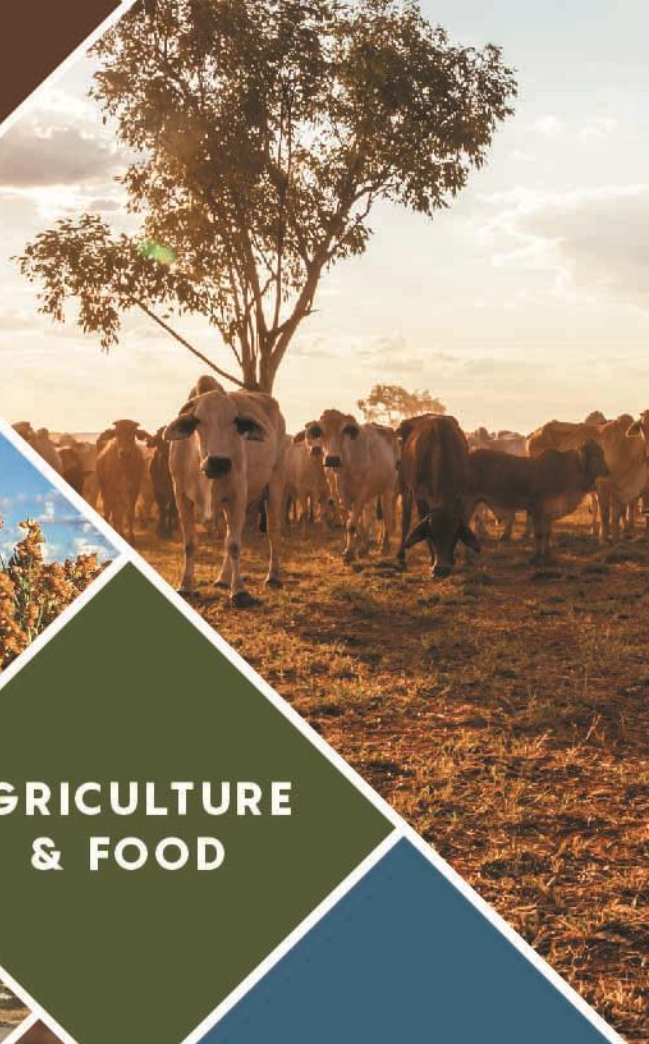
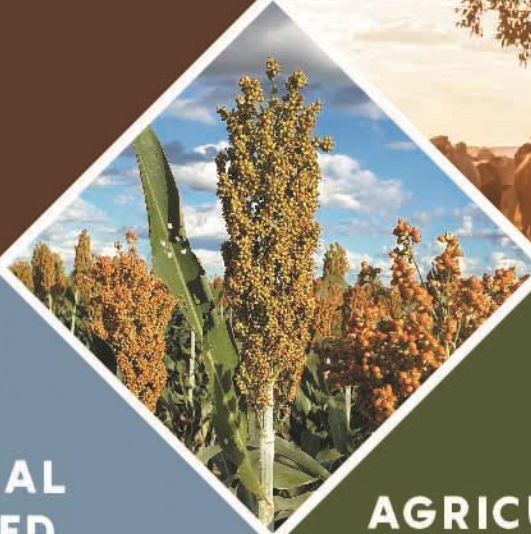
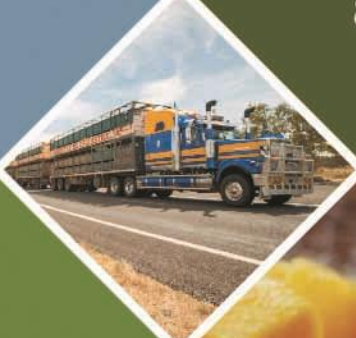


NORTHERN HEALTH SERVICE DELIVERY



TRADITIONAL OWNER-LED DEVELOPMENT

AGRICULTURE & FOOD



De-risking, brokering and prioritising agricultural development in northern Western Australia

Summary report 2020

Government of Western Australia Department of Primary Industries
and Regional Development



Department of
Primary Industries and
Regional Development



Acknowledgments

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By way of disclaimer, any opinions expressed in this document are those of the authors. They do not purport to reflect the opinions or views of the CRCNA or its partners, agents or employees.

