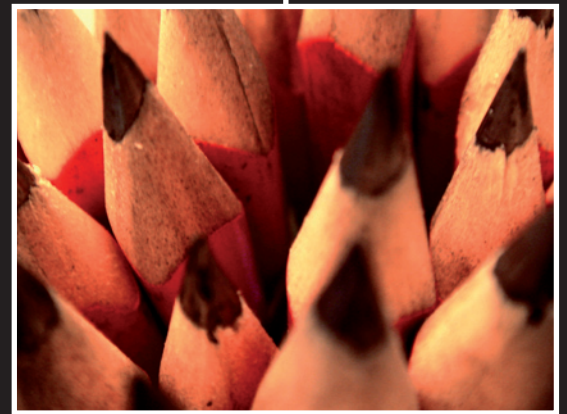


Preparing a Community, Land and Business Plan

GUIDE FOR LOCAL ABORIGINAL LAND COUNCILS



NEW SOUTH WALES
ABORIGINAL LAND COUNCIL

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1.1 Introduction

The preparation and implementation of a community, land and business plan is mandatory under Division 6 of the amended NSW Aboriginal Land Rights Act (1983) (“ALRA”). Failure by the Land Council to approve a community, land and business plan, or failure by the Land Council to comply with a community, land and business plan, is considered a substantial breach of the requirements of the ALRA and can result in Administration.

The purpose of the community, land and business plan (“the plan”) is to describe the aims of the Land Council and to develop strategies by which these can be achieved. It is an essential planning tool as it identifies key strategies and the reasons behind them. It takes into account the ‘bigger picture’ – why the Land Council exists and what the members’ are working towards.

The plan will give the Land Council board and staff a clear understanding of members’ expectations and set clear benchmarks to be met over the period of the plan. It is essential the plan is realistic and reflects the wishes of the community.

The plan is also a key document that can support the Land Council’s applications for funding from Government agencies or through commercial arrangements.

The purpose of this document is to give guidance to the Land Council on developing a plan. This document provides a format to assist the Land Council prepare a plan. This document should assist the Land Council understand its obligations and responsibilities in relation to the legislative requirements under the 2006 amendments to the ALRA.

In preparing this document NSWALC is not seeking to restrict the information the Land Council can include in the plan. The order of the document, the headings used and the information to be included should vary depending on the size and nature of each Land Council. However, much of the essential information provided in this document should be provided in each Land Council plan.

Developing a plan is a large task and the Land Council may require assistance. NSWALC looks forward to working with the Land Council to help them meet this challenge.

1.2 Background

Since 2005 NSWALC has worked towards developing a format to help the Land Council create a planning tool to allow members a structured opportunity to set the direction of their Land Council. As a result the concept of creating a ‘Community Business Plan’ was developed in an effort to ensure income generating land dealings were consistent with the overall aims and strategies for the Land Council, as determined by its members.

The ‘Community Business Plan’ was not mandatory under the ALRA. However, NSWALC did request a ‘Community Business Plan’ from any Land Council wishing to deal with land under ss38D, 40B and 40D.

Under the 2006 amendments to the ALRA, it is mandatory for all Land Councils to prepare and implement a community, land and business plan, unless the Land Council has been granted an exemption from NSWALC.

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NSWALC may consider the Land Council exempt from preparing a plan if it is satisfied that, having regard to the limited operations of the Land Council, compliance is not appropriate.

The community, land and business plan differs in its expectations from the 'Community Business Plan'. The plan must now develop objectives and strategies around a number of different activities and ventures proposed by the Land Council, as specified in the ALRA.

1.3 Statutory Framework

The planning process must be undertaken within the regulatory framework established by the ALRA. For ease of reference, provided below are some provisions of the ALRA stating the role of the Land Council.

Section 51 of the ALRA states the objects of all Land Councils are:

*'...to improve, protect and foster the best interests of all
Aboriginal persons within the Council's area and other persons
who are members of the Council.'*

Section 52 of the ALRA sets out the specific functions of the Land Council as:

- (1) A Local Aboriginal Land Council has the functions conferred or imposed on it by or under this or any other Act.
- (2) Land acquisition
A Local Aboriginal Land Council has the following functions in relation to the acquisition of land and related matters:
 - a) in accordance with this Act and the regulations, to acquire land and to use, manage, control, hold or dispose of, or otherwise deal with, land vested in or acquired by the Council;
 - b) functions relating to the acquisition of land and any other functions conferred on it by or under Part 4A of the NPW Act;
 - c) to submit proposals for the listing of land in Schedule 14 to the NPW Act of lands of cultural significance to Aboriginal persons that are reserved under the NPW Act;
 - d) to negotiate the lease by the Council or by the Council and one or more other Aboriginal Land Councils of lands to which section 36A applies to the Minister administering the NPW Act;
 - e) when exercising its functions with respect to land that is the subject of a lease, or proposed lease, under Part 4A of the NPW Act, to act in the best interests of the Aboriginal owners of the land concerned;
 - f) to make written applications to the New South Wales Aboriginal Land Council for the acquisition by the New South Wales Aboriginal Land Council of land on behalf of, or to be vested in, the Local Aboriginal Land Council.
 - g) to make claims to Crown lands.
- (3) Land use and management
A Local Aboriginal Land Council has the following functions in relation to land use and management:
 - a) to consider applications to prospect or mine for minerals on the Council's land and to make recommendations to the New South Wales Aboriginal Land Council in respect of such applications;

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- b) to protect the interests of Aboriginal persons in its area in relation to the acquisition, management, use, control and disposal of land.
- (4) Aboriginal Culture
A Local Aboriginal Land Council has the following functions in relation to Aboriginal culture and heritage:
- a) to take action to protect the culture and heritage of Aboriginal persons in the Council's area, subject to any other law;
 - b) to promote awareness in the community of the culture and heritage of Aboriginal persons in the Council's area.
- (5) Financial stewardship
A Local Aboriginal Land Council has the following functions in relation to financial management and business planning:
- a) to prepare and implement, in accordance with this Act, a community, land and business plan,
 - b) to manage, in accordance with this Act and consistently with its community land and business plan, the investment of any assets of the Council;
 - c) to facilitate business enterprises, in accordance with this Act and the regulations and consistently with its community, land and business plan.
- (6) Other functions prescribed by regulations
A Local Aboriginal Land Council has any other functions prescribed by the Regulations.

Section 52(A) of the ALRA sets out the functions of the Land Council in relation to Community Benefits Schemes as:

- (1) A Local Aboriginal Land Council may, in accordance with an approval of the New South Wales Aboriginal Land Council:
 - a) directly or indirectly, provide community benefits under community benefits schemes, and
 - b) without limiting paragraph (a), provide, acquire, construct, upgrade or extend residential accommodation for Aboriginal persons in its area.
- (2) The New South Wales Aboriginal Land Council must not approve a community benefits scheme of a Local Aboriginal Land Council unless it is satisfied that:
 - a) the proposed scheme complies with this Act and the regulations; and
 - b) the proposed scheme is consistent with any applicable policy of the New South Wales Aboriginal Land Council ; and
 - c) the proposed scheme is consistent with the community, land and business plan of the Local Aboriginal Land Council ; and
 - d) the proposed scheme is fair and equitable and will be administered in a way that is responsible and transparent; and
 - e) the proposed scheme is not likely to prevent the Local Aboriginal Land Council from being able to meet its debts as and when they fall due; and
 - f) the need for the proposed benefits is not otherwise being adequately met.

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- (3) A Local Aboriginal Land Council must ensure that any community benefits scheme under which community benefits are provided by or on its behalf:
 - a) complies with this Act and the Regulations;
 - b) is consistent with any applicable policy of the New South Wales Aboriginal Land Council; and
 - c) is consistent with the community, land and business plan of the Local Aboriginal Land Council.
- (4) A Local Aboriginal Land Council may provide community benefits under a community benefits scheme to persons within the areas of other Local Aboriginal Land Councils and may provide community benefits in conjunction with one or more other Local Aboriginal Land Councils.

Section 52(B) of the ALRA sets out the functions of the Land Council in relation to Social Housing Schemes as:

- (1) This section applies to a community benefits scheme in relation to the acquisition and provision by or on behalf of a Local Aboriginal Land Council of residential accommodation for Aboriginal persons in its area and to the construction, upgrading and extension of any such accommodation (a social housing scheme).
- (2) The New South Wales Aboriginal Land Council must not approve a social housing scheme under section 52A unless:
 - a) it is satisfied that the income (including any subsidiaries and grants) from any existing social housing scheme provided by or on behalf of the Local Aboriginal Land Council or of the proposed scheme is or will be sufficient to meet all the expenses of the scheme concerned, including long term maintenance requirements; and
 - b) it has considered the likely impact of the proposed scheme on the overall financial situation of the Local Aboriginal Land Council.
- (3) A Local Aboriginal Land Council may provide a social housing scheme by using the services of another body or agency, or with the assistance of another body or agency, approved by the New South Wales Aboriginal Land Council either generally or in relation to a particular social housing scheme.
- (4) Section 40B(2) applies to a lease by a Local Aboriginal Land Council (whether or not for a period exceeding 3 years) if the lease is for the purposes of the provision or management of a social housing scheme.

