strait Islander stakeholder organisations, Local Government Councils, and the LGA to provide clearer information about Local Government Councils service and regulatory arrangements with respect to communities on Aboriginal Lands Trust land.*

***Issue 36:** Communities on Aboriginal Lands Trust land could take up opportunities to make themselves aware of Local Government Council services and regulatory roles.*

***Issue 37:** There is a need to clarify Local Government Councils' role and service delivery responsibilities to communities on Aboriginal Lands Trust land located within a Local Government Council area.*

***Issue 38:** Relevant Local Government Councils could consider establishing Aboriginal Liaison Committees to facilitate communication about mutually shared issues, and to explore opportunities for improved service delivery arrangements.*

Linked to this lack of clarity, there have been two specific issues which have arisen through consultation with the five communities located on Aboriginal Lands Trust land during the consultation process. These issues are rating powers and roads on the Aboriginal Lands Trust lands.

- **Rating Powers**

Local Government Councils' rating powers apply over Aboriginal Lands Trust lands, as for other land which is classed as "private property". However, there appear to be different rating systems applied by Local Government Councils in dealing with Aboriginal Lands Trust lands. For example, in the case of the Coober Pedy (Umoona) and Ceduna (Koonibba), both Local Government Councils choose to rate on the basis of a single property, rather than rating on separate allotments.

In recent consultations on this topic, ATSIC administrative arm in South Australia has presented the position that Local Government Councils should adopt the separate allotment rating system. This issue requires further debate to achieve a resolution, and to clarify the associated municipal service responsibility of the relevant Local Government Councils.

A National report prepared by the Australian Local Government Association in June 1998 considered, as part of its terms of reference, the issues in relation to Aboriginal Lands Trust land and its rateability. The report was entitled *Local Government Services to Aboriginal and Torres Strait Islander Communities: Its Capacity to Achieve the National Commitment to Improve Outcomes for Aboriginal and Torres Strait Islander Peoples*.¹⁷

The Report identifies that "*The rateability of Indigenous lands, in terms of the capacity of councils to raise revenue and the receipt of income from Indigenous-owned land has been a constant source of tension between councils and encapsulated Indigenous communities, and remains a vexed issue for a large number of councils*" [across the Nation].¹⁸ It continues, "*Many Aboriginal and Torres Strait Islander organisations have objected to paying land rates on principle. Specifically, they argue that they should not have to pay land taxes on land they were originally dispossessed from. Other Aboriginal and Torres Strait Islander communities simply do not have the capacity to pay or are reluctant to pay because they believe that services they are receiving is either substandard or non-existent.*"

The Report identified Local Government Policy Implications as including -

- Local Government areas with high proportions of Aboriginal and Torres Strait Islander people will have difficulties administering any revenue policy that is based upon user-pays or individual charges. This is because the generally high levels of unemployment, low levels of participation, high levels of chronic illness, as well as other social disabilities, mean that Aboriginal and Torres Strait Islander people have lower and more variable levels of income and, therefore, have a lesser capacity to pay such charges consistently; and

¹⁷ Remote Rural Resources Pty Ltd. Report prepared for the Local Government Ministers' Conference, June 1998. *Local Government Services to Aboriginal and Torres Strait Islander Communities: Its Capacity to achieve the National Commitment to Improve Outcomes for Aboriginal and Torres Strait Islander Peoples*.

¹⁸ Ibid, page 37

- Local Government Areas with high proportions of Aboriginal and Torres Strait Islander populations, small total populations and large areas of leasehold or vacant Crown land will have limited own source revenue capacity to meet the infrastructure needs of Aboriginal and Torres Strait Islander people, particularly where those people experience high levels of social disability.

At page 48, it concludes (Nationally)

- “Rateability is only one of a number of land tenure issues facing Local Governments. These vary depending on the type of land tenure arrangement and social disabilities experienced by the community.
- The capacity of all except encapsulated dispersed communities to meet service charges is particularly problematic due to the high degree of general social disability experienced by these communities. To date, this has been of particular issue across all States, though there are mechanisms in place in New South Wales to deal with this.”

Clearly this matter is not confined to South Australia.

***Issue 39:** National directions are required on the issue of rating capacity. This could be achieved through consultation processes established by the Federal Government with each State and Territory Governments, Local Government Association, and key Aboriginal and Torres Strait Islander State/Territory stakeholder organisations. Any directions developed should take account of the differing circumstances of Aboriginal and Torres Strait Islander communities within each State/Territory, and varying rating systems such as single property versus separate allotments.*

***Issue 40:** References in the National Report mentioned above are supported in the context of ATSIC providing, and needing to continue to provide, “Local Government type service funding” to Aboriginal and Torres Strait Islander people located on Aboriginal Lands Trust Land located within South Australian Local Government Council areas.*

- **Roads**

The second issue involved perceived confusion about Local Government Councils’ responsibility for road construction and road maintenance.

The Local Government Act necessarily provides Local Government Councils with a set of procedures to follow with respect to private roads. Applying such an approach for Aboriginal and Torres Strait Islander communities located within Local Government Council areas may not be a culturally appropriate.

As mentioned, the 1994 Strategic Framework identified the need to clarify roles and responsibilities in relation to the provision of Local Government services to communities on Aboriginal Lands Trust land in incorporated Local Government areas. The consultation process has revealed some perceived uncertainty remains.

Conceivably this could be addressed through:

- legislative amendment providing for clarification of roles and responsibilities in Local Government Councils, or
- formal written agreement between communities and Local Government Councils, setting out roles and responsibilities.

Any arrangement would need to preserve the private status of the land.

The preferred approach is to develop formal written agreements, as changing the legislation is unlikely to result in changed operational arrangements. Service Agreements provide for local circumstances to be accommodated and agreement reached on the services and functions provided.

***Issue 41:** There continues to be a lack of clarity about responsibilities associated with road construction and maintenance of roads on Aboriginal Lands Trust land located within a Local Government Council area.*

- **Statutory Responsibilities**

A further issue raised through the consultation program with Aboriginal and Torres Strait Islander organisations during the Review Project is also relevant here. That is, the application of

- Local Government Council By-laws and
- Local Government Council's Regulatory functions across its area.

Local Government Council by-laws apply to Aboriginal Lands Trust land if they can be applied in a way which is not inconsistent with the provisions of the Aboriginal Lands Trust Act. Moreover, Local Government Councils are responsible for carrying out Regulatory functions such as development assessment (Development Act 1993) and dog control (Dog and Cat Management Act 1995) across its area.

However, while Aboriginal and Torres Strait Islander communities recognise Local Government Councils' role in this regard, they may only want these By-laws and the Regulatory functions to be carried out if this can be done in culturally appropriate ways, relevant to specific community needs.

It is noted the 1994 Strategic Framework refers to amendments to planning provisions to take account of the requirements of the Aboriginal Heritage Act. Councils are required to refer prescribed development proposals to the Aboriginal Heritage Branch for assessment and advice before authorisation of a development takes place. No specific issues were raised in this regard during the consultation process for the Review Project, but it is suggested this could be a topic for discussion within the context of the implementation phase of the new Strategic Directions.

Another relevant Development Act matter is the emergence of Homelands in rural and remote areas, for example in the District Council of Ceduna area, and also in the Lower Eyre Peninsula. Action taken by the District Council of Ceduna appears to have been effective in dealing with this issue. Consultation was initiated with relevant Aboriginal and Torres Strait islander people, and the requirements of family groups in the Homelands were identified. Subsequently, the Development Plan was changed to identify the number of houses permitted in each Homeland, and to designate housing areas in close proximity to power and water supplies, and roads.

- **Local Responsiveness**

It was suggested improved communication between the parties and a flexible approach to respond to local needs, is likely to result in a better outcome than a regulatory and controlled approach set down by the State Government. Examples where a flexible approach has resulted in positive outcomes include:

- at the District Council of Ceduna in relation to environmental health programs, and
- at the District Council of Yorke Peninsula in relation to dog control.

In these cases, past practices perceived as “policing” by the community are now invited as an important community service.

In some cases, further consideration could be given to applying different criteria for Aboriginal and Torres Strait Islander communities.

“Sometimes households have up to 20 visitors. We need 2 rubbish bins”.

The additional cost associated with providing this service is likely to be offset by the longer term decline in environmental health risk and increased household management amenity, and the goodwill fostered through successfully negotiating this service. Such service agreements, either between the community and Local Government Councils, or the Aboriginal Lands Trust (which would consult the community) and the Local Government Council could work towards clarifying roles and responsibilities between the parties.

It may be the case that Local Government Councils are not aware of the service issues which could be readily addressed at minimal cost, because effective communication links and a relationship may not yet have been fully established.

The range and extent of services provided by relevant Local Government Councils to communities on Aboriginal Lands Trust land appear to vary, and there appears to be a continuing need to clarify Local Government’s service provision role and statutory responsibilities with respect to Aboriginal Lands Trust communities (Refer Issue 42).

In New South Wales, service agreements between Local Government Councils and Aboriginal and Torres Strait Islander communities are considered to be the best method to clarify local situations, define goals and improve services. Scope for services agreements may include:

- Building, safety and health services
- Food protection
- Sewerage and effluent management
- Refuse management
- Recreational and coastal protection
- Animal control

Service Agreements also provide opportunities for community involvement in decision making processes. For example, an agreement between the Local Government Council and the community relating to roads could include a procedural requirement for a community on Aboriginal Lands Trust land to determine the site, consult its community and take account of the cultural significance or impact of any proposed road. Such an approach could also aim to accommodate arrangements for any traffic and parking provisions on the new road. Local Government Councils should be aware of their obligations under the Aboriginal Heritage Act 1988, and ensure that any proposal combines these requirements with local community consultation.

Any agreement reached would need to recognise the preservation of the private status of the land and the legal responsibilities of the Local Government Council.

The District Council of Ceduna has entered into a service agreement on a fee for service basis with Koonibba for the provision of services, namely garbage collection and refuse management and Septic Tank Effluent Drainage Scheme management. In addition, the District Council of Ceduna is involved with infrastructure projects, also involving formal agreements between ATSIC and/or the Koonibba Community.

Within a broader planning context, addressing the health, housing and education needs are the key service priorities. This was considered by Local Government Councils to particularly be the case with respect to communities on Aboriginal Lands Trust Land.

Concerns were expressed about a lack of co-ordination in planning to ensure the most effective use of available resources. Questions posed included:

- “Appropriate education will assist with employment, and longer term health strategies will also improve the quality of life for Aboriginal and Torres Strait Islander people”
- “Who is best to deliver services?”.....“Is the available funding going to the right areas?” There is a critical need for collaborative planning between all agencies involved, and for effective consultation with Aboriginal and Torres Strait Islander communities and funding authorities to address these issues.

