

NSW ABORIGINAL LAND COUNCIL

Economic Development Policy



**'to improve, protect and foster the best
interests of Aboriginal persons within NSW'**

- Object of NSWALC, Aboriginal Land Rights Act 1983

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CONTENTS

Introduction	4
Guiding principles	5
Strategic priorities	6
Facilitation of Local Aboriginal Land Council business enterprise	6
Facilitation of Aboriginal employment in NSW	8
NSW Aboriginal Land Council business enterprise	9
Governance framework	10

INTRODUCTION

The NSW Aboriginal Land Council has a statutory objective: to improve, protect and foster the best interests of Aboriginal persons within NSW.

To achieve this objective, the Council of the NSW Aboriginal Land Council has set the following five strategic priorities in the NSW Aboriginal Land Council Strategic Plan 2013-17:

1. Securing and managing our land
2. Improving our governance and sustainability
3. Driving our economic development
4. Supporting our people
5. Protecting and promoting our culture, heritage and the environment

This policy outlines the broad strategies and initiatives that the NSW Aboriginal Land Council will pursue over the next five years to drive economic development towards wealth creation and wellbeing for Aboriginal people in NSW. The NSW Aboriginal Land Council has also, subject to the obligations of the *Aboriginal Land Rights Act 1983*, committed up to \$16 million over this timeframe to support the initiatives outlined in this policy.

Economic development has been a thread throughout the history of the *Aboriginal Land Rights Act 1983*. The growth of the NSW Aboriginal Land Council Account, the claiming of land and the focus on the governance foundations of Aboriginal Land Councils over those thirty years have delivered a platform for true economic self-reliance.

It is the view of the NSW Aboriginal land Council that it is now time to take the next step, and further invest in economic development to realise the full aspirations of Aboriginal Land Rights and the Aboriginal peoples of NSW.

This policy sets out a range of ways that the NSW Aboriginal Land Council plans to broadly drive economic development. For the avoidance of doubt, the policy has been treated as a 'section 113 Policy', because it includes elements regarding the business enterprises of Aboriginal Land Councils, which may be regarded as falling within section 113(1)(c) of the *Aboriginal Land Rights Act 1983*.

GUIDING PRINCIPLES

The NSW Aboriginal Land Council will be guided by the following principles in the implementation of this policy:

Self-determination

The success of this policy relies upon self-determination in both principle and in practice; that is Aboriginal people making decisions for Aboriginal people; and Local Aboriginal Land Councils driving local and regional initiatives, that are supported by the NSW Aboriginal Land Council.

Community development for economic self-reliance

The ultimate success of this policy requires a broader community development approach to economic development. As a result, capacity development will be a central element to all economic development strategies and initiatives.

Coordination not duplication

The most effective approach for the success of this policy is to recognise and utilise the expertise, experience and programs of others. The key to the policy's success will be partnerships with corporates, governments and program providers; with the NSW Aboriginal Land Council principally facilitating and coordinating rather than duplicating the efforts of these partners whenever possible.

Strong leadership and governance

The success of any enterprise is reliant upon strong leadership and governance. The strong leadership and governance of Aboriginal Land Councils will remain the foundational focus of this policy.



Cropping at Kaituna Uno

STRATEGIC PRIORITIES

Three strategic priorities have been identified for achieving the goal of wealth creation and wellbeing for Aboriginal people in NSW:

1. Facilitation of Local Aboriginal Land Council business enterprise
2. Facilitation of Aboriginal employment in NSW
3. NSW Aboriginal Land Council business enterprise

An overview of the key initiatives under each strategic priority is outlined below and the table on page 12 provides a summary.

1. Facilitation of Local Aboriginal Land Council business enterprise

The NSW Aboriginal Land Council recognises that Local Aboriginal Land Councils are the true asset base of the Land Rights Network. This strategic priority is focused on developing those assets - Local Aboriginal Land Council people and lands.