Section 52(C) of the ALRA sets out the functions of the Land Council in relation to Trusts as:

- (1) A Local Aboriginal Land Council may, with the approval of the New South Wales Aboriginal Land Council, establish or participate in the establishment of, a trust for the purpose of providing a community benefits scheme.
- (2) The New South Wales Aboriginal Land Council must not give an approval for the purposes of this section unless it is of the opinion that the proposed action by the Local Aboriginal Land Council:
 - a) complies with the Act and the regulations;
 - b) is consistent with any applicable policy of the New South Wales Aboriginal Land Council; and
 - c) is consistent with the community, land and business plan of the Local Aboriginal Land Council; and

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- d) is not likely to prevent the Local Aboriginal Land Council from meeting its debts as and when they fall due.
- (3) Regulations may be made for or with respect to financial and reporting obligations for trusts established by Local Aboriginal Land Councils.

Section 52(D) of the ALRA sets out the functions of the Land Council in relation to the duty of the Land Council not to transfer land or other assets to Council members, board members, staff or consultants as:

- (1) A Local Aboriginal Land Council must ensure that no part of the income or property of the Council is transferred directly or by way of dividend or bonus or otherwise by way of profit to the members of the Council, Board members or any members of staff of or consultant to the Council.
- (2) Nothing in this section prevents:
 - a) the provision of a benefit in good faith to a Council member, Board member, member of staff or consultant in accordance with this Act;
 - b) the payment in good faith of remuneration to any such member, Board member, member of staff or consultant.

At each stage of the planning process, the members, board and staff must consider if the actions they are considering are within the Land Council's role under the ALRA. If not, the actions of the Land Council may be beyond the legal capacity of the Land Council.

One way to protect the Land Council from appearing to be undertaking activities that are outside of the legal capacity of the Land Council is to be clear in the intention of each item included in the plan.

If holding workshops as part of the planning process, running through these key provisions of the ALRA may assist members in understanding the goals and strategies that the Land Council can undertake.

1.4 Why Prepare a Community, Land & Business Plan?

Planning is a key part of the good management of an organisation. It establishes how the organisation will commit its resources, time and focus over the coming years.

The advantages of preparing a plan include the following:

1. It allows the Land Council members to agree on the goals of the Land Council and the strategies to achieve them.
2. It develops these goals and strategies within a framework that considers the functions and responsibilities of the Land Council within the constraints of the ALRA.
3. It encourages the Land Council to set goals and strategies that are realistic and achievable by taking into account the financial and physical resources available to the Land Council.
4. It provides an opportunity for members, staff and board of the Land Council to step back from the day-to-day operations to consider why the Land Council exists and what the members are working towards achieving.

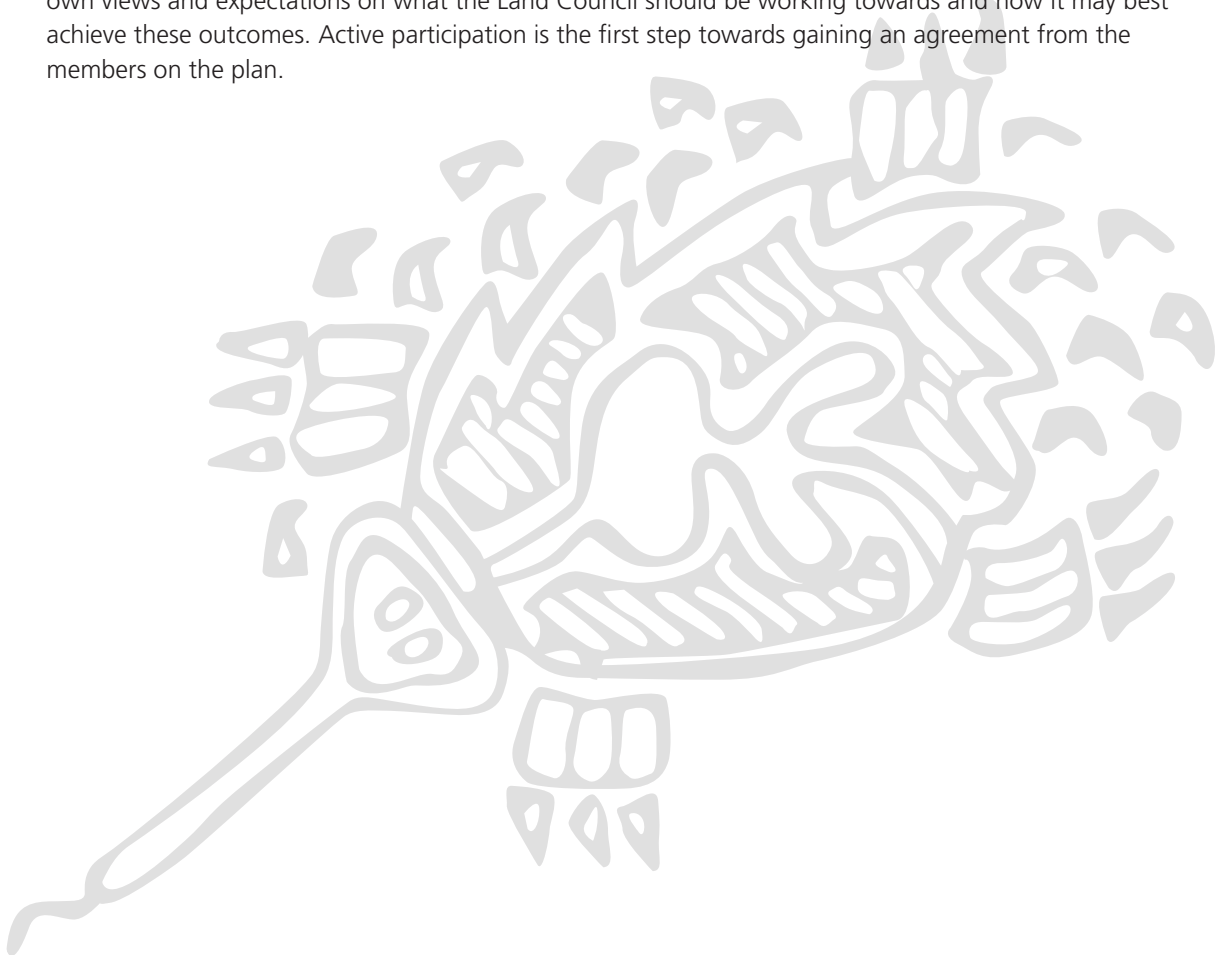
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5. It provides the staff and board with a clear understanding of what is required of them in their respective roles and provides a framework under which members can assess their performance.
6. It communicates the direction of the Land Council and what the Land Council's contribution in terms of services and products will be. Interest will be generated from individual members, staff, board and stakeholders, as well as Government, non-Government and funding providers.

1.5 Challenges

While this document provides the framework for developing the plan, the success of the process will depend upon:

1. Commitment of staff, board and members from the developing stages through to implementing and measuring the plan's performance.
2. The process will take time to achieve the end result. Be aware of time constraints and set reasonable timelines for developing the plan to make sure you stay on track.
3. Getting the Land Council members to support the idea of the plan and to more importantly participate in the process may require encouragement. It is important for members to openly discuss and to consider the ideas of others to ensure everyone is actively working together.
4. Gaining a consensus on the plan from the members will be challenging, as each member will have their own views and expectations on what the Land Council should be working towards and how it may best achieve these outcomes. Active participation is the first step towards gaining an agreement from the members on the plan.



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2.1 Items to be Included in the Plan

Each proposed community, land and business plan should include the following standard planning items:

- a) Introduction;
- b) Vision & Values Statement;
- c) Background/History;
- d) Location/Boundaries/Map;
- e) Business Environment or Stakeholder Analysis;
- f) Legislative Framework;
- g) Current Organisational Structure;
- h) Demographic Analysis;
- i) Needs Analysis;
- j) SWOT Analysis;
- k) Key Goals;
- l) Register of Land & Property Holdings;
- m) Budget for the period of the plan.

Each proposed community, land and business plan must comply with the following mandatory requirements, as stated in section 83(1) of the ALRA:

- a) Objectives and strategies for the acquisition, management and development of land and other assets;
- b) Objectives and strategies for the provision and management of community benefits schemes (including social housing schemes);
- c) Objectives and strategies for carrying out business enterprises and investments;
- d) Objectives and strategies in relation to Aboriginal culture and heritage;
- e) If the plan contains particular proposals in related to strategies in (a), (b) or (c) of 3.1.4, strategies for the development or acquisition of human resources and skills to implement the proposals;
- f) Timelines for the achievement of proposed strategies and proposals in the plan;
- g) Particulars of assets and liabilities;

Each proposed community, land and business plan must comply with the following mandatory requirements, as stated in section 83(2) of the ALRA:

- a) Identity of, and particulars of any encumbrance affecting any parcel of land;
- b) Particulars of any other interest in the land;
- c) Whether, and on what, land is subject to the restrictions contained in s40AA or to Part 4A of the NPW Act;
 - iv) Any conditions affecting land under s36 or s39;
- d) Any other matter required to be included by a policy of NSWALC;
- e) Any other matter prescribed by the regulations.

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Attachments or appendices may be included, for example:

- Outline process followed to develop plan
- Survey used and results of survey
- Summary of responsibilities of the board and staff
- Any other information the Land Council wishes to include

2.2 Things to Consider Prior to Developing the Plan

Before the Land Council begins developing the plan it should consider the following:

1. Who will be responsible for preparing the plan?

One person or a small group should have the ultimate responsibility for overseeing the development of the plan, even if a consultant is engaged to help prepare the plan. Given the importance of the plan this will usually be the CEO or an elected member.