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The CRCNA recognises the value of knowledge exchange and the importance of objective peer review. It is committed to encouraging and supporting its research teams in this regard.

The author(s) confirm(s) that this document has been reviewed and approved by the project's steering committee and by its program leader. These reviewers evaluated its:

- originality
- methodology
- rigour
- compliance with ethical guidelines
- conclusions against results
- conformity with the principles of the [Australian Code for the Responsible Conduct of Research](#) (NHMRC 2018).

Constructive feedback which was considered and addressed by the authors.



Australian Government
**Department of Industry, Science,
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Report author: Department of Primary Industries and Regional Development disclaimer

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Foreword

This Western Australian focused project is part of a wider collaboration between the CRCNA and the Northern Territory (NT), Queensland (QLD) and Western Australian (WA) Governments to support the existing development and new primary industry (agriculture and aquaculture) activities across Northern Australia.

The Australian Government's *Our North, Our Future: White Paper on Developing Northern Australia* (2015) focuses on strategic issues facing the north. There is a strong bilateral and bipartisan aspiration in the *White Paper* to secure the expansion of primary industries in an environmentally sustainable manner and within the context of complex physical, community and economic settings.

The *White Paper* outlined the Commonwealth Governments' role in creating successful business environments, not successful businesses. This was considered best achieved through:

- Prudent economic policies;
- The right infrastructure to get things moving;
- Regulation that minimises costs on business;
- A workforce with the right skills; and
- Basic research necessary for business to identify opportunities in the north.

The *White Paper* also emphasised that developing the north should be a partnership between investors (local and international) who provide capital and know-how, and Governments that create the right investment conditions.

While much progress has occurred in agricultural development in North Western Australia, the many challenges posed by existing approaches to policy, planning and regional development has proved frustrating to industry, investors, the community and Governments.

The need for a more fulsome examination of key issues and possible solutions was identified by project stakeholders who recognised value in profiling innovative approaches to both northern development and WA-specific matters that could improve the realisation of strategic goals.

The CRCNA and the Department of Primary Industries and Regional Development (DPIRD), on behalf of the WA Government, entered into a project agreement following consultation with other WA government agencies. To support tasks outlined in the project proposal, CRCNA engaged NAJA Business Consulting Services (NAJA) to provide an independent perspective to support DPIRD and CRCNA.

The recommendations and suggested actions presented in the NAJA report, as supported by DPIRD comment, provide valuable input to strategic direction setting for the de-risking theme in the next phase of CRCNA's research.



1. Introduction

This summary report presents recommendations and suggested actions as outlined in the *‘Prioritising, De-risking and Brokering Agricultural Development in Northern Western Australia’* project delivered by NAJA in support of the DPIRD project agreement with the CRCNA.

The project sought to identify and explore development challenges for primary industries in Western Australia’s north, and to propose innovative and Western Australia-specific policy, regulatory and other solutions to progress and improve prospects for northern development.

This WA-focused project is part of a wider collaboration between the CRCNA and the NT, Qld and WA Governments to support the development of new agricultural activity across northern Australia. The initiating parties have identified that policy, regulatory, budgetary and regional development challenges at Commonwealth and State/Territory levels require consideration, analysis, solution building and negotiated resolutions.

The project sits within the context of the broader ‘developing northern Australia’ agenda pursued by Commonwealth, State and Territory governments, supported by the CRCNA, and underpinned by the Our Future Our North White Paper on Developing Northern Australia (Australian Government, 2015). Similar reviews undertaken by NT and Qld identified specific issues and impediments to northern primary industries development. The aggregated information will be used to inform future policy, planning, management and investment trajectories across the Australia’s northern region.

The concept of de-risking primary industries projects covers many aspects that span the natural environment, agri-food and seafood production and management systems, regulation, land tenure, Aboriginal peoples’ rights and interests, infrastructure, supply chains, skills and services and associated governance arrangements. Northern Australia also has significant natural values and conservation assets. Consideration of these values is required in the context of sustainable economic development.

