

## **INQUIRY INTO ECONOMIC DEVELOPMENT IN ABORIGINAL COMMUNITIES**

**Organisation:** Darkinjung

**Date received:** 12/10/2015

---

## **Standing Committee - Terms of Reference**

1. That the Standing Committee on State Development inquire into and report on strategies to support economic development in Aboriginal communities in New South Wales, including but not limited to:
    - (a) Options for sustainability and capacity building of NSW Aboriginal communities into the future, utilising existing community networks and structures
    - (b) Leveraging economic development support, including provided by the Commonwealth Government and the private sector
    - (c) Establishment and sustainability of Aboriginal owned enterprises.
-

## **Contents**

1. Covering Letter	3
2. Darkinjung Local Aboriginal Land Council	4
3. Darkinjung Development Experience	5
4. Empowered Communities	8
5. Government (Local, State and Federal)	9
6. Planning Reform	12
7. Improving Land Claims	12
8. Private Sector	13
9. Other Measures	13

## **Annexure**

1. Economic Development Framework for NSW Local Aboriginal Land Councils
2. Empowered Communities, Empowered Peoples Design Report
3. Sustainable Land Strategy
4. Discussion Paper Aboriginal Land Claims Process



The Director  
Standing Committee on State Development  
Parliament House  
Macquarie St  
Sydney NSW 2000

Dear Sir,

The Darkinjung Local Aboriginal Land Council (Darkinjung) commends the NSW Government on its initiative in deciding to inquire into and report on strategies to support economic development in Aboriginal communities in NSW.

The object of economic development is to empower and give people the option to live their lives as they wish. For some this will be having the middle class life in the suburbs. For others it may be living the high life. For many, it will be living in safe, stable communities where they have steady and secure employment, own their own home, get on with their neighbours, are able to send their kids to school and watch them get a good education, have time to enjoy life and are able to provide for their needs themselves without being unduly stressed with money worries. The comments below are largely focused on the latter group, most of whom are currently seen as battlers, particularly where they are living in regional or city fringe areas.

The challenges of city living are different to those of the country or in government terms remote, rural and urban. In urban regions, the costs are generally much greater and therefore incomes have to be higher to enjoy the same economic standard of living. In the rural or remote regions, employment is often harder to find and there is the real challenge of ensuring that kids (and their parents) do not drift into government dependant welfare which in turn leads many Aboriginal people down a path of low socio economic entrapment, further leading to boredom, despair and substance abuse. In this regard, economic development is directly interlinked with cultural and social development. For Aboriginal people Economic development becomes meaningless without cultural and social investment.

For many Aboriginal people in NSW the right to develop culturally, socially and economically was denied due to past government policies. Aboriginal people were dispossessed from their lands and refused the same rights as other Australians.

Darkinjung's experience in economic development to date has been uneasy and costly. "Our pathway and our right to economic development" to date is regrettably been "through the NSW Land and Environment Court".

I would welcome the opportunity to appear at the public hearing and again we thank the committee for the opportunity to have input into the inquiry to support economic development in Aboriginal communities in NSW.

Regards

Sean Gordon, CEO

Darkinjung submission to Standing Committee on State Development inquiry into and report on strategies to support Economic Development in Aboriginal communities in New South Wales