2. How will the Land Council members be involved?

Work out how the Land Council intends to engage members to be involved in the planning process. Inform the members at the start and set dates for major events, such as sending out and receiving surveys or holding workshops.

3. Are there any stakeholders who should be involved and how will they be involved?

Stakeholders can be an important source of information and can provide valuable input into the plan. Board members and employees of the Land Council are key stakeholders and should be involved in the planning process.

If the Land Council delivers specific programs to members or the community it will be beneficial to talk with the person responsible for administering the program, possibly about how to improve the program or current options available to the program.

Other Land Councils or Aboriginal organisations can also provide valuable input, such as their own experiences developing a plan, programs they have investigated or attempted with success or failure.

The Land Council should make a list of all relevant stakeholders who may provide something of value to the planning process and consider how they can be involved.

4. Who must be consulted and at what stages in the planning process?

Under section 82(2) of the ALRA, the Land Council must consult with members, persons who have a cultural association with the land within the Council's area, and any other persons as specified by the regulations or policy of NSWALC.

For the purpose of the ALRA, a person with a cultural association with the land within the Council's area, are persons listed on the register of Aboriginal Owners because of a cultural association to land within the Land Council boundaries

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The Land Council should consider how and at what stages during the planning process this consultation will take place.

5. **Who can help carry out planning tasks?**

In most instances, the Land Council staff, board and members will have sufficient skills and experience to prepare all or part of a plan. Wherever possible preparing the plan in-house will make sure it represents the community and will keep costs down. The Land Council should look closely at what skill base will be required to complete the various tasks and create a list of possible staff and members who may be able to assist carry out the work.

6. **Should a consultant be engaged to help develop the plan?**

A consultant can help the Land Council develop a professional and thorough plan, particularly where the Land Council has no experience in developing a plan or where the Land Council planning group has widely differing views about priorities and strategies. However, the Land Council should consider what assistance is needed and the cost involved in hiring a consultant for this purpose.

If the Land Council decides to use a consultant it should clearly outline the responsibilities of the consultant, give clear timeframes for the work to be done and get a clear outline of the costs involved. If the consultant believes the agreement to do the work may change (particularly in relation to time or cost) they should inform the Land Council immediately for approval. It is wise to have these matters put in writing and agreed to by both parties.

The consultant should deal solely with one staff or board member to ensure the workload is kept on track and communications are clear. Having one member of staff work with the consultant will also allow for that staff member to gain skills in planning that will help when the plan needs to be updated.

Where the Land Council chooses to engage a consultant, the consultant should be selected by the Land Council. Make sure the consultant has the relevant skills and experience, also check referees to find out if they were happy with the end product.

7. **What if developers wish to “assist” the Land Council prepare the plan?**

Developers, or consultants working for developers, may offer to help the Land Council prepare the plan. Beware the developers interests may be best served in targeting land development opportunities in the plan rather than the needs and aims of the Land Council and members.

The plan must identify the needs and aspirations of the members, not the developers. The Land Council must lead the development of the plan and any assistance in doing this should be by people completely unrelated to potential developers.

8. **What is the timeframe for completing the plan?**

The Land Council will be required to prepare and adopt a plan no later than 18 months after the commencement of Division 6 of the Act, (by 1st January 2009).

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Develop a timetable for meeting targets in the planning process and let the members know. Be realistic when setting timelines and allow extra time where possible.

9. For what period of time should the plan reflect?

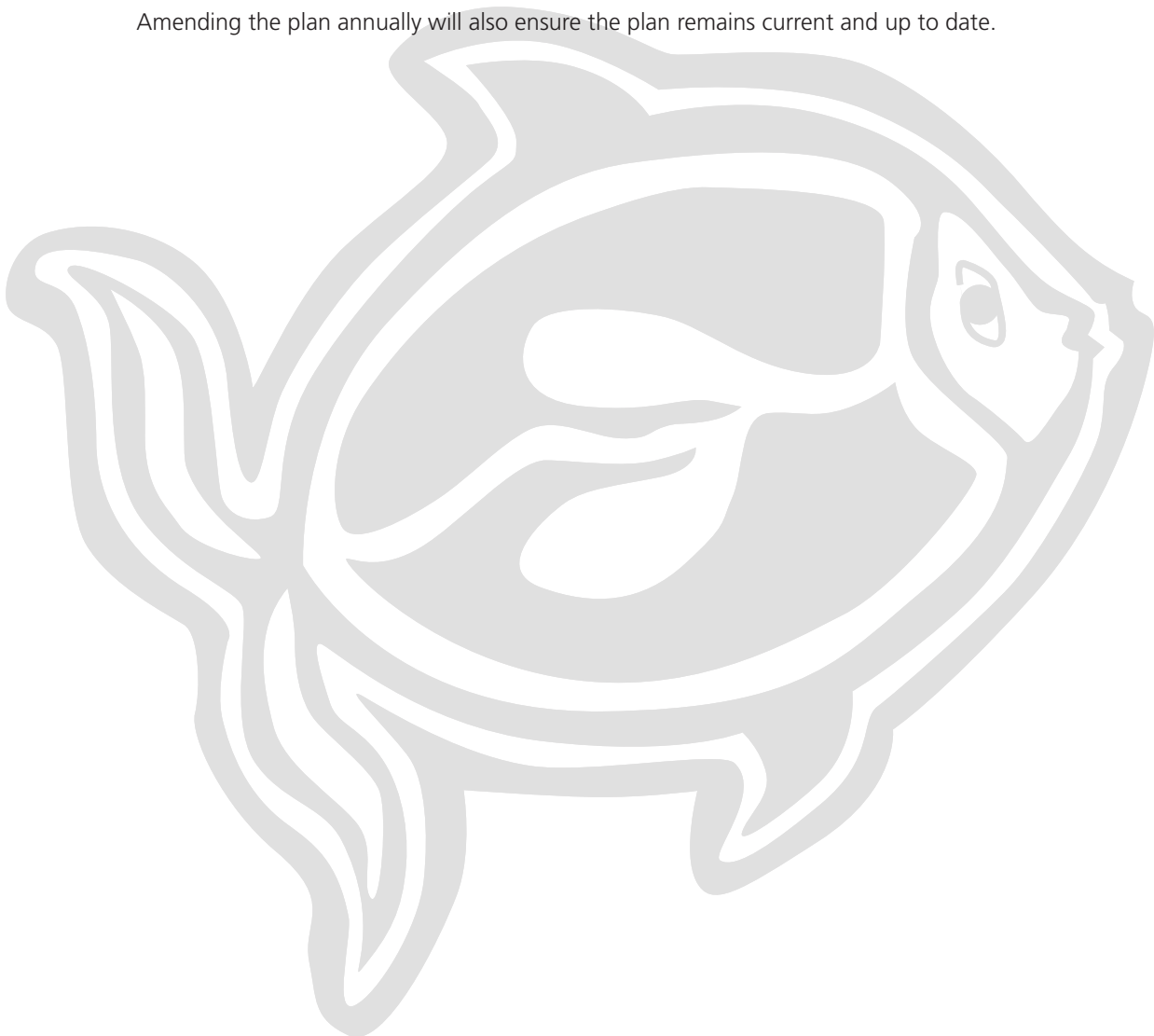
The plan must reflect a period not exceeding five years. It is entirely up to the Land Council to decide the period of time the plan reflects, not exceeding five years. Generally a plan should reflect a period of between two to five years.

10. How often should the plan be reviewed and if necessary amended?

The plan should be reviewed at the same time the Land Council prepares the annual budget for NSWALC. This will highlight any variations between the annual budget and the budget within the plan, whereby an amendment may be made to the plan if necessary.

NSWALC will assess the Land Council budget against the plan and if a variation exists than NSWALC may have grounds to decline the Land Council's annual budget.

Amending the plan annually will also ensure the plan remains current and up to date.



03_Developing the Plan - Standard Information



The purpose of this section is to provide an overview of standard information used in business plans. Identifying these areas will ensure the Land Council plan will follow a commonly recognised format.

The Land Council should include the information outlined in this stage. This section is broken down into easily identifiable steps to assist the Land Council address each of the items.

3.1 List Items of 'Fact' about the Land Council

Items of 'fact' are areas that do not require analysis or consultation with the community. These items ensure the Land Council plan is a complete and 'stand-alone' document. The information will identify the plan as belonging to the Land Council.

1. Introduction

This section will set out why the plan has been created. Each Land Council will differ, however some examples may include:

- To comply with the ALRA
- To strengthen the financial position of the Land Council and move towards financial sustainability
- To provide a tool to help effectively manage the operations of the Land Council
- To provide clear direction for the future of the Land Council
- To address the needs and aspirations of the members and Aboriginal community within the Land Council boundaries

A methodology may also be included to describe the processes undertaken in order to prepare the plan. This will show that proper consultation has been managed as required by the ALRA.

An introduction may also recognise the individuals or organisations that have contributed to the development of the plan.

2. Vision and Values Statement

A vision statement should be no longer than two sentences and will identify the aim or overall goal of the Land Council. The vision statement should identify '*What is the Land Council committed to?*' or '*What the Land Council wants for itself and its members?*'

A values statement lists the key values of the Land Council. The values statement should identify '*What the Land Council believes?*'

If the Land Council does not already have this, or feels it should be updated, it can be identified at a later stage of planning, during a workshop of members.

3. Location

A map of the Land Council boundaries will ensure anyone outside of the Land Council can establish the parameters of activity of the Land Council.