Issue 42: *The concept of Service Agreements is supported, not only for roads, but for the delivery of other Local Government services, for example, waste management. Service Agreements between Local Government Councils and Aboriginal and Torres Strait Islander communities could clarify and resolve Local Government Council statutory and service provision roles and responsibilities.*

- *The development and promotion of model service agreements by the LGA would assist Local Government Councils.*

- *Key Aboriginal and Torres Strait Islander stakeholders and organisations could facilitate a process whereby Local Government Councils and Aboriginal and Torres Strait Islander communities in these circumstances can explore options for implementation of local service agreements, which also take account of relevant Homelands issues.*

Issue 43: *Collaborative planning and consultative processes with Aboriginal and Torres Strait Islander communities is essential to address critical local service priorities and to ensure the best use of available resources in these areas.*

Issue 44: *The Local Government sector (through the LGA), Aboriginal and Torres Strait Islander communities (through the ALT), Anangu Pitjantjatjara Council and Maralinga Tjarutja, should make their views known during the consultation process on the review of the Aboriginal Lands Trust Act.*

An important recent initiative is the negotiations currently under way between the District Council of Ceduna and ATSIC'S Wangka Wilurrara Regional Council, to enter into an agreement to adopt a co-ordinated and strategic approach to regional planning for providing services to Aboriginal and Torres Strait Islander communities.

8.3.2 Prescribed Aboriginal Communities located in out of Local Government Council areas

As a result of the 1994 Strategic Framework, considerable Commonwealth, State, Local Government, and Aboriginal and Torres Strait Islander community effort, went into investigating the possibility of five remote Aboriginal and Torres Strait Islander communities being recognised as local governing bodies for the purpose of funding under the Commonwealth Local Government (Financial Assistance) Act.

Anangu Pitjantjatjara was supported with a project through a request to the Commonwealth Minister to explore the feasibility of Anangu Pitjantjatjara accessing local government funding for the Pitjantjatjara lands in line with the recommendation of the Royal Commission into Aboriginal Deaths in Custody. Anangu Pitjantjatjara were given the resources to analyse its own situation as an organisation wishing to participate in local government and to understand fully the implications of that participation, both for itself and for other agencies. In so doing, it was anticipated that a method of analysis would be developed which would be applicable to other situations where an Aboriginal and Torres Strait Islander organisation was to be considered as a potential local governing authority.

A Steering Committee comprising representatives of the Commonwealth Government, State Government (OLG and DOSAA), Local Government Association, ATSIC, and the Walatina Aboriginal Corporation was established.

Accordingly, issues relevant to the participation of Aboriginal and Torres Strait Islander organisations in Local Government were examined in a report prepared by the Pitjantjatjara Council Inc¹⁹. A key observation in the report was that each of the five communities in out of Local Government Council areas have different statutory arrangements, organisational structures and local government service delivery arrangements.

Further review work, by Morton Consulting Services (1994) was undertaken by the South Australian Local Government Grants Commission to assess the eligibility of the relevant organisations in out of Local Government Council areas for a share of Commonwealth Financial Assistance Grants.

The LGA supported the recognition of the relevant communities as local governing bodies for the purpose of funding under the Commonwealth Local Government (Financial Assistance) Act.

The extensive research undertaken at the time and support from all quarters brought about a change.

On 7 July 1994, the following communities in out of Local Government Council areas were prescribed by the State Government as “local governing bodies” for the purposes of the South Australian Local Government Grants Commission Act 1992.

- Anangu Pitjantjatjara
- Gerard Community Council Inc
- Maralinga Tjarutja
- Nepabunna Community Council Inc
- Yalata Community Council Inc.

There has been no formal review or evaluation of the impact of these arrangements since that time. However, in accordance with the 1994 Morton Report recommendations, this process will commence within the next twelve months, in conjunction with the proposed project on Principles of Governance, refer 9.2.2(c) of this Report.

***Issue 45:** Each of the five prescribed local governing authorities has different statutory arrangements, organisational structures and local government type service delivery mechanisms. It is vital that those Aboriginal and Torres Strait Islander organisations receiving a share of Local Government funds understand fully the implications of that participation, for example, in terms of accountability requirements for the delivery of local government type services, and representation on local government issues.*

***Issue 46:** The State Government could consider providing assistance to the five Aboriginal Community Councils in South Australia to develop improved governance arrangements, in a way which is culturally appropriate within each community (refer Issue 45). A follow on from such an initiative could involve a mentoring arrangement between a Local Government Council and an Aboriginal Council in out of Local Government Council areas to exchange information about governance responsibilities between the parties and to offer peer support. The longer term vision of such a mentoring project is to develop workforce exchange programs to assist skill development and cross cultural training.*

¹⁹ Pitjantjatjara Council Inc. *Mayatja Manta Nyangaku Kutju: Local government for Aboriginal Communities*, 1994

8.4 PARTICIPATION

1994 Strategic Framework Strategy:

- 8.4.1 Increase the number of Aboriginal people elected to Local Government and provide support services in developing member roles
- 8.4.2 Increase the number of Aboriginal persons employed by Local Government in both absolute terms and in functional scope

8.4.1 Election to Local Government

Election and voting issues have been discussed previously at 8.2.3. However, another important aspect of participation in Local Government is involvement of Aboriginal and Torres Strait Islander people in decision-making processes.

- **Involvement in decision-making processes**

Perhaps of most significance here are the statutory provisions of the new Local Government Act 1999 for increased involvement by the community in their Local Government Councils.

In particular, under the Act, Local Government Councils have the new capacity to establish Committees to assist in the performance of its functions, to inquire into and report to the Local Government Council on matters within the ambit of the Local Government Council's responsibilities; to provide advice to the Local Government Council, to exercise, perform or discharge delegated powers, functions or duties (refer section 41). This may be a useful entry point to Local Government Councils for Aboriginal and Torres Strait Islander communities. It is to be noted that the membership of a committee will be determined by the Local Government Council and may consist of, or include, persons who are not members of the Local Government Council.

***Issue 47:** Committee involvement is considered to be an effective way of involving Aboriginal and Torres Strait Islander people in Local Government decision making processes. Local Government Councils with high proportions or high populations of Aboriginal and Torres Strait Islander communities could establish committees which*

- *include Aboriginal and Torres Strait Islander people as members to enable input into planning and delivery of services and facilities; and/or*
- *establish committees on matters dealing with the interface between Aboriginal and Torres Strait Islander people and Local Government Councils.*

8.4.2 Employment

The importance of increasing the number of Aboriginal and Torres Strait Islander people in all areas of Local Government Councils can not be under estimated. This goal is central to ensuring the provision of culturally appropriate services to Aboriginal and Torres Strait Islander people through a customer focussed approach, and also to increasing opportunities for economic and social equity.

It is also important to recognise that unrealistic expectations and high demands may be placed on Aboriginal and Torres Strait Islander employees in Local Government Councils by community members who may not understand the parameters within which Local Government operates, and the role of the employee concerned.

- **Aboriginal Project Officers employed by Local Government Councils**

Eight Local Government Councils in South Australia currently have an identified position for an employee or contract consultant to specifically work with Aboriginal and Torres Strait Islander communities within their area.

As has been mentioned, for the purposes of this report, the generic title of Aboriginal Project Officers is used. All of these officers are of Aboriginal or Torres Strait Islander descent. The duties undertaken by these Officers vary according to local priorities determined by the Local Government Councils in response to local community needs, but in all cases they perform an important liaison role between the Local Government Council organisation and local Aboriginal and Torres Strait Islander communities. Apart from one position, they are all employed full time. A summary of the various roles of the Aboriginal Project Officers is attached as Appendix H.

Local Government Councils that do not employ Aboriginal Project Officers address Aboriginal and Torres Strait Islander issues through mainstream processes and, in the past, through advice and assistance from the LGA Aboriginal Project Officer. It has also been reported that some Local Government Councils seek advice and assistance from Aboriginal Project Officers employed in neighbouring Local Government areas.

All Local Government Councils with a high concentration of Aboriginal and Torres Strait Islander residents should consider the benefits to the community as a result of the employment of an Aboriginal Project Officer, and to follow the initiative taken by those Local Government Councils who have this strategy in place.

Of significance, these officers have a perspective of the effectiveness of services Local Government Councils offer and provide to Aboriginal and Torres Strait Islander people, and are able to transmit this knowledge through direct contact with local communities. Effective collaboration and access to this knowledge and information is likely to benefit the Local Government sector as a whole.

Furthering this effort could be achieved through the establishment and maintenance of a Local Government Aboriginal Project Officers Network, supported by the LGA. This Network would provide a peer support forum for the Aboriginal Project Officers who are increasingly being utilised by other Local Government Councils to provide advice in the absence of an LGA Aboriginal Policy Officer position. Local Government Aboriginal Project Officers are also likely to benefit from a peer support network within the Local Government sector.

***Issue 48:** Local Government Councils employing Aboriginal Project Officers are to be commended. All Local Government Councils with high numbers of Aboriginal and Torres Strait Islander residents should consider this strategy with the aim of enhancing the provision of culturally appropriate services and fostering effective links with Aboriginal and Torres Strait Islander people.*

***Issue 49:** LGA could support the establishment of, and maintain, a Local Government Aboriginal Project Officers Network for Aboriginal Project Officers working in Local Government Councils.*

- **Direct Employment**

With respect to Local Government Councils' employment of Aboriginal and Torres Strait Islander people in general, the survey data indicates that, across the board, there has been no significant increase in real terms in the actual number of Aboriginal and Torres Strait Islander people employed in Local Government Councils, although participation rates in work placement programs appear to be higher.

The most significant achievement has been at the District Council of Ceduna where 12 of the 40 employees are of Aboriginal or Torres Strait Islander descent, representing 32% of the total workforce.

The Local Government Act 1999 requires Local Government Councils to develop an equal opportunity program and to review the program on a regular basis. Of significance, recruitment and employment practices should be sensitive to cultural issues, and Local Government Council staff responsible for recruiting are likely to benefit from attending cultural awareness training.

With respect to the provision of services to Aboriginal and Torres Strait Islander people, a valid criteria in job and person specifications is a requirement for applicants to demonstrate "cultural awareness and the ability to provide services to Aboriginal and Torres Strait Islander people in culturally appropriate ways". Enquiries should be made through the selection process about applicants' ability to meet this criteria satisfactorily.

It is noted that the City of Playford's application for an exemption to employ an Aboriginal Project Officer was granted by the Equal Opportunity Tribunal in late 1999.

In some circumstances an application for an exemption to employ an Aboriginal person may be an appropriate and effective strategy for Local Government Councils to adopt to increase the employment of Aboriginal and Torres Strait Islander people in Local Government Councils.

***Issue 50:** The option of applying for an exemption to enable specific employment of Aboriginal and Torres Strait Islander people could be further explored by Local Government Councils with high numbers of Aboriginal and Torres Strait Islander residents. The aim of this strategy is to increase the number of Aboriginal and Torres Strait Islander people (including young people) in a range of positions in Local Government.*

Through Local Government Councils' economic development networks, there may also be potential for promotion of employment opportunities for Aboriginal and Torres Strait Islander people.