### ***Darkinjung Local Aboriginal Land Council***

1. In 1983 a significant shift in Government thinking led to the establishment of the NSW Aboriginal Land Rights Act (ALRA), which is arguably the greatest vehicle that Aboriginal people in NSW have to achieve economic independence and self-determination.
2. Darkinjung was formed in May 1984 under the provisions of the ALRA. That Act was established for the purpose of compensating Aboriginal people in NSW for the dispossession of their lands and to build an economic base.
3. To date the ALRA has been successful in some extent in compensating Aboriginal people for loss of land. Where it has failed is in its inability to convert land into economic opportunity. Which I will address further in the submission.
4. Located mid-point between the cities of Sydney and Newcastle, Darkinjung's area covers the whole of the Central Coast, with boundaries coinciding with the Local Government boundaries of Gosford City and Wyong Shire. Total area is 1,760km<sup>2</sup>, with a total population of approximately 312,000, of which approximately 12,000 have registered as being of Aboriginal decent.
5. Since formation, the Darkinjung has grown to be one of the largest and fastest growing Local Aboriginal Land Council's LALC) in the State, with a direct membership exceeding 710 people, but also representing a broader Aboriginal population on the Central Coast.
6. During this time Darkinjung has been successful in numerous land claims made under the provisions of the ALRA, and now holds a portfolio of approximately 3,500 hectares – making it the largest non-government landowner on the Central Coast. This land portfolio is expected to grow over the coming years as further land claims are determined, with over 14,000 hectares currently subject to land claim applications.
7. As 1 out of 120 LALCs in NSW Darkinjung is one of the most progressive LALCs in the State. Darkinjung has taken a strong leadership position and have developed a good understanding of the challenges Aboriginal communities face in achieving *social*, *cultural* and *economic* outcomes for their community and members.
8. Darkinjung's submission aims to respond to the inquiry from two perspectives; one being Darkinjung's own journey and demonstrated experience of economic development and the second being what Darkinjung has determined are barriers to economic development for Aboriginal people and communities.
9. The experiences, challenges and opportunities Darkinjung has encountered as it embarked on its journey to achieve economic independence commenced more than a decade ago with the selling of a parcel of land for \$42million now known as Magenta Shores. Darkinjung was financially in a position where it could deliver real and tangible benefits to its community and members.

Darkinjung submission to Standing Committee on State Development inquiry into and report on strategies to support Economic Development in Aboriginal communities in New South Wales

10. Like many rags to riches stories, Darkinjung set out with all the best intentions for its members and community and quickly focused on ways to improve the disparity between Aboriginal and non-Aboriginal people.
11. However, Darkinjung at the time failed to factor into its strategy the limitations of the capability, capacity and knowledge of its members and the community to achieve their aspirations. Darkinjung became heavily dependent on external parties to deliver outcomes, i.e. lawyers, accountants and other advisors. The dependency on external experts led to the members having less control of the daily affairs, while investments and jobs creation was focussed outside the region of Darkinjung. During this period Darkinjung and the community lost over \$12million, which eventually led to Darkinjung being placed into administration.
12. The experiences of Darkinjung are not unique; other LALCs have experienced similar disappointment and will continue to do so. It is important that communities and LALCs are allowed to make mistakes, however it is more important that they learn from their mistakes to ensure that these mistakes are not repeated. This has resulted in a land portfolio of about 3,500 hectares, another 14,000 subject to land claims and over \$30 million cash on deposit with banks.
13. Today Darkinjung has learnt from its past and focussed heavily on ensuring that the organisation never backslides by adopting a shared vision, implementing strong governance, accountability, transparency and leadership.
14. Darkinjung has reviewed its success in detail and has written a Blueprint "*Economic Development Framework for NSW Local Aboriginal Land Councils*" that clearly articulates and demonstrates what it takes to be a successful LALC (Annexure 1).
15. Our success is not attributed to any one factor; in fact it is a range of factors that have allowed Darkinjung to grow into a successful and prosperous LALC delivering real benefit to our community and members.

### ***Darkinjung Development Experience***

16. A significant burden on LALCs is the limitation the NSW ALR Regulations 2002 places on *investment of money in LALCs Accounts*. It provides:

*Money to the credit of an account established by a Local Aboriginal Land Council under section 152 of the Act may be invested in:*

- a. *any public funds or Government stock or Government securities of the Commonwealth or any State of the Commonwealth, or*
- b. *any debentures or securities guaranteed by the Government of New South Wales, or*
- c. *any debentures or securities:*
  - i. *issued by a public or local authority, or a statutory body representing the Crown, constituted by or under any law of the Commonwealth, of any State*

Darkinjung submission to Standing Committee on State Development inquiry into and report on strategies to support Economic Development in Aboriginal communities in New South Wales



- of the Commonwealth, of the Northern Territory or of the Australian Capital Territory, and
- ii. guaranteed by the Commonwealth, any State of the Commonwealth or the Northern Territory, or
- d. interest bearing deposits in an authorised deposit-taking institution.

