



New South Wales
Aboriginal Land Council



ANNUAL REPORT 2021–2022

PART 1 OF 2
OVERVIEW AND ACHIEVEMENTS



Acknowledgement of Country

The NSW Aboriginal Land Council acknowledge and pay respect to the Traditional Owners of the lands on which we work, and the lands we travel through. We also acknowledge our Elders — past, present and emerging.

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Original artwork by Kamilaroi Artist, Rhonda Sampson, RS Creative Solutions.

Cover images: Talbragar Wiradjuri Dancers performing at the Wellington LALC repatriation ceremony on Wiradjuri country in Wellington, May 2022. Part 1 – Adarnna Riley-Coleman (front) and Tianne Wells (back); Part 2 – Xavier Wells.

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Parts 1 and 2 together constitute the full annual reporting requirements of the NSW Aboriginal Land Council.

Letter to the Minister



New South Wales
Aboriginal Land Council

2 December 2022

The Hon. Ben Franklin, MLC
Minister for Aboriginal Affairs
GPO Box 5341
SYDNEY NSW 2001

Dear Minister,

In accordance with the provisions of the *NSW Aboriginal Land Rights Act 1983*, the *Annual Reports (Statutory Bodies) Act 1984* and the *Government Sector Finance Act 2018*, we are pleased to submit the 2021–22 NSW Aboriginal Land Council (NSWALC) Annual Report.

Council is proud of the achievements and progress made this year towards fulfilling the goals of our Strategic Plan. We continue to build on the strong foundations laid for NSWALC, the Aboriginal Land Rights Network and the broader Aboriginal community of NSW to achieve outcomes for our people.

Following the report's presentation in Parliament, it will be available for public access on NSWALC's website at alc.org.au.

We commend this report to you.

Yours sincerely,

Danny Chapman
Chairperson
NSW Aboriginal Land Council

Ross Hampton
Deputy Chairperson
NSW Aboriginal Land Council

ALWAYS WAS. ALWAYS WILL BE.

alc.org.au

INTRODUCTION

About us

NSWALC was formally constituted as a statutory corporation with the passage of the NSW *Aboriginal Land Rights Act 1983* (the ALRA). The ALRA was passed following a Parliamentary Inquiry into Land Rights by the Legislative Assembly Select Committee on Aborigines, and the release of a government Green Paper proposing a scheme for land claims.

The ALRA provides a mechanism to make claims on limited classes of Crown Land. It also provides a fund for economic development, the purchase of land on the open market, and self-determination through a network of representative land councils.

The Statutory Investment Fund (the SIF) was established as part of the ALRA and resourced for 15 years with an annual amount equal to 7.5 per cent of NSW land tax on non-residential land. All government contributions to the SIF ceased in 1998. Since then, NSWALC has managed the SIF on behalf of the Aboriginal people of NSW.

Over the past 23 years, capital growth has enabled NSWALC to cover its own operational costs, as well as a network of 120 Local Aboriginal Land Councils (LALCs), from a proportion of the SIF's earnings.

The specific functions of NSWALC, as set out in Section 106 of the ALRA are:

- land acquisition
- overseeing the administration of LALCs
- policy and advice
- administration of statutory accounts
- Aboriginal culture and heritage
- financial stewardship.

NSWALC represents
120 LALCs across NSW,
and is the peak advocacy
body for Aboriginal Land
Rights in the state.

Since inception of the
ALRA, over 53,000 land
claims have been lodged
by NSWALC on behalf
of Aboriginal communities.

Message from the Chairperson

As the Land Rights Network and our communities continued to navigate our way through the COVID-19 pandemic and lockdowns, a constant challenge was the ongoing work of supporting our communities under difficult conditions. NSWALC provided extensive emergency food and hygiene support to Aboriginal communities and vulnerable community members throughout the first 18 months of the COVID-19 pandemic, and onwards across 2021–22.

Unprecedented floods across much of NSW in early and mid-2022 saw many communities inundated, particularly across the North Coast, Northern Rivers and Mid North Coast regions. Many LALC properties and homes were severely damaged or lost, and thousands of community members were evacuated.

The NSWALC Northern Zone staff worked with affected LALCs and provided much-needed brokerage and advice to ensure they were able to access government crisis and flood payments, and other assistance. The LALC CEOs and Boards were incredibly courageous in such a difficult time and continued to deliver for their members and communities, supported by Zone staff and the NSWALC Councillors.

As the flood crises and COVID-19 lockdowns eased, the NSWALC Councillors were able to get back to business in our communities. Meeting with LALCs is always an important way of exchanging ideas and information, and supporting the Network's projects and events to affect positive change across the state.

Some of the notable success stories across the Network included a landmark agreement between NSWALC, Merrimans LALC and the NSW Government in February 2022 on future housing options in the region; the historic return of Bulagaranda (Mount Yarrowyck) to the Anaiwan and Armidale LALCs in April; and a significant land transfer to Brewarrina LALC in June, which will provide an agricultural income stream for the community and pave the way for sacred site identification and protection. I invite you to read more about these successes, and many more, in our Year in Review section in this Annual Report.

NSWALC also took ownership of the 160–202 George Street Redfern site in late June 2022. Council is pleased this iconic site is now owned by the largest Aboriginal member-based organisation in NSW. The area is the home of Land Rights, and we look forward to building on its strong cultural and community legacy.

NSWALC continued to advocate for the commencement of Section 21AA of the *Fisheries Management Act 1994*, which authorises an Aboriginal person practising his or her cultural fishing rights to take fish, despite bag limits. Section 21AA was passed by the NSW Parliament in 2009 and is now the subject of a Parliamentary Inquiry investigating why legislative provisions have not been enacted, and the

ongoing impacts on Aboriginal communities. We have consistently called for the immediate commencement of Section 21AA and for a moratorium on the prosecution of Aboriginal cultural fishers.

We lodged more than 1,000 land claims across the 2021–22 financial year and approximately 800 parcels of land were transferred into the Estate of a LALC or NSWALC in the period. It is important to note that land transfers often include claims that were made in previous years, and acquisitions made by LALCs.

The ALRA was introduced to help compensate Aboriginal people in NSW for the dispossession of our land, and claiming unused Crown land remains a fundamental part of the Land Rights Network's work. Its importance is directly reflected in Socio-Economic Outcome 15 of the *Closing the Gap NSW Implementation Plan*, which recognises the deep relationships we have with our land and waters, and commits to enhancing and streamlining support for Aboriginal people to realise our legal rights and interests over land, sea and water.

NSWALC, as a member of the NSW Coalition of Aboriginal Peak Organisations (NSW CAPO), is committed to securing and activating our land across our regions for housing and employment, building economic independence and prosperity, and protecting our culture and heritage and rights to Country.

By working together with goodwill and a common purpose, NSWALC, our CAPO partners, Aboriginal community-controlled organisations (ACCOs) and governments can successfully address these important issues in a timely way, so we are able to see tangible and sustainable local benefits from Closing the Gap strategies and funding allocations.

I am very pleased to acknowledge the professionalism of Yuseph Deen as Acting NSWALC CEO across 2021–22. Yuseph has extensive experience in Land Rights at senior levels and more than two decades of experience working in Aboriginal and Torres Strait Islander affairs. On behalf of the NSWALC Councillors, I thank Yuseph for his calm and steady leadership across a busy and challenging year.

I would also like to thank Anne Dennis, outgoing NSWALC Chairperson, and Charles Lynch, outgoing Deputy Chairperson, for their generosity and expertise during their time leading Council. I am very grateful to all the Members of the Land Council Network, and my fellow Councillors for their ongoing commitment to improving the lives, aspirations and opportunities of Aboriginal people in NSW.

Danny Chapman
Chairperson

Acting CEO's foreword

The past year has again been challenging, with our communities continuing to be impacted by the COVID-19 pandemic, as well as devastating floods across NSW.

In February and March 2022, numerous regions were inundated with a major rain event and catastrophic flooding. This was followed by more flooding across large portions of the state in July. The floods resulted in loss or severe damage of LALC-owned homes, LALC properties, and the evacuation of many thousands of community members.

In the days, weeks and months that followed, I was inspired by the resourcefulness and resilience of all the affected LALCs, their communities, and community organisations that supported each other so strongly in adversity. Their collaborative response to the flood crisis is a testament to their strength, resilience and the strong connections between our communities across the state.

NSWALC continued to provide extensive emergency food and hygiene support to Aboriginal communities and vulnerable community members during further COVID-19 lockdowns across the latter half of 2021, as you will read more about in this Annual Report.

NSWALC's Investment Fund (SIF) is managed by the Council of NSWALC, and resources the operations of NSWALC and its Network of 120 LALCs. The SIF was valued at \$598.7 million at 30 June 2022, which represented a decrease of \$68.5 million for the 2021–22 financial year. This was the effect of a \$27 million investment loss in the economic climate, and Network operational expenditure of \$41.5 million.

We continued our advocacy for government to meet its responsibilities under the ALRA in a timely way. NSWALC lodged 1,009 new land claims across the period, with 684 determinations declared. Of these, 502 claims were granted or part-granted, and 182 were refused. Overall, there are still more than 38,000 claims that remain unresolved since the ALRA's commencement.

NSWALC also maintained our work supporting LALCs to utilise the opportunities of Aboriginal Land Agreements (ALAs) within their boundaries. ALAs are a mechanism by which LALCs can achieve binding outcomes for their communities, and can support them to realise the economic, social, and cultural opportunities that land ownership brings.

The rate of processing land claims is only one way of measuring success. By persisting with other key elements such as ALAs, land negotiations and working on the Closing the Gap Priority Reform areas, land outcomes have the potential to be more strategic and transformative rather than simply transactional. I look forward our ongoing partnership with the NSW Government on changing mindsets and creating more efficiencies in this space.

The important area of Aboriginal culture and heritage came into spotlight this year, with the introduction of the Aboriginal Cultural Heritage (Culture is Identity) Bill 2022 (the Bill) to the NSW Parliament. The Bill represents a substantial improvement on current laws, largely incorporates NSWALC's long-standing key reform principles, and is an opportunity for overdue and meaningful changes to cultural heritage legislation.

NSWALC has advocated for better protections for Aboriginal cultural heritage since the late 1970's, and we continued to lead in this space. We also provided advice and support to a number of LALCs regarding legal protections, the acquisition of land significant to our culture and heritage, and the repatriation of numerous Aboriginal artefacts to their home community.

NSWALC continued to host the Secretariat for the NSW CAPO, which put forward 27 new initiatives to the NSW Government for funding in the 2022–23 NSW Budget. The NSW Government approved funding for the initiatives, in full, over four years, plus additional funding for the Closing the Gap Community and Place Grants. We also participated in NSW CAPO's community engagements in March 2022, which contributed to the development of the 2022–24 *Closing the Gap* NSW Implementation Plan (NSWIP).

The NSWALC Council finalised work on NSWALC's draft Strategic Plan 2022–26, which serves as our Community, Land and Business Plan (CLBP) in accordance with Section 137A of the ALRA. The draft Plan builds on our agenda to secure a better future for Aboriginal peoples in NSW, protect our inherent rights as First Nations peoples, and position the organisation moving forward. I encourage you to visit our Strategic Plan at www.alc.org.au/strategic-plan/

After a lengthy negotiation period, NSWALC staff endorsed a new Enterprise Agreement (EA) via ballot, which was approved by the Fair Work Commission on 20 December 2021. I thank all staff for their honest and constructive contributions to a document that contains more generous conditions than the Award covering NSWALC, while ensuring our operations are sustainable now and into the future.

I would like to thank NSWALC Chairperson Cr Danny Chapman, and Cr Anne Dennis who led Council as Chairperson till November 2021, Deputy Chairperson Cr Ross Hampton, former Deputy Chairperson Cr Charles Lynch, and the NSWALC Council for continuing to entrust in me the position of Acting CEO. To NSWALC staff, thank you for your focus, your efforts and all that you have delivered for the Network.

OUR COUNCIL

Council's role and function

Council consists of nine democratically-elected Councillors, who are elected by registered voting members of each LALC for a four-year term. One Councillor is elected to represent each of the nine regions in NSW. The elected Council then appoints a Chairperson and Deputy Chairperson for a two-year term, after which, they are eligible for re-election.

The statutory positions of Councillor are established under the ALRA. The role of each Councillor is to:

- direct and control the affairs of the Council in accordance with the ALRA
- participate in the allocation of the Council's resources for the benefit of Aboriginal people
- participate in the creation and review of the Council's policies and procedures

- review the performance of Council in the exercise of its functions and the achievement of its objectives
- represent the interests of LALC members and respond to concerns
- facilitate communication between LALC members and NSWALC.



Councillor profiles



**Cr Danny Chapman
(Chairperson)
South Coast Region**

Elected in 2015, Danny Chapman is a Saltwater man of the Walbunja Clan from the Yuin Nation. He was born in Batemans Bay and has lived in the area all his life.

His experience includes Land Rights, land claims, health and education and Native Title, and he is a longtime advocate for Aboriginal rights both in Australia and internationally at the United Nations. He has also represented Aboriginal people at world fishing rights forums in New Zealand and Canada.

Cr Chapman holds the Land and Water and Native Title portfolios.



**Cr Ross Hampton
(Deputy Chairperson)
Western Region**

Elected in 2019, Ross Hampton is a Ngiyampaa–Wiradjuri man. He was born at Lake Cargelligo, grew up in West Wyalong and lives in Irymple, where he is a member of Dareton LALC.

He was formerly NSWALC's Far Western Zone Director, an Executive Director at the Mallee District Aboriginal Services and Aboriginal Affairs NSW (AANSW), was CEO of the Murdi Paaki Regional Housing Corporation and worked at Aboriginal Hostels Limited for two decades.

Cr Hampton holds the Ethics and Professional Standards portfolio and the Social Services portfolio. He sits on the NSWALC Governance Committee and the Insurance Committee, and the Western Lands Advisory Committee.



**Cr Anne Dennis
North West Region**

Elected in 2011, Anne Dennis is a Gamilaraay woman who was born on Namoi Reserve and has lived most of her life in Walgett.

She has an extensive background in education, spanning more than 30 years as a teacher and administrator, and is a strong advocate for the role of independent and self-sufficient LALCs in delivering better educational outcomes and social justice for Aboriginal people.

Cr Dennis sits on the Regional Committee for the NSW Aboriginal Education Consultative Group (AECG) as President and is the President of the local AECG in Walgett.



Cr Dallas Donnelly North Coast Region

Elected in 2019, Dallas Donnelly is a Bundjalung and Gumbaynggirr man from Grafton.

He previously served as the NSWALC North Coast Regional Councillor, CEO of the Grafton–Ngerrie, Baryulgil Square and Ngulingah LALCs, was an ATSIC Regional Councillor and is a strong believer in Aboriginal self-determination and local Aboriginal communities making decisions regarding their own lives.

Cr Donnelly is one of two Councillors holding the Aboriginal Culture and Heritage portfolio and represents NSWALC on the Geographical Names Board and the Karst Management Advisory Committee.



Cr Leanne Hampton Wiradjuri Region

Elected in 2019, Leanne Hampton is a Wiradjuri–Ngiyampaa woman from West Wyalong.

She was the first female Deputy Mayor of the Bland Shire Council, and was a past Board member of the West Wyalong LALC before serving as its CEO for 13 years. A major focus is Aboriginal culture and heritage and instilling pride in young Aboriginal people.