- **Economic Development**

The Local Government sector is perceived as an employment opportunity for local Aboriginal and Torres Strait Islander people both directly and also through the business and industry connections, introductions and networks. Local Government is considered to have a profile and status in this regard, and is recognised as having links with businesses in local areas. Increasingly, eco tourism and Aboriginal and Torres Strait Islander heritage initiatives are being identified in Regional South Australia as providing opportunities for economic development in local areas, for example walking and heritage trails, interpretative signage, street naming and acknowledgment of special sites of significance.

Clearly, coordinated planning between Aboriginal and Torres Strait Islander communities, ATSIC Regional Councils, Local Government Councils will ensure best use of available resources. There may be opportunities for Local Government to establish links for Aboriginal and Torres Strait Islander organisations with State Government projects through Regional Economic Development Boards. For example, a South Australian Aboriginal Economic Development Plan is being developed by DOSAA with the aim of creating enterprises and job creation for Aboriginal and Torres Strait Islander people.

Opportunities for funding through the Federal Government's Rural Plan Program could also be explored. This program is an initiative of the Federal Minister for Regional Services Territories and Local Government, Senator the Hon Ian MacDonald. The Rural Plan Program helps to bring communities, industries and businesses together to address the economic, social, and environmental issues within a specific region.

Anangu Pitjantjatjara Inc have recently received funding through this program to assist in the preparing a strategic plan to guide development in the Anangu Pitjantjatjara Lands in Central Australia.²⁰

***Issue 51:** Aboriginal and Torres Strait Islander organisations would benefit from access to information about regional business development initiatives and Local Government Council tendering processes.*

***Issue 52:** DOSAA plays a facilitating role in creating opportunities for economic independence for Aboriginal and Torres Strait Islander people in South Australia by assisting in the development of sustainable economic enterprises.*

- **CDEP and Contracting**

The priority for Local Government Councils is to increase opportunities for direct employment of Aboriginal and Torres Strait Islander people, or the development of employment opportunities through established economic development networks.

²⁰ Media Release – Senator the Hon Ian Macdonald, 6 June 2000. Contact: David Moore 02 6277 7060

Whilst CDEP is not a career path in itself, CDEP schemes provide a stepping stone to permanent independent employment for Aboriginal and Torres Strait Islander people. That is, an opportunity to obtain skills that will further their employment prospects. CDEP offers Aboriginal and Torres Strait Islander people the opportunity to work in a wide range of community development projects and enterprises. To be involved in the scheme unemployed members of a community choose to replace their entitlements to Newstart or Youth Training allowances.

CDEP schemes offer opportunities for skill development and short term work placement for the individual, and also for Aboriginal and Torres Strait Islander organisations and businesses to tender for local work. However, as previously stated, direct employment is the most effective strategy to achieve increased employment of Aboriginal and Torres Strait Islander people in Local Government Councils in real terms.

It was suggested that Agenda 21 initiatives and environmental management projects may be suitable options for local CDEP schemes. A benefit of these projects is that Aboriginal and Torres Strait Islander people are visibly working for the benefit of the community and a positive image develops for Aboriginal and Torres Strait Islander people, and in the community generally.

***Issue 53:** The priority for Councils is to increase employment opportunities through direct employment, or through economic development networks. CDEP schemes continue to offer opportunities for Aboriginal and Torres Strait Islander people to gain valuable work experience and training, and to participate in the economic and social life of the community.*

- **Competitive Tendering**

The competitive tendering provisions in the Local Government Act 1999, provide for Local Government Councils to take account of the impact on local communities when making decisions about awarding contracts. This is particularly important for Aboriginal and Torres Strait Islander organisations and businesses tendering for local contracts and works. Issues such as reducing local unemployment of Aboriginal and Torres Strait Islander people, providing meaningful work, increasing visibility, promoting a positive image of Aboriginal and Torres Strait Islander people, and the benefits for the local economy, are all outcomes which are derived through local employment by Local Government Councils.

***Issue 54:** The impact on local Aboriginal and Torres Strait Islander communities should be considered carefully in competitive tendering processes for local works, in circumstances where Aboriginal and Torres Strait Islander organisations have an interest.*

8.5 NATIVE TITLE

The development of 1994 Strategic Framework occurred in late 1993, prior to the Native Title Act 1993 (Cwth) coming into effect, and at a time when the full implications of the Mabo judgement were not understood. As a result native title was not identified in the 1994 Strategic Framework as a key issue.

Since that time, however, the issue has risen to the top of many Local Government Councils' agendas in a number of ways and was raised directly and indirectly during the consultation phase of the Review Project. These consultations occurred through the same period as a series of 4 native title training sessions conducted by the LGA, Australian Local Government Association (ALGA), and other contributors to the ALGA's "Working with Native Title Kit".²¹

About 75 people attended the four training sessions on Native Title, with participants providing extremely positive feedback. A common thread through the training and in the project consultations was the multi-faceted impact of native title on Local Government Councils. One result, for example was the commissioning by the LGA of a short paper on the potential interaction between native title and the new Community Lands provisions of the Local Government Act 1999. Most participants from the training session identified the need for further training and support in this area as it is a very complex and emotionally charged issue.

One clear observation was that notwithstanding positive (or negative) interaction occurring between Local Government Councils and Aboriginal and Torres Strait Islander communities at a wider level, native title will require many Local Government Councils to work effectively with Aboriginal and Torres Strait Islander communities. It also requires the distinction between those with a historical and continuing interest in the land (potential or actual native title claimants) and Aboriginal and Torres Strait Islander people living in the community who may have been resident for some time but who do not have local native title interests. Local Government Councils must relate to both sections as they must relate to a host of other interest groups in their communities, many of which overlap.

This is likely to result in a positive outcome in the longer term. The evidence from consultations suggests that while not all interaction is positive and progress may be slower in some areas than desired, overall, the more contact between Local Government Councils and their Aboriginal and Torres Strait Islander communities, the more effective relationships become.

The implication, however, is that Local Government Councils will need ongoing support in relation to native title matters.

The ALGA's kit and training sessions represent a very valuable resource for Local Government Councils, and are an excellent example of leadership. ALGA's leadership role in turn depends on support from its constituent State Associations. It is therefore vital that the LGA continues to support the ALGA being strategically involved in Aboriginal and Torres Strait Islander issues of national significance.

As native title processes advance, it is likely that the need for support with respect to the development of Indigenous Land Use Agreements (ILUA) and less formal agreements, will increase. The LGA should continue to assess Local Government Councils need for support, information and workshops, and seek to address these requirements.

²¹ The "Working with Native Title" and "Working Out Agreements" Training Workshops were convened late May/ Early June in Adelaide, Murray Bridge, Port Augusta, and Elliston. The program was a collaborative initiative of the Australian Local Government Association, ATSIC, National Native Title Tribunal, Commonwealth Attorney-General's Department - Legal Aid Branch, and the LGA.

As an aside, it is also to be noted that under the Wik amendments to the Commonwealth Native Title Act it is possible for a native title claim to be made for Aboriginal Lands Trust land.

Issue 55: *Dealing with native title matters offers the opportunity to establish consultative structures and involve Aboriginal and Torres Strait Islander communities in Local Government Council decision making processes.*

Issue 56: *ALGA's leadership role with respect to native title in turn depends on support from its constituent State Associations. It is therefore important for LGA to continue to support ALGA's strategic involvement in Aboriginal and Torres Strait Islander issues of national significance.*

Issue 57: *Local Government Councils are likely to require support in the development of Indigenous Land Use Agreements (ILUA) and less formal agreements. The LGA should continue to address Local Government Council needs in this regard.*

8.6 RECONCILIATION

At the LGA's 1995 AGM and in Canberra in 1995, Local Government endorsed and supported the Council for Aboriginal Reconciliation's vision for:

"...a united Australia which respects this land of ours; values the Aboriginal and Torres Strait Islander heritage; and provides justice and equity for all."²²

Local Government Councils throughout Australia were called on to support the Council for Aboriginal Reconciliation's vision and to address the special needs of Aboriginal and Torres Strait Islander people as a disadvantaged group. Later, In 1997, the National General Assembly of Local Government carried a motion recognising the validity of native title, and also expressed its deep and sincere regret at the hurt and distress caused by policies which forcibly removed Aboriginal and Torres Strait Islander children from their families and homes.²³

The Council for Aboriginal Recognition identified eight issues which are integral to the reconciliation process. They are as follows:

- Understanding Country - the importance of land and sea in Aboriginal and Torres Strait Islander societies
- Improving relationships between Aboriginal and Torres Strait Islander people and the wider community
- Valuing Cultures – a unique heritage
- Sharing History – indigenous peoples are now telling their own stories
- Addressing Disadvantage – Understanding the disadvantage and taking action
- Custody Levels - addressing over-representation in custody
- Destiny – Greater opportunity for Aboriginal and Torres Strait Islander people to control their destinies
- Formal Documentation – Agree about matters under dispute and formalise agreements.

At the State level, the Premier of South Australia has confirmed the Government's commitment to advancing reconciliation by encouraging greater understanding

²² National General Assembly of Local Government, Canberra 1995.

²³ National General Assembly of Local Government, Canberra 1995 Government of South Australia "Directions for South Australia 2000-01.

between all Australians, and by recognising the special needs of Aboriginal and Torres Strait Islander communities, especially in health and education.

Of significance, the Department for Human Services co-signed an Aboriginal Reconciliation Statement with Aboriginal Elders on 30 September 1999. The document is the first of its kind and is a demonstration of a commitment to work with Aboriginal and Torres Strait Islander people to improve the health, quality of life and opportunities for Aboriginal people.

Local Government Councils set local agendas and therefore play a big part in creating the sense of place and cultural identity of the area. They are ideally placed to demonstrate leadership in creating an environment of tolerance and increased awareness and an understanding of Aboriginal and Torres Strait Islander issues in general. Local Government Councils also have an important role to play in the process of reconciliation, through fostering good relations and promoting reconciliation initiatives in local communities.

Dr Evelyn Scott describes true reconciliation as

“.....a process of healing, of understanding, of forgiving and accepting forgiveness, of dealing with the legacy of gross disadvantage and inequality, and of recognising and valuing the Aboriginal and Torres Strait Islander heritage as a unique element of our national identity”²⁴

Central to this process is reaching agreements through effective consultation with Aboriginal and Torres Strait Islander people. Agreements reached provide a reference point for a constructive approach to the resolution of issues affecting a community's well being. As noted in “Working out Agreements”, an agreement between an Aboriginal and Torres Strait Islander organisation or community can often represent the first occasion that Aboriginal and Torres Strait Islander people have participated in Local Government, making the connection and paving the way for future partnerships.²⁵

“There are no perfect processes. The issues are on-going, requiring a continued commitment of imagination, energy and resources.....Any consultation and negotiation leading to an agreement between Council and Indigenous peoples can only be seen as building mutual respect and understanding.”