The aim of this priority is to provide the support, skills and resources necessary to drive local and regional knowledge and initiatives into successful and sustainable businesses. The initiatives for achieving this strategic priority are targeted at Local Aboriginal Land Councils, and any business enterprises facilitated by Local Aboriginal Land Councils in accordance with the *Aboriginal Land Rights Act 1983* (referred to in this Policy as Local Aboriginal Land Council related business enterprises).

1.1. Capacity building

The NSW Aboriginal Land Council recognises that our people are our most important asset. With economic and business development requiring new skills for many, the NSW Aboriginal Land Council will invest in the capacity of our people to succeed in business.

The NSW Aboriginal Land Council will invest in building the capacity of those Local Aboriginal Land Council Board-members, members and staff who are, or are to be, involved in the establishment and operation of Local Aboriginal Land Council and Local Aboriginal Land Council related business enterprises. The aim is to equip these Board-members, members and staff with the necessary knowledge and skills to develop and operate sustainable and successful businesses.

1.1.1 Governance and financial literacy training

The NSW Aboriginal Land Council will continue to focus on the foundational skills of those involved with Local Aboriginal Land Councils; with an expanded course of governance training and financial literacy training to be provided to Board members and staff from pre-committed resources.

1.1.2 Business and entrepreneurship skills development

In partnership with training and program providers, the NSW Aboriginal Land Council, will target training at the business and entrepreneurship skills-gaps of those Board-members, members and staff involved in the establishment and operation of Local Aboriginal Land Council and Local Aboriginal Land Council related business enterprises.

1.2 Supporting Business Development

The NSW Aboriginal Land Council will provide regionally focused staff to regionally coordinate the initiatives of this policy and support the development and growth of Local Aboriginal Land Council and Local Aboriginal Land Council related business enterprises.

1.3 Property asset management

The NSW Aboriginal Land Council recognises the centrality of land to Aboriginal culture and identity, and to the financial success of Local Aboriginal Land Councils.

The NSW Aboriginal Land Council will endeavour to provide the following support to assist Local Aboriginal Land Councils with the management of their property assets:

- Assistance with identifying cultural and economic land assets;
- Continuing assistance in the making and litigation of strategic land claims made pursuant to section 36 of the *Aboriginal Land Rights Act 1983*; and
- Assistance in the negotiation of strategic land claims outcomes.

1.4 Enterprise development funding

The NSW Aboriginal Land Council will establish enterprise development funding to provide the needed capital to facilitate Local Aboriginal Land Council and Local Aboriginal Land Council related business enterprises.

1.4.1 Business development funding

The NSW Aboriginal Land Council will make available funding for Local Aboriginal Land Council and Local Aboriginal Land Council related business enterprises to develop and validate business concepts, proposals and strategies.

This funding will be made available on a ‘gap-funding’ basis - where funding from other sources cannot be obtained – for developing and validating commercial business concepts, proposals and strategies through feasibility studies, business planning and other such foundational activities.

Applications for accessing business development funding will be assessed by the NSW Aboriginal Land Council Chief Executive Officer on their commercial merits and risks, while having regard to the potential for social outcomes. Applicants dissatisfied with determinations made by the NSW Aboriginal Land Council Chief Executive Officer will have recourse to review of their application by an independent assessment panel, of appropriately qualified independent experts, that will make a recommendation on the application to the Council of the NSW Aboriginal Land Council.

1.4.2 Early-stage investment

The NSW Aboriginal Land Council will make available to Local Aboriginal Land Council and Local Aboriginal Land Council related business enterprises start-up capital to fund early-stage business operations and to attract and leverage additional capital through co-investment from other sources.

This capital will be provided as no interest or low interest loans, structured so that repayments are not due until certain agreed profitability levels are reached, with terms and conditions tailored appropriately to each loan, such as agreed schedules of milestone payments.

Applications for early-stage investment loans will be assessed on their commercial merits and risks, while having regard to the potential for social outcomes, by an independent assessment panel, of appropriately qualified independent experts, that will make a recommendation on the application to the Council of the NSW Aboriginal Land Council.