17. Imposing severe restrictions on how a LALC can invests creates further challenges and burdens, especially considering that interest on bank deposits is currently sitting at around 2.70%. Add to this the Global Financial Crisis of 2008 and returns on interest bearing deposit have been consistently low.
18. These restrictions on LALCs can only be seen as discriminatory as other statutory bodies are not burdened with these types of conditions on investments, including the NSW Aboriginal Land Council (NSWALC) and Local Government Authorities (LGAs).
19. Because of the stringent investment conditions on LALCs, Darkinjung has over recent years spent considerable effort and resources to better understand and manage its extensive land portfolio to identify greater opportunities to grow our assets.
20. This included the development of a strategic *Community Land and Business Plan* which guides the organisation's aspirations and development agenda.
21. In addition to this, Darkinjung engages specialist consultants to examine environmental and other issues which may impact on future land uses ensuring that we are fully informed about opportunities and barriers affecting the use of its land.
22. Darkinjung has also developed an asset management system and a mapping database, using the *GoogleEarth* platform, which has proven invaluable for its land management function and which has allowed it to maximise land opportunities within its area.
23. In recent years, Darkinjung has commenced its journey for sustainable economic independence, and is currently working towards the delivery of a portfolio with the potential to provide over nine hundred million dollars (\$900 million) economic stimulus into the Regional economy.
24. Current projects include but are not limited to the following;
  - a. "Menindee Ridge" estate at Blue Haven – a 109 lot residential estate;
  - b. Residential unit development within estate to provide for Member Affordable Housing;
  - c. Investigations into development of preschool within estate;
  - d. "Guruwarang Waters", a 99 site manufactured home estate, at Halekulani;
  - e. A multi-site rezoning application, with the potential to yield 1500 residential lots and 42 hectares of employment land;
  - f. Negotiated commercial lease for a period of 60yrs for the development of a motorsports precinct (CASAR);
  - g. Partnership for private school campus (K-6) with Barker College;

Darkinjung submission to Standing Committee on State Development inquiry into and report on strategies to support Economic Development in Aboriginal communities in New South Wales

- h. Partnership with existing provider for aged care accommodation with the Keith Payne Hostel;
  - i. Ongoing commercial negotiations for the delivery of a service station and fast food restaurant facility;
  - j. Negotiations of a long-term lease for delivery of a Supermarket (National company) and a number of specialty stores; and
  - k. Ongoing negotiations with 3<sup>rd</sup> parties and neighbours who have encroachments onto LALC owned land.
25. Whilst there has been some limited recognition for some rights for Aboriginal people, the legislation continues to evolve in a manner that does not adequately promote or assist Aboriginal communities to achieve economic independence – particularly over land gained via the ALRA or recognised being held under Native Title. This land is often the only remaining vegetated land (containing a myriad of threatened species), and is typically located adjacent to similar lands that have been cleared since European settlement. Examples of laws containing constraints that particularly impact on the commercial potential of Aboriginal owned land includes:
- a. 1967 Constitutional amendment to recognise Aboriginal people
  - b. 1979 Environmental Planning and Assessment Act
  - c. 1983 NSW Aboriginal Lands Right Act
  - d. 1995 Threatened Species Conservation Act
  - e. 1993 Native Title Act
  - f. 2003 Native Vegetation Act
26. Reform to planning legislation, to reflect the self-determination intent of the ALRA, would go some way towards assisting Aboriginal communities in achieving sustainable economic goals.
27. Darkinjung's economic delivery strategy referred to above (which has the potential to deliver over 1,500 new homes on the Central Coast and nine hundred million dollars (\$900 million) worth of direct investment in the local economy over the next 25 years), incorporates plans to secure regional conservation/environmental corridors and deliver social benefits to our members in the form of home ownership, local jobs, business creation, development of pre-schools and aged housing, social support services and the preservation and enhancement of cultural sites and knowledge.
28. Having already commenced this journey for sustainable economic independence, we have identified four key matters, which if implemented would assist Darkinjung LALC in the attainment of the above.
29. The recommendations to the Committee are:
- a. *Development of a Geographical Information System (GIS) to help identify what land LALC's own, have claimed and not yet determined, or what might be claimable;*