4. Background/History

03_Developing the Plan - Standard Information

Though not essential, Land Council members and the Aboriginal community will generally want to recognise the history and past achievements of the Land Council.

5. Business Environment or Stakeholder Analysis

An overview of the business environment can be provided by listing key stakeholders, such as members, local government and funding providers, and what their aspirations are in relation to the Land Council, or what they hope to gain from the Land Council.

6. Legislative Framework

Include a summary of key requirements under the ALRA by providing an overview of:

- section 51 Objects of all Local Aboriginal Land Councils
- section 52 Functions of all Local Aboriginal Land Councils

Also include a list of other main legislation that the Land Council operates under, for example:

- NSW Residential Tenancy Act
- NSW Public Health Act
- Local Government Act
- NSW Environmental Planning and assessment Act
- National Parks and Wildlife Act

Include a brief statement of the impact of each of these items to highlight the constraints faced by the Land Council.

7. Organisational Structure

A brief overview of the management arrangements of the Land Council presented in a diagram will be sufficient to show the organisational structure.

3.2 Demographic Profile of the Community

1. Sourcing Demographic Information

A demographic profile of the community is a set of statistics that describes the characteristics of that particular community. The community in relation to the Land Council will include all members of the Land Council and also Aboriginal people who reside within the Land Council boundaries.

The amount of information available often makes it difficult to work out the key indicators. Look for items that provide a useful summary of the community and highlight where resources for the community are needed.

Sourcing relevant data from demographic information will vary between Land Councils based on the number and needs of the members. For this reason a standard list of demographic information required in the plan cannot be given. However, the following statistics will most likely be relevant for all Land

03_Developing the Plan - Standard Information



Councils:

- Age
- Employment and Income
- Housing

2. Australian Bureau of Statistics (“ABS”) Data

The ABS can provide Indigenous Profiles for each Local Government Area (“LGA”) for a small fee. This provides the census information for such things as age, education, income and employment. In most cases the Profile will provide a comparison of the Aboriginal community to the total community.

Depending on the number of LGA’s within the Land Council boundaries, the Land Council may be required to obtain several of these Profiles. Another option is for the Land Council to request the ABS prepare a specific analysis for the Land Council if the boundaries differ to the LGA boundaries.

ABS information is not always complete. Census only occurs every five years and there is a view that the Indigenous information is considered particularly unreliable. For this reason it is important to obtain information from other areas.

3. Membership Data

The Land Council can use its membership database to determine limited information in relation to members, such as:

- Percentage of members residing in specific regions
- Membership by age groups
- Percentage of residency compared to membership

4. Survey Data

A survey can be created for the Land Council members to identify ideas and areas of need. A survey can include any information the Land Council feels is relevant to ask, however some examples of what may be included are:

- Gender and age
- Suburb, postcode and length of time residing in the area
- Employment status, industry type, basis of employment e.g. full-time, location of work, travel to work, etc.
- Education attainments and training qualifications
- Literacy and numeracy skills
- Health rating
- Size of household, information about children and spouses
- Program, services and resource ratings
- Specific needs ratings

5. Other Agency Data

The following bodies are examples of sources of other data that may be useful to the Land Council:

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- Local Area Health Services
- Local Councils
- Other State and Commonwealth Agencies e.g. Department of Education and Training
- Local Employment Agencies
- Other Aboriginal Service Providers e.g. Legal Aid, Aboriginal Housing Office
- Other Local Aboriginal Community Controlled Organisations

6. Presenting the Information

Avoid presenting all information in charts and graphs as they can become overwhelming and start to look the same. Only use a chart where it is easier for the information to be understood. Information comparing two items, such as a comparison of numbers of Aboriginal men and Aboriginal women in the community, can be simply stated.

When interpreting the information use the same method throughout, for example percentages, rather than percentages and fractions. This will ensure the information is not confusing.

3.3 SWOT Analysis

SWOT stands for Strengths, Weaknesses, Opportunities, and Threats. Generally strengths and weaknesses are internal factors, and opportunities and threats relate to external factors. The SWOT analysis establishes the parameters within which the Land Council business operates. It also helps identify areas the Land Council should focus on over the next 12 months.

Undertaking a SWOT analysis is a critical part of the planning process and it is essential that the members have the opportunity to become involved in this process. This will assist in creating a sense of “ownership” of the plan amongst the members.

INTERNAL FACTORS

Strengths

These are the positive features of the Land Council. It is important to identify and formally recognise strengths so they can be built upon. For example:

- Committed and professional staff
- Success in obtaining land claims
- Credibility and support from wider community
- Pride in Aboriginal culture and heritage

Weaknesses

These are areas the Land Council needs to improve to achieve its goals. Listing these items identifies what areas the Land Council should focus on over the coming years. For example:

- Insufficient understanding of property development amongst staff
- Decline in community participation in the Land Council
- Poor financial management
- Lack of resources to provide needed services to members

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EXTERNAL FACTORS

Opportunities

These areas generally arise from events outside the direct control of the organisation. Responding to opportunities quickly and appropriately is what makes an organisation successful. Identifying the opportunities for a Land Council is one of the primary goals of preparing the plan. For example:

- Joint initiatives with other Aboriginal organisations
- Amendments to the ALRA
- Future land dealings
- Future business enterprise

Threats

These are usually political, social or economic and often the Land Council will have little ability to control them. However, by being aware the Land Council can plan to reduce the possible impact that is likely to result from a threat. For example:

- Local Government and wider community relationship with Land Council
- Amendments to the ALRA
- Impact of funding sources on the Land Council
- Political climate, State Government & Federal Government elections

3.4 Needs Assessment of Community

At a later stage the Land Council will be required to identify the objectives and strategies, where relevant, in relation to the following:

- Acquisition, Management and Development of Land and Property Holdings
- Community Benefits Schemes
- Social Housing Schemes
- Trusts
- Business Enterprise and Investment Activities
- Culture and Heritage
- Human Resources

Consideration should be given to the above mentioned areas when carrying out a needs assessment.

A needs assessment involves collecting and reviewing information about key issues and the needs of the Land Council members. The process seeks to identify factors that commonly have a negative impact, either by acting as barriers to members achieving their aims or by impacting on their quality of life. Typical factors may include housing, education, employment, health, culture and heritage, community and family.

While the demographic information will state what the situation is today, the needs assessment is about what people need rather than what they have at the moment. It is therefore important to carry out the needs assessment after the demographic profile. For example:

- Demographics reveal 25% of the Aboriginal community are in a Land Council subsidised rental home

03_Developing the Plan - Standard Information

- Needs assessment reveals 15% of members are on a waiting list for housing and 10% intend to apply within the next six months

This indicates there is a need in the community for additional subsidised rental accommodation.

It is unlikely the Land Council will be able to actively resolve all the issues identified by the needs assessment. Some will be met directly by the Land Council, others the Land Council may be able to advocate on behalf of, and some may be completely outside of the Land Council control or influence.

The purpose of undertaking a formal needs assessment on a periodic basis is to ensure that all the needs of the community are considered and that the members of the community agree on the role of the Land Council in meeting them. It also provides an opportunity for the members of the Land Council to have direct input into establishing the priorities for the coming years.

The following steps will help the Land Council undertake a needs assessment:

1. Existing Information

Gather and analyse existing information about the needs of the members and broader community. The following places should be able to provide existing information:

- State and Commonwealth agencies responsible for Aboriginal affairs e.g. reports and studies into various issues
- Local Governments e.g. community plans generally feature a section specifically on the Aboriginal community
- Again, demographic information collected is also a key item

2. Consultation with Members & Aboriginal Community

The best way to determine the needs of members and the Aboriginal community is to ask them. The approach needs to be focused and have a broad involvement of as many individuals as possible. It should ensure broad representation, for instance if no members over 50 participate then the needs of this group may not be addressed.

The two most common methods of getting members and the Aboriginal community involved are to conduct workshops or send out surveys. The workshops and surveys should be structured to obtain the relevant information the Land Council needs.

If the Land Council decides to use both methods, preferably do the survey first so that the information gathered can be clarified and further developed in the workshop.

The information gathered using surveys and workshops does not only need to relate to the needs analysis for the plan. It may also cover the vision and values statement, SWOT, the development of strategies and outcomes, or any other matters the Land Council finds relevant when developing the plan.

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3. Review of Services

Once the needs of the community have been determined, a review of the current Land Council services and other services available to the community should be carried out. The purpose of this is to determine:

- How appropriate or relevant are they?
- How successful they have been in achieving their goals?
- Are the current strategies addressing the needs of the community?
- Can they be slightly changed to better meet the needs of the community?

The Land Council should consider the programs and services provided by other agencies, including Commonwealth, State and Local Government and other non-Government agency sectors. This will ensure the Land Council does not duplicate services and programs if the needs of the community are already being met.

Once the information is reviewed, compare the needs of the members with the current services and programs available to:

- Identify any gaps
- Assess what role the Land Council should have in meeting these gaps

3.5 Establishing Achievable Goals

When establishing goals apply the following principle - goals should be S.M.A.T.

S pecific	– Be clear, what exactly must happen?
M easurable	– If you can't measure the goal, you can't manage it.
A chievable	– Be realistic. Take into account any resourcing constraints.
T imeframe	– When will the goal be accomplished?

It is important members understand how the final goals have been determined and the strategies developed to achieve these goals.