2. Project Background

The intent of this report is to broaden the policy and planning dialogue in support of WA's northern development aspirations and to provide input to the strategic direction of CRCNA's research priorities. A summary of recommendations and suggested actions from NAJA's report is shown in Attachment 1 with NAJA full on *Prioritising, De-risking and Brokering Agricultural Development in Northern Western Australia* in Attachment 2.

Key outcomes sought from the project are:

- Current processes used to broker the progression of significant agricultural developments across WA are assessed and tested through a case study approach;
- Innovative processes and approaches to brokering the progression of new developments are identified and assessed;
- Recommendations are provided for a more streamlined and effective approach to brokering / securing new investments in agriculture, and;
- Enhanced stakeholder engagement and understanding of the above issues.

NAJA's contribution to the project was commissioned by the CRCNA, with input and guidance from DPIRD and stakeholder government agencies and made possible by contributions from the broad stakeholder engagement process supported by the project. Contributions from the many contributors to the project are acknowledged.

Sections of the NAJA's project report are:

- Executive summary and recommendations
- Introduction
- Regional overview of northern agriculture
- Challenges with agricultural development
- Legal and policy context for agricultural a development
- Recent Initiatives
- Key stakeholder views
- Case studies
- Pilbara agricultural prospectus
- Aboriginal economic development models for agriculture developments.

For details supporting the development of recommendations and suggested actions the reader is asked to reference the NAJA report (Attachment 2). The breadth of subject areas addressed and the broad regional context illustrates the complexity and many faceted challenges experienced in northern development. Accordingly, the recommendations presented represent a synthesised, but necessarily limited, view of findings. While DPIRD recognises this project will inform and influence policy and planning in the north, findings and recommendations are viewed as independent and not necessarily the view of the Western Australian Government.

3. Recommendations and Summary Comment

DPIRD appreciates that recommendations in the NAJA report are based on the evidence presented in the project analysis. The actions outlined represent a list or blueprint that would assist with implementation of key recommendations. Discrete actions should be measurable and time bound and be allocated to a responsible authority or group of relevant stakeholders. However, as the report is primarily intended to provide strategic guidance to CRCNA and assist jurisdictions in their consideration of a range of northern development matters, the summary DPIRD comments are intended as broadly supportive noting that Governments and organisations will use information at hand to support northern development.

DPIRD's comments are intended to provide selected comment on the recommendations and suggested actions presented in the NAJA report and provide supporting context for sustainable northern development that recognises the many peoples and culture, the unique environment and the developments aspirations of the north.

Recommendation 1 –

Target infrastructure to facilitate agricultural development:

Facilitate infrastructure development for key agricultural opportunities with a focus on telecommunications, road networks, energy, water, and logistics for export and processing.

DPIRD comment:

The Western Australian Government continues to prioritise and facilitate infrastructure that assists northern agriculture development. Initiatives that will guide and assist infrastructure development include the Western Australia Infrastructure Strategy, Industrial Lands Strategy and initiatives to support innovation and supply chain efficiencies. Strategic plans for regional development will also guide infrastructure priorities to facilitate agricultural development.

Western Australia recognises a fit-for purpose approach is required considering the many and often early-stage infrastructure requirements for primary industry development (e.g. roads remain a key priority). An optimised approach to infrastructure development is encouraged, including realisation of co-benefits (e.g. linking road and telecommunication corridors).

Working constructively with Northern Australia Infrastructure Facility (NAIF) and other funding and finance opportunities will help guide the application of funding assistance and progress the implementation of infrastructure for the north.

Recommendation 2 –

Provide market development support and industry incentives based on industry needs and market analysis:

Facilitate new market development based on priority industry needs and an improved understanding of target markets.

DPIRD comment:

Assistance for new market development and industry support is provided through a number of State programs (e.g. DPIRD – Agribusiness Food and Trade; DJTSL – Invest and Trade

WA). Assistance is available for market access and trade along with services such as introductions to offshore partners where viable projects are identified.

A series of grants, incentives and vouchers have been developed by DPIRD to support strategic industry needs. The purpose of this assistance is to encourage the development of business environments that generate jobs and economic development.