Cr John Campbell, President Australian Local Government Association²⁶

²⁴ Dr Evelyn Scott – Chairperson Council for Aboriginal Reconciliation, October 1998

²⁵“ Working Out Agreements” page 7

²⁶“Working Out Agreements” page 6

More than half of the Local Government Councils in South Australia have actively pursued reconciliation initiatives, both in a symbolic way and through partnerships and agreements. Involvement in Sorry Day, Reconciliation Week, and cultural celebrations and events, are also tangible ways of making connections and demonstrating links with Aboriginal and Torres Strait Islander people. The importance of these initiatives cannot be underestimated within the context of advancing the reconciliation cause. This is the case even if there is no specific Aboriginal community or high concentration of Aboriginal and Torres Strait Islander people currently living in the area. Much of the area now within Local Government Council boundaries was historically the traditional land of Aboriginal and Torres Strait Islander people. Initiatives in the cultural context are of significance to Aboriginal and Torres Strait Islander and non-Aboriginal visitors to the area as well as residents, and demonstrate Local Government Councils' leadership role in the broader reconciliation process.

“What has made the difference?”

The development of a Reconciliation Statement through a process of consultation with Local Government Council Elected Members, senior staff and Aboriginal and Torres Strait Islander community leaders, was described as the most significant strategy. However, it was observed that a Reconciliation Statement must include a “call to action”. That is, to be effective, the commitment must be followed through in practices and actions throughout the organisation.

***Issue 58:** The Local Government sector has an important leadership role to play in the reconciliation process, and initiatives which recognise Aboriginal and Torres Strait Islander history, culture and heritage will advance the reconciliation process.*

***Issue 59:** A reconciliation statement or agreement is a symbolic as well as a tangible commitment to reconciliation and improving relationships with Aboriginal and Torres Strait Islander people.*

8.10 IN SUMMARY

The continuing low socio economic status of Aboriginal and Torres Strait Islander people in general, and the significant health, education and amenity concerns of many Aboriginal and Torres Strait Islander communities is recognised and acknowledged. Whilst there is evidence of progress in the Local Government sector as a result of the implementation of the 1994 Strategic Framework, there is still much more to be achieved to improve the quality of life for Aboriginal and Torres Strait Islander people.

Within the context of Local Government, the Review Project has highlighted the positive steps taken by many Local Government Councils through the implementation of the 1994 Strategic Framework to:

- increase the awareness and understanding of Aboriginal and Torres Strait Islander contemporary issues;
- recognise Aboriginal and Torres Strait Islander history and heritage;
- employ Aboriginal Project Officers;
- enter into agreements between the Local Government Council and Aboriginal and Torres Strait Islander communities;
- encourage Aboriginal and Torres Strait Islander communities to vote at Local Government Council elections;
- consider approaches to advance reconciliation;

- encourage the involvement of Aboriginal and Torres Strait Islander people in Local Government; and
- respond to service priorities as a result of the Aboriginal and Torres Strait Islander people's disadvantaged position in the community in general.

However, over the past 5 years there has been:

- no increase in the participation rates of Aboriginal and Torres Strait Islander people as Elected Members, and
- across the board, no significant improvement in the employment rate of Aboriginal and Torres Strait Islander people in Local Government.

In addition, there is a continued need to foster and encourage unprejudiced attitudes, and to provide information to Aboriginal and Torres Strait Islander communities about the services Local Government Councils provide.

Whilst recognising there is still much more to be achieved, there has been a demonstration of considerable goodwill and motivation in the Local Government sector to continue to progress the reconciliation process, and to address the specific service needs of Aboriginal and Torres Strait Islander people.

Of significance, Local Government Councils have a key and leadership role in promoting an environment of tolerance in local communities, in developing effective relationships with Aboriginal and Torres Strait Islander communities, and being proactive in addressing the specific service needs of Aboriginal and Torres Strait Islander communities.

But fundamental to achieving successful outcomes as a result of the new Strategic Directions for the next three years will be a collaborative approach between Local, State and Federal Governments, and a commitment to long term and integrated approach to planning for the delivery of services to Aboriginal and Torres Strait Islander communities.

9. NEW THREE YEAR STRATEGIC DIRECTIONS

The development of new Strategic Directions for South Australia represents an important step in a continuing collaborative process to plan for increased access to and better integration and coordination of delivery of services by Local Government Councils to Aboriginal and Torres Strait Islander people and communities.

Both the consultations and the development of the proposed Strategic Directions for South Australia have been undertaken in a climate of increased understanding of Aboriginal issues in a broader context, a recognition of past history and heritage, and an emerging commitment to reconciliation by all spheres of Government. The translation and integration of this commitment by key Aboriginal and Torres Strait Islander organisation stakeholders and Local Government Councils to operational and service delivery levels is the next phase in the process.

A collaborative approach is fundamental to achieving successful outcomes as a result of the new Strategic Directions. Whilst Local Government's service delivery role is significant and should be sensitive to the specific disadvantage of Aboriginal and Torres Strait Islander people, it is Local Government's leadership, inter government liaison, strategic planning and facilitation roles which are likely to make the biggest impact in Aboriginal and Torres Strait Islander communities. This approach, together with a long term commitment by participating agencies, will facilitate recognition of, and improved outcomes for, Aboriginal and Torres Strait Islander people. In fostering a supportive collaborative environment, it will be necessary for participating agencies to acknowledge and respect

- the varying roles and priorities, statutory responsibilities, and funding arrangements; of participating agencies; and
- the respective organisational cultures, management and decision making processes.

The new Strategic Directions aim to achieve a greater focus on "adding value" to ensure the best use of available resources through the development of partnerships between all spheres of Government and key Aboriginal and Torres Strait Islander organisations.

The partnerships involve Local Government Councils, the Local Government Association, key Aboriginal and Torres Strait Islander stakeholder organisations, Aboriginal and Torres Strait Islander communities, and the Federal and State Governments. From here, these agencies can incorporate into their own forward plans relevant steps aimed at achieving common goals, which are tailored to the particular role and responsibilities of their respective agencies.

9.1 Recommendations for an Integrated Approach

A structural framework is recommended to ensure effective co-ordination and integration of the strategic directions identified.

9.1.1 It is recommended that an **Inter-Governmental Local Government Aboriginal Issues Group** be established for the implementation phase of the new Three Year Strategic Framework. It is recommended that the Issues Group membership include officer representation of

- Local Government, through the LGA;
- State Government, through OLG and DOSAA;
- Federal Government, through ATSIC; and
- any other relevant key agency that the Issues Group considers appropriate to invite from time to time.

The purpose of the Issues Group is to provide an inter-Governmental link to share information, and foster a collaborative approach to improve Local Government outcomes for Aboriginal and Torres Strait Islander people, where possible and relevant.

The Issues Group is not a funding body, nor does it directly seek to source resources for either Aboriginal and Torres Strait Islander organisations or the Local Government sector.

The purpose of the Issues Group is to foster and increase knowledge across all spheres of Government, and to improve relationships between Local Government and Aboriginal and Torres Strait Islander community organisations, to achieve beneficial outcomes locally. Inherent in this aim is to raise the awareness of the role of Local Government among Aboriginal organisations and communities, and to promote an increased awareness within Local Government of Aboriginal and Torres Strait Islander issues and culture.

Group members would:

- share information about policy and other matters relevant to Local Government's role and Aboriginal and Torres Strait Islander communities in South Australia;
- represent a bridging mechanism between the three spheres of Government to discuss any barriers about processes which otherwise may inhibit options for flexible Local Government service delivery;
- encourage coordinated forward planning strategies between the parties to improve Aboriginal participation and involvement in Local Government;
- identify contacts to source information from their respective agencies about relevant policies, programs and services to advance implementation directions undertaken by participating agencies; and
- assist in the dissemination of information through existing key Aboriginal and Torres Strait Islander agency and community networks, and Local Government channels.

Through Steering Committee discussions during the course of the Review Project, it was considered that the State Government is best placed to host the Issues Group. However, it is noted that the Council of Australian Governments²⁷ affirmed that Commonwealth, State and Local Governments have a shared responsibility for the delivery of programs and services to Aboriginal and Torres Strait Islander communities. Moreover, at the Local Government Ministers' Conference in April 1995, a resolution to improve Local Government services to Aboriginal and Torres Strait Islander communities within the framework of the 1992 "National Commitment" policy was endorsed.

The Steering Committee considered OLG the most appropriate lead agency to convene the Issues Group in the first instance. This would be consistent with the role of OLG to provide leadership by promoting shared strategic directions and effective working relationships between State and Local Government. It is important to note, however, that the OLG is not a funding body and has no role in the delivery of Local Government type services to Aboriginal and Torres Strait Islander communities.

DOSAA with its facilitation role in whole of Government matters, responsibilities under the State/ATSIC Essential Services Agreement, and economic development program could also be considered as the host for the Issues Group later in the implementation phase.

- 9.1.2** it is recommended that an **Local Government Aboriginal Project Officers Network** be established, including membership of Aboriginal Project Officers employed in Local Government Councils.

The purpose of this Network will be to:

- provide an opportunity for peer support to Local Government Aboriginal Project Officers for the Local Government sector;
- to share information about projects and programs and implementation directions;
- increase the capacity to disseminate information through established Aboriginal community information networks;
- establish a consultation link between direct Local Government Aboriginal Project Officers and the Inter-Governmental Local Government Aboriginal Issues Group.

In this latter role it will be important for the Aboriginal Project Officers Network to liaise closely with the LGA to ensure an understanding of the perspective of Local Government Councils unable to employ a full-time officer, whilst respecting the direct experience of those in the network.

²⁷ "National Commitment to Improved Outcomes in the Delivery of Programs and Services for Aboriginal Peoples and Torres Strait Islanders" signed by the Council of Australian Governments (COAG), 1992. – Refer Appendix I.

9.1.3 It is recommended that **resourcing options for the implementation** of the new

strategic directions be explored by relevant funding bodies. The implementation phase will require co-ordination, development of implementation models, establishment of links and networks, and management of the Local Government Aboriginal Project Officers Network.

- This will be most effectively managed through the LGA, and is consistent with their role of providing leadership and policy advice to Local Government Councils in South Australia. It should be recognised that like OLG, the LGA is not responsible for direct service delivery to Aboriginal people, nor is it a funding body. Consideration may be given, however, to use of the Local Government Research & Development Scheme consistent with the scheme's guidelines, and other funding possibilities.
- Consideration could be given to this task being undertaken through the direct employment of an Aboriginal Policy Officer, or through allocating resources on a contract basis for specific projects. For example, for specific projects identified as "Implementation Projects" in the Strategic Directions, for promotional work prior to Local Government Council elections, and for educational programs on Native Title issues in conjunction with ATSIC. It is important to recognise that specific resources will be required to co-ordinate and manage individual projects. The APO Network may play an advisory role in relation to some project activities.