Darkinjung submission to Standing Committee on State Development inquiry into and report on strategies to support Economic Development in Aboriginal communities in New South Wales



- b. *Appointment of a Government Facilitator (e.g. DPC, UrbanGrowth) who has appropriate experience to help deliver LALC economic development goals;*
  - c. *Development of a strategy that unlocks 'low hanging fruit', (being projects and assets capable of rapid development), and in doing so provides financial independence, knowledge and opportunity for further projects within the Aboriginal community; and*
  - d. *Provision of appropriate environment planning instruments and policies, which recognise the Preamble and purpose of NSW ALRA, and the unique nature of LALC's, along with the opportunities as well as the limitations within Aboriginal communities and organisations i.e. Aboriginal Land SEPP.*
30. If LALCs in NSW are to achieve similar success to Darkinjung then we must identify ways for these LALCs to access capital to realise opportunities on their lands. The source of capital could include NSWALC investment account or from strengthened creative partnerships with financial institutions.
31. In addition to the financial capital needed there is also a significant challenge for Aboriginal land owners to attract human capital to assist in increasing capability and organisational capacity. A successful program that has been operating for more than fifteen years is the Jawun program, which is a tripartite partnership between corporates, governments and Aboriginal organisations [www.jawun.org.au](http://www.jawun.org.au).

### **Empowered Communities**

32. Darkinjung has played a critical role in Empowered Communities which seeks to create a genuine and balanced partnership between Indigenous organisations, government and corporate Australia, where everybody is working together on a level playing field and towards a shared strategy. (Annexure 2)
33. The Empowered Communities report is the culmination of 18 months of engagement and design work by Indigenous leaders, communities and organisations across the eight Empowered Communities regions. In it, we propose a range of reforms that build on decades of effort by Indigenous people to reclaim control in driving our own priorities for development.
34. There needs to be a fundamental shift away from the traditional social policy framework in which Indigenous affairs has been conducted, to a comprehensive Indigenous Empowerment agenda. It is a long-term reform that requires a new partnership of Indigenous leaders, governments and corporate leaders in order to succeed, with all partners prepared to play their roles in a different way. We seek formal agreement to a 10-year Indigenous Empowerment policy framework.
35. Empowerment, in our meaning, has two aspects. It means Indigenous people empowering ourselves by taking all appropriate and necessary powers and responsibilities for our own lives and futures. It also means Commonwealth, State and Territory governments sharing, and in some cases relinquishing, certain powers and

Darkinjung submission to Standing Committee on State Development inquiry into and report on strategies to support Economic Development in Aboriginal communities in New South Wales

responsibilities, and supporting Indigenous people with resources and capability building.

36. The principle of subsidiarity - that authority to decide and act should rest at the closest level possible to the people or organisations the decision or action is designed to serve - is an important element in our concept of Indigenous Empowerment. Together with Indigenous self-determination and the mutual rights and responsibilities shared between Indigenous people and governments, it is at the heart of our Indigenous Empowerment reforms.
37. Our Indigenous Empowerment framework is based on the premise that Indigenous Australians have a right to development, which includes our economic, social and cultural development as families, individuals and communities and as Indigenous peoples. It recognises the primacy of the local nature of peoples and places, and is aimed at the empowerment of the families and individuals connected to those peoples and places. We recommend national and regional institutions only to support an enabling framework for place-based development agendas.
38. There are two parts to our development goal. They are each of equal importance, and are to be pursued concurrently and constantly tested to determine whether we are most productively using available resources and opportunities.
39. First, our goal is to close the gap on the social and economic disadvantage of the Indigenous Australians of the Empowered Communities regions.
40. Second, we aim to enable the cultural recognition and determination of Indigenous Australians of the Empowered Communities regions so that we can preserve, maintain, renew and adapt our cultural and linguistic heritage and transmit our heritage to future generations.