Recommendation 3 –

Enable Aboriginal agricultural economic development:

- Support Aboriginal businesses to identify opportunities and partnerships.
- Partner with and support Aboriginal land interests to streamline processes for leasing Aboriginal land under different tenure arrangements, without the need to extinguish Native Title.
- Provide pre-feasibility information for targeted Aboriginal-led development.
- Support Aboriginal communities to achieve agricultural economic outcomes from any Aboriginal water reserves that may be created.
- Support coordinated across-agency investment in Aboriginal-led land development.

DPIRD comment:

State Government programs such as DPIRD's Aboriginal Governance and Leadership Development Program will provide opportunities for Aboriginal people in corporate governance, procurement and business leadership. Working alongside Aboriginal people to build capacity in key communities and Aboriginal enterprise will promote northern business across all aspects of agriculture supply chains, including finance and infrastructure.

Outcomes from the Northern Australian Indigenous Development Accord will be influenced by the implementation of the Conran Review on Effective Commonwealth-State Relations.

Recommendation 4 –

Strategic de-risking in coordinated and targeted research:

Target de-risking for industry needs and sustainable outcomes that contribute to agricultural economic growth in local WA communities and target research that meets priorities of local and regional industry.

DPIRD comment:

Targeted research that generates knowledge required for development, be that for support of regulatory processes or optimising production operations, will always be welcomed, as will partnerships that assist the generation of knowledge that de-risks development. Research partnerships, such as demonstrated by this project, are supported where mutual outcomes can be generated for purposes such as de-risking. Improved access to information and research results, such as provided by BIO Data Repository developed by DBCA, will assist

development and processing of permit application required under the Environmental Protection Act.

Recommendation 5 –

Progress improvements to regulation that enable agriculture and aquaculture development:

Improve regulatory mechanisms and processes for land tenure and other aspects of development by:

- Reducing timelines for processing regulatory applications with targets and tracking of timelines with performance based integrated approvals.
- Facilitating easier interactions with Government, streamlining licensing and approvals.
- Licensing terms and conditions that create greater investment certainty within the outcomes sought through regulation.
- Developing a fast-track approach for minor or small-scale agricultural developments; and
- Focusing rangelands reform to introduce more streamlined approaches to diversification permits and land tenure change with respect to pastoral leases.

DPIRD comment:

A sound and respected regulation system is essential for a balanced and responsible approach to development. The north of Western Australia has many special environments that must be valued for their unique qualities and ecosystem services they deliver.

Improvement to government policies, processes and practices are ongoing, as reflected by initiatives such as DWER's Environment Online, improvements to case management by DPIRD, DJTSA and DWER, more resources for Part IV environmental assessments and overarching initiatives such as Streamline WA, to name a few. WA has actively progressed regulatory reform and systems which respect the purpose of regulation and approvals while seeking to avoid unnecessary duplication and delays. The benefits of respected regulation include low sovereign risk, certification of projects as environmentally acceptable, and social licence to operate.

State Government comment and input on interactions with Commonwealth regulation, such as EPBC Act review, will progress more workable approaches between levels of Government.

Recommendation 6 –

Developing de-risked agricultural land:

Establish agricultural precincts based on agreed evaluation criteria.

DPIRD comment:

De-risked zones for agricultural and aquaculture development are supported by the WA Government, as demonstrated by the establishment of the Kimberley Aquacultural Development Zone, the Ord-East Kimberley project and land to be made available for irrigation

in the Gascoyne Food Bowl. However, initiatives that develop a set of projects geared for future development must be done with an ‘investor lens’ to ensure actions are well connected with broad investment appeal.

Recommendation 7 –

Develop a proactive case management framework:

Develop a proactive case management framework which helps proponents navigate the relevant approval processes (a lead department with the authority to work across the public sector).

DPIRD comment:

A number of case management initiatives are supported by Government. Adapting available resources to targeted needs of parties with potential to invest and create jobs and economic growth will require ongoing review and refinement. To be effective case management must be mandated appropriately at the top level of government. Experience through programs run by DPIRD and DJTSl has shown that a one-size fits-all approach does not work and flexibility is required to meet specific needs. Successful case management requires a whole-of-government approach and commitment to work together. An aggregated approach to case management may be appropriate in some cases, for example, centred on available natural resources. Facilitating partnership agreements and effective networking is also key for development. The WA Government continues to evolve case management to suit various opportunities and constraints.