1.4.3 Equity investment

The NSW Aboriginal Land Council will also work to provide creative solutions for capital funding of large and lower-risk Local Aboriginal Land Council and Local Aboriginal Land Council related business enterprises. Such solutions will be aimed at attracting co-investment from other sources and would involve the NSW Aboriginal Land Council taking an equity and possible management position in such enterprises.

Proposals for equity investment will be assessed on their commercial merits and risks, while having regard to the potential for social outcomes, firstly by an independent assessment panel, of appropriately qualified independent experts, that will make a recommendation on the proposal to the Council of the NSW Aboriginal Land Council.

2 Facilitation of Aboriginal employment in NSW

It is recognised that Aboriginal employment and the income it generates for Aboriginal families, presents the most significant opportunity for community wealth creation and wellbeing. It is also recognised that wherever possible, using existing employers to provide those jobs is the most effective and low risk approach to achieving this aim.

Even so, it is acknowledged that employment opportunities will vary significantly across the regions and there are numerous program and service providers with the funding and experience to deliver the desired outcome of greater Aboriginal employment. As a result, the strategies to achieve this priority will predominantly be focused on coordinating and facilitating existing program and service providers, to link members to services and employment opportunities.

2.1 Capacity development and support

The NSW Aboriginal Land Council will seek partnerships with providers of existing job readiness and employment support programs and will aim to regionally coordinate and facilitate the provision of such programs with identified job opportunities. Additionally, the NSW Aboriginal Land Council will seek to identify, support and promote industry targeted and backed training programs, to prepare members for real employment opportunities.

2.2 Promote and support Aboriginal employment strategies

2.2.1 Promote new Aboriginal employment strategies

The NSW Aboriginal Land Council will work with corporate partners, employers and industry groups to promote the development of Aboriginal employment strategies and procurement policies to generate real Aboriginal employment opportunities. The NSW Aboriginal Land Council will seek to;

- Identify regional employment opportunities and seek to develop key relationships and partnerships to realise those opportunities;
- Negotiate Aboriginal employment strategies and procurement policies with corporate partners that promote Aboriginal businesses and maximise Aboriginal employment;
- Support the development of training and employment agreements with industry groups and registered training providers; and
- Link Local Aboriginal Land Councils with employment opportunities for their members.

2.2.2 Support Aboriginal employment strategies

The NSW Aboriginal Land Council will monitor and support existing Aboriginal employment strategies and procurement policies and will seek to:

- Link employers with cultural awareness training and support programs; and
- Link Local Aboriginal Land Councils with employment and supply opportunities for their members and businesses.

2.3 NSW Aboriginal Land Council Aboriginal employment plan

The NSW Aboriginal Land Council will lead by example through the implementation of the NSW Aboriginal Land Council Aboriginal Employment Plan 2014-2017.

3 NSW Aboriginal Land Council business enterprise

The NSW Aboriginal Land Council recognises that the investment of the statutory NSW Aboriginal Land Council Account will not necessarily secure the economic base nor deliver the economic development aspirations of the Aboriginal Land Council Network alone. As a result, the NSW Aboriginal Land Council has been exploring additional enterprise opportunities and will continue to do so, alongside the ongoing prudent investment of the NSW Aboriginal Land Council Account to grow the economic base of the Network.

3.1 Investment of and with the statutory NSW Aboriginal Land Council Account

The NSW Aboriginal Land Council will continue to prudently manage and grow the statutory NSW Aboriginal Land Council Account and, subject to the necessary amendments to the Aboriginal Land Rights Regulations 2002, will develop the facilities for Local Aboriginal Land Council co-investment with the Account.

3.2 Mineral and energy exploration

The NSW Aboriginal Land Council will continue to explore opportunities in the minerals and energy sector.