9.2 Strategic Directions

To achieve improved Local Government outcomes for ATSI communities, the Steering Committee for the Review Project has identified strategic directions in nine key result areas, with some of the aims and strategic directions in each area being interrelated and overlapping. These areas are as follows:

- Integration and Coordination
- Inter Government Relations
- Participation in Local Government
- Community Awareness
- Access to Services
- Economic Development
- Local and Regional Planning
- Native Title
- Reconciliation

"Recommended Strategic Directions" and "Actions Required" are identified, which address the key issues raised throughout the consultation processes and Review Project research.

Examples of good practice have been suggested, and reference to useful resources has also been made where relevant.

Discreet "Implementation Projects" have also been recommended. However, implementation of these projects will of course be subject to securing the necessary

resources either through relevant agency resource base/s, or through securing specific project funding.

9.2.1 Co-ordination and Integration

Key Issues	
<p>Structural Framework</p> <ul style="list-style-type: none"> • A structural framework is recommended to ensure effective coordination of the directions proposed. The structure establishes consultative links between key State and ATSIC Aboriginal activities and Local Government stakeholders. <p>LGA's Role – Facilitation and Leadership</p> <ul style="list-style-type: none"> • The LGA has a key role in providing leadership, through the co-ordination and integration of policy, planning, and service delivery issues affecting Aboriginal people across Local Government Councils in South Australia. The significant leadership from the Australian Local Government Association (ALGA) and ongoing benefit of continued national leadership is also acknowledged • Many Local Government Councils and Aboriginal organisations expressed support for an ongoing LGA Aboriginal Policy Officer Position, which established links, demonstrated leadership across the Local Government sector for Aboriginal issues, and promoted knowledge about Local Government Elections and Native Title matters from time to time. 	
Recommended Strategic Directions	Action Required
<p>9.2.1(a) Structural Framework</p> <p>Create an inter-Governmental link to promote shared strategic directions and effective working relationships between the parties, which respect the discreet and independent statutory or service delivery roles and responsibilities of relevant agencies. For example,</p> <ul style="list-style-type: none"> • Aboriginal Lands Trust (ALT) • Aboriginal Community Councils • Aboriginal and Torres Strait Islander Regional Councils • Outback Areas Community Development Trust, (OACDT)and • South Australian Local Government Grants Commission 	<p>Establish an Inter-Governmental Local Government Aboriginal Issues Group for the implementation phase of the Three Year Strategic Directions.</p> <p>Lead Agency:</p> <ul style="list-style-type: none"> • OLG to initially convene the Issues Group <p>Involving:</p> <ul style="list-style-type: none"> • OLG, LGA, ATSIC and DOSAA, and other relevant agencies that the Issues Group considers appropriate to invite from time to time.

<p>9.2.1(b) LGA – Facilitation Leadership</p> <p>To provide peer support for Local Government Aboriginal Project Officers which will also</p> <ul style="list-style-type: none"> • establish a consultation link between direct Local Government service delivery and the Inter-Governmental Local Government Aboriginal Issues Group • increase options for distribution of information through established Aboriginal community information networks 	<p>Establish a Local Government Aboriginal Project Officers’ Network, inviting membership of Local Government Aboriginal Project Officers who have specific responsibility for providing services to Aboriginal people or communities.</p> <p>Lead Agency: LGA</p> <p>Involving:</p> <ul style="list-style-type: none"> • Relevant Local Government Councils, supporting Aboriginal Project Officers involvement
<p>Recommended Strategic Directions</p>	<p>Action Required</p>
<p>9.2.1(c) LGA - Facilitation and Leadership (contd)</p> <p>Resource the implementation projects identified in the Strategic Directions</p>	<p>Consider options to resource the implementation of the Strategic Directions, which could include:</p> <ul style="list-style-type: none"> • Direct employment of an Aboriginal Policy Officer at the LGA, and/or • resourcing specific implementation projects. <p>Note: The LGA, Local Government Councils and key Aboriginal and Torres Strait Islander organisational stakeholders will need to consider the nature of the tasks for an ongoing position of Aboriginal Policy Officer at the LGA, within the context of the new Strategic Directions.</p> <p>Lead Agency: LGA</p> <p>Involving:</p> <ul style="list-style-type: none"> • Key Aboriginal and Torres Strait Islander stakeholder organisations • Local Government Councils

9.2.2 Inter-Governmental Relations

Key Issues:	
<p>Relationships</p> <ul style="list-style-type: none"> A cooperative and collaborative relationship between key Aboriginal and Torres Strait Islander organisations and the Local Government sector will assist exploration of interconnected areas of responsibilities. The new Local Government Act provides Local Government Councils with the flexibility to meet complex community demands and encourages productive interaction with local communities and other spheres of Government. 	
<p>Overarching policy</p> <ul style="list-style-type: none"> The LGA has made a commitment to the development of a more detailed policy statement for the Local Government sector, in consultation with Local Government Councils 	
<p>Aboriginal Communities in out of Local Government Council areas</p> <ul style="list-style-type: none"> The five prescribed local governing authorities located in out of Local Government Council areas will require support to develop local governance community management structures and processes. 	
<p>Aboriginal Lands Trust Communities in Local Government areas</p> <ul style="list-style-type: none"> Issues have been raised about the private status of Aboriginal Lands Trust land and whether the Aboriginal Lands Trust Act may disadvantage communities in relation to traditional Local Government road maintenance activities. Collaborative planning and consultative processes between Aboriginal and Torres Strait Islander communities, State, Local and Federal Government sectors are essential to address critical service priorities for communities located on Aboriginal Lands Trust land in Local Government Council areas. 	
Recommended Strategic Directions	Action Required
<p>9.2.2(a) Relationships</p> <p>Guide the implementation of strategic directions through open, respectful and cooperative interaction and the exchange of information</p>	<p>Encourage, support and facilitate good working relationships between the parties</p> <p>Involving: Inter-Governmental Local Government Aboriginal Issues Group members Local Government Councils Aboriginal and Torres Strait Islander organisations.</p>
<p>9.2.2(b) Overarching Policy</p> <p>Provide a clear overarching policy for the Local Government sector to guide Local Government Councils in their improved relationships with Aboriginal and Torres Strait Islander organisations which will also demonstrate the commitment of the Local Government sector to improved outcomes for Aboriginal and Torres Strait Islander communities</p>	<p>The LGA seek endorsement from Local Government Councils for a policy statement on Reconciliation and/or Aboriginal and Torres Strait Islander issues, to guide the LGA Executive Committee and provide a statement of Local Government Councils' collective commitment.</p> <p>Lead agency: LGA</p> <p>Involving:</p> <ul style="list-style-type: none"> Local Government Councils ATSIC and DOSAA

Recommended Strategic Directions	Action Required
<p>9.2.2(c) Aboriginal Communities in out of Local Government Council areas – Local Governance</p> <p>Support the five prescribed local governing authorities located in out of Local Government Council areas to further develop local governance management systems which take account of the diversity within these communities, and are appropriate to each community and cultural environment.</p>	<p>Develop a project on Principles of Governance to assist relevant Aboriginal Community Councils with their local governance responsibilities. Some issues include :</p> <ul style="list-style-type: none"> • Effectiveness of corporate structures • Representation of diverse opinions and structures • Accountability mechanisms • Strategic Management Planning. <p>Lead Agencies: OLG and DOSAA jointly</p> <p>Involving:</p> <ul style="list-style-type: none"> • Anangu Pitjantjatjara, Maralinga Tjarutja, Gerard, Nepabunna, and Yalata communities • LGA • Relevant Local Government Councils • Possible support from ATSIC and via ALGA, from interstate Community Councils. <p>Implementation project – Mentoring Arrangements Following development of Principles of Governance</p> <ul style="list-style-type: none"> • Explore possibilities of a mentoring arrangement between a Local Government Council and an Aboriginal Community Council, to exchange information about governance responsibilities and to offer peer support in local government matters. <ul style="list-style-type: none"> • Involving: OLG, DOSAA, LGA initially.
<p>9.2.2(d) Aboriginal Communities in out of Local Government Council areas – LGA Membership</p> <p>Maximise LGA leadership across the State, through membership of Local Governing bodies.</p>	<p>LGA re approach the four local governing bodies in out of Local Government Council areas which are not currently members of the LGA, to advise of LGA services and encourage membership or associate membership.</p> <p>Subject to this, to monitor possibilities for the LGA Executive to appoint a person nominated or elected by the Aboriginal Communities or the OACDT, pursuant to the LGA Constitution (Clause 19.1.3).</p> <p>Lead Agency: LGA</p> <p>Involving: Anangu Pitjantjatjara, Maralinga Tjarutja, Gerard, Nepabunna, and Yalata communities and the Outback Areas Community Development Trust.</p>

<p>9.2.2(e) Aboriginal Communities on Aboriginal Lands Trust land in Local Government areas – Service Agreements</p> <p>Establish structures which provide for improved service provision, and seek to clarify statutory arrangements, with respect to communities located on Aboriginal Lands Trust lands within Local Government Council areas.</p> <p>⇒ Useful resources :</p> <ul style="list-style-type: none"> • “Working Out Agreements – A Practical Guide to Agreements between Local Government and Indigenous Australians” prepared by the Australian Local Government Association in cooperation with ATSIC, May 1998. • NSW Service Agreement model <p>⇒ Good Example: District Council of Ceduna – Service Agreements with ATSIC and Koonibba Community Council.</p>	<p>Explore the option of Service Agreements between communities located on Aboriginal Lands Trust land and relevant Local Government Councils, involving</p> <ul style="list-style-type: none"> • seeking advice from Aboriginal and Torres Strait Islander communities, and clarifying relevant issues about Local Government responsibilities. • Initiating a consultation process between relevant Local Government agencies and DOSAA as part of the current review of the Aboriginal Lands Trust Act 1966 to address any relevant legislative matters. <p>Lead Agency: DOSAA/ALT and LGA jointly</p> <p>Involving:</p> <ul style="list-style-type: none"> • Aboriginal communities on Aboriginal Lands Trust land, relevant Local Government Councils • OLG, Outback Areas Community Development Trust • ATSIC and ATSIC Regional Councils. <p>Implementation Project : Service Agreements</p> <ul style="list-style-type: none"> • Models and guidelines for Service Agreements to be prepared for use by Local Government Councils <p>Lead Agency: LGA</p>
<p>9.2.2(f) Communities on Aboriginal Lands Trust land in Local Government areas – Collaborative Planning</p> <p>Support the establishment of a collaborative approach to respond to critical service priorities of communities on Aboriginal Lands Trust land located within Local Government Council areas, and ensure the most effective use of available resources</p> <p>⇒ Good Example: District Council of Ceduna is currently negotiating an agreement to adopt a coordinated and strategic approach to regional planning.</p>	<p>Promote achievements and best practice examples of collaborative planning approaches. Disseminate models and guidelines to facilitate Local Government Councils adopting a coordinated and strategic approach to regional planning in collaboration with relevant State and Federal Government agencies.</p> <p>Lead agencies: DOSAA/ALT and LGA jointly</p> <p>Involving: ATSIC, ATSIC Regional Councils, Local Government Councils, Communities on Aboriginal Lands Trust lands, OLG.</p>