Cr Hampton holds the Aboriginal Culture and Heritage portfolio and sits on the NSWALC Finance Committee and Governance Committee.



Cr Charles Lynch Northern Region

Elected in 2015, Charles Lynch is a Gomeroi man from Tamworth who has lived between Tamworth, Barraba and Quirindi all his life.

He has been involved in the Land Rights Network for more than 25 years in numerous capacities, is a member of both Nungaroo and Tamworth LALCs and is a Board member of the Tamworth Aboriginal Medical Service. He is a Fellow of the Institute of Public Accountants and a graduate of the Australian Institute of Company Directors.

Cr Lynch is Co-Chair of NSW CAPO and sits on the NSWALC Audit and Risk Committee and the Investment Committee.



Cr Peter Smith **Mid North Coast Region**

Elected in 2011, Peter Smith is a Dunghutti man from Kempsey, who has worked in the Taree region for three decades.

He is a member of the Purfleet–Taree LALC, where he served as Chair for 10 years. He spent 10 years at the NSW Police Service, 11 years in regional health services and has worked within his local community in numerous capacities.

Cr Smith holds the Water portfolio and is the alternate member for the NSWALC Audit and Risk Committee and Fishing Fund Advisory Committee. He also sits on the Redfern Projects sub-committee.



Cr Grace Toomey **Central Region**

Elected in 2019, Grace Toomey is a Wiradjuri woman from Dubbo.

She was a Board member of the Dubbo LALC for 10 years, worked in local government for 24 years, most recently as the Aboriginal Liaison Officer for the Dubbo Regional Council and is Secretary of the Dubbo Aboriginal Community Working Party of the Three Rivers Regional Assembly.

Cr Toomey holds the Social Services portfolio, and sits on the NSWALC Finance Committee and Insurance Committee.



Cr Abie Wright **Newcastle Region**

Elected in 2019, Abie Wright is a descendant of Gommeroi, Anaiwan, Dunghutti and Wanaruah people from Newcastle.

Cr Wright was a joint founder of the Miromaa Aboriginal Language and Technology Centre and is a Board member of Awabakal Cooperative. He is also a musician and songwriter, with extensive community connections.

Cr Wright holds the Economic Development portfolio and sits on the NSWALC Investment Committee and the Economic Development Advisory Committee.

Acting CEO's profile

Mr Yuseph Deen

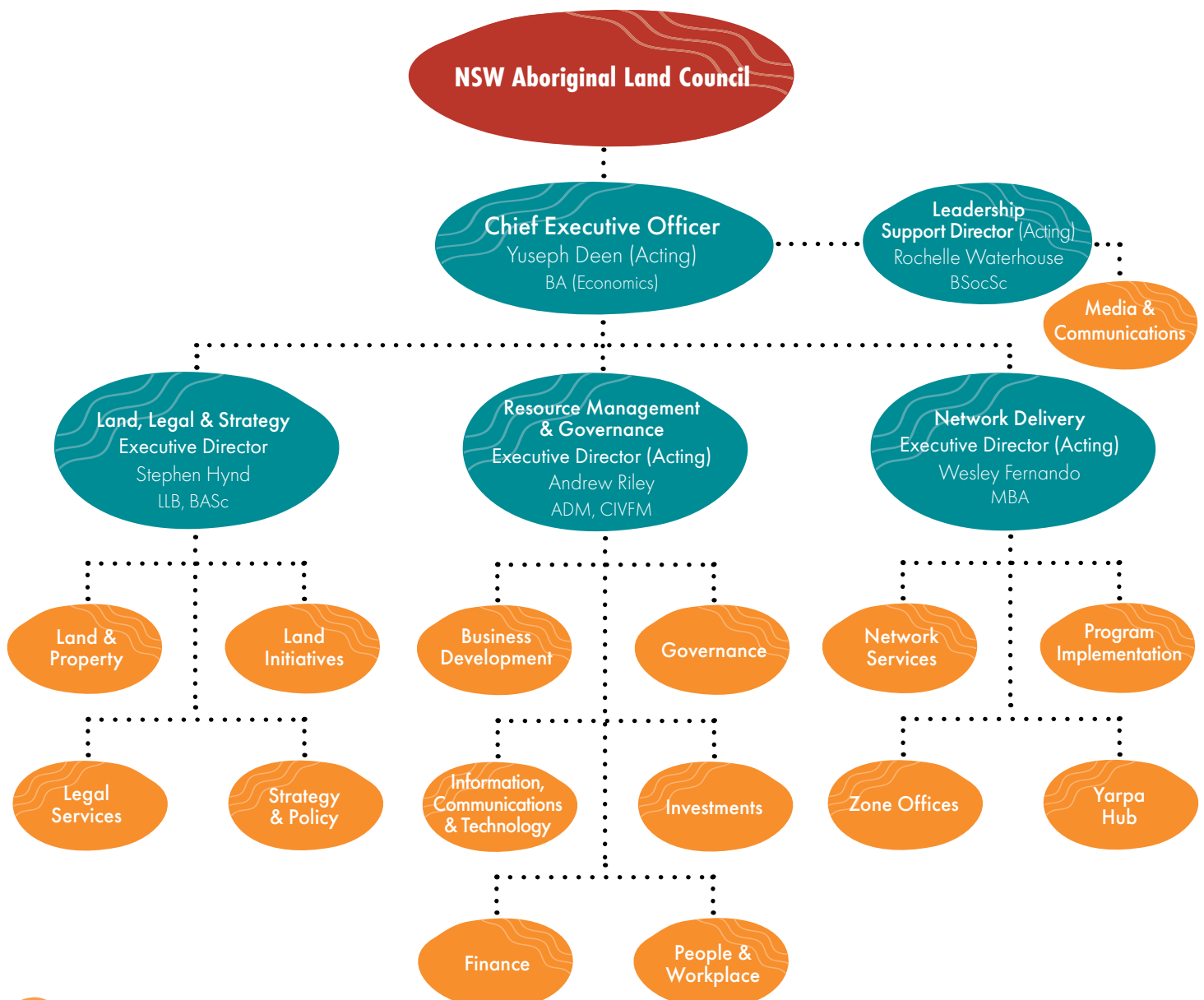
Yuseph Deen is a descendant of the Wuthathi peoples, with customary family connections to the Gunggandji peoples, as well as ancestral connections to the near Western Islands of the Torres Strait.

Mr Deen has extensive experience and leadership working across the NSW Land Rights Network and has been NSWALC's Acting CEO since June 2021. Prior to this, Yuseph was NSWALC's Executive Director of Network and Program Delivery, which included the establishment of the Yarpa Indigenous Business and Employment Hub (Yarpa). He also served as NSWALC's Southern Zone Director.

In addition to his time at NSWALC, Mr Deen brings to the role 25 years of experience working with First Nations People to secure and protect Land Rights, culture and heritage, as well as natural resource management and community development with the North Queensland Land Council, the Indigenous Land Corporation, Lumbu Indigenous Community Foundation and the Western Cape Communities Trust.

Mr Deen is committed to building on our ongoing work of increasing the Aboriginal Estate through land claims and negotiated ALAs, and expanding economic opportunities for Aboriginal people through land activation.

Organisational structure



Zone Offices

Five Zone Offices operate across NSW. They represent the LALCs in their zone and provide a range of different services and resources through NSWALC. They are based in Gosford, Broken Hill, Coffs Harbour, Fyshwick ACT, and Dubbo.

Staff at Zone Offices work closely with many NSWALC units to provide a variety of general and specialist support, advice and assistance to LALCs with:

- compliance with statutory responsibilities for funding under the ALRA and maintenance of the Risk Assessment System (RAS) for monitoring of compliance
- NSWALC's annual operational grants program and release of grants
- operational matters, governance, financial and CLBPs
- management of social housing and other Community Benefit Schemes (CBSs)
- legal advice on land dealings and Native Title matters
- training to build Network capacity
- preservation and protection of Aboriginal culture and heritage
- government and other stakeholder negotiations.

Each Zone Office is led by a Zone Director and staffing numbers vary, depending on the number of LALCs they service.

Zone Offices also work with Councillors to host a number of regional forums and workshops with their LALCs throughout the year. These forums provide an opportunity for LALCs to discuss issues of common concern, develop regional strategies and approaches, and receive information on NSWALC initiatives.

Our Network

NSWALC's Network comprises the 120 LALCs and the 28,086 Aboriginal people who are their members. LALCs manage and deliver a range of support services to their communities at the local level including housing, employment, training, culture and heritage, property acquisition and management.

The aim of the LALC structure is to achieve a high degree of participation and involvement by every Aboriginal person in the affairs of their local community.

Each LALC elects its own Board and appoints staff, with members able to access advice, information and support from NSWALC in relation to all aspects of Land Rights. LALCs are supported financially, and through relevant training and development, to build capacity for strategic planning and management of community affairs at the local level.

YEAR IN REVIEW

Highlights



Land claims

54,449

lodged since the ALRA commenced

1,009

lodged in 2021–22



Yarpa

>1,600

members as at 30 June 2022

SIX

Aboriginal businesses graduated
from the Yarpa Grow Program



Fishing Fund

\$621,141

disbursed to successful applicants

News from across the Network

Community consultations on Closing the Gap



Left to right: Northern Region Councillor Charles Lynch, Tamworth LALC Chairperson Daisy Cutmore, CEO Fiona Snape and Board Member, Narelle White, at the Tamworth Community Consultation.

Aboriginal community representatives met in 29 locations across NSW in February and March 2022 to contribute to the development of the 2022–24 Closing the Gap NSWIP.

A total of 399 people participated in the consultations, which were hosted by members of the NSW CAPO. An online survey was also available for people unable to attend in person. We thank everyone who gave their time and expertise to the consultations. The information is vital to framing Closing the Gap initiatives over the next two years.

NSWALC maintains its responsibility for the NSW CAPO Secretariat, and Northern Region Councillor Charles Lynch is Co-Chair. We also proudly contribute to the National Coalition of Aboriginal and Torres Strait Islander Peak Organisations on the National Agreement on Closing the Gap.

Major win for Aboriginal Land Rights

Brewarrina LALC and the Land Rights Network celebrated a major win in June 2022, with one of the largest transfers of land in NSW Land Rights history.

The Land Transfer Ceremony was held on the site of the former Yetta Dhinnakkal Correctional Centre, where representatives from Brewarrina LALC, NSWALC, Orana Haven, and Property and Development NSW joined with the community to witness the historic event.

The site's largest portion was transferred to Brewarrina LALC for agricultural purposes, identification and protection of sacred sites, and establishment of an income stream to support future LALC activities. The remainder of the land was transferred to the Brewarrina Shire Council, which will lease the site to the Orana Haven Aboriginal Corporation for provision of women's drug and alcohol rehabilitation services.

Brewarrina LALC Chairperson David Kirby said it was a great outcome for the community.

"In order to further the narrative around land acquisitions and land returning to us, we need to be able to demonstrate to mainstream Australia that, yes, we know how to use the land and we want the same economic opportunities that you have. The way we do that is through ideas and projects that benefit the whole community."



Brewarrina LALC Chairperson David Kirby speaking at the land transfer ceremony.

Beyond survival: 39th Anniversary of the ALRA



June 10 2022 marked the 39th anniversary of the proclamation of the ALRA in NSW. The proclamation followed many years of work by thousands of community members for a legal process to return land to Aboriginal people. The ALRA proclamation established NSWALC as a statutory corporation, and a network of independent LALCs across the state.

Landmark Cooma housing development

A landmark agreement between NSWALC, Merrimans LALC and the NSW Government in February 2022 will provide more future housing options for Aboriginal people in Cooma.

The partnership will see up to 140 new homes built on land situated between the Monaro Highway and Polo Flat Road.

"The housing agreement opens up new opportunities to utilise LALC land," said Merrimans LALC Chairperson Lorraine Naylor. "It will also support ongoing economic development, and ease housing stress and overcrowding in our community."

NSWALC Chairperson Danny Chapman said it was a major achievement, and he looked forward to working on future projects that activate land, benefit Aboriginal and non-Aboriginal communities, and address regional housing needs.

Left to right (front) NSWALC Chairperson and South Coast Region Councillor Danny Chapman and (back) NSW Deputy Premier and Minister for Regional New South Wales Paul Toole MP, Member for Monaro Nichole Overall MP, Minister for Regional Health Bronnie Taylor MLC, Minister for Lands and Water Kevin Anderson MP, Snowy Monaro Mayor Narelle Davis, Merrimans LALC CEO Dianne McVeity, NSW Land and Housing Corporation Executive Director Delivery (South) Peter Brackenreg.



Yilabara changing lives with the Barranggirra Program

In December 2021 six young men from Bourke and Brewarrina woke up bright and early to begin their week-long training at TAFE NSW's Dubbo campus for a part qualification in Civil Construction, which included backhoe, front loader and dozer operation.

The men had been referred to the Barranggirra program through Yilabara Solutions' formal partnership agreement with TAFE NSW. Yilabara Solutions is engaged by Training Services NSW to deliver Barranggirra across the Central West/Orana and Far West regions of NSW.

Barranggirra is a Wiradjuri word meaning 'to fly' or 'arise', and the program provides culturally-appropriate mentoring that supports students to complete their training and improve post-training outcomes.

As participants in the program students are able to access learning support both during their training and beyond. Yilabara Solutions also provides transport as part of the program.

The Yilabara Solutions Barranggirra team was on-hand to discuss the support and mentoring they needed to succeed when the men arrived on campus. First port of call was to get them kitted-out with the correct personal protection equipment (PPE). This was done in conjunction with each student's 'jobactive' provider (Sureway and Joblink Plus) to ensure everyone had what they needed to complete the course.



Fast forward to the next morning and, with everyone in the right PPE gear, the men were ready to start their training.

It was a dynamic week of intensive practical and theory. Despite the pressure, all six students successfully completed all modules, and gained their part qualification in Civil Construction. The Barranggirra team congratulates them on their commitment, support for each other, and their hard work on the road to meaningful employment.

NSWALC Educational Scholarship awarded



The 2022 NSWALC Educational Scholarship was awarded to Dunghutti man, Luke Hodge (pictured).

Luke is currently studying a Bachelor of Communication (Screen Media) at Western Sydney University and says his overarching goal is to preserve and celebrate our unique cultures through his work.

"As an Aboriginal filmmaker and professional storyteller, I'm committed to preserving for future generations the sacred languages, stories, and cultural customs that strengthen our cultural identities and connection to Country.

"Through film and television directing, producing and acting, I aim to spotlight our strong cultural heritage and help provide a platform for other Aboriginal and Torres Strait Islander youth to creatively express themselves and share their own stories," he said.

The NSWALC Scholarship also includes a six-week paid internship, but due to ongoing uncertainty regarding COVID-19 restrictions in NSW, this component was placed on hold by Council.

More Jobs More Care

After 16 years of caring for her daughter, Julie Trindall (pictured) took the plunge and re-entered the workforce through the More Jobs More Care program, an initiative to grow the disability support workforce across NSW.

Julie met Yilabara Solutions Aboriginal Employment Mentors, Beverley Moreton and Josh Wilson, while she was completing her Certificate III through the program, and they were more than happy to support her to reach her goals.

For Julie, the journey back into work hasn't been easy, but it's certainly been life changing.

"I still get emotional talking about it because it was such a journey! Josh and Bev have been awesome mentors. The cultural safety was always there. If I felt like I was struggling or if I needed any help, they were always quick to respond and help build my confidence to put myself out there," she said.