The goals can be determined from the needs of the community, for example:

NEED:	More housing as 12 families are currently on the waiting list
GOAL:	Provide an additional 12 rental houses over three years (four each in the financial years 2007-08 to 2011-12)
TERM:	Short to medium-term

NEED:	Land Council to continue to operate to provide services and support
GOAL:	Long-term financial and operational viability
TERM:	Long-term

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Ensure the goals identified are a mix of items achievable in the short to medium-term, as well as goals that are more long term. A good rule of thumb is to have between five and ten goals for the organisation, half that are more readily achievable than others.

When presenting the information in the plan the Land Council should distinguish the short to medium-term goals from long-term goals by providing the information in separate sections. The short to medium-term goals should be outlined first, followed by the long-term goals.

As noted previously, the Land Council will be required to identify, where relevant, its objectives (goals) in relation to the following specific areas:

- Acquisition, Management and Development of Land and Property Holdings
- Community Benefits Schemes
- Social Housing Schemes
- Trusts
- Business Enterprise and Investment of Assets
- Culture and Heritage
- Human Resources

Once the key goals are identified the Land Council should establish what areas or programs these goals may be grouped under. This will make the task of presenting the information in the plan easier and assist the Land Council identify the area, unit or employee responsible for strategies developed at a later stage.

The following example may assist the Land Council consider how programs correspond with certain goals. Some goals may correspond with more than one program.

SHORT to MEDIUM-TERM		PROGRAM
Goal 1	Provide a sustainable rental housing program and seek to increase rental housing owned by the LALC in the short-term	- Social housing scheme
Goal 2	Increase the economic base of the LALC through land claims and strategic acquisition, management and disposal strategies	- Land acquisition, management & development - Investment of assets
Goal 3	Develop guided Aboriginal cultural tours on LALC land	- Business enterprise - Culture & heritage
Goal 4	Provide access to training and employment opportunities through the creation of a land and conservation management traineeship program	- Community benefits scheme - Culture & heritage
Goal 5	Develop and provide culturally appropriate programs for specific target groups	- Community benefits scheme

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LONG TERM		PROGRAM
Goal 6	Develop cultural centre for use by members and the broader community	- Culture & heritage
Goal 7	Create home ownership model to assist members own their own homes	- Social housing scheme
Goal 8	Identify new and existing business enterprise options for the LALC to invest in	- Business enterprise - Investment of assets
Goal 9	Ongoing protection & maintenance of Aboriginal culture and heritage for future generations	- Culture & heritage
Goal 10	Long-term financial and operational viability building towards economic independence	- Administrative & operational - Social housing scheme - Investment of assets

3.6 Determining an Action Plan

An action plan will show what the Land Council's strategies are in relation to meeting its goals. Action plans need to accompany the Land Council goals along with a timeline for the completion of the action plan. Having completed steps 3.1 to 3.5 of this section, the Land Council should have all the relevant information to develop strategies to meet the goals of the Land Council:

- Demographic assessment
- SWOT analysis
- Needs assessment
- List of key goals
- Information on the suitability of current existing strategies

Developing action plans to meet goals can create some disagreement between different groups within the Land Council community. To get the support and approval of the final plan it is important that the different groups within the community feel they have been given a fair opportunity to give input.

Where possible ensure the strategies developed do not conflict with each other. Also look for strategies that meet one or more needs as identified in the needs assessment.

For example, providing educational opportunities to members will increase their ability to find employment, improve their income earning capacity and relieve housing pressure.

Aim for diversity in the following areas when formulating strategies, or actions:

Geographic Location

Particularly with larger Land Councils, develop strategies that can be implemented across a wider geographical area.

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Demographics

The benefits that flow from the strategies should be available to a large number of members, not a select few.

Action plans need to provide everyone with a clear understanding of what actions are needed to make sure the Land Council achieves its goals. Having an action plan should help the Land Council measure the success of meeting the strategies identified to achieve specific goals.

An action plan to address short to medium-term goals will generally be more specific than an action plan to address long-term goals.

There are two ways to set out an action plan - grouped by goals or grouped by program. The Land Council should decide which method best suits its purpose.

GROUP BY GOALS

GOAL 1: Increase the economic base of the LALC through land claims and strategic acquisition, management and disposal strategies

Program: Land Acquisition, Management & Development

Strategy 1: Investigate potential acquisitions of culturally significant land

- i. Review significant sites within LALC's boundaries
- ii. Identify and prioritise sites that should be owned by the LALC
- iii. Determine appropriate strategies for acquisition – ILC, LALC funds, long-term lease, etc.
- iv. Acquire sites following strategies identified above

Program: Investment of Assets

Strategy 1: Tender for a partner for Lot 1 DP 999997 & Lot 24 DP 999997

- i. Obtain legal advice on proposed arrangement and tender process
- ii. Prepare tender document
- iii. Advertise tender and distribute documents
- iv. Evaluate tender submissions
- v. Seek LALC approval of short-listed tenderers
- vi. Negotiate documentation with recommended tenderer
- vii. Seek members approval and NSWALC approval
- viii. Sign deed with successful tenderer

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GROUP BY PROGRAM

PROGRAM 1: Land Acquisition, Management & Development

Goal: Increase the economic base of the LALC through land claims and strategic acquisition, management and disposal strategies

Strategy 1: Investigate potential acquisitions of culturally significant land

- i. Review significant sites within LALC's boundaries
- ii. Identify and prioritise sites that should be owned by the LALC
- iii. Determine appropriate strategies for acquisition – ILC, LALC funds, long-term lease, etc.
- iv. Acquire sites following strategies identified above

Goal 2: Review existing land claims

- i. Review refused claims to determine if the basis for the refusal was in accordance with the ALRA
- ii. Appeal refused claims where appropriate
- iii. Review outstanding and undetermined claims
- iv. Develop and implement strategy for resolution of outstanding/undetermined claims

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Format for Presenting Information in an Action Plan

The information for an action plan should be presented in a table format. Depending on the size of the operations and the number of goals and strategies identified, the Land Council may prefer to develop a table that is best suited to their needs. However, the following are two examples of tables that may be used to present the information:

EXAMPLE 1

GROUP BY PROGRAM:

PROGRAM											
Goal											
Strategy											
Action Plan											
i.											
ii.											
iii.											
Responsibility											
Performance Indicators											
Timeline & Budget											
2007				2008				2009			
Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
\$				\$				\$			
Status				%							

GROUP BY GOAL:

GOAL											
Program											
Strategy											
Action Plan											
i.											
ii.											
iii.											
Responsibility											
Performance Indicators											
Timeline & Budget											
2007				2008				2009			
Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
\$				\$				\$			
Status				%							

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EXAMPLE 2

GROUP BY PROGRAM:

PROGRAM: XXX						
	Strategy	Responsibility	Start Date	Finish Date	Budget	Status
Goal: A						
1.1	AAA					
1.1.1						
1.1.2						
1.2	BBB					
1.2.1						
1.2.2						
Goal: B						
2.1	CCC					
2.1.1						
2.1.2						
2.2	DDD					
2.2.1						

GROUP BY GOAL:

GOAL: XXX						
	Strategy	Responsibility	Start Date	Finish Date	Budget	Status
Program: A						
1.1	AAA					
1.1.1						
1.1.2						
1.2	BBB					
1.2.1						
1.2.2						
Program: B						
2.1	CCC					
2.1.1						
2.1.2						
2.2	DDD					
2.2.1						

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3.7 Register of Land and Property Holdings

The main purpose of the Land Council is fundamentally linked to its land assets. The Land provides the physical, financial and cultural foundation upon which the Land Council programs operate.

It is important to provide a list of the land assets, including a description of the assets and their current and potential use. Most Land Councils should already have a current list. However, for the purpose of the plan the list should include:

- Lot and DP number, or Land Claim number
- Zoning
- Area (hectares)
- Cultural survey prepared
- Address or location
- Long-term use classification

For the purpose of complying with **section 83(2) of the ALRA**, the plan must contain the following in matters in relation to land:

- a) the identity of, and particulars of any encumbrance affecting any parcel of land of the Council
- b) the particulars of any other interest in land of the Council
- c) whether, and on what, land is subject to the restriction contained in section 40AA or to Part 4A of the NPW Act
- d) any conditions affecting land of the Council under section 36 or 39
- e) any other matters prescribed by the regulations

For the purpose of presenting the land and property information in a coherent format, the mandatory information mentioned above should be included as part of the Register of Land and Property Holdings.

Examples of property classifications that could be included are:

1. Rental properties

For these properties, record information on rates, maintenance requirements, rental income, agent fees and property condition. Obtain this information from Land Council records and by inspecting the properties. If maintenance works are required, obtaining estimates from local tradespeople. If an agent manages the rental properties on behalf of the Land Council, they should already have this information.

2. Commercial/business

Many Land Councils will own their office and potentially other sites used by the Land Council or rented to others for commercial use. Similar information will be required for these sites as for rental properties. The main difference will be that these sites will not generate specific income if used by the Land Council and, if rented to others, the rents should always be at commercial rates.

3. Cultural and heritage

The Land Council should determine the cultural and heritage significance of each site. Those with significant cultural value should be clearly identified for cultural and heritage purposes. Ideally, this

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assessment would be undertaken when a claim is granted or when title is received. This will allow the Land Council to protect sites of high cultural value.

Where this has not occurred, the Land Council should ensure that an assessment is completed prior to any consideration of the future use of the land. In particular, no consideration should be given to the sale or development of land holdings until the cultural significance has been assessed.