Recommendation 8 –

Building a culture of trust within Government and industry:

Empower stakeholders, involved in the regulation of northern agriculture and aquaculture development to work more effectively with delegated authority.

DPIRD comment:

Trust between and within government and industry groups is built on respect and pursuit of understood objectives involving multiple perspectives. Ongoing support for the development of tools and training to better enable a trusted environment will provide for a more effective approach to agricultural development.

Up-skilling to help a more comprehensive understanding of development and regulatory contexts will facilitate more appropriate attitudes to risk and will allow individuals to better appreciate their individual contribution to respective outcomes. Various public sector training and improvement programs are available to assist effective cultures in Government. Industry and professional organisations conduct similar initiatives that should be promoted in all workplaces.

Recommendation 9 –

Continue building collaboration within the Government and industry:

Build collaboration through an engagement, planning and outcome focused culture.

DPIRD comment:

Improved collaboration, particularly in the north of WA, is linked to the need to embrace complexity on many levels such as those involved in regulatory processes. The importance of a culture of trust is hard to overestimate, as without it, the flow of information between key decisions points across the industry is often impaired. In a healthy collaborative culture stakeholders are likely to align and pool their resources in order to operate under a complex regime of regulations and volatile global economic and environmental conditions. The need for ongoing effort to improve building of collaboration and trust between all stakeholders is acknowledged and supported.

4. Summary

Notwithstanding the many development challenges in northern WA, a number of significant projects have progressed, numerous issues have been worked through and much experience and learning has taken place. The complex nature of northern settings requires an often difficult balancing of interests in the process of creating a 'de-risked' setting for acceptable and sustainable development. Each project is unique and conflicting interests must be understood, acknowledge and worked with from a relationship and lawful perspective. Due to the uniqueness of each development and the underpinning environment and social setting, successful de-risking of primary industries must apply a principled and respectful approach throughout all phases of project development and operation if desired outcomes are to be achieved.

This report has highlighted WA's need for an improved approach to prioritising agricultural initiatives and supporting developments in the north. Clear criteria for short, medium and long-term time frames are required to ensure available resources are appropriated in a manner that improves prospects for success and outcomes that benefit northern communities.

Insights provided in the *De-Risking, Brokering and Prioritising Agricultural Development in Northern Western Australia* will inform the Western Australian Government, the Australian Government, other northern jurisdictions, WA's northern communities and the many business interests that are integral to responsible and successful development of the north.

Attachment 1 – Recommendations and Supporting Actions (NAJA report)

Recommendations / Key Actions	Supporting Actions
<p>Recommendation 1 –</p> <p>Target infrastructure to facilitate agricultural development:</p> <p>Facilitate infrastructure development for key agricultural opportunities with a focus on telecommunications, road networks, energy, water, and logistics for export and processing.</p>	<ul style="list-style-type: none"> • Review identified key agricultural projects in Northern WA and develop prioritised implementation plans to support priority infrastructure. • Ensure reviews of the Revitalising Agriculture Regional Freight Strategy and State Infrastructure Strategy fully consider northern WA agriculture issues including transport and supply chain costs to get products to market. • Explore opportunities for supporting new and revitalised infrastructure to enable substantial growth in aquaculture industry.
<p>Recommendation 2 –</p> <p>Provide market development support and industry incentives based on industry needs and market analysis:</p> <p>Facilitate new market development based on priority industry needs and an improved understanding of target markets.</p>	<ul style="list-style-type: none"> • Develop and prioritise actions with key regional industry groups and through in-market engagement on export and domestic market development and supply chain improvement to drive industry expansion in northern Western Australia. • Enhance effective utilisation of the WA Government’s and Austrade’s overseas network of Government Officers in developing markets and investment in WA’s agriculture and aquaculture industries. • Enhance grants programs provided to assist northern agricultural businesses to stabilise and capture market opportunities in Asia (e.g. International Competitiveness Co-investment Fund) to help drive regional economic growth and jobs. • Explore mechanisms to improve information flows for coordinating access to a variety of concession finance opportunities for agriculture (such as NAIF, CEFC, RIC). • Enhance focus on tariffs and biosecurity issues that are significant impediments for access to new markets and maintaining existing markets.
<p>Recommendation 3 –</p> <p>Enable Aboriginal agricultural economic development:</p> <ul style="list-style-type: none"> • Support Aboriginal businesses to identify opportunities and partnerships. • Partner with and support Aboriginal land interests to streamline processes for leasing 	<ul style="list-style-type: none"> • Three potential (and possibly integrated) models/pathways for brokering Aboriginal agricultural economic development outcomes in Northern Western Australia need to be considered for implementation. <ul style="list-style-type: none"> ○ An Aboriginal-led enterprise led model; ○ A partnering/brokering model; and ○ Replication of the Ord East Kimberley Development Plan model.