Thanks to Julie's hard work and the More Jobs More Care program, she's now in full-time employment for the first time in 16 years.

Congratulations Julie!



Yilabara Solutions and Workforce Australia: a licence to work



A major focus for Yilabara Solutions throughout 2021 – 22 was to gain a new Workforce Australia licence. Workforce Australia is the largest Commonwealth government employment services contract and has replaced what was previously known as jobactive.

That focus happily paid-off. Yilabara Solutions was the only Aboriginal provider in NSW to be awarded a Workforce Australia licence, with a specialist Indigenous license across the Illawarra and South Coast.

Yilabara Solutions' Workforce Australia team hit the ground running and worked intensively with our client, 22-year-old Riley Bailey (pictured), on his employment future.

Riley was referred to Yilabara and worked with his case manager to upgrade his transferable skills from previous employment. After weeks of training and mentoring, Riley secured long-term employment with tech company, Micromax.

By all accounts, it's a great outcome. Senior Project Manager at Micromax Domenic Pipino said, "Riley has great communication skills, an excellent phone manner, good presentation skills, and is a credit to his family and his employment provider." And Riley's also pretty stoked.

Congratulations Riley!



Water Is Life video series

In 2021–22 NSWALC was proud to launch a new six-part video series, *Water is Life*, exploring the importance of Aboriginal people's enduring connection to water.

The launch coincided with National Water Week 2021, and aimed to deepen Australians' understanding of First Nations people's 65,000-year history of protecting and sustaining our water and lands. We travelled around the state, speaking with community Elders and leaders working to achieve better water management outcomes and equitable Water Rights for Aboriginal people.

NSWALC, LALCs and Aboriginal people have long called for improved water management and greater Aboriginal involvement in water governance. In 21st century Australia, it is unacceptable that Aboriginal communities in NSW do not have access to clean and safe drinking water, or access to the rivers, lakes and cultural sites that have sustained them for millennia.

Fish traps such as those at Brewarrina (above) have been used and maintained by Aboriginal people for tens of thousands of years.

NAIDOC Week July 2021

NAIDOC Week 2021 (4–11 July) celebrated the important theme of *Heal Country*, a focus particularly significant for NSWALC and the Land Rights Network.

NAIDOC'S *Heal Country* message reflected our ongoing advocacy for increased and robust culture and heritage protections across NSW.

NAIDOC Week was an opportunity to reflect on, and to celebrate, what we do as individuals and as a collective. It was a chance to amplify our voices and consider what *Heal Country* means to ACCOs that are committed to improving the health and lives of Aboriginal people, Country and waterways.

COVID-19 health orders meant there were restrictions on movement and gatherings across the state. In NSW, many NAIDOC events were postponed, and others were cancelled or went online.

While NAIDOC is a week-long annual celebration, the Land Rights Network and our communities continue to heal Country through practical and tangible actions, every day.





Left to right: Aunty Rosemary Curtis, Greg Livermore, Uncle Jimmy Connors, Rhonda Kitchener, Cheryl Kitchener, Brian Williams.

Historic handback of Bulagaranda

April 2022 was a very special month for the Anaiwan people, with the historic return of Bulagaranda (Mount Yarrowyck) in the New England area.

Decades in the making, the agreement with the NSW Government sees the Anaiwan and Armidale LALCs as owners of the 586-hectare site on behalf of the

Anaiwan people. Bulagaranda will be jointly managed by the Aboriginal owners and the National Parks and Wildlife Service.

Bulagaranda is the latest NSW national park to have freehold title transferred to Aboriginal owners under the ALRA. The first was Mutawintji National Park in 1998.

NSWALC Cumberland Plain Grant Program provides new opportunities

There are exciting opportunities ahead for Deerubbin, Tharawal and Gandangara LALCs under the new Cumberland Plain Conservation Plan (CPCP).

Following our two-year grant agreement with Department of Planning and Environment (DPE) in 2021, NSWALC continued to rollout its \$1-million Cumberland Plain Grant Program (NCP Grant Program).

The NCP Grant Program will enable the three LALCs within the CPCP footprint to undertake projects that deliver cultural and conservation outcomes on their land or other areas important to them, and assist with ongoing or future land management for conservation.

The program will also build LALC capacity to deliver environmental services, and upskill in natural resource management and cultural management activities.



Image: Gandangara Local Aboriginal Land Council.

Responding to COVID-19 across our networks and communities

Supporting the Land Rights Network

As the COVID-19 pandemic continued to impact NSW during 2021–22, NSWALC maintained a range of direct COVID-19 support to the Land Rights Network.

NSWALC, the Registrar and Zone offices continued their work with LALCs to ensure governance and compliance issues were addressed during and after the NSW lockdown in the second half of 2021. Reporting and meeting requirements were relaxed for most of the year to allow LALCs to focus on managing the COVID outbreaks.

As the state began to open up, NSWALC sourced more supplies of PPE and rapid antigens tests (RATs) to enable LALC staff and members to return to some face-to-face activity. NSWALC also worked with AANSW to secure further supplies of RATs for LALC offices and LALC tenants across NSW.



Image: Weilmoringle Local Aboriginal Land Council.

New IT infrastructure project to bring LALCs up to speed

The beginning of the COVID-19 pandemic in early 2020 saw Council considering how NSWALC could support the Land Council Network to build online capabilities into the future: a vital resource in the face of world and nationwide travel and movement restrictions.

Council endorsed \$400,000 from the NSWALC Community Fund to support the LALC IT Infrastructure Upgrade Project rollout, and to cover any funding shortfalls.

NSWALC met with 30 LALC CEOs and Chairpersons, as well as NSWALC Zone Directors, and engaged the

Food and hygiene support in vulnerable communities

NSWALC provided extensive emergency food and hygiene support to Aboriginal communities and vulnerable community members throughout the first 18 months of the COVID-19 pandemic, and into 2021–22.

Further COVID-19 outbreaks in Sydney, followed by the rest of the state, again saw us thrust into lockdowns that lasted up to four months. Aboriginal communities in western and central NSW were hit particularly hard, with major outbreaks in locations such as Dubbo, Wilcannia, Walgett and Broken Hill.

NSWALC partnered with AANSW, FoodBank NSW/ACT, LALCs and local communities to distribute 7,000 emergency food boxes across the state.

We also worked with Coles and OzHarvest to provide additional rounds of food support to communities experiencing major COVID-19 outbreaks. And, through our partnership with the Paul Ramsay Foundation, we provided fresh meat to communities to complement other food support initiatives.



pro-bono services of InfoXchange, through the NSW Government's Social Sector Transformation Fund. InfoXchange audited current technology environments across the network, as well as LALC priorities and delivery costs, and developed a project scope and cost model.

After a targeted tender process, and armed with good information, NSWALC applied for and received a \$250,000 grant from AANSW via the COVID-19 Aboriginal Community Partnership Support Program.

Our business case is currently being considered by DPE for \$1.5 million in funding from the Land Initiatives – Capacity Building, Training and Development allocation. The project scope and delivery timeline are pending the outcome of NSWALC's business case to DPE.

Building capacity within the LALC Network

After delays due to COVID-19, the second block of NSWALC's Housing Management Skillset course, delivered in partnership with Aboriginal Community Housing Industry Association (ACHIA), was held in Dubbo in March, May and June of 2022. A total of 16 delegates from 14 LALCs took part to learn more about housing management.

The course is made up of seven units from Certificate IV in Social Housing. It's targeted towards LALCs that are planning on exiting their current head leases, and those wanting to develop their housing management practices.

The course is offered as part of NSWALC's LALC Capacity Development Plan (CDP), which provides a suite of training resources that are specifically designed for LALCs. These include comprehensive Board member and CEO guides, self-paced online courses that provide training in social media, financial management, and 'virtual meeting' applications, and a skillset course for LALC CEOs.



The third block of the Housing Management Skillset course is scheduled for delivery at the beginning of the 2022–23 financial year.

Baryulgil Square and Malabugilmah communities Get Ready

In November 2021 the Baryulgil and Malabugilmah communities received prestigious Get Ready Community Awards from Resilience NSW for their ongoing work in building community resilience to disaster.

Both communities collaborated with AANSW, through the Jana Ngalee and Baryulgil Square LALCs, to deliver an innovative pilot program on emergency management planning and preparation.

The driving forces on the ground were Community Engagement Officers Rob King (Baryulgil) and Terry Robinson (Malabugilmah), who worked for more than 18 months to ensure their communities had the knowledge and resources to prepare for bushfires, floods, storms and pandemics.

Both men say strong community support and involvement were vital to the project's success.

Congratulations on a well-deserved award to both Malabugilmah and Baryulgil communities!



Left to right: Resilience NSW's Gary McKinnon, Malabugilmah Community Engagement Officer Terry Robinson, Chair of Jana Ngalee LALC Ramona Walker, CEO of Baryulgil Square and Jana Ngalee LALCs Ross James, Aboriginal Affairs' Natasha Morton, Baryulgil Square Community Engagement Officer Rob King and Resilience NSW's Lani McNeill.

Nurturing future leaders

NSWALC continued its participation in the Emerging Indigenous Executive Leaders Program (EIELP), delivered by the Australian Graduate School of Management (AGSM) at the University of NSW (UNSW).

The EIELP was developed by Professor Mark Rose and AGSM to cultivate the next generation of executive Aboriginal business leaders. The program covers five

modules over nine months, with participants earning credit for two subjects in AGSM's Master of Business Administration.

Five NSWALC staff were offered places in the program including Sydney–Newcastle Zone Director Heidi Hardy, A/Director Western Zone Rowan Lisson, Senior Programs Officer Theresa Lake, and two Yarpa staff, Industry Relationship Manager Shannon Mallison and Business and Employment Manager Jasmine Ryan.

Discrete community programs

NSWALC is involved with numerous projects in discrete Aboriginal communities that we contribute to but are administered or funded through our partnerships. These include projects to deliver and manage infrastructure for telecommunications and power, water supply, stormwater and sewerage services, street and public space lighting, waste management, and maintenance of roads and road reserves.

Roads to Home

NSWALC maintained its close relationship with the NSW Government to ensure both the Roads to Home (R2H) and the Roads to Home Maintenance programs (R2HMP) are implemented effectively.

R2H is administered by DPE and includes upgrades to infrastructure such as:

- stormwater and other drainage
- kerb, guttering and footpaths
- public lighting
- road surfacing and repairs
- telecommunications and power.

R2H program highlights this year include the successful completion of the civil construction works at Cabarita Reserve (Forster LALC), and preliminary construction work also started at Armidale.

A total of 34 communities are currently taking part in the program and, at 30 June 2022, 13 communities had passed land dealings determining the direction of their specific projects.

Total program spending is over \$140 million since the program's 2019 inception, including \$32 million allocated in the June 2022 NSW Budget.

R2HMP

The R2HMP provides funding for housing repairs and maintenance, and is administered and funded by the Aboriginal Housing Office (AHO). The AHO received \$16.8 million to provide funding support to the initial 10 communities (in nine LALCs) that signed-up for the R2HMP.

At 30 June 2022, six of the nine participating LALCs were close to finishing their housing upgrades, while the other three are expected to complete their upgrades in 2022–23.

Aboriginal Communities Water and Sewerage Program

NSWALC, in partnership with the NSW Government, continued its commitment to contribute funds to the Aboriginal Communities Water and Sewerage Program (ACWSP). The program operates, maintains and monitors water supply and sewerage services in Aboriginal communities.

NSWALC has contributed a total of \$19 million to the ACWSP, including \$1.05 million in the 2021–22 financial year. Cumulative program expenditure to 30 June 2022 was \$85.1 million, including NSWALC's contributions.

There are 63 communities receiving services through the ACWSP. Six projects were underway in 2021–22, with two completed and another four expected to be completed in 2022–23. Backlog maintenance and/or emergency repairs have also been approved in 53 communities, and capital works to provide upgraded water and sewerage assets have been completed in 30 communities.

Aboriginal Communities Waste Management Program

NSWALC continued to work collaboratively on the Aboriginal Communities Waste Management Program (ACWMP), led by the NSW Environment Protection Authority (EPA).

There are currently 30 discrete Aboriginal communities participating in the ACWMP. By the end of the 2021–22 reporting period, 23 of the 30 projects were in the third and final stage of completion.

The first stage of the ACWMP requires an expression of interest from a community, followed by the development of community waste management plans by communities in Stage 2. The final stage sees the plans being implemented, which may include funding for improved waste-related infrastructure, improved waste management services delivery, and a rubbish clean-up.

OUR STRATEGIC PLAN

Strategic Plan overview

The NSWALC Strategic Plan 2018–22 (the Strategic Plan) reflects the purposes of the ALRA to:

- provide for Aboriginal Land Rights and representative LALCs
- invest land in those Councils through claim and acquisition
- provide for community benefits.

The Strategic Plan provides the foundation on which to make the visions and aspirations of NSWALC a reality. It also reflects the objectives of NSWALC to improve, protect and foster the best interests of Aboriginal peoples in NSW.

Successive Councils of NSWALC have nurtured the SIF over the past 35 years. Since government contributions ceased 20 years ago, it has grown continuously, and has resourced the operations of NSWALC and its network of 120 LALCs. The current Council and its successors have a responsibility to continue that stewardship.

Effective stewardship of the SIF alone cannot deliver our long-term vision for Aboriginal people. Investment decision-making by the Council of NSWALC recognises that:

- diversification of our economic activities with new enterprises is needed to deliver integration with, and a fair share of, the NSW economy
- the SIF needs to be an exemplar of our self-determination – it is Aboriginal money, managed by Aboriginal people for the benefit of current and future generations of Aboriginal people
- the SIF can be a driver for NSWALC and LALC initiatives but its overwhelming purpose must be as a long-term, beneficial resource for all Aboriginal people in NSW, and it must continue to grow as an inheritance for future generations.

Annual Supplement 2021–22

With our fourth annual Strategic Plan Supplement, the Council of NSWALC is building and further shaping our strategic agenda. We continue to sharpen our business-as-usual operations, and refine and add to our emerging business activities.

It is a necessarily big strategic agenda, to seize the opportunities we have to improve the lives of our people.

The Strategic Plan Supplement, in conjunction with our Strategic Plan, is our required Community, Land and Business Plan (CLBP). It identifies our strategies for the financial year to achieve the five long-term objectives and goals of our Strategic Plan (available here: <https://alc.org.au/strategic-plan/>).

The 2021–22 Strategic Plan Supplement has been prepared as part of our integrated annual planning and reporting processes. This financial year we placed stronger emphasis on regular reporting to LALCs by committing to quarterly reports in addition to our Annual Report.

Our stretch targets remain deliberately high. We are determined to see our people and our efforts driven by high expectations.