3.3 Other business opportunities

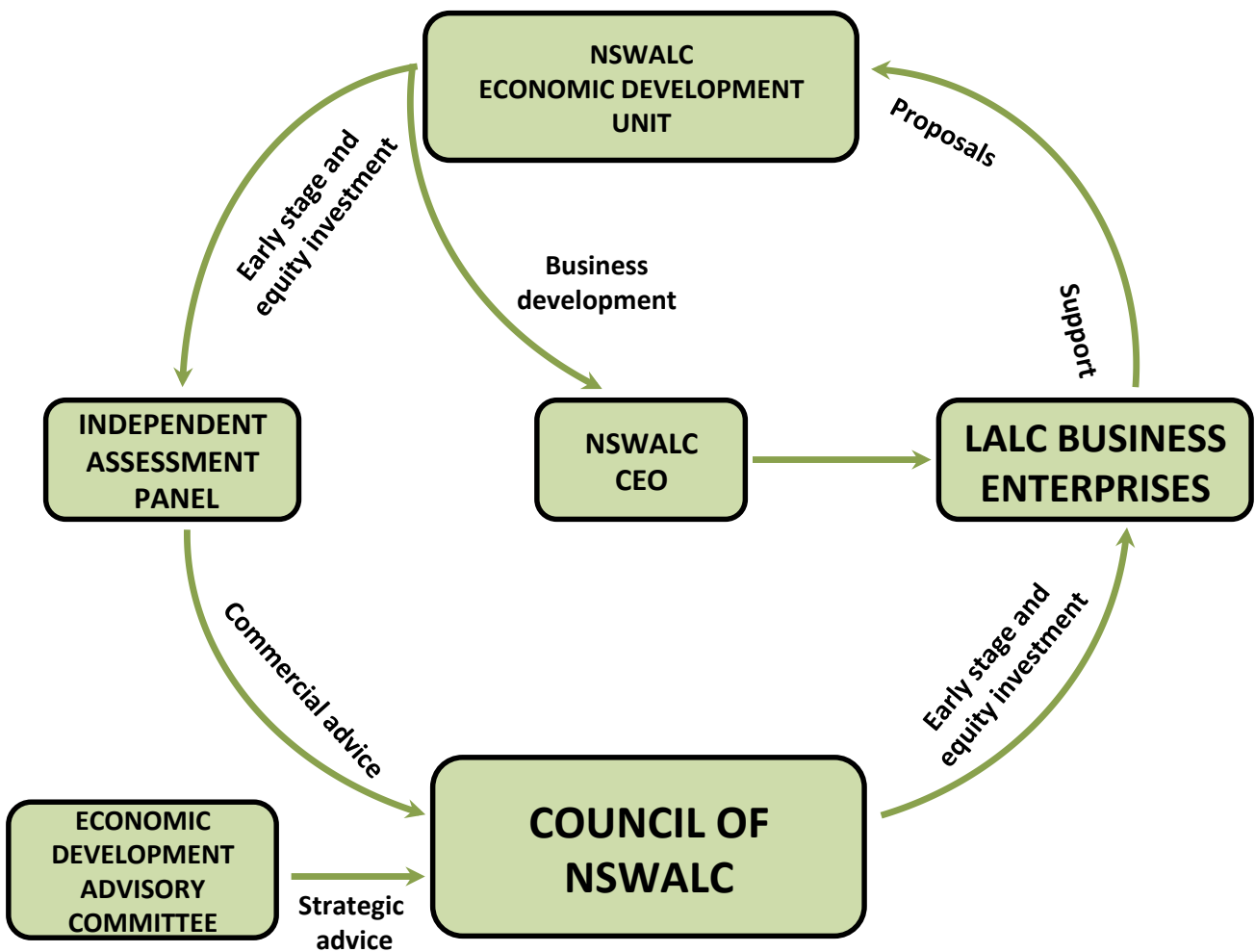
The NSW Aboriginal Land Council will continue to explore other business enterprise opportunities.



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GOVERNANCE FRAMEWORK

It is recognised that the success of this policy depends on strong leadership and governance. The following governance framework provides this policy with the foundations for that strong leadership and governance.



The Council of the NSW Aboriginal Land Council

The Council of the NSW Aboriginal Land Council will continue to provide the strong Aboriginal leadership needed for this policy to succeed, guided by both the NSW Aboriginal Land Council Economic Development Advisory Committee and the Independent Assessment Panel.