4. **Surplus – development or sale**

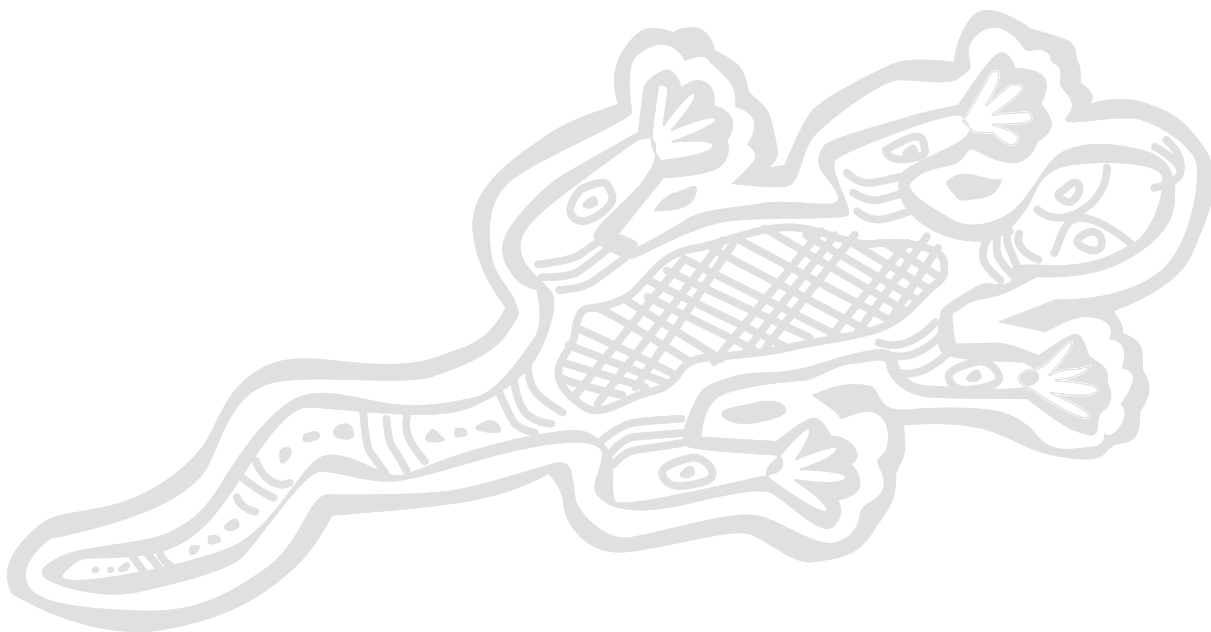
The Land Council may identify some land as suitable for future development or sale. The reasons for disposal may be site specific, such as a site having no cultural or commercial use, or be required to generate funds to support other Land Council activities.

5. **Classification not determined**

Where the Land Council has not had sufficient time or resources to determine the potential use of unused land, it should be categorised separately. This makes it clear that the Land Council members will require considerable additional information prior to making any decisions in relation to these parcels.

This category will usually include sites where the land has been granted but clear title not yet received by the Land Council. It should not include any sites that are currently being utilised, either by lease to members or others or by the Land Council.

Later in the plan you will be required to develop goals and strategies for the Land Council in relation to the proposed acquisition, management and development of lands and property. However for the purpose of this section you only need classify the land and property holdings.



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management and development of land and other assets.

To ensure compliance with the ALRA, any proposed land or property dealing, including the purchase, sale or development of land and property assets, must be identified within the Land Council plan. An approved community, land and business plan which identifies any proposed land or property dealing, does not provide approval for the proposed land dealing.

If the Land Council proposes to enter into any type of land or property dealing the Land Council must adhere to the relevant sections of the ALRA and the applicable NSWALC policy.

This section should identify the following in relation to land and property:

1. Objectives (Goals)

- a) Acquiring, managing and developing lands
- b) Acquiring, managing and developing properties

2. Strategies

- a) Key proposals for the acquisition, management and development of lands
- b) Key proposals for the acquisition, management and development of properties

3. Action Plans

- a) Steps the Land Council proposes to take to achieve each strategy

4. Responsibility

- a) Identify who will be responsible for implementing each strategy

5. Timelines

- a) Provide a timeframe for the completion of each strategy

6. Budgets

- a) Provide an estimated costing of each strategy
- b) Ensure the estimated costing of each strategy is consistent with the budget for the period of the plan

4.3 Social Housing Schemes

For the purpose of the ALRA, a social housing scheme is classified as a community benefit scheme that relates to the **construction, upgrading and extension of accommodation**. For the purpose of this document, social housing schemes will be identified separately from community benefits schemes, though the relevant sections of the ALRA relating to community benefits schemes will be identified as they impact on social housing schemes. Community benefits schemes which do not relate to social housing will be identified under section 4.4 of this document 'Community Benefits Schemes'.

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Section 83 MATTERS COVERED BY THE PLANS

- (1) A community, land and business plan of a Local Aboriginal Land Council must contain the following matters:
- b) the objectives and strategy of the Council for the provision and management of community benefits schemes

Section 52A COMMUNITY BENEFITS SCHEMES

(1) A Local Aboriginal Land Council may, in accordance with an approval of the New South Wales Aboriginal Land Council:

- a) directly or indirectly, provide community benefits under community benefits schemes
- b) without limiting paragraph (a), provide, acquire, construct, upgrade or extend residential accommodation for Aboriginal persons in its area

(2) The New South Wales Aboriginal Land Council must not approve a community benefits scheme of a Local Aboriginal Land Council unless it is satisfied that:

- a) the proposed scheme complies with this Act and the regulations
- b) the proposed scheme is consistent with any applicable policy of the New South Wales Aboriginal Land Council
- c) the proposed scheme is consistent with the community, land and business plan of the Local Aboriginal Land Council
- d) the proposed scheme is fair and equitable and will be administered in a way that is responsible and transparent
- e) the proposed scheme is not likely to prevent the Local Aboriginal Land Council from being able to meet its debts as and when they fall due
- f) the need for the proposed benefits is not otherwise being adequately met

(3) A Local Aboriginal Land Council must ensure that any community benefits scheme under which community benefits are provided by or on its behalf:

- a) complies with this Act and the Regulations
- b) is consistent with any applicable policy of the New South Wales Aboriginal Land Council
- c) is consistent with the community, land and business plan of the Local Aboriginal Land Council

(4) A Local Aboriginal Land Council may provide community benefits under a community benefits scheme to persons within the areas of other Local Aboriginal Land Councils and may provide community benefits in conjunction with one or more other Local Aboriginal Land Councils.

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Section 52B SOCIAL HOUSING SCHEMES

(1) This section applies to a community benefits scheme in relation to the acquisition and provision by or on behalf of a Local Aboriginal Land Council of residential accommodation for Aboriginal persons in its area and to the construction, upgrading and extension of any such accommodation (a **social housing scheme**).

(2) The New South Wales Aboriginal Land Council must not approve a social housing scheme under section 52A unless:

- a) it is satisfied that the income (including any subsidiaries and grants) from any existing social housing scheme provided by or on behalf of the Local Aboriginal Land Council or of the proposed scheme is or will be sufficient to meet all the expenses of the scheme concerned, including long term maintenance requirements; and
- b) it has considered the likely impact of the proposed scheme on the overall financial situation of the Local Aboriginal Land Council.

(3) A Local Aboriginal Land Council may provide a social housing scheme by using the services of another body or agency, or with the assistance of another body or agency, approved by the New South Wales Aboriginal Land Council either generally or in relation to a particular social housing scheme.

(4) Section 40B(2) applies to a lease by a Local Aboriginal Land Council (whether or not for a period exceeding 3 years) if the lease is for the purposes of the provision or management of a social housing scheme.

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SCHEDULE 4, Savings, Transitional and other Provisions PART 7, ABORIGINAL LAND RIGHTS AMENDMENT ACT 2006 Section 45 EXISTING SOCIAL HOUSING

(1) This clause applies to a residential accommodation provided by Local Aboriginal Land Councils to Aboriginal persons that was provided immediately before the commencement of this clause (an **existing social housing scheme**).

(2) A Local Aboriginal Land Council must not operate an existing social housing scheme, after 18 months of the commencement of the of this clause, except in accordance with an approval of the New South Wales Aboriginal Land Council.

(3) The New South Wales Aboriginal Land Council must not approve an existing social housing scheme unless it is satisfied that:

- a) the scheme complies with this Act and the regulations; and
- b) the scheme is consistent with any applicable policy of the New South Wales Aboriginal Land Council; and
- c) the scheme is consistent with the community, land and business plan (if any) of the Local Aboriginal Land Council; and
- d) the scheme is fair and equitable and will be administered in a responsible and transparent way; and
- e) the income (including any subsidies and grants) from the existing social housing scheme is or will be sufficient to meet all the expenses of the scheme, including long term maintenance requirements; and
- f) it has considered the impact of the scheme on the overall financial position of the Local Aboriginal Land Council.

(4) The New South Wales Aboriginal Land Council may impose conditions on an approval under this clause.

(5) Without limiting subclause (4), the New South Wales Aboriginal Land Council may make it a condition of an approval under this clause that the Local Aboriginal Land Council operate the existing social housing scheme by using services of another body or agency, or with the assistance of another body or agency, approved by the New South Wales Aboriginal Land Council.