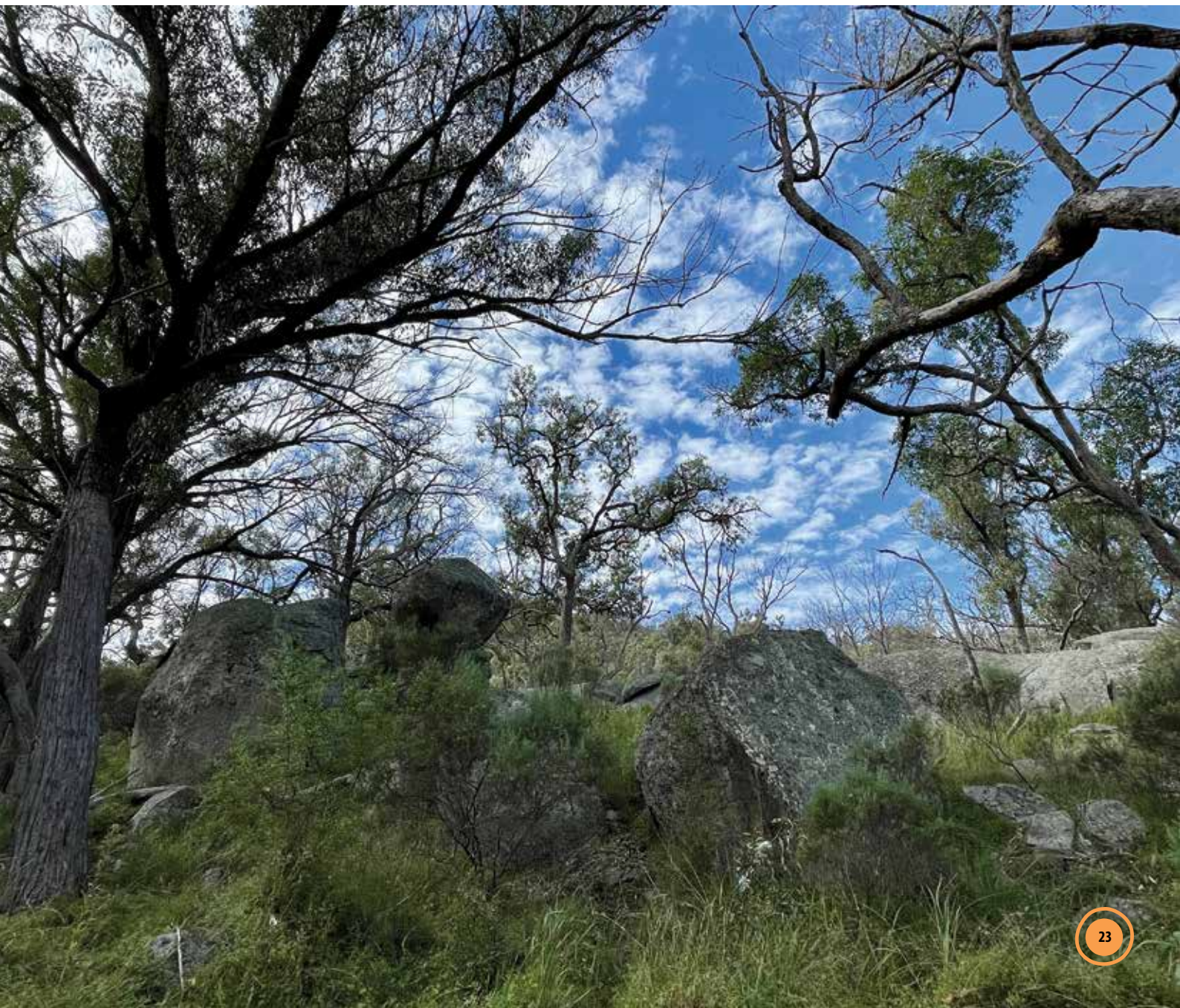
1. SECURE OUR LAND AND WATER RIGHTS

Securing the return of land to Aboriginal people and ensuring access to their lands and waters is the core business of NSWALC. As Aboriginal people, our lands and waters are central to our being. Land and water are essential to the spiritual, social, cultural and economic survival of our communities. We must ensure that lands and waters are well managed so as to protect the vital importance they have to Aboriginal people. NSWALC continues to advocate for the return of Aboriginal land.

In 2021–22:

- 1,009 land claims were lodged
- 684 determinations were declared
 - 502 land claims were fully granted
 - 182 land claims were partly granted.

The rate at which land claims are lodged, year-to-year, continues to decline as a result of many years of prolific claiming. This results in a smaller portion of the Crown estate from which to claim, and requires more detailed and time-consuming research for each additional claim.



Aboriginal Land Agreements

ALAs are the mechanism through which the Land Negotiation Program (LNP) achieves binding outcomes for participating LALCs.

Implementing the recommendations of the *Review of the Land Negotiation Program* (Ronalds Report), the DPE Crown Lands established a workgroup to formalise the ALA into a standard document that can be applied to each negotiation process. This work nears completion.

A raft of LNP negotiations are progressing through various stages and finalising these agreements will result in Crown Land being transferred to participating LALCs. Our target is to successfully conclude as many of these negotiations as possible in the current Parliament's working life.

The future of the LNP, termed as a 'refresh', appears dependent on the parties successfully concluding the current programs within a reasonable timeframe, and delivering outcomes for the participants commensurate with the resources committed.

It's also possible for the ALA process to be applied to a range of other negotiated outcomes beyond the LNP. These include facilitating agreements between local government, Crown Lands and LALCs for critical infrastructure upgrades that return a benefit to LALCs beyond the infrastructure itself.

The Geographic Information System Mapping Tool

The Geographic Information System (GIS) Mapping Tool is now located on a dedicated Esri server, which optimises performance and reduces response times.

Additional layers of Crown Lands information and automated updates of this data are being progressively rolled out. Recent additions, including Crown Reserves and department-issued tenures, will enable LALCs to identify Crown features on claimed lands.

The GIS Mapping Tool also enables LALCs to access Valuer General information on all land in NSW, such as the unimproved land values that form the basis for local rate assessments, and to view land sale transactions.

Improvements to heritage management site identification through the Aboriginal Heritage Information Management System have also been implemented and more are planned.

Water Rights

Maintaining spiritual and cultural relationships with land, water and Country are intertwined for Aboriginal people. The right to economically develop natural resources, consistent with cultural obligations, is also of significant importance. NSWALC, LALCs and Aboriginal people continued to advocate strongly for:

- improved water management practices
- involvement of Aboriginal people in water governance and decision-making
- increased access to and ownership of water for Aboriginal cultural and economic purposes
- improved accountability, transparency and compliance in water management.

A major focus for 2021–22 was forging stronger connections with state and federal governments so that NSWALC and the LALC Network are positioned as key stakeholders in Water Rights and management. We also continued to seek opportunities for LALCs to discuss water directly with various government representatives and decision makers.

For First Nations people, water is life and we are its caretakers. Aboriginal people continue to nurture our waterways and use water to sustain our social, cultural and economic wellbeing, as we have done for millennia.

As part of the ongoing campaign for Aboriginal Water Rights, NSWALC released a six-part video series, *Water is Life*, to coincide with National Water Week 2021. The series explores the importance of Aboriginal people's cultural connection to water, and the use of waterways to provide for healthy and sustainable Aboriginal communities.



2. PROTECT OUR CULTURE AND HERITAGE

As Aboriginal people we are the inheritors of the oldest living cultures in the world. Our culture and heritage are essential to our survival as distinct, self-determining peoples. We cannot create a secure future for our descendants unless our culture and heritage is protected.

NSWALC continued to advocate for legislation that provides proper protection of Aboriginal culture and heritage, and gives control and decision-making to Aboriginal peoples.

We lodged various submissions to the federal and NSW governments, highlighting the ongoing destruction of our culture and heritage, and advocating for increased use of Aboriginal land management practices in natural resource and landscape management.

We also continued to Co-Chair the First Nations Heritage Protection Alliance (the Alliance) to advocate for nationwide reforms. The Alliance comprises Land Council and Native Title groups from around the country.

Closer to home, NSWALC provided in-principle support for Reverend the Hon. Fred Nile's Aboriginal Cultural Heritage Bill 2022, which was introduced into the NSW Parliament on 22 June 2022. We also continued to support the Land Council Network on culture and heritage matters, including presenting at regional forums and providing advice to LALCs.

Aboriginal Culture and Heritage Program

The Aboriginal Culture and Heritage Program (ACH Program) was developed to support NSWALC's initiatives for promoting and protecting Aboriginal culture and heritage, including:

- advocating for LALCs' statutory functions to protect and manage Aboriginal culture and heritage
- supporting LALCs to develop proactive goals and objectives to manage and protect Aboriginal culture and heritage
- supporting repatriation projects such as the return of 81 Aboriginal artefacts to Tamworth LALC during the year
- supporting LALC initiatives to seek legal protection of sites and to acquire land of cultural and heritage significance
- supporting LALCs in their efforts to protect and celebrate Aboriginal culture and heritage by securing additional legal protection for Aboriginal cultural heritage.

The ACH Program has also begun work on designing a strategy to identify land of cultural and heritage significance for acquisition.



3. PURSUE ECONOMIC INDEPENDENCE AND PROSPERITY FOR OUR PEOPLE

Restoring economic independence and prosperity to our communities is essential to our survival as a distinct and self-determining people. Economic independence is also necessary if we are to unlock the full potential of Aboriginal Land Rights and ensure the effective management of land that has been returned.

Land development and construction capability

NSWALC works with LALCs to increase their property portfolios through targeted acquisitions. While LALCs work to develop the portfolios through the creation of income generating activity, NSWALC focuses on the ongoing, overall management of property portfolios across the state.

NSWALC continued to establish a land development capability, which aims to partner with LALCs to activate their land holdings for social, cultural and economic purposes through property development. This year we completed initial land assessments on over 65,000 acres of LALC land holdings with a view to locating feasible property development projects.

In 2021–22 we:

- assessed over 1,300 properties within our portfolio and identified 8,738 potential new lots
- established two agreements for projects that are now well advanced and showing healthy commercial returns (>25 per cent margins) in current market conditions
- targeted regional areas that have shown minimal economic downturn and identified 10 strong prospects for project consideration
- managed and reported on the progress of non-claimant applications for determination of Native Title
- created and maintained a property development register of all LALC-owned land and land claim grants.

LALC Business Enterprise Program

NSWALC continued to support LALCs in their economic development aspirations through the LALC Business Enterprise Program (LBEP). The LBEP supports LALCs and LALC-related business enterprises to develop local economic and business opportunities through the provision of tailored business support and funding.

In 2021–22 four Business Development Grant applications and one Equity Investment application was received. Table 1 details the number of applications by region.

Table 1: Number of applications, by region.

| REGION | NUMBER |
|------------------|--------|
| Central | 0 |
| Mid North Coast | 1 |
| North Coast | 1 |
| North Western | 0 |
| Northern | 2 |
| South Coast | 0 |
| Sydney–Newcastle | 0 |
| Western | 1 |
| Wiradjuri | 0 |

In addition, ongoing support was provided to LALCs through stakeholder engagement, referrals, meeting attendance, assistance with grant applications and capacity development.

Key achievements of the LBEP during 2021–22 include:

- approval of Business Development Grant applications totalling \$162,978.64
- securing over \$1.5 million in co-funding from the Indigenous Land & Sea Corporation (ILSC)
- supporting Gandangara and Tharawal LALCs in their applications for funding from the NSW Government's \$1.6 billion West Invest Program
- approval of an Early Stage Investment Loan of \$149,250 for Coonabarabran LALC
- receipt of Early Stage Investment Loan repayments from Bahtabah and Wilcannia LALCs
- full repayment of West Wyalong LALC's \$18,500 Early Stage Investment Loan
- opening of the Goodooga Store – a project that has involved multiple stakeholders and NSWALC advocacy over a number of years.

Through the LBEP, NSWALC continued to support a range of different business initiatives during the year. These include:

- acquisition of a commercial premises
- high-level business case/feasibility studies for a gymnasium, an apiary, a grocery store, and for growing an arts business through a new HQ purchase
- updating a farm property management plan.

Where possible, NSWALC looks for co-funding partners to obtain the best commercial outcome for each LALC.

COVID-19 impacts on business and employment, together with global economic uncertainties, affected participation in the LBEP in 2021–22, however, towards the end of the year, we saw an increased interest in the program from LALCs.

Acquisition of 160–202 George Street Redfern

On 30 June 2022 the four-acre property at 160–202 George Street Redfern was successfully acquired by NSWALC. The transfer of the site from ILSC to Aboriginal community ownership marked a significant milestone. We will work with community stakeholders and delivery partners to provide a much-needed expansion of Aboriginal social infrastructure on the site.

Support NSWALC Housing Ltd to establish its initial housing services footprint

Following completion of a tranche of management transfers from the AHO during the year, NSWALC Housing Ltd (NHL) has 130 tenancies under management in western and northern Sydney, and Lithgow. Another tranche, comprising 258 properties in Wagga Wagga, Orange and Bathurst, together with five newly-constructed AHO properties, is scheduled for transfer to NHL by September 2022. As a member of the NSW Government's preferred consortium for redevelopment of the Tolland Estate in Wagga Wagga, management of properties in that location is being brought forward.

Property improvement work funded under the Aboriginal Community Housing Investment Fund (ACHIF) for Moree LALC continued to progress, with discussions being finalised for NHL to provide portfolio management services for the 48 properties in the new financial year.

A handful of Tier 1 community housing providers were interested in partnering with NHL to bid for the NSW Government's redevelopment project in Waterloo South, which intends to construct over 1,000 social and affordable housing units among private homes. NHL initiated a robust process to help select a suitable partner with which to pursue the opportunity to establish a housing service in the area.

NHL successfully completed its first full compliance assessment as a Tier 2 provider under the National Registration System for Community Housing and will aim to attain Tier 1 provider status as the organisation achieves further growth.

In the new financial year, NHL will begin trading as 'Birribee Housing'. Birribee is a Wiradjuri word for the Grey Box eucalypt, whose bark they used for shields, canoes, coolamons and housing. Birribee signifies the provision of shelter, security and tools that supported the survival of Aboriginal people.

Support Yilabara Solutions to build its employment services business and support more Aboriginal people into sustainable jobs

During 2021–22, Yilabara Solutions continued to deliver a range of employment and training services aimed at increasing the economic independence of Aboriginal people. These included:

- Barranggirra – funded by Training Services NSW (Central and Western NSW)
- More Jobs More Care – designed to increase the number of people working in the disability support sector
- continued delivery of services at Vocational Employment and Training centres (VTECs) in Sydney, the Blue Mountains and the Illawarra.

The Commonwealth Government's decision to end all VTEC contracts from July 2022 and transition to a new program (the Indigenous Skills and Employment Program, ISEP) saw Yilabara submit a tender to deliver Baduwa, a six-month suite of pre-employment programs for Aboriginal job seekers in Western Sydney and the Illawarra. The outcome of the tender has not yet been announced.

In addition to the ISEP tender, Yilabara successfully tendered to deliver 'Workforce Australia' to a caseload of 1,000 Aboriginal job seekers living in the Illawarra South Coast region between Wollongong and Batemans Bay. Workforce Australia replaced the former Commonwealth job seeker compliance program, jobactive, on 1 July 2022.

Yilabara was also successful in securing the phase two More Jobs More Care contract, which will see us support both Aboriginal and non-Aboriginal NDIS providers across Western NSW.

Throughout the year Yilabara continued to deliver consulting services designed to increase Aboriginal employment outcomes across both industry and tertiary sectors.

NSWALC Enterprises group office

The Enterprises group office function is carried out by NSWALC's Business Development Unit, which has established governance documentation and processes for NSWALC's subsidiary entities.

The NSWALC Enterprises group office:

- supports the Council in strong governance and strategic direction of its subsidiary entities
- coordinates data analysis and reporting to Council
- continues to develop enterprise opportunities for NSWALC.