The NSW Aboriginal Land Council Economic Development Advisory Committee

The NSW Aboriginal Land Council Economic Development Advisory Committee is a high level advisory committee appointed by the NSW Aboriginal Land Council to provide strategic advice to the Council on economic development, including on the progress and implementation of this policy. The Economic Development Advisory Committee will also identify opportunities to partner or engage with the corporate sector and advise on emerging economic opportunities. The Economic Development Advisory Committee has independent advisors with the expertise and experience to provide effective strategic advice to guide and oversee the success of the policy.

Independent Assessment Panel

The Independent Assessment Panel will provide the NSW Aboriginal Land Council with the commercial expertise and experience to assess the commerciality of applications for enterprise development funding. The Independent Assessment Panel will provide recommendations on the commerciality of funding applications to inform the decision making of the Council of the NSW Aboriginal Land Council.

Implementation

The policy will be underpinned by an implementation action plan, the development of which will be overseen by the Council of the NSW Aboriginal Land Council.

Risk management

The implementation of this policy will be supported by a risk management plan, the development of which will be overseen by the Council of the NSW Aboriginal Land Council.

Communication

The implementation of this policy will be supported by a communications strategy, the development of which will be overseen by the Council of the NSW Aboriginal Land Council.

Performance measurement

Implementation of this policy will be monitored and periodically reported to the NSW Aboriginal Land Council Economic Development Advisory Committee and the Council of the NSW Aboriginal Land Council.

DRIVING OUR ECONOMIC DEVELOPMENT

Strategic Priorities

Facilitation of LALC business enterprises

Fund and support the development of LALC and LALC related businesses.

Initiatives

Capacity Building

In partnership with training providers NSWALC will invest in the capacity of our people to succeed in business.

- Governance and financial literacy training.**
- Business and entrepreneurship skills.

Supporting business development

In conjunction with corporate partners and other program providers, NSWALC will support the development and growth of LALC and LALC related businesses.

- Regionally focused economic development support staff.
- Linkages to professional advice.
- Linkages to mentoring and business support services.

Property asset management

- Assist LALCs to identify cultural and economic land assets.
- Continue to make strategic land claims.**
- Negotiate strategic land claim outcomes.*

Enterprise Development Funding

Funding for the realisation of commercial ideas, business development, and for leveraging co-investment, to grow successful LALC and LALC related businesses.

Business development funding

Gap-funding for the validation and development of commercially meritorious ideas; for feasibility studies and business planning, etc, where funding cannot be sourced elsewhere.

Early-stage Investment

No or low interest loans with favorably structured repayments to attract co-investment for commencing and growing businesses.

Equity investment

Capital investment for low risk business enterprises through joint-venture partnership or equity investment.

FOR WEALTH CREATION AND WELLBEING

Facilitation of Aboriginal employment

Link members with programs and pathways to employment.

Capacity Building and support

In partnership with industry groups, Government, and training & program providers, link members with capacity building and support services.

- Linkages to industry specific training.
- Linkages to job readiness programs.
- Linkages to employment support mentoring.

Promote Aboriginal employment strategies

Work with corporate partners, employers and industry groups to promote the development of Aboriginal employment strategies and procurement policies to generate real employment opportunities.

- Implement NSWALC Aboriginal Employment Plan 2014-17
- Assist and oversee the implementation of Government and private sector Aboriginal employment strategies.
- Link members with employment opportunities.

NSWALC business enterprise

Grow the economic base through business opportunities and prudent investment.

Investments**

NSWALC will continue to prudently grow the statutory investment account and establish LALC co-investment facilities.*

Mineral and energy exploration**

NSWALC will continue to explore opportunities in the minerals and energy sector.

Other business opportunities**

NSWALC will continue to explore other business enterprise opportunities.

* subject to necessary ALRA reforms

** funded from existing pre-committed resources



**NEW SOUTH WALES
ABORIGINAL LAND COUNCIL**