9.2.3 Participation in Local Government

Key Issues	
<p>Representation – Elections and Voting and Participation</p> <ul style="list-style-type: none"> • There appears to be a direct relationship between the level of support provided to Aboriginal and Torres Strait Islander communities and the level of Aboriginal and Torres Strait Islander candidates for Local Government council elections and successful Councillors elected in the past five years. • Strategies to increase representation of Aboriginal and Torres Strait Islander issues in Local Government need to also focus on non-indigenous people taking responsibility for specifically representing Aboriginal people and issues in the decision making process. <p>Decision Making Processes</p> <ul style="list-style-type: none"> • The Local Government Act provides for Local Government Councils to establish Committees comprising members of the public. • Consultative initiatives such as Aboriginal Advisory Panels, or Aboriginal Liaison Committees, are an effective way of involving Aboriginal and Torres Strait Islander people in decision making processes. These initiatives also provide an important induction to operations of Local Government for new Panel/Committee members. • Local Aboriginal and Torres Strait Islander organisations may be prepared to support paid workers as committee members. • Local Government Councils' public consultation policies need to provide culturally appropriate opportunities to facilitate the involvement of Aboriginal and Torres Strait Islander people in Local Government decision making processes. 	
Recommended Strategic Directions	Action Required
<p>9.2.3(a) Representation – Elections and Voting</p> <p>Increase the representation and participation of Aboriginal and Torres Strait Islander people in Local Government Councils</p> <p>Promote Local Government Council elections among Aboriginal communities</p> <p>Workshops and training sessions convened for candidates on standing for election for Local Government Councils to be designed to encourage the involvement of Aboriginal and Torres Strait Islander people.</p> <p>Local Government Councils with discrete Aboriginal and Torres Strait Islander communities should consider options to enhance the postal voting system to maximise the opportunity for Aboriginal and Torres Strait Islander people to vote at Local Government elections.</p>	<p>Information about elections and voting should continue to be provided in culturally appropriate ways in a timely manner, that is, prior to the next Local Government Elections.</p> <p>Lead Agency: LGA and State Electoral Office</p> <p>Involving: Key Aboriginal and Torres Strait Islander stakeholder agencies, Local Government Project Officers Network, ATSIC Regional Councils, Local Government Councils.</p> <ul style="list-style-type: none"> • Identify possible candidates in relevant areas and advise of opportunities to attend workshops on standing for election • Assist Aboriginal and Torres Strait Islander organisations and support Local Government Councils in raising awareness of local government, increasing numbers on the Electoral Roll, and encouraging increased voter turn out. <p>Explore potential for use of S31 of the Local Government (Elections) Act 1999 to provide face to face opportunities to explore voting eligibility, issuing of voting papers, assistance and collection of ballot papers within discrete Aboriginal communities.</p> <p>Lead Agency: Local Government Councils with support of LGA</p>

Recommended Strategic Directions	Action Required
<p>9.2.3(b) Representation – Participation</p> <p>Increase the representation of Aboriginal and Torres Strait Islander issues by non-indigenous people in Local Government</p> <p>Note: The next Local Government General elections are in May 2003. Should a significant number of Aboriginal and Torres Strait Islander Elected Members be elected at that time, then consideration could be given to implementing a Mentoring Program.</p> <p>⇒ Useful Resource:</p> <p>Department of Local Government Aboriginal Mentoring Program – Evaluation Report May 2000.</p> <p>Local Government Councils be invited to nominate a staff member (and/or possibly an Elected Member) to take specific responsibility for Aboriginal and Torres Strait Islander issues.</p>	<p>Convene workshops on cross cultural training, for newly elected members of Local Government Councils and ATSIC Regional Councils.</p> <p>Local Government Elected Member kits, should include references to Aboriginal and Torres Strait Islander issues, protocols and considerations so as to enable Elected Members to appropriately represent Aboriginal and Torres Strait Islander people in their communities.</p> <p>Lead Agency: LGA Involving: Local Government Councils, ATSIC Regional Councils</p> <p>Implementation Project – Mentoring Program <i>(consider after the May 2003 elections)</i> The aim of this project will be to:</p> <ul style="list-style-type: none"> • Provide opportunities to learn about how Local Government works through a mentoring relationship with an Elected Member or staff member; • foster increased understanding of Aboriginal and Torres Strait Islander issues through the mentoring relationship <p>Lead Agency: LGA Involving: Local Government Councils, Relevant Elected Members</p> <p>Implementation Project – Aboriginal Project Contacts Data Base</p> <ul style="list-style-type: none"> • LGA to invite Local Government Councils to nominate a staff member as a contact point for information exchange on matters relating to Aboriginal and Torres Strait Islander communities • LGA to develop and maintain a data base for dissemination of Strategic Directions information • LGA to develop a simple role statement for contact staff members, and disseminate information on support resources and materials. <p>Lead Agency: LGA Involving: Local Government Councils</p>

Recommended Strategic Directions	Action Required
<p>9.2.3(c) Decision Making Processes</p> <p>Increase the involvement of Aboriginal and Torres Strait Islander people and organisations in Local Government decision making processes, through establishing consultative links and increasing representation in consultative forums.</p> <p>⇒ Good Examples</p> <ul style="list-style-type: none"> • Port Adelaide Enfield Aboriginal Advisory Panel • Aboriginal Community Centre Steering committee - Pt Pirie Regional Council • Adelaide City Council Reconciliation Committee • Tjilbruke Dreaming Forum – Onkaparinga, Marion and Holdfast Bay <p>Aboriginal and Torres Strait Islander key stakeholder organisations should be encouraged to meet their Local Government Members and take advantage of information exchange opportunities provide through the Local Government system.</p>	<p>Local Government Councils are encouraged to establish informal Aboriginal Liaison Panels/Committees* to provide a consultative link with Councils. [*Note – Section 41 (3) of the Local Government Act 1999 provides for Committees of Council to include members who are not Councillors.]</p> <p>Local Government Councils with high numbers of Aboriginal and Torres Strait Islander residents should:</p> <ul style="list-style-type: none"> • invite Aboriginal and Torres Strait Islander representation on committees to enable input into decisions about “mainstream” services or facilities; and/or • establish committees specifically on matters dealing with the interface between Aboriginal and Torres Strait Islander communities and Local Government Councils. <p>Local Government Councils should ensure their public consultation policies reflect the cultural diversity of their communities, and ensure culturally appropriate opportunities are provided to encourage the involvement of Aboriginal and Torres Strait Islander people.</p> <p>Lead Agency: Local Government Councils with support from LGA Involving: ATSIC Regional Councils, Aboriginal Community Councils and organisations.</p> <p>Implementation Project – Consultative Links.</p> <ul style="list-style-type: none"> • Develop a Consultative Links database for use by Local Government, including relevant local and regional Aboriginal and Torres Strait Islander leaders and decision making structures, for example through ATSIC and DOSAA networks. • Develop guidelines for <ul style="list-style-type: none"> • Establishing Aboriginal Advisory Panels/Groups • Consulting with Aboriginal and Torres Strait Islander people • Encouraging participation of young Aboriginal and Torres Strait Islander people, through links with high schools and post secondary programs, such as TAFE or CDEP. <p>Lead Agency: LGA with DOSAA and ATSIC Involving: ATSIC Regional Councils and Local Government Councils</p>

9.2.4 Community Awareness

Key Issues:	
<p>Aboriginal and Torres Strait Islander Community – Knowledge about Local Government services</p> <ul style="list-style-type: none"> Aboriginal and Torres Strait Islander people, in general, are likely to benefit from increased knowledge about the services, and roles and responsibilities of Local Government Councils. <p>Local Government Community Awareness</p> <ul style="list-style-type: none"> There is a continuing need for awareness programs relating to Aboriginal and Torres Strait Islander issues in the Local Government sector. A demonstrated understanding of cultural and contemporary issues is fundamental to providing services in a culturally appropriate way. 	
Strategic Directions	Action
<p>9.2.4(a) Aboriginal and Torres Strait Islander Community – Knowledge about Local Government services</p> <p>Prepare and disseminate information for Aboriginal and Torres Strait Islander organisations about the services, roles and responsibilities of Local Government Councils.</p>	<p>Prepare an information brochure about the role of Local Government in providing services to Aboriginal and Torres Strait Islander people</p> <ul style="list-style-type: none"> Distribute the brochure through Local Government, and established Aboriginal and Torres Strait Islander organisation information networks. Maximise opportunities to talk to Aboriginal and Torres Strait Islander people about the Local Government sector. Make presentations at relevant Aboriginal and Torres Strait Islander information and representative forums as opportunities arise. <p>Lead Agency: LGA, with input from ATSIC and DOSAA</p> <p>Involving: Local Government Councils, ATSIC Regional Councils and OLG.</p> <p>⇒ Resource Notes:</p> <ul style="list-style-type: none"> Draft Information Leaflet about services prepared for the Review Project by Chris Russell, LGA <i>“Local Government Services to Aboriginal Communities – An Information Booklet on Service Delivery Obligations and Opportunities”</i> WA Municipal Association – 1994
<p>9.2.4(b) Highlighting Achievements</p> <p>Promote and showcase Local Government Councils’ achievements in collaboration with Aboriginal and Torres Strait Islander communities in local communities.</p>	<p>Develop and distribute a Good Practice Information Kit, which showcases Local Government achievements, and provides examples of projects, strategies and actions which could be adopted or adapted for use by other Local Government Councils.</p> <p>Lead Agency: LGA, OLG and DOSAA jointly</p> <p>Involving: Local Government Councils, Aboriginal and Torres Strait Islander organisations and communities</p>

<p>9.2.4(c) Local Government and Community Awareness</p> <p>Foster unprejudiced attitudes and encourage increased knowledge and understanding of Aboriginal and Torres Strait Islander history, culture and contemporary issues in Local Government.</p> <p>Build on existing collections and records of local Aboriginal and Torres Strait Islander history and heritage, and further the body of knowledge and resources relevant to Aboriginal and Torres Strait Islander issues.</p> <p>⇒ Good Example:</p> <p>Murray Bridge – “<i>Murrundi Voices – Ngarrindjeri People’s Stories from the Lower Murray</i>”</p> <p>Provide for transparency and accountability in service provision and planning through Council Annual Reports</p>	<p>Identify cultural awareness program options and:</p> <ul style="list-style-type: none"> • Inform Local Government of these programs and encourage registrations as a staff development initiative, with the aim of increasing understanding of Aboriginal and Torres Strait Islander issues. • Encourage attendance by Local Government staff and Elected Members who have responsibility for representing indigenous issues. • Local Government Councils are encouraged to develop and promote, as appropriate, Aboriginal and Torres Strait Islander involvement in events and celebrations of significance which respect the traditional protocols. <p>Lead Agency: LGA in consultation with Local Government Aboriginal Project Officers Network</p> <p>Involving: Local Government Councils, ATSIC, and ATSIC Regional Councils</p> <p>Local Government Councils to maximise information available about Aboriginal and Torres Strait Islander history, heritage and culture. Actions include:</p> <ul style="list-style-type: none"> • Ensure existing and future planning and project documents relating to Aboriginal and Torres Strait Islander history, heritage and culture, are included in library and research collections and promoted through the brochure about the services provided. • Explore options for recording oral histories through local Aboriginal and Torres Strait Islander communities for inclusion in existing collections. This project could be undertaken as a tertiary field placement, through allocation of a community grant, or as a reconciliation initiative. <p>Lead Agency: Local Government Councils</p> <p>Involving: DOSAA, Local Aboriginal and Torres Strait Islander Communities, with possible support from Libraries Board of SA.</p> <p>Local Government Councils, with high proportions of Aboriginal and Torres Strait Islander residents should report on programs developed to meet the particular circumstances of local communities within their areas in their Annual Reports.</p> <p>Lead Agency: Local Government Councils (SA Parliament receives Annual Reports)</p>
---	---