(6) Local Aboriginal Land Council that fails to obtain the approval of the New South Wales Aboriginal Land Council to operate an existing social housing scheme under this clause may, with the approval of that Council, enter into an agreement or other arrangement with another body or agency for that body or agency to operate the existing social housing scheme.

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If the Land Council **proposes to provide a social housing scheme** the Land Council must provide this information as a separate proposal to NSWALC for consideration to be approved. A proposed social housing scheme must not be commenced until it has received the approval of NSWALC.

If the Land Council currently **provides an existing social housing scheme** the Land Council must provide this information as a separate proposal to NSWALC for consideration for approval. Under **schedule 4, section 45 of the ALRA** an existing social housing scheme must obtain approval from NSWALC **no later than 1st January 2009**. If the Land Council fails to obtain approval for an existing social housing scheme by this date, it may with the approval of members transfer the management of operations to another body or agency.

To ensure compliance with the ALRA, a proposed or existing social housing scheme must be identified within the Land Council plan. An approved community, land and business plan which identifies a proposed or existing social housing scheme, does not provide approval for the proposed or existing social housing scheme.

The Land Council must demonstrate a social housing scheme is fair and equitable, managed in an accountable and transparent manner, and will not prevent the Land Council from meeting its debts when they fall due. Furthermore, the Land Council must demonstrate the income (including any subsidies and grants) is or will be sufficient to meet all the expenses of the scheme, including long term maintenance requirements.

If the Land Council is not able to demonstrate the proposed or existing social housing scheme meets these criteria, it will not be approved by NSWALC.

The applicable NSWALC policy will also apply to the approval of a proposed or existing social housing scheme.

This section should identify the following in relation to any proposed social housing scheme:

1. Goals

- a) Provision of the proposed or existing social housing scheme
- b) Management of the proposed or existing social housing scheme

2. Strategies

- a) Key proposals for the provision of the proposed or existing social housing scheme
- b) Key proposals for the management of the proposed or existing social housing scheme

3. Action Plans

- a) Steps the Land Council proposes to take to achieve each strategy

4. Responsibility

- a) Identify who will be responsible for implementing each strategy

5. Timelines

- a) Provide a timeframe for the completion of each strategy

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6. Budgets

- a) Provide an estimated costing of each strategy
- b) Ensure the estimated costing of each strategy is consistent with the budget for the period of the plan

4.4 Community Benefits Schemes

In an instance where the Land Council is proposing to develop a community benefits scheme, that is not a social housing scheme as identified under section 4.3 of this document 'Social Housing Schemes', the Land Council will need to give consideration to this section of this document.

Section 52A COMMUNITY BENEFITS SCHEMES

(1) A Local Aboriginal Land Council may, in accordance with an approval of the New South Wales Aboriginal Land Council:

- a) directly or indirectly, provide community benefits under community benefits schemes
- b) without limiting paragraph (a), provide, acquire, construct, upgrade or extend residential accommodation for Aboriginal persons in its area

(2) The New South Wales Aboriginal Land Council must not approve a community benefits scheme of a Local Aboriginal Land Council unless it is satisfied that:

- a) the proposed scheme complies with this Act and the regulations
- b) the proposed scheme is consistent with any applicable policy of the New South Wales Aboriginal Land Council
- c) the proposed scheme is consistent with the community, land and business plan of the Local Aboriginal Land Council
- d) the proposed scheme is fair and equitable and will be administered in a way that is responsible and transparent
- e) the proposed scheme is not likely to prevent the Local Aboriginal Land Council from being able to meet its debts as and when they fall due
- f) the need for the proposed benefits is not otherwise being adequately met

(3) A Local Aboriginal Land Council must ensure that any community benefits scheme under which community benefits are provided by or on its behalf:

- a) complies with this Act and the Regulations
- b) is consistent with any applicable policy of the New South Wales Aboriginal Land Council
- c) is consistent with the community, land and business plan of the Local Aboriginal Land Council

(4) A Local Aboriginal Land Council may provide community benefits under a community benefits scheme to persons within the areas of other Local Aboriginal Land Councils and may provide community benefits in conjunction with one or more other Local Aboriginal Land Councils.

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Section 83 MATTERS COVERED BY THE PLANS

(1) A community, land and business plan of a Local Aboriginal Land Council must contain the following matters:

- b) the objectives and strategy of the Council for the provision and management of community benefits schemes

SCHEDULE 4, Savings, Transitional and other Provisions

PART 7, ABORIGINAL LAND RIGHTS AMENDMENT ACT 2006

Section 46 OTHER EXISTING COMMUNITY BENEFITS

(1) This section applies to a community benefits scheme (other than an existing social housing scheme) under which community benefits were provided by Local Aboriginal Land Councils to Aboriginal persons immediately before the commencement of this clause (an existing community benefits scheme).

(2) A Local Aboriginal Land Council may continue to operate an existing community benefits scheme despite any other provision of this Act.

(3) The New South Wales Aboriginal Land Council may review an existing community benefits scheme, to determine whether or not:

- a) it is fair and equitable and is administered in a responsible and transparent way;
- b) it is likely to prevent the Local Aboriginal Land Council from being able to meet its debts as and when they fall due.

(4) On a review, the New South Wales Aboriginal Land Council may impose conditions on the provision of an existing community benefits scheme by a Local Aboriginal Land Council.

(5) Any such condition is to be consistent with any applicable policy of the New South Wales Aboriginal Land Council.

(6) A Local Aboriginal Land Council must comply with any conditions imposed on it after a review under this clause.

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If the Land Council **proposes to provide a community benefit scheme**, the Land Council must provide this information as a separate proposal to NSWALC for consideration to be approved. A proposed community benefits scheme must not be commenced until it has received the approval of NSWALC.

The Land Council must demonstrate any proposed community benefit scheme is fair and equitable, managed in an accountable and transparent manner, and will not prevent the Land Council from meeting its debts when they fall due. Furthermore, the Land Council must demonstrate the need for the proposed benefits is not otherwise being adequately met. If the Land Council is not able to demonstrate the scheme meets these criteria, it will not be approved by NSWALC.

If the Land Council currently **provides an existing community benefits scheme** the Land Council may continue to do so despite any other provisions of the ALRA. NSWALC may, in accordance with the ALRA and NSWALC policy, review an existing community benefits scheme and impose conditions upon the Land Council if it is determined not to be financially viable, fair and equitable, or managed in an accountable and transparent manner. In such an instance the Land Council must adhere to any such condition imposed.

To ensure compliance with the ALRA, a proposed or existing community benefits scheme must be identified within the Land Council plan. An approved community, land and business plan which identifies a proposed or existing community benefits scheme, does not provide approval for the proposed or existing community benefits scheme.

The applicable NSWALC policy will also apply to the approval of a proposed or existing community benefits scheme.

Some examples of a community benefit include:

- Funerals
- Residential accommodation (known as a Social Housing Scheme)
- Education and training
- Scholarships and other assistance for education and training
- Cultural activities
- Child care
- Aged care services

This section should identify the following in relation to any proposed community benefits scheme:

1. Goals

- a) Provision of the proposed community benefits scheme
- b) Management of the proposed community benefits scheme

2. Strategies

- a) Key proposals for the provision of the proposed community benefits scheme
- b) Key proposals for the management of the proposed community benefits scheme

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3. Action Plans

- a) Steps the Land Council proposes to take to achieve each strategy

4. Responsibility

- a) Identify who will be responsible for implementing each strategy

5. Timelines

- a) Provide a timeframe for the completion of each strategy

6. Budgets

- a) Provide an estimated costing of each strategy
- b) Ensure the estimated costing of each strategy is consistent with the budget for the period of the plan

4.5 Trust Activity

Section 52C TRUSTS

(1) A Local Aboriginal Land Council may, with the approval of the New South Wales Aboriginal Land Council, establish or participate in the establishment of, a trust for the purpose of providing a community benefits scheme.

(2) The New South Wales Aboriginal Land Council must not give an approval for the purposes of this section unless it is of the opinion that the proposed action by the Local Aboriginal Land Council:

- a) complies with the Act and the regulations;
- b) is consistent with any applicable policy of the New South Wales Aboriginal Land Council;
- and
- c) is consistent with the community, land and business plan of the Local Aboriginal Land Council;
- d) is not likely to prevent the Local Aboriginal Land Council from meeting its debts as and when they fall due.

(3) Regulations may be made for or with respect to financial and reporting obligations for trusts established by Local Aboriginal Land Councils.

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If the Land Council proposes to establish or participate in the establishment of a trust for the purpose of providing a community benefits scheme, the Land Council must provide this information as a separate proposal to NSWALC for consideration to be approved. The proposed trust activity must not be commenced until it has received the approval of NSWALC.

To ensure compliance with the ALRA, the proposed trust activity must be included within the Land Council plan. An approved community, land and business plan with reference to the proposed trust activity, does not provide approval for the proposed trust activity.

The applicable NSWALC policy will also apply to the approval of the proposed trust activity.