Recommendations / Key Actions

- Aboriginal land under different tenure arrangements, without the need to extinguish Native Title.
- Provide pre-feasibility information for targeted Aboriginal-led development.
 - Support Aboriginal communities to achieve agricultural economic outcomes from any Aboriginal water reserves that may be created.
 - Support coordinated cross-agency investment in Aboriginal-led land development.

Supporting Actions

- Along with key Aboriginal groups and industry, develop and implement an agricultural opportunities plan linking efforts with the Indigenous Reference Group (IRG) and the National Agency for Indigenous Australians (NAIA).
- Continue the development of a brokering model and supporting principles, particularly for small scale Aboriginal-led agricultural developments, in partnership with Aboriginal peoples.
- Develop governance building, small business assistance, technical support and grants to support northern development.
- WA Government to work with Aboriginal organisations, including the Indigenous Land and Sea Corporation (ILSC), to pursue and support viable economic and social outcomes for Aboriginal landowners particularly with Aboriginal owned pastoral stations in the north of Western Australia.
- Work with Aboriginal people to examine benefits of utilising a 'specific purposes' approach when negotiating and establishing trusts to better enable agricultural economic development.
- Develop and promote Aboriginal freehold title opportunities under Section 83 of the Lands Administration Act.
- Leverage existing plans for property management and improvement for Aboriginal owned pastoral stations to realise potential opportunities.
- Build participation by Aboriginal people in aquaculture through engagement by companies to provide services to large-scale commercial aquaculture projects.

Recommendations / Key Actions

Supporting Actions

Recommendation 4 –

Strategic de-risking in coordinated and targeted research:

Target de-risking for industry needs and sustainable outcomes that contribute to agricultural economic growth in local WA communities and target research that meets priorities of local and regional industry.

- Progress developing a research institute in northern Western Australia in partnership with industry and with leveraged government funding.
- Through WATARI and other research organisations, with support from industry and relevant research organisations, develop a coordinated research investment plan for agricultural development in northern WA that leads to an uptake of research which results in targeted industry outcomes.
- Target information gathering on soils, water and crops in locally relevant and priority areas as identified by Government and industry to advance policy, planning and environmental assessments.
- Develop regional context for information on biodiversity and conservation assets early in the development of programs.
- Promote simplified access to publicly available government and industry-collected water, soils and other environmental data and information.
- In priority areas, continue to de-risk issues related to water security by developing targeted water management and development plans specific to locally relevant and priority areas as mutually identified by Government and industry.
- Assess the potential for more specific information to de-risk a precinct size area such as La Grange Groundwater Area.
- Develop a capacity building program for emerging businesses, industry leaders and researchers and for emerging technical issues and opportunities.

Recommendation 5 –

Progress improvements to regulation that enable agriculture and aquaculture development:

Improve regulatory mechanisms and processes for land tenure and other aspects of development by:

- Reducing timelines for processing regulatory applications with targets and tracking of timelines with performance based integrated approvals.
- Build capacity and capability of vested groups (Government, proponents, consultants, Aboriginal people and Aboriginal organisations) to enable a more complete understanding of regulatory processes in support of more effective and efficient regulation.
- Engage with industry to continue efforts to streamline regulation, including the combination of approvals into a single process for low-risk small-scale proposals, and on a landform scale for larger-scale developments.
- Progress pastoral lands reform to achieve more streamlined approaches to land tenure change and sustainable management.
- Enhance regulatory processes by ensuring clear, staged regulatory process maps exist with supporting checklists and guidance statements.