#### ***Government (Local, State and Federal)***

41. Governments have a significant role to play in advancing economic development and investment in Aboriginal communities, and although governments may have good intentions those intentions are not always demonstrated by their actions.
42. During the past twelve months there has been a major shift by government to create greater opportunities for Aboriginal people. These can be seen in the NSW Procurement Policy and the Federal Governments Indigenous Procurement Policy. However these policies do not automatically lead to change nor do they work effectively if they are not embraced by the departments.
43. The best example of a failed policy is the NSW Aboriginal Participation in Construction policy, which has been around for more than 10 years with limited success to create sustained procurement and jobs for Aboriginal people, especially those Aboriginal people within the building Industry.

Darling submission to Standing Committee on State Development inquiry into and report on strategies to support Economic Development in Aboriginal communities in New South Wales



44. However, this may change with the increasing presence of business enablers such as Supply Nation and the NSW Indigenous Chamber of Commerce to help facilitate opportunities for Aboriginal businesses to secure procurement.
45. If governments stay true to their policies we can expect to see a substantial increase in Aboriginal business over the next ten years attracting their fair share of procurement opportunities from government departments.
46. However this strategy will only address one piece of the puzzle as there are capability gaps that exist amongst Aboriginal people. In many Aboriginal communities there are people entering into small business for the first time. Whereas many non-Aboriginal businesses practices have been passed down from one generation to the next, by reducing risk over time and transferring skills, knowledge, experience and goodwill. For an Aboriginal the first step in many cases is fraught with considerable risk both, personally and financially.
47. If governments are serious about Aboriginal economic development they must commit to structural change, greater resources, increased education, tax incentives (relief), Aboriginal state environmental planning policy (Aboriginal SEPP) and to amend existing legislation and policies that are unduly burdensome.
48. One Government initiative that has facilitated Darkinjung's drive for economic independence is the creation of an *Inter-agency Taskforce*, chaired by the Department of Premier & Cabinet, and which includes the Department of Planning, Office of Environment & Heritage, Trade and Investment, & Local Government Authorities. This taskforce has provided the opportunity to have round-table discussions with key stakeholder agencies on Darkinjung's development proposals.
49. To further promote this initiative, Darkinjung, in consultation with the eight LALC's of the Hunter region and UrbanGrowth NSW (Newcastle office), in response to Regional planning reviews, prepared a discussion paper, the "*Sustainable Land Strategy*" (annexure 3). This document identified the continuing role of the Department of Premier and Cabinet as facilitator, but also the need/opportunity for the Governments principal development agency, UrbanGrowth NSW, to partner with Land Councils to help unlock regional development and conservation opportunities.
50. Darkinjung's experience to date, including its participation on the *Inter-agency Taskforce*, and discussions with UrbanGrowth NSW, is that the current suite of policies/legislation does not foster economic development for Aboriginal communities.
51. Furthermore the current legislation/policies fail to recognise the unique position of Aboriginal land owners. LALCs are not ordinary private developers. Instead,
  - a. *LALCs are fixed to a regional/cultural boundary, therefore limiting opportunities to undertake economic development.*
  - b. *LALCs are not-for-profit entities whose whole objective is to improve the lives of Aboriginal members of their region through community benefit schemes.*

Darkinjung submission to Standing Committee on State Development inquiry into and report on strategies to support Economic Development in Aboriginal communities in New South Wales