Quarterly reports from NHL and Yilabara were received by Council for all quarters of 2021–22. During the year, the Enterprises group office also assisted in a review of the entities' budget development for 2022–23, and refreshed formal Service Level Agreements with both NHL and Yilabara.

Advocate for the interests of LALCs as housing owners

In 2021–22 NSWALC continued its work with the AHO and ACHIA to develop a financially-viable sector that offers quality housing management services.

NSWALC again participated in the tri-partite Aboriginal Housing Sector Reform Steering Committee with the AHO and ACHIA. Outcomes included:

- the extension of housing subsidies (rebadged as High-Cost Community Support payments) for a further three years (to 2025)
- agreement on a new housing provider registration option for LALCs that don't wish to directly manage their own housing stock
- development of a new model management agreement for managing providers
- agreement on a collaborative pathway to underpin fair exits from head leases.

Throughout the year NSWALC's Parramatta and Zone Offices continued to support LALCs in working through options for future management and viability of their housing. Due to the ongoing impacts of COVID-19, a number of regionally-based online meetings were held with LALCs but NSWALC also undertook a further series of high-level, one-on-one meetings with managing providers to advocate for robust new arrangements on behalf of LALCs.

Throughout 2021–22 NSWALC has coordinated the contracting and delivery of \$8.2 million worth of repairs, maintenance and improvements to housing (and one new build) for 17 LALCs under partnership arrangements with ACHIF.



Yarpa – the Western Sydney Indigenous Business and Employment Hub

Yarpa continued to deliver programs that contribute to building the strength and versatility of the Aboriginal business sector, and maintained its relationships with key industry players. It also formed new partnerships to support procurement opportunities for Aboriginal businesses and people.

Yarpa has a growing member base, with 1,635 members across five membership types as at 30 June 2022 (Figure 1) from locations across NSW (Figure 2). The largest member category is Aboriginal job seekers, followed by Aboriginal businesses.

Highlights for Yarpa in 2021–22

- Hosted 27 Aboriginal businesses and 16 corporate buyers (43 attendees in total) at the annual Yarpa Meet the Buyer event
 - Participants met over three hours in 19 breakout rooms. While attendance at the event was slightly higher last year (45), this year, we were more interested in quality and value as opposed to sheer numbers. There is still some follow-up activity underway and we're quietly confident that some meaningful engagement will result.
- Secured a partnership with DPE for \$710,000 worth of funding grants for Aboriginal businesses in the natural resources sector in the Sydney metropolitan area
 - This is a significant investment for DPE in Aboriginal businesses, and one in which ongoing engagement with DPE, post-program, is an added benefit to the capacity-building funding.
- Facilitated pre-employment programs with two large employer groups
 - A total of 12 Aboriginal people completed their Certificate III in retail and secured permanent employment at Kmart or Officeworks stores in various locations.
- Collaborated with TAFE NSW and Yarpa business member, Wumara Group, to enable six participants to complete their surveying qualifications and secure permanent employment
 - This is a significant achievement given Wumara Group is an Aboriginal business employing Aboriginal staff with NSWALC's assistance.

Figure 1: Yarpa membership by category (%) at 30 June 2022.

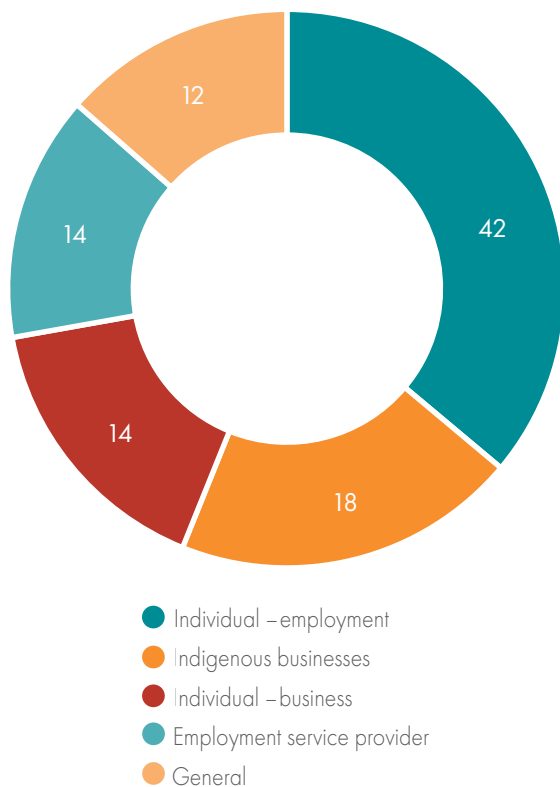
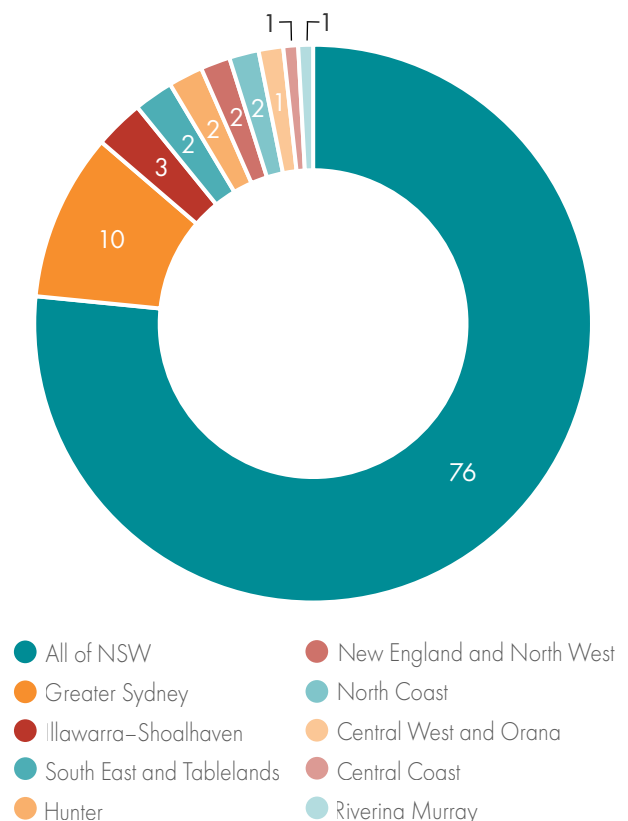


Figure 2: Regions covered by Aboriginal business members' operations in NSW (%) at 30 June 2022.



- Maintained Memorandum of Understanding (MoU) relationships with seven major industry leaders (CBP Contractors, Fulton Hogan, Lendlease, Besix Watpac, Inland Rail, Hutchinson's Builders and Crown Resorts)
 - While the number of MoU relationships remained steady during 2021–22, we recognise that these relationships continue to produce commercial engagements for Aboriginal businesses across many of the state's largest investment projects.
- Connected over 60 per cent of Yarpa Aboriginal business members to other businesses, industry, corporates or government
 - Approximately 75 per cent of these connections result in a potential outcome or opportunity, and Yarpa is working to improve oversight of these engagements.
- Graduation of a further six Aboriginal businesses from the Yarpa Grow Program, delivered in partnership with KPMG
 - This highly successful program now has a total of 22 graduates and a third cohort of 11 due to graduate in 2022–23.
- Continued successful engagement with Aboriginal people and businesses
 - This included one-on-one business advice to over 150 Aboriginal individuals and businesses, and facilitation of 40 training and networking events.
- Coordinated and delivered four Yarpa Pop Ups in regional towns across NSW
 - Pop Ups delivered business support and training to over 32 regional Aboriginal businesses. Due to COVID-19 restrictions on travel, numbers were slightly down on last year.

NSWALC Fishing Fund

The NSWALC Fishing Fund (NFF) continues to support Aboriginal individuals, organisations and LALCs to enter or grow their established business in the commercial fishing sector. NSWALC also continues to explore ways to build better Aboriginal participation in the sector.

During 2021–22 the NFF approved six grants worth a combined total of over \$777,000 (Table 2) and disbursed over \$621,000 in approved grant funding.

The NFF continued its partnership with Yarpa throughout the year, assisting applicants with completion of their business plans, which form an integral part of their final funding application. Support for applicants is ongoing, to assist with management and growth of their businesses.

Maintaining relationships with DPE, Indigenous Business Australia, the ILSC, private enterprise and other possible partners in developing the fishing and aquaculture sector was also a focus this year, as was continued marketing of the NFF through the website, social media and direct contact.

Table 2: NFF grant recipients in 2021–22.

| GRANTEE | TYPE | REGION | FUNDING APPROVED \$ (EX GST) |
|--------------------------------------|--------------|------------------|---------------------------------|
| Jeremy Hooper | Wild Harvest | Northern | 250,000.00 |
| Charles Nye | Post Harvest | Southern | 80,080.00 |
| Jason Spackman | Wild Harvest | Southern | 109,196.36 |
| Christopher Brierely | Wild Harvest | Southern | 107,780.91 |
| Nathan Travers | Charter | Sydney Newcastle | 35,000.00 |
| Joonga Land & Water Aboriginal Corp. | Charter | Southern | 195,000.00 |
| Total | | | 777,057.27 |



4. SUPPORT OUR PEOPLE

Ensuring the social wellbeing of Aboriginal people must accompany the achievement of Aboriginal Land Rights and economic independence. Without the growth of social wellbeing, security and employment for our people, re-acquiring our land will be hollow and securing our economic independence will be impossible. We must also ensure that securing access to our lands and waters, and compensation for past wrongdoings does not absolve governments of providing services to Aboriginal people that are our rights as citizens.

Continue to represent and advocate for the interests and rights of Aboriginal people in NSW

In 2021–22 NSWALC continued in its role as Co-Chair of NSW CAPO and as host of the CAPO Closing the Gap Secretariat, which coordinates the work of CAPO in the NSW Closing the Gap partnership. We also continued our contribution to the National Coalition of Aboriginal and Torres Strait Islander Peak Organisations on the National Agreement on Closing the Gap.

Following extensive community consultations in 2019 and early 2021, and input from other Aboriginal stakeholders, between July and November 2021 NSW CAPO led the development of 27 new policy initiatives in the Closing the Gap partnership and put forward budget submissions to Cabinet for funding them in the 2022–23 NSW Budget. Cabinet approved \$159.6 million to fully fund the 27 initiatives over four years. A further \$30 million over two years was allocated for Closing the Gap Community and Place Grants to provide funding for items.

During February and March 2022 NSW CAPO undertook further community consultations on Closing the Gap in 29 locations across NSW, which contributed to the development of the 2022–24 NSWIP. A total of 399 people participated in the consultations, either in person or via an online survey.

During the year, Closing the Gap in NSW was transitioning through the implementation and delivery phases of the NSWIP. This included establishment of project teams to deliver the initiatives funded in the 2022–23 NSW Budget.

NSWALC actively contributes to ongoing activities to implement the Closing the Gap Agreement, Priority Reforms and Socio-Economic Outcomes. These include:

- taking a lead role in the working groups for land and water
- strengthening the ACCO sector
- transforming government, economic development and housing.

NSWALC also contributes to working groups on data and reporting, partnerships, language and culture, and digital transformation.



Social Impact Evaluation Framework

A Social Impact Evaluation Framework has been developed and is currently being updated and refined to reflect NSWALC's new Strategic Plan.

NSWALC Education Scholarship

The NSWALC Education Scholarship supports Aboriginal tertiary students and the work of NSWALC by:

- ▶ targeting Aboriginal students at tertiary institutions in NSW in their penultimate year of an undergraduate/graduate degree that benefits the Land Rights Network
- ▶ providing \$10,000 for one male and one female student
- ▶ ongoing development of Aboriginal professionals into the Land Rights Network through a six-week internship in a NSWALC Business Unit of the Scholarship holder's discipline.

In 2021–22, seven applications were received, with one approved by Council. Luke Hodge, a Dunghutti man and member of Tharawal LALC, was the successful candidate. He is currently studying a Bachelor of Communications at Western Sydney University, majoring in Screen Media.

Due to ongoing uncertainty regarding COVID-19 restrictions in NSW, the internship component was placed on hold by Council until further notice.

NSWALC Community Fund

The NSWALC Community Fund (NCF) and the Community Development Levy that funds it were devised as a wealth re-distribution mechanism to redistribute wealth from LALCs with more valuable land holdings to those with less valuable land and development opportunities.

Since 2015, NSWALC has administered six NCF funding rounds with a total of approximately \$6.3 million in funding committed in support of 94 LALC community projects across 61 LALCs.

In 2021–22, 16 applications were received and approved, with a total of over \$2.1 million in funding committed to 16 LALC community projects. As of 30 June 2022, \$1,348,640.85 had been disbursed to LALCs.

Table 3 details the recipients, projects, and funding amounts in 2021–22.

Since 2015 the NSWALC Community Fund has delivered more than \$6 million in funding to support 94 community projects across 61 LALCs.



Table 3: NCF grant recipients in 2021–22.

| LALC | PROJECT TYPE | PROJECT NAME | FUNDING COMMITTED \$ (EX GST) |
|-------------------|---------------------------|--|-------------------------------|
| Ashford | Land management | Ashford LALC building restoration | 54,474.95 |
| Bodalla | Land management | Bodalla LALC Community Hub and office renovations | 145,337.70 |
| Coonabarabran | Land management | Acquisition of building to relocate LALC and provide outreach medical services | 150,000.00 |
| Cowra | Land management | Erambie Community Land Management Project | 149,314.99 |
| Jubullum | Land management | Community Meeting Place, renovation of LALC office and re-establishment of plant nursery | 149,592.00 |
| Leeton & District | Land management and other | Town Centre Motel renovation | 50,000.00 |
| Menindee | Land management | Appin Station restoration | 150,000.00 |
| Muli Muli | Land management | Muli Muli Health Post WHS repairs | 88,086.00 |
| Murrin Bridge | Land acquisition | Murrin Bridge LALC office purchase | 150,000.00 |
| Nungaroo | Land management | Renovation of Nungaroo Community Hall | 134,499.75 |
| Red Chief | Land management | Refurbishment of Red Chief LALC office including solar panels | 87,675.60 |
| Toomelah | Land management | Toomelah Aboriginal Cemetery Protection Project and land management | 110,000.00 |
| Trangie | Land management | Wungunja Cultural Centre Extension Project | 150,000.00 |
| Unkya | Land management | Gumbaynggirr Aboriginal Keeping Place Project | 150,000.00 |
| Wagga Wagga | Land management | Completion of LALC office renovation – 153 Docker Street | 139,208.00 |
| Young | Land management and other | Bimbadeen (CGH) property and LALC office upgrades | 150,000.00 |
| Total | | | 2,108,188.99 |

NSWALC Funeral Fund Grant

NSWALC has been providing funeral assistance grants to support bereaved Aboriginal families for over a decade. The scheme is uncapped and responds to demand for funeral assistance from year-to-year.

For the 2021–22 financial year, a total of 471 grants were made at a cost of \$682,761.23. This comprised 53 grants (\$262,024.24) disbursed to former NSWALC Funeral Insurance Fund members, and 418 grants to Aboriginal people who were not a member of the former insurance fund.

Throughout the year, Council have also been exploring other ways that NSWALC can support Aboriginal families with Sorry Business.

NSWALC Statewide Grants

The NSWALC Statewide Grants program provides funding for organisations and events that have statewide Aboriginal participation and are of statewide significance for Aboriginal people in NSW. The events chosen must support and promote Aboriginal culture, and/or sporting achievement. In 2021–22, Council supported 11 events and committed \$227,600 (Table 4). As a result of the COVID-19 pandemic, the CEO also approved a rollover of Statewide Grant funding that was committed to event organisers in 2021–22.

