



First Nations Clean Energy Strategy Taskforce
Department of Climate Change, Energy, the Environment and Water
Submitted via online portal

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First Nations Clean Energy Strategy: Consultation Paper

AGL Energy (**AGL**) welcomes the opportunity to make a submission in response to the First Nations Clean Energy Strategy: Consultation Paper (**Consultation Paper**).

Proudly Australian since 1837, AGL delivers around 4.3 million gas, electricity, and telecommunications services to our residential, small, and large business, and wholesale customers across Australia. We operate Australia's largest electricity generation portfolio and have the largest renewables and storage portfolio of any ASX-listed company, having invested \$4.8 billion in renewable and firming generation over the past 20 years and added more than 2,350 MW of new generation capacity to the grid since 2003.

AGL congratulates the Australian Government for undertaking this important piece of work and looks forward to working closely with the government, First Nations peoples and businesses, industry, and community groups in bringing the First Nations Clean Energy Strategy to life.

As one of Australia's leading energy retailers and investors in clean energy, we have both the responsibility and the opportunity to contribute significantly to Australia's reconciliation effort by better understanding Aboriginal and Torres Strait Islander cultures and histories; building trusted relationships with the Traditional Owners of the lands on which we operate; and collaborating on opportunities for employment and economic participation.

AGL's vision for reconciliation is a unified and inclusive Australia where Aboriginal and Torres Strait Islander peoples are respected and have equal voice, rights and opportunities for prosperity. As outlined in our [Reconciliation Action Plan \(RAP\)](#), we will seek to bring this vision to life by:

- Truthfully acknowledging the past and how it has influenced where we are today;
- Working towards an inclusive future together;
- Being a trusted partner for Aboriginal communities in locations where we operate and are planning future projects; and
- Supporting tangible economic benefits for Aboriginal communities through our investment in energy transition.

In our RAP for the period of July 2023 to June 2025, we are focused on creating pathways to sustainable futures for Aboriginal and Torres Strait Islander peoples by supporting direct and indirect employment and through our investment in the energy transition. Over the next two years, we also plan to increase the share of our procurement spend with Aboriginal and Torres Strait Islander suppliers from \$3 million in FY2023 to \$5.7 million by the end of FY2025 (90% increase over two financial years).

Improving First Nations people's participation in Australia's energy system

The historic economic and technological opportunity presented by the clean energy transformation presents some unique opportunities and benefits for First Nations peoples and businesses, including the opportunity to



utilise investment for new renewable energy projects and infrastructure to support Indigenous communities and grow Indigenous businesses, as well as helping remote Indigenous communities realise the benefits of clean, cheap, reliable energy.

One of the key ways that government can improve First Nations people's participation in the Australian energy system and help First Nations peoples and businesses realise the benefits and opportunities presented by the energy transition is through incentivising industry to help First Nations peoples and businesses develop:

- their knowledge of the energy transition;
- the required skills for participating in the energy transition; and
- the required skills for owning and managing renewable energy assets.

This could be achieved by:

- setting up an industry taskforce drawing on various expertise, skills, and capabilities from across the energy industry to advise, support, collaborate with and enable Indigenous businesses to actively participate in the energy transition.
- ensuring that there are contractual repercussions for not meeting the social licence requirements set out in any government funding contracts granted, similar to NSW Aboriginal Procurement Policy, where an Aboriginal Participation fund is established for all unused contract committed funds to help with the training and development of Indigenous businesses.

There also needs to be best practice guidance provided to the energy industry (and more broadly) in engaging with Traditional Owners and interested Indigenous groups, including clear and consistent national guidelines and processes for:

- Free, prior, and informed consent (**FPIC**). Having a clear and consistent FPIC model will ensure First Nations peoples are being appropriately consulted and that their voice is continually heard, which will hopefully allow First Nations people to be more engaged with the energy transition.
- Identifying the appropriate people who speak for Country and cultural heritage where native title or land rights statutory representative bodies haven't been established.

We would also recommend that an overarching Commonwealth legal framework for the protection of cultural heritage be established to supplant the current state-based legislation to ensure more uniformity.

Another important consideration is, as the energy transition continues and we move away from coal production and mining, some Indigenous businesses will need to pivot to ensure their businesses continue to stay viable. One of the areas that could provide a good opportunity for partnerships with Indigenous businesses is in the rehabilitation and rejuvenation of land as well as the ongoing opportunities relating to carbon and biodiversity credits. The government should look at ways it can support Indigenous businesses in establishing themselves in this space.

Helping First Nations peoples develop their coordination and capacity

Developing First Nations peoples' coordination and capacity is of critical importance to ensure that they realise the benefits from the energy transition.

Industry has a key role to play here through knowledge sharing, providing opportunities for First Nations peoples and businesses to participate in renewable energy projects and by looking for opportunities to partner with First Nations peoples and businesses to help develop their coordination and capacity.



To help facilitate this, we would encourage the government to set up an industry taskforce as outlined above that would be focused on enabling Indigenous businesses to actively participate in the energy transition. This taskforce would utilise its various expertise, skills, and capabilities from across the energy industry to provide advice, support, and opportunities to Indigenous businesses.

The government should also look to set up partnerships with the various Indigenous chambers of commerce across Australia to assist with educating First Nations peoples and businesses on the energy transition, the opportunities that the transition provides and ensuring that First Nations peoples and businesses are well placed to take advantage of the opportunities available.

As mentioned above, there is a large portion of First Nations businesses that are currently servicing the mining sector. As the energy transition continues and demand for mining decreases, the government needs to make sure that there are appropriate policies in place to support those businesses in undertaking the relevant retraining, relicensing, investment etc. required to diversify into comparable industries (such as renewable energy), especially as many of the skills will be transferrable and the energy transition is currently grappling with a skills shortage.

It is also important that First Nations businesses be offered long-term contracts to help with their ongoing viability. We encourage government to look at ways to incentivise this, as without long-term contracts and ongoing commercial relationships the ability for First Nations business to diversify and grow is limited.

Lastly, to ensure that there is accountability and transparency, there needs to be robust reporting frameworks on First Nations peoples and businesses participation in the energy transition, including the percentage of First Nations businesses that own and/or manage renewable energy assets. This will help ensure that any new policies and frameworks introduced through the First Nations Clean Energy Strategy are actually resulting in higher participation of First Nations peoples in the energy transition.

Should you have any questions in relation to this submission, please contact Leilani Kuhn (Policy Manager) on 03 8633 6934.

Yours sincerely,

AGL Energy