52. Further to this LALCs are subject to greater public scrutiny through the local planning process and become the subject to increased community objection, especially during public exhibition of development applications. A case in point being Darkinjung's Halekulani DA which attracted a record number of DA objections being 2200, exceeding previous objections, across the whole of the Central Coast by more than 1500.
53. By contrast the Wallarah 2 Coal Mine DA received 272 objections, further demonstrating the increased scrutiny Aboriginal land owners are under.
54. The existing local planning process not only allows for overt public discrimination to occur, it also allows local governments (Councillors) to reject a DA because of increased public objection, forcing LALCs to appeal to the Land and Environment Court (LEC) adding substantial costs to the development.
55. In Darkinjung's case our original development application for a manufactured home estate cost two hundred thousand dollars (\$200,000). To appeal the decision of Wyong Shire Council in the LEC cost an additional five hundred thousand dollars (\$500,000).
56. Adding to our negative experiences is the recent LEC case Darkinjung Local Aboriginal Land Council v Wyong Coal Pty Ltd, where a coal company believed it had rights to lodge a development application over our land.
57. Darkinjung challenged Wyong Coal in the LEC and were successful in protecting our interest in our lands under the Regulations to the Environmental Planning and Assessment Act 1979 (EPAA). To date Wyong Coal believes that the NSW government will repeal the regulation to override the LEC decision.
58. The NSW planning Minister has not determined Wyong Coal's development application.
59. Darkinjung today is left with the belief that realising "Our Right to Economic Development necessarily means a trip to the NSW Land and Environment Court". Regrettably this pathway adds significant cost to our developments and further reduces our investment in our community and people.
60. In Darkinjung's experience we believe that the current 'toolbox' does not contain the right 'tools' - that Government planners, policy makers and local governments are not equipped to facilitate outcomes for a unique and significant land owner - that is more than just a cultural advisor and custodian for environmental lands.
61. Two key areas requiring review are enabling planning provisions to reflect the unique nature of Aboriginal land councils, and improvements to the land claims process.



## **Planning Reform**

62. The NSW government is encouraged to create an Aboriginal Land State Environmental Planning Policy (SEPP) which applies to LALC and related land and overrides existing planning controls replacing them with more flexible controls that promote the attainment of economic independence established by ALRA. This may include a number of measures including:
- a. Where appropriate payment of s.94 contributions by way of land or environmental offsets be offered in return for the planning concessions;*
  - b. Recognition for social initiatives, such as homes provided under a home ownership scheme, provided by a Land Council; and*
  - c. Provides for Joint Regional Planning (JRPP) or Planning and Assessment Commission (PAC) assessment of projects over \$2 million.*
63. Numerous precedents from existing SEPPs can be fashioned into one that is tailored to address critical issues facing LALCs, having regard to the types of land returned under the ALRA. Notable examples include SEPP (Infrastructure) which is structured in a manner to enable and facilitate the delivery of infrastructure and services and SEPP (State & Regional Development) which, together with relevant provisions of the EPAA, is designed facilitate the approval of major projects and includes special provisions for Bio-banking (Sec 89I) and "switch off" other legislation (Sec 89J)

## **Improving Land Claims**

64. Develop a process to 'fast track' Aboriginal land claims where it can be demonstrated that;
- a. the land subject to Claim has the ability, subject to other planning actions, to result in economic, cultural, environmental or social outcomes for the Land Council and broader community, or*
  - b. Is located within a strategic planning corridor.*
65. Introduce a period to the land claims process where, if the land claim is not determined within a prescribed period, the land council may 'appeal' to an arbitrator – similar to 'deemed refusal' provisions of the EPAA.
66. Provide additional resources to the Land Claim Division of Crown Lands to help reduce the back log of outstanding Land Claims and particularly to facilitate priority processing.
67. Darkinjung has prepared a discussion paper, previously tabled to Government, which highlights the current problems with the land claims process, and the opportunity, in conjunction with the above, to provide significant cost savings to Government and certainty for planning and policy decision makers. (Annexure 4).

Darkinjung submission to Standing Committee on State Development inquiry into and report on strategies to support Economic Development in Aboriginal communities in New South Wales

## **Private Sector**

68. Darkinjung has engaged with Jawun for the past four years and to date the partnership has contributed significant investment into the region in capability and capacity. We estimate that corporate secondees provided through Jawun have volunteered more than 24,000 hours working in our community over the past four years.
69. This relationship and experience has been invaluable to the development and growth of our people, organisations and community. The partnership engages all parties in a mutual exchange of ideas, and introduces corporate secondees to the Aboriginal communities.
70. The Jawun program as literally fast tracked our community's aspiration and plans by up to three years, and as further created networks with the corporate sector.
71. The exposure of Aboriginal people and communities to the corporate sector has been beneficial in increasing organisational and individual capability and capacity
  - a. *Invite major corporations to partner with land councils to second business development officers to LALCs and to take Aboriginal youth on as short term interns for work experience in a variety of roles.*
  - b. *Invite corporations to partner with LALCs in developing their RAPs whereby they consider how they might apply some financial or, especially, non-financial resources in supporting the ALC's Community Land and Business Plan and the wider aspirations of the community for economic development. This would include invitations to corporations to participate in the life of the community; sporting events, family fun days. (Darkinjung already does this very well).*