Table 4: Events supported by Statewide Grants in 2021–22.

| EVENT | AMOUNT (\$) |
|--|-------------|
| 2021 NAIDOC Week School Initiatives | 2,500 |
| 2021 NSW Aboriginal Rugby League Knockout* | 80,000 |
| 2021 Cooe Festival* | 10,000 |
| 2021 Djaadjawan Dancers Women's Healing Camp* | 27,500 |
| 2022 Lloyd McDermott Rugby Ella 7s | 10,000 |
| 2021 Naru Surf Gathering* | 5,000 |
| 2021 NSW Aboriginal Cultural, Heritage, Arts Association Conference* | 22,600 |
| 2021 NAIDOC in the City | 10,000 |
| 2022 Northern NSW Women's Rugby League Knockout* | 20,000 |
| 2022 Elders Olympics* | 30,000 |
| 2022 Baime's Ngunnhu Festival^ | 10,000 |

*These events were postponed due to the COVID-19 pandemic and were either rescheduled later in the 2021–22 financial year or will be held in a future financial year.

^ This grant was not disbursed as the event took place prior to the event organiser returning the offer letter, making them ineligible for the grant.

NSWALC Small Regional Grants

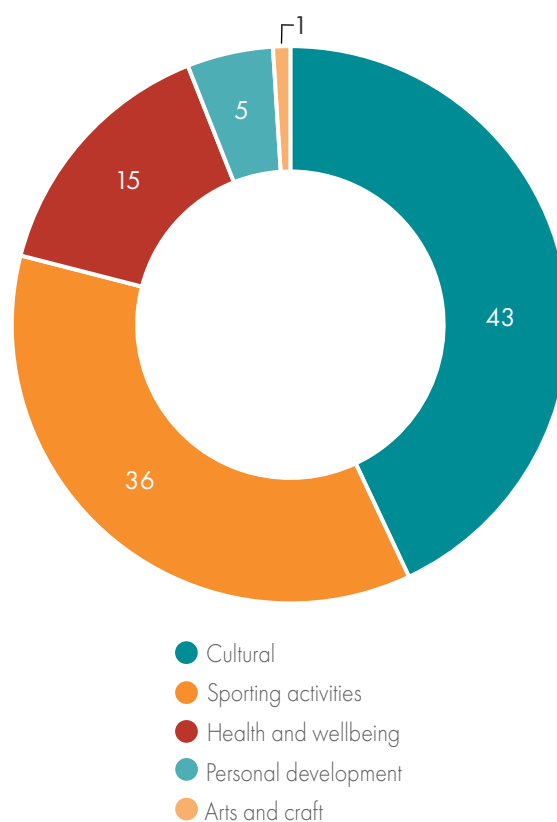
Council approved the provision of Small Regional Grants up to a total of \$90,000 (\$10,000 for each of the nine NSWALC regions) as a recurring CBS.

Through the scheme, NSWALC can issue small grants of up to \$1,000 for community members/ organisations pursuing participation in activities such as:

- arts and crafts
- sporting activities
- contemporary and traditional cultural life
- promoting understanding and respect for Aboriginal culture
- personal development opportunities
- health and wellbeing.

In 2021–22, there were 124 NSWALC Small Regional Grants approved (Figure 3), totalling \$84,800. Grants disbursed ranged from \$24.31 to \$1,000, with an average disbursed of \$683.87.

Figure 3: NSWALC Small Regional Grants by category (%) in 2021–22.





5. SECURE OUR FUTURE

We have stewardship responsibilities to ensure that a stronger Aboriginal Land Rights system is handed to the next generation.

Continue to provide support for the effective and efficient operation of LALCs

One of the functions of NSWALC is to grant funds for the payment of the costs and expenses of LALCs. Accordingly, for the financial year 2021–22, NSWALC Council approved grants to the value of \$155,140 for each eligible LALC – a total of \$18,151,380 for 117 LALCs.

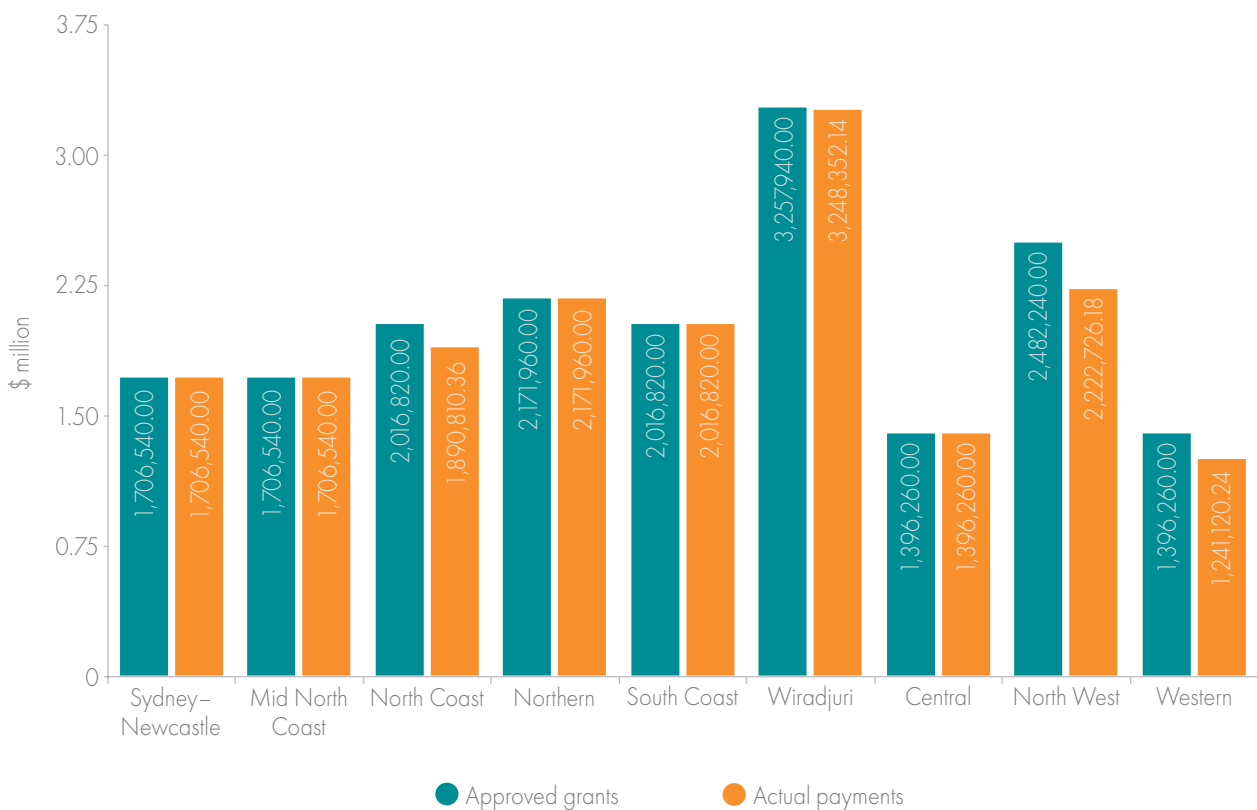
Council-approved grants were remitted to LALCs in direct payments under a funding agreement, except where funding to a LALC had ceased due to regulatory or funding agreement compliance failure. In these cases, support and assistance were provided to the unfunded LALCs via Assistance Agreements and Essential Payments, and in accordance with the NSWALC LALC Funding Policy.

Under Assistance Agreements, NSWALC makes indirect payments to the LALC's creditors for operating costs and expenses. NSWALC may also make indirect essential payments on behalf of non-complying LALCs to protect or preserve LALC assets or to avoid incurring significant liabilities.

In 2021–22, 95.6 per cent of the total grant was paid directly to LALCs, while 4.4 per cent was paid indirectly by NSWALC for the operation of essential services or protection of assets of unfunded LALCs.

Figure 4 details the actual direct, indirect and essential payments against the Council-approved grants for the LALCs in each region.

Figure 4: Approved grants and actual payments against approved grants in 2021–22.



Throughout the year we held discussions with LALCs on updating CLBPs. We also provided advice and assistance to LALCs for the following activities:

- Board elections and casual vacancies
- mandatory governance training (and other training as required)
- mediation and facilitation
- RAS meetings during the year (with LALCs in the high-risk category)
- acceptance and review of periodic financial reports for LALCs in the medium- and high-risk categories
- complaints regarding LALCS.

NSWALC also provided reports to the Minister for Aboriginal Affairs on funding and compliance of the LALC Network, actively managed complaints and reporting, and developed a LALC Assurance System.

As at 30 June 2022:

- 66 LALCs (almost 57 per cent of functioning LALCs) were categorised as low risk in the current assessment
- 44 of 66 LALCs in the low-risk category achieved the full RAS score (100 per cent) in the current assessment, compared with 58 LALCs in the previous assessment
- statewide, 101 LALCs were in compliance and in the funded category
- 20 LALCs were assigned to the high-risk category in the current assessment, compared with 21 in the previous assessment
- three LALCs failed to meet the minimum required RAS score of at least 50 per cent (Cobowra, Gugin Gudduba and Mungindi) in their current RAS
- five LALCs, including four non-operating LALCs (Stuart Island, Ivanhoe, Wanaaring and Winbar) were unassessed
- 19 LALCs, including three currently under administration (Stuart Island, Condobolin and Muli Muli) and the four non-operating LALCs, were not in compliance and were unfunded.

A breakdown of LALC funding categories is shown in Figure 5, and LALC risk levels in Figure 6.

The ALRA makes provision for NSWALC to intervene if a LALC is experiencing compliance or operational difficulties. Accordingly, at the end of the financial year,

- four LALCs (Merrimans, Gugin Gudduba, Condobolin and Moree) had advisors to assist with their Performance Improvement Order
- three LALCs (Stuart Island, Jubullum and Muli Muli) remained under administration as at 30 June 2022.

Figure 5: Funding categories and the number of LALCs in each category.

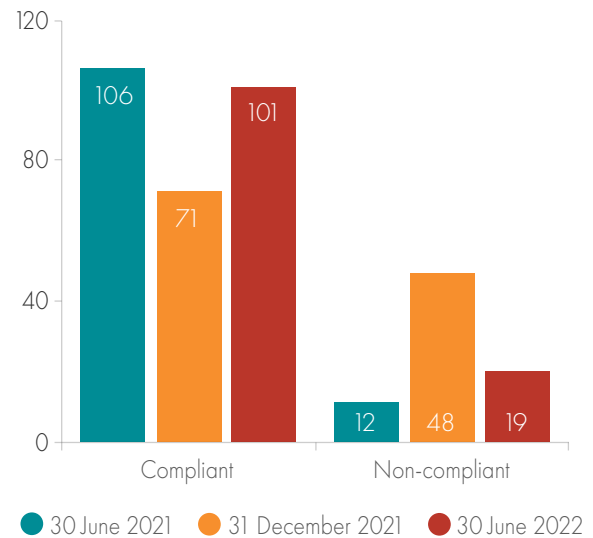
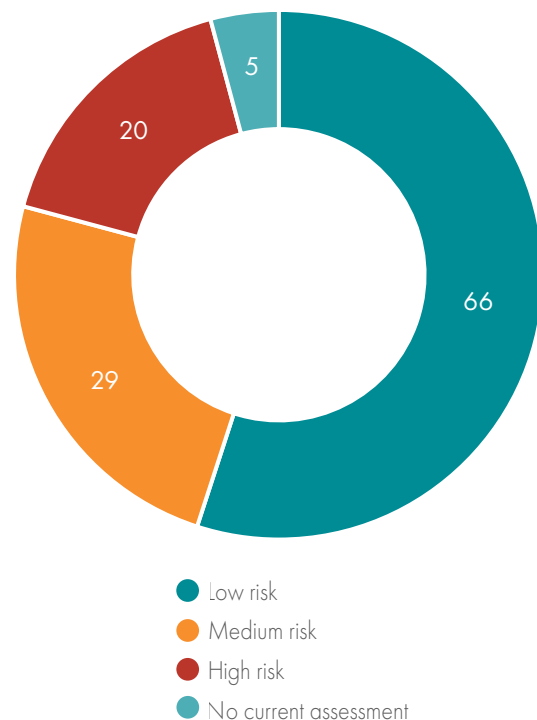


Figure 6: Risk levels, and the number of LALCs at each level.



Advocate for and consult on establishing a Treaty/ies process in NSW

NSWALC continues to advocate for a treaty/treaties process in NSW, and for adoption of the *Uluru Statement from the Heart* by governments.

Continue to grow and exercise responsible stewardship of the NSWALC SIF

The NSWALC SIF was established under the ALRA. For 15 years (1984–1998) the ALRA provided guaranteed funding, equivalent to 7.5 per cent of NSW land tax on non-residential land. Payments were made to NSWALC as compensation for land lost by the Aboriginal peoples of NSW. During this period, half of the funds were available for land acquisition and administration. The remainder was held in a statutory account to build a capital fund that would provide future and ongoing resources.

The total funds allocated were \$537 million. Of this amount, \$268.5 million was deposited in the SIF. Over the first 15 years of the Council's existence the capital accumulated and, in December 1998 when the land tax payments stopped, it was valued at \$281 million. Since then, NSWALC and the LALC Network have been self-funded.

Current management and value

The SIF was valued at \$598.7 million at 30 June 2022. This represents a decrease of \$68.5 million in the value of the SIF for the 2021–22 financial year, due to a \$27 million investment loss in the economic climate, and Network operational expenditure of \$41.5 million from the fund.

Where our money goes

A major proportion of NSWALC's annual budget is directed to funding LALCs. This funding is delivered in grant allocations of \$155,140 to each funded LALC for assistance with administrative costs.

The direct funding to the Land Rights Network accounted for a considerable amount of the balance. A drawdown of \$41.5 million was made during the year to fund the operational expenditure of the network, including the administrative costs of NSWALC and LALCs. The required drawdown for 2022–23 is expected to be \$63.3 million.

Investment and growth of the Fund

The SIF provides compensation for future generations, and prudent financial management is essential to maintain its growth. While NSWALC has substantial sums invested, the current provisions of the ALRA limit spending to the realised income and interest from investment, less the allowance for inflation.

The Investment Mission for the SIF is to:

- at least maintain the purchasing power of the SIF over the long term, having regard to the specific nature of the underlying funding responsibilities of NSWALC
- provide a stable and growing level of distributions for funding NSWALC's ongoing activities
- at least preserve the indexed book value of the assets.

The Council has defined this Investment Mission as a set of measurable real return and downside risk objectives (Table 5).

Table 5: Risk objectives of the Investment Mission.

| | |
|-------------------------|---|
| Real return objective | Invest so as to have a greater than 66 per cent probability of achieving a return objective of the Consumer Price Index (CPI) plus 4 per cent over 10-year rolling periods. |
| Downside risk objective | Limit the probability of a negative return in any given year to less than 20 per cent. |

These objectives sit alongside the investment beliefs of the Council (Table 6).