9.2.5 Access to Services and Facilities

Key Issues:	
<p>Barriers to Access</p> <ul style="list-style-type: none"> Systems based on written procedures and bureaucratic processes represent a barrier to access and participation by Aboriginal and Torres Strait Islander people. Some Aboriginal and Torres Strait Islander people find the physical environment of Local Government Council facilities “unfriendly” and intimidating. <p>Specific Programs for Aboriginal and Torres Strait Islander People</p> <ul style="list-style-type: none"> Aboriginal and Torres Strait Islander people are likely to require different assistance and support to facilitate access to services and facilities. This concept is fundamental to applying social justice principles in the provision of services. That is, social justice does not mean treating everybody the same. 	
Recommended Strategic Directions	Action
<p>9.2.5(a) Barriers to access</p> <p>Maximise Aboriginal and Torres Strait Islander peoples’ access to Local Government facilities and services.</p> <p>NB:</p> <ul style="list-style-type: none"> Local Government Councils should be aware that requirements or criteria that have the effect of preventing access to services and which are unreasonable in the circumstances, may be grounds for a complaint of unlawful race discrimination within the terms of State and Federal race discrimination legislation. 	<p>Local Government Councils review procedures and practices to identify and address potential barriers to access by Aboriginal and Torres Strait Islander people, in accordance with social justice objectives set out in Section 8 of the Local Government Act 1999. (Refer Appendix G)</p> <ul style="list-style-type: none"> Seek advice from local Aboriginal and Torres Strait Islander organisations regarding access issues. Existing and new client service staff attend cross cultural awareness training sessions as a staff development requirement. <p>Lead Agency: Local Government Councils with support of LGA</p> <p>Involving: ATSIC, ATSIC Regional Councils. Aboriginal and Torres Strait Islander communities.</p>
<p>9.2.5(b) Specific Programs for Aboriginal and Torres Strait Islander People</p> <p>Address the specific service needs of Aboriginal and Torres Strait Islander communities and people, within the context of organisational planning.</p>	<p>Local Government Councils should</p> <ul style="list-style-type: none"> recognise Aboriginal and Torres Strait Islander people and communities as a disadvantaged group, with high service need priorities within the context of organisational planning. Consider existing service and facility priorities, and identify any opportunities for encouraging increased access by Aboriginal and Torres Strait Islander people to those services/facilities. Explore options for addressing the service needs of Aboriginal and Torres Strait Islander people. <p>ATSIC Regional Councils to ensure Local Government Councils have information of the role of relevant organisations and the services provided.</p> <p>Lead Agency: Local Government councils with the support of LGA and ATSIC jointly</p>

9.2.6 Employment and Economic Development

Key Issues:

<p>Employment of Aboriginal and Torres Strait Islander People in Local Government</p> <ul style="list-style-type: none"> • The importance of employing Aboriginal and Torres Strait Islander people in Local Government Councils where there are high concentrations of Aboriginal and Torres Strait Islander people is emphasised. • Options for recruitment of Aboriginal and Torres Strait Islander people under the special measure provisions of the Equal Opportunity legislation, and/or through obtaining a formal exemption, be further explored by Local Government Councils. <p>Economic Development and Competitive Tendering</p> <ul style="list-style-type: none"> • Direct employment of Aboriginal and Torres Strait Islander people is the priority for Local Government Councils. However, CDEP schemes continue to offer opportunities for Aboriginal and Torres Strait Islander people to gain valuable work skills and participate in the life of the community. • Opportunities through State and Federal Government programs should be explored. • The specific impact on local Aboriginal and Torres Strait Islander communities should be considered in competitive tendering processes for local works, in circumstances where Aboriginal and Torres Strait Islander organisations have an interest. 	
<p>Recommended Strategic Directions</p> <p>9.2.6(a) Employment of Aboriginal and Torres Strait Islander People in Local Government</p> <p>Increase the number of Aboriginal and Torres Strait Islander people employed in Local Government in a range of service delivery areas.</p> <p>Provide a focus on developing and retaining skilled local staff within an area, particularly in Regional South Australia, so as not to have to rely on contractors who may not reside in the area.</p> <p>⇒ Good Examples</p> <ul style="list-style-type: none"> • Aboriginal Project Officers employed at Adelaide, Port Adelaide Enfield, Salisbury, Playford, Onkaparinga, Ceduna and Marion. • Playford’s application for exemption was granted by the SA Equal Opportunity Tribunal to employ an Aboriginal Project Officer. • Ceduna: 12 of the 40 employees are Aboriginal and Torres Strait Islander people. A Middle Management Training Program initiated, in conjunction with ATIC Regional Office. 	<p>Action Required</p> <p>Local Government Councils with a high proportion of Aboriginal and Torres Strait Islander residents consider employment of an Aboriginal Project Officer for their area.</p> <p>Consideration could be given to</p> <ul style="list-style-type: none"> • Employment of an Aboriginal Project Officer (full or part-time) by a group of Local Government Councils on a regional basis • entering into consultancy arrangements for advice and issues, programs and services. <p>Local Government Councils be encouraged to:</p> <ul style="list-style-type: none"> • Identify “cultural awareness and ability to provide services to Aboriginal and Torres Strait Islander people in culturally appropriate ways”, as a selection criteria where relevant in job and person specifications. <p>The option of specific recruitment of Aboriginal and Torres Strait Islander people as Local Government Council employees be explored in</p> <ul style="list-style-type: none"> • areas of high concentration of Aboriginal and Torres Strait Islander people, or • as a Local Government industry wide initiative, <p>through an application for exemption from the race discrimination provisions of that Equal Opportunity Act 1984 (SA).</p> <p>Lead Agency: Local Government Councils with support of LGA.</p>
<p>Recommended Strategic Directions</p> <p>9.2.6(b) Economic Development and Competitive Tendering</p> <p>Direct employment of Aboriginal and Torres Strait Islander people is the priority for Local</p>	<p>Action Required</p> <p>Local Government Councils and ATSI Regional Councils</p> <ul style="list-style-type: none"> • Continue to seek opportunities for local projects to be undertaken through the CDEP scheme, and • Consider the impact on local Aboriginal and Torres

<p>Government. However, Local Government Councils should continue to maximise opportunities for Aboriginal and Torres Strait Islander people to gain work experience and employment through special projects and contract arrangements in Local Government.</p> <p>Opportunities for economic development initiatives be explored and information provided to Local Government Councils.</p> <p>⇒ Useful Resource</p> <ul style="list-style-type: none"> • DOSAA through their Economic Development Team to provide regular information to Local Government Councils. The Economic Development Team creates economic independence for Aboriginal and Torres Strait Islander people in South Australia by assisting the Aboriginal and Torres Strait Islander community in the development of sustainable economic enterprises. <p>Ensure Local Government Councils are informed regularly about ATSIC regional planning initiatives opportunities to contribute to economic development in their areas.</p>	<p>Strait Islander communities when assessing tenders within the context of competitive tendering arrangement criteria.</p> <p>Lead Agency: Local Government Councils with support of LGA and ATSIC jointly</p> <p>Explore opportunities for economic development links between Local Government, State and Federal Government agencies, for example,</p> <ul style="list-style-type: none"> • Links with State Government Regional Economic Development Board initiatives • SA Aboriginal Economic Development Plan (DOSAA) • Federal Government's Rural Plan Program. <p>Identify potential links through relevant portfolios, and inform Local Government and Aboriginal and Torres Strait Islander agencies through information networks.</p> <p>Lead agency: ATSIC and DOSAA jointly</p> <p>Involving: LGA, Local Government Councils, Aboriginal and Torres Strait Islander organisations</p> <p>ATSIC to provide regular information to Local Government about ATSIC Regional Planning and economic development initiatives, for example,</p> <ul style="list-style-type: none"> • ATSIC Regional Assistance Program • Small Business Enterprise Culture Program, and • Indigenous Small Business Fund. <p>ATSIC Regional Councils to explore opportunities for furthering the skills base of Aboriginal and Torres Strait Islander businesses, or potential Aboriginal and Torres Strait Islander businesses, in regional areas. (through State and Federal Government economic development programs)</p> <p>Lead Agency: ATSIC</p> <p>Involving: ATSIC Regional Councils and Local Government Councils.</p>
---	--

9.2.7 Local and Regional Planning

Key Issues:	
<ul style="list-style-type: none"> • A policy objective which specifically recognises the disadvantaged position of Aboriginal and Torres Strait Islander people in the community, is the basis for considering Aboriginal and Torres Strait Islander issues in the context of organisational planning. • Establishing planning partnerships and collaborative approaches involving Local Government and other service agencies will maximise the effectiveness of available resources, facilitate increased access to services by Aboriginal and Torres Strait Islander people, and encourage participation of Aboriginal and Torres Strait Islander people. • ATSIIC have regional planning processes and produce reports on programs and outcomes. There may be opportunities for Local Government Councils to establish links with existing Aboriginal and Torres Strait Islander community planning and consultative forums, to facilitate planning on a regional basis. 	
Recommended Strategic Directions	Action Required
<p>9.2.7(a) Policy objective and regional plans</p> <p>Encourage Local Government Councils to adopt a policy objective to specifically provide for the consideration of Aboriginal and Torres Strait Islander issues within the context of organisational planning processes</p>	<p>Local Government Councils to</p> <ul style="list-style-type: none"> • Consider adopting a specific policy objective which would form the basis for considering the particular needs and circumstances of Aboriginal and Torres Strait Islander people in the formulation of Strategic Management Plans. • Give due consideration to ATSIIC Regional Plans, in accordance with the requirements of the Local Government Act <p>Lead Agency: Local Government Councils with support of LGA.</p>
<p>9.2.7(b) Involvement in Planning Processes</p> <p>Involve relevant Aboriginal and Torres Strait Islander community leaders in Local Government Council forward planning processes.</p>	<p>Initiate involvement of Aboriginal and Torres Strait Islander communities in Local Government Council planning processes</p> <ul style="list-style-type: none"> • LGA to assist Local Government Councils to develop linkages with ATSIIC Regional Councils as a first point of reference on Aboriginal and Torres Strait Islander issues, and to identify appropriate Aboriginal and Torres Strait Islander contact points in Local Government areas. • ATSIIC to maintain an up to date register of Aboriginal and Torres Strait Islander organisations in Local Government areas. • ATSIIC Regional Councils to act as a forum for advice to Local Government Councils in an area, including assisting to identify any relevant issues relating to compliance with planning requirements of the Aboriginal Heritage Act. <p>Lead Agency: Local Government Councils with support of LGA and ATSIIC jointly</p> <p>Involving: ATSIIC Regional Councils</p>