Recommendations / Key Actions

- Facilitating easier interactions with Government, streamlining licensing and approvals.
- Licensing terms and conditions that create greater investment certainty within the outcomes sought through regulation.
- Developing a fast-track approach for minor or small-scale agricultural developments; and
- Focusing rangelands reform to introduce more streamlined approaches to diversification permits and land tenure change with respect to pastoral leases.

Supporting Actions

- Post-approval, review license and permit conditions to ensure they are still geographically and biophysically relevant, critical and essential or remove them.
- Evaluate the merit of establishing a codes of practice approach for small-scale developments.
- Measure, monitor and report targets and performance for regulatory timelines and use benchmarks to measure outcomes of improvement initiatives.

Recommendation 6 –

Developing de-risked agricultural land:

Establish agricultural precincts based on agreed evaluation criteria.

- Activate regional or more localised agricultural precinct plans (e.g. areas identified in the Pilbara Agricultural Prospectus – Appendix A).
- Prioritise and evaluate potential for additional agricultural precincts with industry which provide a basis for shared planning and more certainty for proponents and regulators.
- Implement priority precincts by undertaking coordinated approval and land tenure/land planning processes.
- Facilitate the development of logistics and agribusiness hubs to accelerate expansion and development of new agricultural industries and synergistic links with regional industry.
- Utilise established aquaculture development zones and progress opportunity to develop new zones.

Recommendation 7 –

Develop a proactive case management framework:

Develop a proactive case management framework which helps proponents navigate the relevant approval processes (a lead department with the authority to work across the public sector).

- Identify a lead department with clear case management responsibilities to work with proponents to proactively advance proposals with support for:
 - Navigating the approval processes (including a fast-track approach for minor or small-scale agricultural developments assessed as low risk);
 - Resolving issues and/or conflict across all regulatory agencies; and
 - Developing understanding with agencies on targets for inter-departmental referral and assessment timelines and ensuring timely information transfer across departments.

Recommendations / Key Actions	Supporting Actions
<p>Recommendation 8 –</p> <p>Building a culture of trust within Government and industry:</p> <p>Empower stakeholders, involved in the regulation of northern agriculture and aquaculture development to work more effectively with delegated authority.</p>	<ul style="list-style-type: none"> • Explore appropriate mechanisms to enable continuous improvement within current regulatory systems. <hr/> <ul style="list-style-type: none"> • Reinforce how individual's interface in or with regulatory systems can support whole-of-government direction in sustainable agricultural development, while respecting and adhering to the requirements of administration of legislation and supporting policy instruments. • Reinforce that individual regulatory officers' opinions and judgements must consider whole of government policy and priorities. • Promote a culture of risk management and entrepreneurship. • Standardise terminology and definitions to limit unnecessary legal interpretation. • In cases where disputation emerges in the development approval process, consider flexible mechanisms to seek higher level Departmental guidance early in the dispute. • Gain a commitment to accountability and rewards for collective effort and results. • Support the development of improved tools and training to support landholders developing agricultural proposals.
<p>Recommendation 9 –</p> <p>Continue building collaboration within the Government and industry:</p> <p>Build collaboration through an engagement, planning and outcome focused culture.</p>	<ul style="list-style-type: none"> • Evaluate the merit of a standing collaborative group involving WA Government, industry groups Aboriginal organisations and Native Title groups to assist building relationships and advise, where appropriate, on leveraged opportunities for development and investment. • Align agency strategic and operational plans to deliver better decisions faster for agricultural developments through initiatives such as revision of the Lead Agency Framework. • Agencies to foster an outcome focused culture with KPI's for service delivery based on time and cost associated with government support and approvals. • Develop pilot studies to evaluate agricultural development that supports trusting relationships that build upon desired regulatory and development outcomes. • Broaden "one-stop shop" online web-based approvals platform to be complemented by investment and development facilitation services. • Broaden 'Industry Guidelines' to include skills that promote entrepreneurship, conduct and diplomacy when working toward respected regulatory and development outcomes.



Attachment 2 – De-risking, brokering and prioritising agricultural development in northern Western Australia (NAJA report)

Please refer to the CRCNA report 'De-risking, brokering and prioritising agricultural development in northern Western Australia' authored by NAJA Business Consulting Services, 2020 and [available here](#).