Table 6: Council's investment beliefs for the SIF.

| MISSION AND GOVERNANCE | IMPLICATION |
|---|--|
| 1. Investing | The SIF's assets should be invested according to its Statement of Investment Objectives Policy (SIOP). |
| 2. The SIF is a perpetual means of providing for future Aboriginal generations | The SIF's investment strategy should seek to maximise returns over the long term, subject to risk objectives outlined in the SIOP. Expenditure should be set to a sustainable level (formalised in expenditure policy). |
| 3. The principal time horizon of the SIF is relatively long term | The SIF is willing to accept short-term losses for longer-term gains. The primary performance assessment criteria should be long-term focused (5+ years). |
| 4. Investing in a mixture of things will minimise the risk impact if one of them goes wrong | The SIF should be well diversified in a variety of different asset classes (i.e., not have all its eggs in one basket). |
| 5. The Council is supported by the Investment Committee and Executive team in its decision-making process | The NSWALC Executive team should drive the investment agenda in conjunction with the Investment Committee. |
| 6. Beta is the principal driver of risk and return (rather than alpha) | More time should be spent on strategies (including fund structure and strategic asset allocation) than manager selecting and monitoring |
| 7. Diversification into different risk premiums can increase the investment efficiency of the portfolio | Consideration will be given to introducing appropriate diversity to the SIF, including liquidity and insurance premiums. |
| 8. Alpha exists, but the challenge is to find and successfully employ it | The SIF should only utilise alpha in markets where it has great confidence in both the alpha opportunity, and its skill to successfully hire and fire managers. |
| 9. Environmental, social and governance (ESG) factors can impact investment risk and return, as well as the long-term sustainability of Aboriginal land, culture and communities | We require investment managers to identify and manage ESG risks and opportunities and will incorporate this into manager selections and monitoring. |
| 10. Active ownership is important to creating sustainable investment returns and providing for current and future generations of Aboriginal people | The Council is the ultimate owner of its invested assets. We require investment managers to exercise good stewardship, voting our shares, and engaging with investee companies to drive sustainable value creation. |
| 11. The impact of the Council's investments on Aboriginal people is important, and the Council will balance expected risk-adjusted return against the positive or negative impacts on Aboriginal people | The Council's investment strategy is primarily focused on maximising risk-adjusted investment returns over the long term. It may, on occasion, allocate capital to investments with a lesser expected financial return, where there is strong evidence of substantial benefits for Aboriginal people. It may also exclude investments where there is strong evidence of substantial negative impacts on Aboriginal people, provided the overall investment objective is not compromised. |
| 12. Transparency is important to sustainable investing and is a pillar of good governance | The Council is committed to acting transparently ourselves and expects transparency on ESG issues from the managers we invest with and the companies we invest in. We will request regular ESG reporting from our investment managers, and encourage them to request such reporting from underlying companies. |

These beliefs are used in evaluating all investment decisions. As a result, NSWALC has divested itself of holdings in alcohol and tobacco.

The technical aspects of investment decisions are provided through the combined advice of the external asset consultant, NSWALC Executive team and the Investment Committee. In addition, the drawdown rule adopted by Council provides a formal process for managing NSWALC's liabilities.

In calculating the projected drawdown, the drawdown rule factors in the previous drawdown, average asset value and long-term spending rate. The annual future drawdown is equal to 70 per cent of the previous drawdown and 30 per cent of the average asset value in the previous year, multiplied by the long-term spending rate. Therefore, the projected maximum drawdown for expenditure in 2022–23 is 10.5 per cent of the investment balance. This constraint on the drawdown from NSWALC's investments will ensure that it is able to fund its activities in perpetuity.

Investment Committee

The Investment Committee remains the primary source of all investment recommendations to the Council. In 2021–22, Mr Joshua Bloom was the Independent Chairperson of the Investment Committee. Mr Mark Levinson was the other independent member of the Committee. Both have provided their services on a pro bono basis. Council representatives on the committee during the period were Councillors Charles Lynch and Abie Wright.

The Investment Committee held three meetings during the reporting period:

- 12 July 2021
- 11 November 2021
- 22 February 2022.

Investment decisions

Significant investment decisions during the year included the appointment of the Fund Manager Martin Currie and the removal of the manager Franklin Templeton.

Table 7: Position of strategic asset allocation (SAA) and dynamic asset allocation (DAA) as at 30 June 2022.

| ASSET CLASS | SAA (%) 30 JUNE 2022 | DAA (%) 30 JUNE 2022 | SAA AFTER DAA POSITIONING (%) 30 JUNE 2022 |
|---|-------------------------|-------------------------|--|
| Australian shares | 14.0 | – | 14.0 |
| Overseas shares (large cap) | 24.2 | – | 24.2 |
| Overseas shares (small cap) | 2.8 | +1 | 3.8 |
| Emerging markets | 5.0 | +1 | 6.0 |
| Unlisted property | 10.0 | – | 10.0 |
| Unlisted infrastructure | 10.0 | – | 10.0 |
| Australian inflation-linked bonds | 5.0 | – | 5.0 |
| Diversified fund of hedge funds | 10.0 | – | 10.0 |
| Absolute return (Fixed income – global) | 6.0 | -1 | 5.0 |
| Global credit | 3.0 | | 3.0 |
| Australian fixed interest | 3.0 | – | 3.0 |
| Cash | 3.0 | -1 | 2.0 |
| Emerging market debt | 4.0 | | 4.0 |
| Total | 100 | Nil | 100 |

Modelling outcomes

In 2021–22 NSWALC commissioned testing of the current SAA against the return and risk tolerance statements using our asset consultants' capital market assumptions as at December 2021.

Table 8: Strategic objectives and portfolio expected outcomes.

| STRATEGIC OBJECTIVE | CURRENT STRATEGY (%) |
|--|----------------------|
| Invest to have a greater than 66 per cent probability of achieving a return of the CPI plus 4 per cent, over rolling 10-year periods | 64.7 |
| Limit the probability of a negative return in any given year to less than 20 per cent | 18.5 |
| PORTFOLIO EXPECTED OUTCOMES | 20 YEARS (% PA) |
| Return | 7.3 |
| Risk | 9.3 |

Investment performance

The investment portfolio provided a return of -4.3 per cent against a benchmark 10.4 per cent for the 12 months to 30 June 2022, and 7.4 per cent against a benchmark of 6.4 per cent for the 10 years ended 30 June 2022 (Table 9, Figure 7).

Performance against peers

NSWALC's investment rationale is to promote diversity across asset classes and fund managers, rather than investing solely with NSW Treasury Corporation. To ensure NSWALC's investment rationale is sound, the performance of its portfolio is compared to similar investment portfolios with comparable investment objectives.

When compared with two TCorp investment portfolios held by NSW Treasury Corporation (Table 10, Figure 8) and two Mercer median portfolios held by other institutions (Table 11, Figure 9), NSWALC's investment position is validated by our portfolio's strong performance relative to that of its peers. The comparison clearly shows the NSWALC portfolio's performance to be less volatile, and better performing over the different market cycles than either the TCorp or Mercer investments.

Table 9: Performance to benchmark summary (% returns net of fees).

| | 1 MONTH | 3 MONTHS | 1 YEAR | 3 YEARS | 5 YEARS | 10 YEARS |
|-------------------|---------|----------|--------|---------|---------|----------|
| NSWALC Total Fund | -3.1 | -4.9 | -4.3 | 3.5 | 4.7 | 7.4 |
| CPI +4.1% | 0.9 | 2.8 | 10.4 | 7.3 | 6.7 | 6.4 |
| Excess return | -4.0 | -7.7 | -14.7 | -3.8 | -2.0 | 1.0 |

Figure 7: Rolling five-year annualised returns (%).

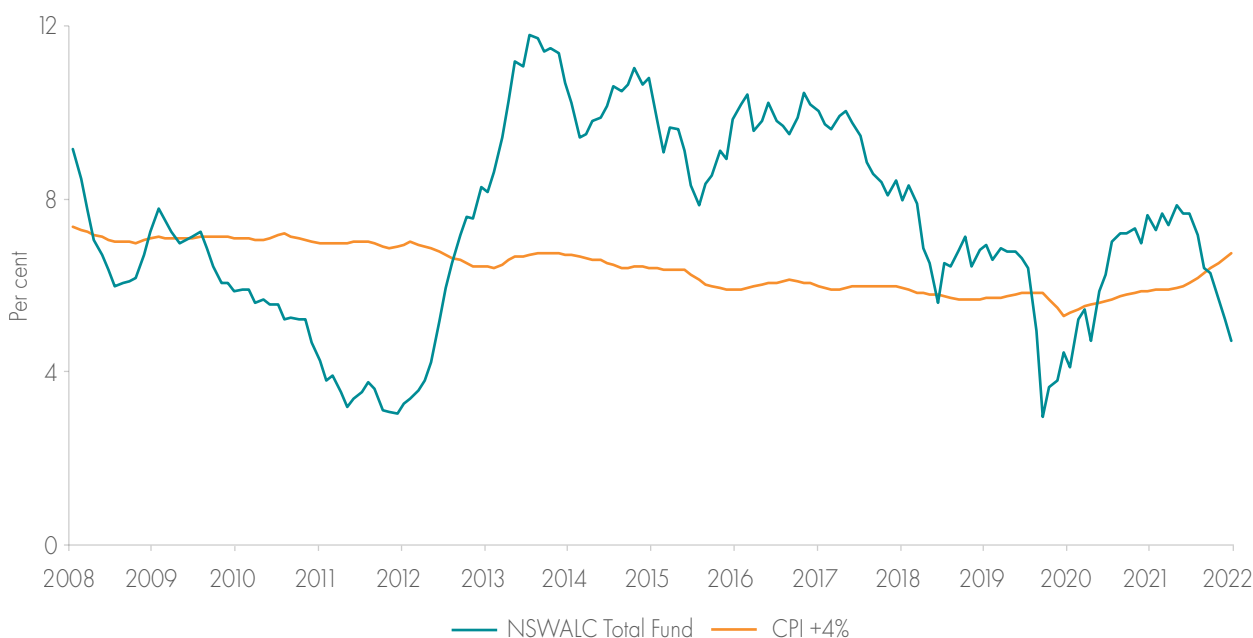


Table 10: Performance to TCorp summary (% returns net of fees).

| | 1 MONTH | 3 MONTHS | 1 YEAR | 3 YEARS | 5 YEARS | 10 YEARS |
|------------------------------------|-------------|-------------|-------------|------------|------------|------------|
| NSWALC Total Fund | -3.1 | -4.9 | -4.3 | 3.5 | 4.7 | 7.4 |
| TCorp Long Term Growth (pre-tax) | -4.2 | -6.7 | -7.9 | 2.9 | 5.5 | 8.5 |
| TCorp Medium Term Growth (pre-tax) | -2.5 | -4.7 | -6.5 | 0.7 | 2.7 | 4.7 |

Figure 8: Performance of the NSWALC portfolio compared with TCorp investment portfolios, 30 November 2003 to 30 June 2022, based on growth of a dollar.

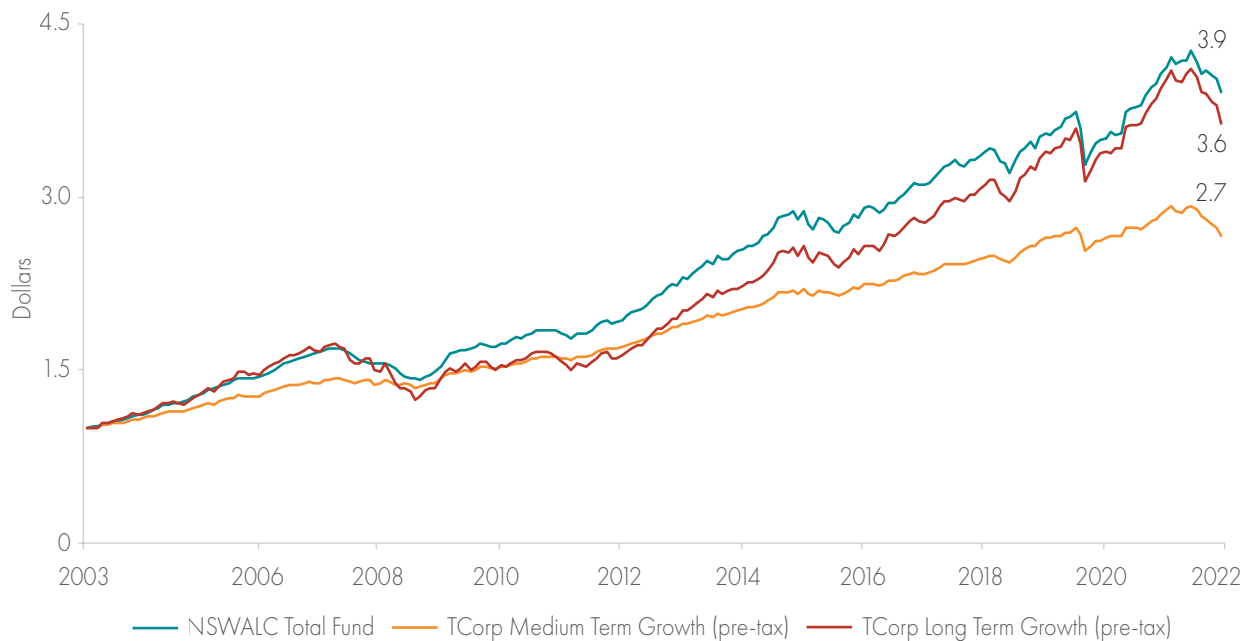
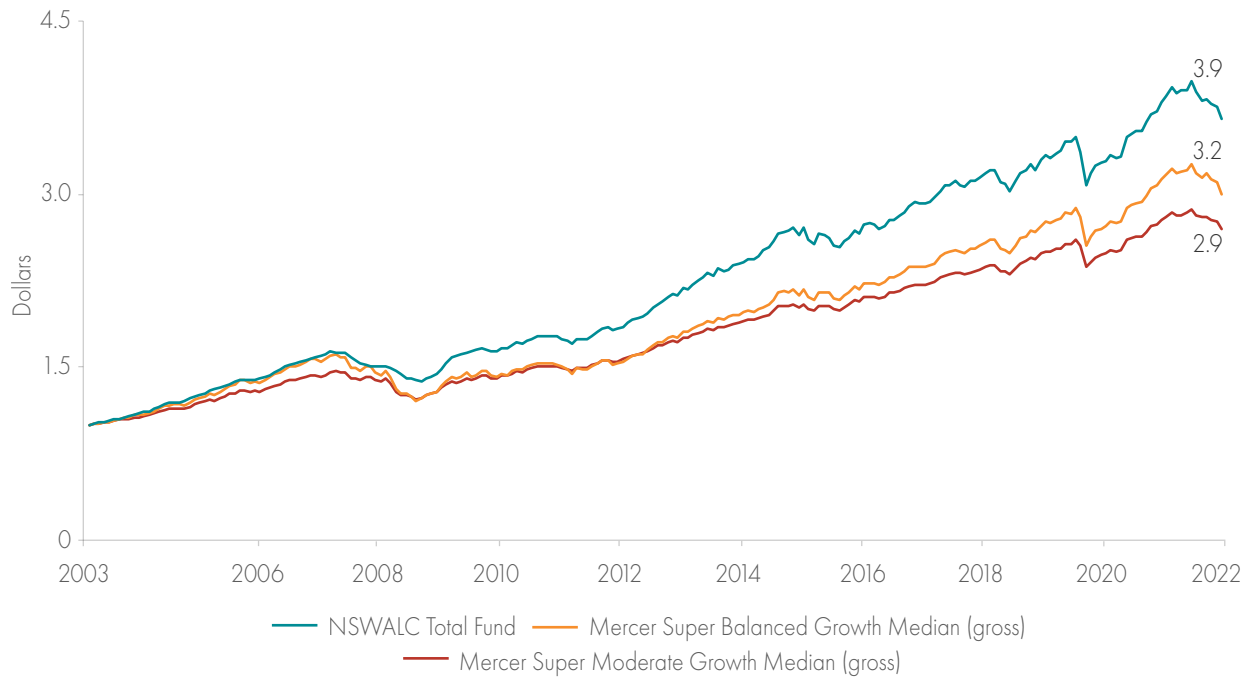


Table 11: Performance to Mercer summary (% returns net of fees).

| | 1 MONTH | 3 MONTHS | 1 YEAR | 3 YEARS | 5 YEARS | 10 YEARS |
|---|-------------|-------------|-------------|------------|------------|------------|
| NSWALC Total Fund | -3.1 | -4.9 | -4.3 | 3.5 | 4.7 | 7.4 |
| Mercer Super Balanced Growth Median (gross) | -3.6 | -5.9 | -4.5 | 3.3 | 5.0 | 7.3 |
| Mercer Super Balanced Growth Upper Quartile (gross) | -3.1 | -4.8 | -0.4 | 8.0 | 9.2 | 11.2 |
| Mercer Super Moderate Growth Median (gross) | -2.5 | -4.2 | -3.1 | 2.9 | 4.2 | 5.9 |
| Mercer Super Moderate Growth Upper Quartile (gross) | -2.1 | -3.4 | 0.0 | 6.3 | 7.2 | 8.8 |

Figure 9: Performance of the NSWALC portfolio compared with Mercer investment portfolios, 30 November 2003 to 30 June 2022, based on growth of a dollar.