Recommended Strategic Directions	Action Required
<p>9.2.7(c) Development Plans</p> <p>Local Government Councils go consider and include appropriate references to Aboriginal culture, community issues and heritage in Development Plans.</p>	<p>Promote “best practice” models in the incorporation in Development Plans of appropriate references to Aboriginal culture, community issues, and heritage.</p> <p>Lead Agency: LGA and Planning SA</p> <p>Involving: Local Government Councils, DOSAA and ATSI Regional Councils</p>
<p>9.2.7(d) Collaborative planning</p> <p>Establish links to foster and encourage collaborative planning initiatives between all spheres of Government, and to</p> <ul style="list-style-type: none"> • enable regular exchange of information about existing and future programs relevant to local and regional and planning initiatives • maximise effectiveness of available resources and facilitate increased access to services. <p>⇒ Resource Note:</p> <ul style="list-style-type: none"> • LGA Integrated Governance Project should ensure ATSI Regional Plans are among documents considered in Local Government Strategic Management Planning process. 	<p>Establish information networks to ensure Local Government and Aboriginal and Torres Strait Islander planning structures exchange information about planning initiatives, for example with:</p> <ul style="list-style-type: none"> • ATSI Regional Councils • DOSAA Planning Initiatives • Regional forums such as Tjilbruke Dreaming Forum (involving Holdfast Bay, Marion, and Onkaparinga Councils.) <p>Lead Agency: Local Government Councils with support of LGA, ATSI and DOSAA</p> <p>Involving: ATSI Regional Councils, Aboriginal and Torres Strait Islander key organisations.</p>
<p>9.2.7(e) Integration of Services</p> <p>Promote and support coordinated planning efforts for better integration of services to Aboriginal and Torres Strait Islander communities, and to facilitate more effective planning and use of available resources</p> <p>NB: The OACD Trust has an increased emphasis on liaison with State Government and other relevant agencies in strategic management plan processes for outback communities. Such a planning process, taking into account regional, State and national priorities, is consistent with the approach for Local Government Councils established under the Local Government Act 1999.</p> <p>⇒ Good Examples</p> <ul style="list-style-type: none"> • Nainmorendi Project – involving Playford, Port Adelaide Enfield, Salisbury and Gawler • Port Pirie Regional Council’s Social Development Committee • City of Adelaide’s Partnership Agreement with the Department of Human Services 	<p>Local Government Councils be encouraged to explore opportunities for developing collaborative partnerships with other service provision agencies. Local Government Councils are required to plan on a regional basis, which allows for the better integration of services for Aboriginal and Torres Strait Islander communities.</p> <p>Lead Agency: Local Government Councils with support of LGA and ATSI jointly</p> <p>Involving: ATSI Regional Councils, LGA Regional organisations, and Office of Regional Development</p>

9.2.8 Native Title

9.2.9 Reconciliation

Key Issues:	
<ul style="list-style-type: none"> Local Government has a key and important leadership role to play in the reconciliation process. Initiatives recognising Aboriginal and Torres Strait Islander history, culture, and past disadvantage will advance the reconciliation process. A formal statement is a symbolic as well as a tangible commitment to reconciliation and improved relations with Aboriginal and Torres Strait Islander people. 	
Recommended Strategic Directions	Action Required
<p>9.2.9(a) Reconciliation Initiatives</p> <p>Advance reconciliation between non-indigenous and Aboriginal and Torres Strait Islander communities in South Australia, through initiatives which demonstrate leadership in Local Government.</p> <p>⇒ Good Examples</p> <p>Reconciliation Statements</p> <ul style="list-style-type: none"> City of Adelaide Port Adelaide Enfield Council 	<p>Local Government Councils consider opportunities for reconciliation initiatives in their local area, which recognise past history and disadvantage of Aboriginal and Torres Strait Islander people, regardless of the proportion of the Aboriginal and Torres Strait Islander community in the Local Government area.</p> <p>Local Government Councils be encouraged to consider developing and adopting a formal statement of reconciliation as a symbolic and tangible commitment to reconciliation and improved relations with Aboriginal and Torres Strait Islander people and communities.</p> <p>Lead Agency: Local Government Councils with support of LGA</p> <p>Involving: Aboriginal and Torres Strait Islander communities.</p>

The Strategic Framework proposed represents a collaborative and coordinated response to addressing information, access, and service delivery issues of relevance to Aboriginal and Torres Strait Islander people and communities. Achieving successful outcomes will be dependent on the involvement and commitment of all spheres of Government - Local, State and Federal – and through a collaborative and integrated approach by Local Government Councils in consultation with local Aboriginal and Torres Strait Islander organisations and communities.

Of significance, Local Government, State and Federal Government agencies, and Aboriginal and Torres Strait Islander organisations have demonstrated a clear commitment to a continued collaborative and integrated approach to address the shared goal of improving Local Government outcomes for Aboriginal and Torres Strait Islander people and communities in South Australia.

ACKNOWLEDGEMENTS

Janet Gould and Associates would like to thank most sincerely all Steering Committee members who provided support and assistance through the Study Process, namely:

- Chris Russell, Director Policy & Public Affairs, LGA
- Faye Barrett, Senior Project Officer, OLG
- Jane Gascoigne, Executive officer, LGGC
- Eric Roberts, Manager, Public Affairs, ATSIC
- Ceilia Divakaran, Principal Policy Officer, Strategic Development, DOSAA
- Nick Stewart, Project Officer, Strategic Development, DOSAA
- Dorothy Davey, Aboriginal Development Officer, City of Adelaide
- Tony Irvine, Chief Executive Officer, District Council of Ceduna.

The commitment, goodwill and co-operation of Steering Committee members in providing information and feedback on drafts, often at short notice, was impressive.

We particularly acknowledge the contribution made by the Aboriginal Project Officers employed in Local Government Councils, whose assistance in encouraging participation of Aboriginal and Torres Strait Islander organisations in the consultation program was invaluable. In particular, we thank Fred Graham as a member of our Project Team for the role he played in this regard. The Aboriginal Policy Officers who were involved in the Review Project were as follows:

- Dot Davey City of Adelaide
- Corey Turner City of Onkaparinga
- Mitch Dunnett District Council of Ceduna
- Joe Agius District Council of Yorke Peninsula
- Fred Graham City of Playford
- Vince Buckskin City of Salisbury
- Anthony Carter City of Port Adelaide Enfield

We would also like to particularly thank Chris Russell of the LGA, and Faye Barrett of OLG, for their considerably assistance they provided throughout the project. Their historical perspective, broad knowledge and experience in relation to Aboriginal and Torres Strait Islander and Native Title issues in Local Government was a valuable resource for the Project Team. In addition, we thank Amanda Filmer of the LGA for her liaison and co-ordination role, particularly in relation to the survey of Local Government Councils.

The energy and collaborative approach demonstrated by participants in the consultation program, augers well for the successful implementation of the new three year Strategic Directions for improved Local Government outcomes for Aboriginal and Torres Strait Islander communities.

BIBLIOGRAPHY

Australian Local Government Association (ALGA) in cooperation with the Aboriginal and Torres Strait Islander Commission (ATSIC) *Working out Agreements – A practical Guide to Agreements between Local Government & Indigenous Australians* May 1998.

ALGA, in cooperation with the ATSIC and the National Native Title Tribunal *Working with Native Title - A Practical Guide for Local Government* October 1999

ALGA, *Forward Directions - A Framework for the New Decade. Record of proceedings 4-5 November 1999*, Adelaide

Community Development Employment Projects (CDEP) - *Information Booklet* prepared by ATSIC, Woden ACT

Department of Local Government – NSW *“Evaluation of Aboriginal Mentoring Program Report”* May 2000

Equal Opportunity Commission *Seventeenth Annual Report of the Commissioner for Equal Opportunity 1992-1993* Adelaide

Local Government Association of SA (LGA) *Local Leadership - Working with the New Acts (An LGA Support Program)* 1999 Adelaide

LGA, *Approaches to Strategic Management Planning in Local Government* 1999.

Local Government Equal Employment Opportunity Advisory Committee *Local Government Equal Employment Opportunity - Program Guidelines* 1991, Adelaide

Local Government Grants Commission South Australia *Annual Report 1998-1999*

Local Government National Report, 1996-97

Morton Consulting Services Pty Ltd. *Local Councils Belong to Aboriginal People Too - Local Government and Aboriginal Populations Access and Equity Project, 1994* Prepared for the LGA

Office of Local Government. *Local Government Act Review Consultation Guide - Consulting Councils and Community* May - July 1998.

Office of Local Government – *Discussion Notes - Aboriginal Lands Communities*, 1996

Outback Areas Community Development Trust - Annual Report 1997-1998

Pitjantjatjara Council Inc *Mayatja Manta Nyangaku Kutju: Local government for Aboriginal Communities* 1994

Remote Rural Resources Pty Ltd. *Local Government Services to Aboriginal and Torres Strait Island Communities: Its (sic) Capacity to Achieve the National Commitment to Improve Outcomes for Aboriginal and Torres Strait Island Peoples.* Prepared for the Local Government Ministers' Conference - June 1998.

Web Sites:

ATSIC: www.atsic.gov.au, www.dosaa.sa.gov.au

ALGA Aboriginal Affairs:
<http://www.alga.com.au/indmain.htm>

Attorney-General's Department, Legal Aid Branch:
<http://www.law.gov.au/aghome/commaff/lafs/legalaid/ntguide.html>

Council for Aboriginal Reconciliation:
<http://www.austlii.edu.au/au/other/car/>

National Native Title Tribunal:
<http://www.nntt.gov.au/>

APPENDICES SCHEDULE

Appendix A	Aboriginal and Torres Strait Islander Population Profile by Local Government Area
Appendix B	Outback Areas Community Development Trust – Role and Function
Appendix C	South Australian Local Government Grants Commission - Financial Assistance Grants
Appendix D	Survey of Local Government Councils – Survey Form
Appendix E	Local Government Councils in South Australia - Workforce Profile Data
Appendix F	Consultation Program Report
Appendix G	Providing Culturally Appropriate Services – Key Considerations
Appendix H	Aboriginal Project Officers in Local Government – Roles and Responsibilities
Appendix I	National Commitment to Improved Outcomes in the Delivery of Programs and Services for Aboriginal Peoples and Torres Strait Islanders, 1992