## **Other Measures**

72. The list of opportunities for corporate partnerships is quite eclectic and directed to different aspects of the problem. There are many other possible options and variations on the above. In focusing on matters that are either within the scope of land councils or where they are well placed to advocate for change. We have not dealt with health, the myriad of other options capable of improving education outcomes, or peace building and crime reduction (Justice Reinvestment) options which are also fundamental. I have also not addressed options for promoting cultural enrichment, which are fundamental to people's sense of wellbeing and which are at least partly within the remit of land councils.
73. There is a myriad of other initiatives to assist with the attainment of economic development in Aboriginal communities. A brief overview is provided in the following points.
74. Other forms of improving economic outcomes in Aboriginal communities are through tax targeted investments and incentives, where governments explore new ways to support Aboriginal people in employment, businesses and enterprises development. For example:

Darkinjung submission to Standing Committee on State Development inquiry into and report on strategies to support Economic Development in Aboriginal communities in New South Wales



- a. *Encourage Government to invest in Aboriginal land through infrastructure projects such as rail, tele communications facilities etc.*
  - b. *Waive payroll tax on Aboriginal employers and employees from remote and rural areas for first 3 years after coming off welfare.*
  - c. *Develop tax incentives for Aboriginal businesses, especially during the first five years when businesses are most vulnerable.*
  - d. *Offer tax concessions for Aboriginal start-up businesses, including a lower rate of company tax for family businesses and tax concession charity status for community owned businesses, even where they distribute profits. A condition of attracting the concessions would be engaging an accredited business adviser to assist with planning and regular financial health checks.*
  - e. *Offer targeted (select) government procurement in remote and rural regions to Aboriginal businesses. Special Commonwealth entitlements paid directly to Aboriginal employees who have come off welfare for staying in the job. Such entitlements could escalate for the first 12 months then stabilise for the next 2 years before tapering back to zero over the fourth year.*
  - f. *Run family financial literacy and planning programs/workshops for members. Ideally this would get to a level of mentoring on education and employment matters as well as budgeting, banking, home loans and finance, insurance etc.*
  - g. *Develop community benefit schemes (either at State or local levels) in partnership with the private sector to offer incentives (e.g. holidays) to successful school leavers in highly disadvantaged areas with smaller benefits to encourage kids through each year of school.*
75. Develop a partnership with the Property Council, Urban Development Institute of Australia (UDIA), and other professional bodies to educate both Land Councils and private developers, and practitioners on the process for and potential benefits of working with Land Councils.
76. Develop partnerships between Local Government organisations (e.g. Principles of Cooperation Agreement) to promote the sharing of information between organisations and improve working relationships between the two organisations, who are often the largest landowners in the locality.
77. Promote and foster relationships with the Department of Planning & Environment to ensure government planners are aware of the role, aspirations and extent of land holdings of Land Councils within planning sub-regions.
78. It has been Darkinjung's experience that all too often the economic aspirations of a LALC (leading social, cultural, community and environmental outcomes) are not understood by Government planners, who traditionally have viewed land controlled by a Land Council as default conservation lands, with the principal role of land council seen as being cultural advisors.

Darkinjung submission to Standing Committee on State Development inquiry into and report on strategies to support Economic Development in Aboriginal communities in New South Wales

79. Hold a carefully planned roundtable with banks and major developers to raise awareness of issues for all parties in dealing with land council land and explore opportunities for novel financing and joint venturing.
80. Develop a model joint venture agreement between land councils and developers for simple developments of LALC land; aimed at shared risk and reward but also skills transfer and mentoring.
81. Encourage LALC CEOs and board members to participate in local business forums and civic associations, chambers of commerce, Rotary etc.