Develop and implement a Members Engagement Strategy to improve membership

NSWALC utilises numerous avenues to engage LALCs and members and circulate information to the Land Rights Network. These include media releases, network messages, the NSWALC website and various social media platforms.

A key communications objective is to inform communities, showcase excellence, and enhance the reputation of NSWALC and LALCs by promoting the priorities and successes of the Aboriginal Land Rights Network. This is achieved through consistent, reliable, and targeted communications.

Regular communications have resulted in the steady growth of our social media following across key platforms. During 2021–22 NSWALC’s Facebook account reached over 22,200 people, while our Instagram account reached a further 4,600. In addition to the reach, the NSWALC accounts had substantial increases in page views, with Facebook increasing by 65 per cent, and Instagram by 59 per cent. Audiences for the NSWALC Facebook and Instagram accounts are primarily in the 25–34 years and 35–44 years age brackets. Each group averages 28 per cent of our followers.

Continue to publicly position its brand through effective communication and marketing

NSWALC continues to build brand awareness through regular and targeted communications about matters of significance to Aboriginal communities in NSW and nationally.

During 2021–22, NSWALC communications covered:

- COVID-19 and flood responses
- Closing the Gap initiatives
- cultural heritage
- cultural fishing
- NSWALC’s various grant and funding programs.

NSWALC also released a six-part video series, *Water Is Life*, capturing the impacts of the drought in western NSW, and exploring the importance of Aboriginal people’s cultural connection to water, their campaign for ongoing Water Rights, and the use of waterways to provide for healthy and sustainable Aboriginal communities.

We maintained a strong social media presence throughout 2021–22, with communications promoting NSWALC’s advocacy, the work of LALCs as ACCOs, key events on the Aboriginal calendar, and campaigns and opportunities of importance for metropolitan, regional, remote and discrete Aboriginal communities. NSWALC also provided ongoing media support and guidance to the LALC Network, assisting with media releases and media enquiries.

Youth engagement strategy

Applications for the new Youth Advisory Committee opened in 2021, with the new members appointed in mid-2022.

NSWALC thanks the outgoing committee members for their participation and advice.

The Youth Advisory Committee will continue to provide advice to Council on youth engagement initiatives, and priorities for youth advocacy and programs.

Implement our CDP

LALC Board and staff development

Under the NSWALC LALC CDP, a suite of LALC capacity development training resources have been developed. These include:

- LALC CEO Resources Guide
- Introduction to Financial Management package for Board members
- LALC Chairperson and Deputy Chairperson Guide.

Self-paced, online short courses for LALCs have also been developed on a Learning Management System (Tribal Habits) including:

- Social Media
- Beginners MYOB and Xero
- Virtual Meeting Applications.

Image: Joseph Mayers Photography.

NSWALC maintained relationships with Registered Training Organisations to deliver additional LALC training strategies. These included the:

➤ LALC CEO Skillset course

The course is made up of eight units from a range of accredited business services modules. The course is aimed at increasing the capacity of LALC CEOs to undertake their core functions. It is delivered in partnership with NSW TAFE.

After initially being delayed by COVID-19 restrictions Block 2 of the course was successfully delivered in Tamworth to 13 participants from nine LALCs in the region. The participants completed two units from Certificate IV Business, and Certificate IV Leadership and Management – Operational Planning and Risk Management.

➤ Housing Management Skillset course

The course consists of seven units from Certificate IV in Social Housing. The training targets LALCs that are intending to exit their current head leases, and those that wish to refresh and develop their housing management practices. It is delivered in partnership with ACHIA.

Delivery of the second course was delayed due to ongoing COVID-19 restrictions, however, with the easing of restrictions in early 2022, Block 2 was delivered in Dubbo in March, May and June 2022, to a total of 16 participants from 14 LALCs. Block 3 delivery is scheduled for the beginning of the 2022–23 financial year.



Meeting the goals of our 2021–22 Strategic Plan Supplement

Goal 1: Secure our Land and Water Rights

| STRATEGY | STATUS | NOTE |
|--|--------|------|
| NSWALC will continue to maximise the return of land to Aboriginal peoples through the lodgement of land claims. | ● | |
| NSWALC will continue to maximise the return of land to Aboriginal peoples through the negotiation of ALAs. | ● | 1 |
| NSWALC will continue to review land claim refusals and pursue appeals where appropriate. | ● | |
| NSWALC will continue to prioritise ongoing development of the GIS Mapping Tool to ensure its relevance and usefulness to the Network. | ● | |
| NSWALC will continue to advocate for Water Rights, including for: <ul style="list-style-type: none"> ➤ sufficient and safe water for domestic use ➤ a greater role for Aboriginal people in the management of water ➤ increasing Aboriginal-controlled water allocations ➤ access to cultural licences, community development licences and economic opportunities stemming from water. | ● | |
| NSWALC will continue to advocate for cultural fishing rights. | ● | |

1. As a result of DPE's review into the LNP and the impact of COVID-19 there has been delays in the finalisation of ALAs. LNP 'refresh' meetings have been progressing with an aim to finalize ALAs prior to March 2023.

Status guide

- Completed/Ongoing
- Further work to be continued in the next Strategic Plan













Goal 2: Protect our Culture and Heritage

| STRATEGY | STATUS | NOTE |
|--|-------------|------|
| <p>NSWALC will continue to advocate for legislative protections for Aboriginal culture and heritage that:</p> <ul style="list-style-type: none">➤ build on Aboriginal Land Rights➤ provide proper protection for Aboriginal culture and heritage➤ give control and decision making to Aboriginal peoples➤ protect Aboriginal knowledges and incorporates data sovereignty principles. | <div></div> | 2 |
| <p>Implement the proactive culture and heritage program.</p> | <div></div> | |
| <p>NSWALC will establish an Aboriginal Cultural Proficiency Program, including an Aboriginal Capability Indicators Framework and Portal. The program will be linked to NSWALC’s Aboriginal Employment Strategy.</p> | <div></div> | |

2. While NSWALC continues to strongly advocate for legislative protections for Aboriginal culture and heritage, in accordance with our principles for reform, there continue to be delays at the NSW and Commonwealth government levels with regard to reforming legislation.



Goal 3: Pursue Economic Independence and Prosperity for our People

| STRATEGY | STATUS | NOTE |
|---|---|------|
| <p>NSWALC will establish a land development capability, which includes:</p> <ul style="list-style-type: none"> ➤ identifying and developing property activation opportunities for the Network ➤ developing a pathway for a land asset management strategy that includes NSWALC and LALC land ➤ commencing multiple pilot projects throughout NSW. |  | 3 |
| <p>NSWALC will continue to implement the LBEP to support LALCs to pursue economic opportunities.</p> |  | 4 |
| <p>NSWALC will continue to support Aboriginal business owners, entrepreneurs and job seekers connect with business and employment opportunities across NSW by:</p> <ul style="list-style-type: none"> ➤ continuing to deliver the Yarpa Grow Program which provides a comprehensive and healthy pathway for Indigenous business growth ➤ continuing to strengthen partnerships with potential employers giving Yarpa job seekers and edge in securing employment ➤ continuing to deliver the annual Yarpa Meet the Buyer event that connects Aboriginal businesses with major contractors who are seeking to build their Aboriginal business supply chain ➤ implementing the Yarpa Activate Program which will assist Aboriginal entrepreneurs or businesses who require considerable assistance with their business planning approach. |  | |
| <p>NSWALC will continue to implement the NSWALC Economic Development Policy to explore opportunities in the resource development sector.</p> | NA | 5 |
| <p>NSWALC will acquire 160–202 George Street Redfern.</p> |  | |
| <p>NSWALC will continue to advocate for the interests of LALCs as housing owners, and will work with the AHO, ACHIA and ACHP sector on developing a financially viable sector able to offer quality housing management services.</p> |  | |
| <p>NSWALC will work with LALCs to successfully implement projects under the ACHIF.</p> |  | |
| <p>NSWALC will support NHL to grow its housing services footprint to achieve better housing outcomes and financial sustainability.</p> |  | |
| <p>NSWALC will support NSWALC Employment and Training (NET) to build its employment services business to support more Aboriginal people into sustainable jobs across NSW.</p> |  | |
| <p>NSWALC will establish a NSWALC Enterprises group office to:</p> <ul style="list-style-type: none"> ➤ support the Council in strong governance and strategic direction of its subsidiary entities ➤ coordinate data analysis and reporting to Council ➤ continue developing enterprise opportunities for NSWALC. |  | |
| <p>NSWALC will continue to administer the NFF, to assist Aboriginal people and corporations participate in the fishing industry.</p> |  | |

3. NSWALC has assessed more than 55,000 acres of land, identified 159 potential projects, and is commencing five joint venture pilot projects with LALCs. NSWALC will increase our focus on property activation opportunities in 2022–23.
4. NSWALC continued to support LALCs in their economic development aspirations through the LBEP. The LBEP supports LALCs and LALC-related business enterprises to develop local economic and business opportunities through the provision of tailored business support and funding.
5. NSWALC Council has passed a resolution to end its joint venture with Indigenous Energy Group, and the cessation of its involvement in the resource development sector.

Goal 4: Support our People

| STRATEGY | STATUS | NOTE |
|--|--------|------|
| <p>NSWALC will continue to represent and advocate for the interests and rights of Aboriginal people in NSW, including:</p> <ul style="list-style-type: none"> ➤ continuing to participate in and support the work of the NSW CAPO ➤ continuing to participate in Closing the Gap governance arrangements and the implementation of the National Agreement on Closing the Gap in NSW ➤ implementing a NSWALC Human Rights strategy to capitalise and coordinate the Council's domestic and international advocacy. | ● | |
| <p>Measure the community impact from all NSWALC strategies and initiatives, through the social impact evaluation framework.</p> | ● | 6 |
| <p>NSWALC Educational Scholarship – NSWALC will continue to make available two \$10,000 scholarships, and a paid 6-week internship.</p> | ● | |
| <p>NSWALC Community Fund – NSWALC will continue to make available community fund grants to support eligible LALCs with community development projects.</p> | ● | |
| <p>NSWALC Funeral Fund – NSWALC will implement a revised funeral grants program to support bereaved Aboriginal families.</p> | ● | |
| <p>NSWALC Regional Grants – NSWALC will continue to make available small regional grants in each NSWALC region.</p> | ● | |
| <p>NSWALC Statewide Grants – NSWALC will continue to make grants available for organisations and events that:</p> <ul style="list-style-type: none"> ➤ have statewide Aboriginal participation ➤ are of state wide significance for Aboriginal people ➤ support and promote Aboriginal culture and sporting achievement. | ● | |
| <p>Discrete Community Programs – NSWALC will continue to advocate and support eligible LALCs to participate in the following programs:</p> <ol style="list-style-type: none"> 1. ACWSP (led by DPE/AANSW) 2. ACWMP (led by EPA) 3. R2H (led by DPE). | ● | |
| <p>Cumberland Plain Grants Program – NSWALC will administer a grants program on behalf of DPE to support environmental and ecological outcomes for LALCs and Aboriginal corporations in the Cumberland Plain Region.</p> | ● | |

6. While NSWALC approved a Social Impact Evaluation framework, due to COVID-19, consultation to assist in the measurement of community impact could not occur. Consultation will occur in 2022–23

Goal 5: Secure our Future

| STRATEGY | STATUS | NOTE |
|--|--------|------|
| <p>NSWALC will continue to provide support for the core functions of LALCs and ad hoc items as they arise, by way of:</p> <ul style="list-style-type: none"> ➤ funding support to assist with operational costs ➤ providing assistance with community development processes and CLBP development and implementation ➤ connecting LALCs with information, prospects and solution brokering via Regional Forums, stakeholder management and Network-wide communications ➤ enhancing performance in relation to regulatory responsibilities, complaints and risk assessment practices, reporting, budgeting and governance. | ● | |
| NSWALC will support and advocate for the <i>Uluru Statement from the Heart</i> . | ● | |
| NSWALC will continue to grow and exercise responsible stewardship of the NSWALC SIF and revenue generation. | ● | |
| NSWALC will investigate options for offering an insurance facility for LALCs that combines our purchasing power. | ● | 7 |
| NSWALC will investigate ways that Aboriginal organisations could invest money in the SIF. | ● | 8 |
| <p>NSWALC will advocate for a reform agenda, including:</p> <ul style="list-style-type: none"> ➤ Aboriginal culture and heritage protections ➤ improved land acquisition and land activation mechanisms ➤ Aboriginal inclusion in natural resource management ➤ operational improvements in the 2020–21 ALRA Review. | ● | |
| NSWALC will continue to publicly position its brand through effective communication and marketing of its work and activities. | ● | |
| <p>NSWALC will develop and implement a Members Engagement Strategy to improve membership participation, including:</p> <ul style="list-style-type: none"> ➤ a Youth Engagement Strategy to increase youth participation in the LALC Network ➤ seeking advice from the NSWALC Youth Advisory Committee on improving youth participation in the LALC Network ➤ seeking advice from the NSWALC Youth Advisory Committee on issues affecting young people. | ● | |
| <p>NSWALC will continue to develop the capacity of:</p> <ul style="list-style-type: none"> ➤ NSWALC Councillors ➤ NSWALC staff ➤ LALC Boards and staff. | ● | |
| Review the LALC compliance and regulatory framework. | ● | |
| Develop and maintain appropriate frameworks to monitor NSWALC performance. | ● | |

7. Work has commenced on this activity. Data is being collected from several selected LALCs in order to have the risk appropriately brokered to determine whether savings can be facilitated.

8. A modified and simpler process is being considered whereby LALCs could invest in a parallel facility that mirrors the investments of the NSWALC SIF. The project has been delayed due to competing priorities.

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