This section should identify the following in relation to the proposal to establish or participate in the establishment of a trust:

1. Goals

- a) Establishing or participating in the establishment of the proposed trust
- b) Management of the proposed trust

2. Strategies

- a) Key proposals for the establishment or participation in the establishment of the proposed trust
- b) Key proposals for the management of the proposed trust

3. Action Plans

- a) Steps the Land Council proposes to take to achieve each strategy

4. Responsibility

- a) Identify who will be responsible for implementing each strategy

5. Timelines

- a) Provide a timeframe for the completion of each strategy

6. Budgets

- a) Provide an estimated costing of each strategy
- b) Ensure the estimated costing of each strategy is consistent with the budget for the period of the plan

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4.6 Business Enterprise & Investment Activities

Section 52 FINANCIAL STEWARDSHIP

(5) A Local Aboriginal Land Council has the following functions in relation to financial management and business planning

- a) to prepare and implement, in accordance with this Act, a community, land and business plan;
- b) to manage, in accordance with this Act and consistently with its community land and business plan, the investment of any assets of the Council;
- c) to facilitate business enterprises, in accordance with this Act and the regulations and consistently with its community, land and business plan.

Section 83 MATTERS COVERED BY THE PLANS

(1) A community, land and business plan of a Local Aboriginal Land Council must contain the following matters:

- c) the objectives and strategy of the Council for carrying out business enterprises and investment;

If the Land Council proposes to facilitate business enterprises or the investment of assets, the Land Council must do so in accordance with the requirements of the ALRA and regulations, and consistently with the plan. To ensure compliance with the ALRA, any proposed business enterprise or the investment of assets must be included within the Land Council plan.

The applicable NSWALC policy will also apply to the approval of any business enterprise or investment of assets.

This section should identify the following in relation to the proposed business enterprise or investment of assets:

1. Goals

- a) Provision of the proposed business enterprise or investment of assets
- b) Management of the proposed business enterprise or investment of assets

2. Strategies

- a) Key proposals for the provision of the business enterprise or investment of assets
- b) Key proposals for the management of the proposed business enterprise or investment of assets

3. Action Plans

- a) Steps the Land Council proposes to take to achieve each strategy

4. Responsibility

- a) Identify who will be responsible for implementing each strategy

5. Timelines

- a) Provide a timeframe for the completion of each strategy

04_Developing the Plan - Mandatory Information



6. Budgets

- a) Provide an estimated costing of each strategy
- b) Ensure the estimated costing of each strategy is consistent with the budget for the period of the plan

4.7 Culture and Heritage Activity

Section 52 ABORIGINAL CULTURE

- (4)** A Local Aboriginal Land Council has the following functions in relation to Aboriginal culture and heritage:
- a) to take action to protect the culture and heritage of Aboriginal persons in the Council's area, subject to any other law;
 - b) to promote awareness in the community of the culture and heritage of Aboriginal persons in the Council's area.

Section 83 MATTERS COVERED BY THE PLANS

- (1)** A community, land and business plan of a Local Aboriginal Land Council must contain the following matters:
- d) the objectives and strategy of the Council in relation to Aboriginal culture and heritage

The protection and promotion of Aboriginal culture and heritage is a function of the Land Council. Land Councils regularly identify, restore and repair, maintain, promote and protect sites, relics and artifacts of cultural significance to Aboriginal people within their boundaries.

To ensure compliance with the ALRA any proposed Aboriginal culture and heritage activity must be included in the Land Council plan.

This section should identify the following in relation to the protection and promotion of Aboriginal culture and heritage:

1. Goals

- a) Protection of Aboriginal culture and heritage
- b) Promotion of Aboriginal culture and heritage

2. Strategies

- a) Key proposals for the protection of Aboriginal culture and heritage
- b) Key proposals for the promotion of Aboriginal culture and heritage

3. Action Plans

- a) Steps the Land Council proposes to take to achieve each strategy

4. Responsibility

- a) Identify who will be responsible for implementing each strategy

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5. Timelines

- a) Provide a timeframe for the completion of each strategy

6. Budgets

- a) Provide an estimated costing of each strategy
- b) Ensure the estimated costing of each strategy is consistent with the budget for the period of the plan

4.8 Development or Acquisition of Human Resources and Skills

Section 83 MATTERS COVERED BY THE PLANS

(1) A community, land and business plan of a Local Aboriginal Land Council must contain the following matters:

- a) the objectives and strategy of the Council for the acquisition, management and development of land and other assets;
- b) the objectives and strategy of the Council for the provision and management of community benefits schemes;
- c) the objectives and strategy of the Council for carrying out business enterprises and investment;
- e) if the plan contains particular proposals related to the strategies in (a), (b) or (c), strategies for the development or acquisition of human resources and skills to implement the proposals;

This section relates directly to proposals under **sections 83(1)a, 83(1)b and 83(1)c of the ALRA**, whereby acquiring of human resources and skills to implement proposals under these sections of the ALRA will be required.

If the Land Council proposes to acquire human resources and skills to implement objectives and strategies as noted above, the Land Council should provide this information as part of the related separate proposal to NSWALC.

To ensure compliance with the ALRA any proposed acquisition of human resources and skills to implement objectives and strategies under the relevant sections as noted above must be included in the Land Council plan.

This section should identify the following in relation to the acquisition of human resources and skills:

1. Goals

- a) Acquisition of human resources and skills to develop proposals relating directly to the acquisition, management and development of land and property
- b) Acquisition of human resources and skills to develop proposals relating directly to the provision of a community benefits scheme, inclusive of a social housing scheme.
- c) Acquisition of human resources and skills to develop proposals relating directly to the carrying out of business enterprise and investment of assets

04_Developing the Plan - Mandatory Information



2. Strategies

- a) Key proposals for the acquisition of human resources and skills to develop proposals relating directly to the acquisition, management and development of land and property
- b) Key proposals for the acquisition of human resources and skills to develop proposals relating directly to the provision of a community benefits scheme, inclusive of a social housing scheme.
- c) Key proposals for the acquisition of human resources and skills to develop proposals relating directly to the carrying out of business enterprise and investment of assets

3. Action Plans

- a) Steps the Land Council proposes to take to achieve each strategy

4. Responsibility

- a) Identify who will be responsible for implementing each strategy

5. Timelines

- a) Provide a timeframe for the completion of each strategy

6. Budgets

- a) Provide an estimated costing of each strategy
- b) Ensure the estimated costing of each strategy is consistent with the budget for the period of the plan

4.9 Budget

The Land Council must include in the plan a budget for the period of the plan. For example, if the plan reflects a five year period, than the budget must also reflect a five year period. By including the budget, the Land Council demonstrates how it will operate over time without financial difficulty.

Depending on the Land Council's operations, the budget may differ in its presentation. A Land Council with larger business operations should preferably present a more detailed budget (example 1.1 and 1.2).

Land Council's with smaller business operations will not need to provide as much detail (example 2).

The Land Council could use an alternative format. However, the Land Council should only adopt this option where staff, members or advisors have sufficient financial and spreadsheet skills to prepare an alternative forecasting model.

The following two examples should provide the Land Council with some idea of how to present this information. The examples used represent a plan that reflects a five year period.

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Example 1.1

LOCAL ABORIGINAL LAND COUNCIL	Summary 5 Year Budget				
	2007-08	2008-09	2009-10	2010-11	2011-12
	\$	\$	\$	\$	\$
REVENUE					
Total Revenue					
OPERATING EXPENDITURE					
Total Operating Expenditure					
NET PROFIT/LOSS					
CAPITAL EXPENDITURE					
Total Capital Expenditure					
NET CASH FLOW					
Total Net Cash Flow					
CUMULATIVE NET CASH FLOW					
Opening Cash Balance					
CLOSING CASH BALANCE					
Operating Cash					
Investments					

04_Developing the Plan - Mandatory Information



Example 1.2

Each project undertaken by the Land Council should be broken down into specific project related budgets using a format similar to this example. The project related budgets should compliment the Summary 5 Year Budget in example 1.1.

LOCAL ABORIGINAL LAND COUNCIL	Specific Project Related Budget				
	2007-08	2008-09	2009-10	2010-11	2011-12
	\$	\$	\$	\$	\$
REVENUE					
Total Revenue					
OPERATING EXPENDITURE					
Total Operating Expenditure					
NET PROFIT/LOSS					
CAPITAL EXPENDITURE					
Total Capital Expenditure					
NET CASH FLOW					
Total Net Cash Flow					
CUMULATIVE NET CASH FLOW					
Opening Cash Balance					
CLOSING CASH BALANCE					
Operating Cash Investments					

04_Developing the Plan - Mandatory Information

Example 2

A Land Council with smaller business operations may follow this budget for each financial year over the period of the plan (e.g. 1 July 2007 to 30 June 2008, 1 July 2008 to 30 June 2009, 1 July 2009 to 30 June 2010, 1 July 2010 to 30 June 2011, 1 July 2011 to 30 June 2012 for a 5 Year Budget).

1 July 2007 to 30 June 2008 Local Aboriginal Land Council						
Account Description	NSWALC	Rental	Property Management	Business Enterprise	Culture & Heritage	Total
Income						
Total Income						
Capital Acquisition						
Total						
Wages, Salaries & Oncost						
Total Wages, Salaries & Oncost						
Other Expenditure						
Total Other Expenditure						
Liability						
Provisions						
Total Liability & Provisions						
Total Expenditure						
Surplus/(Deficit)						
Opening Cash Balance at beginning of period						
Net Cash Balance at end of period						

04_Developing the Plan - Mandatory Information



4.10 List of Assets and Liabilities

Section 83 MATTERS COVERED BY THE PLANS

(1) A community, land and business plan of a Local Aboriginal Land Council must contain the following matters:

- g) particulars of the assets and liabilities of the Council;

A list of the fixed assets of the Land Council, such as motor vehicles and office equipment, must be included. The best way for the Land Council to present this information is in the form of a balance sheet (as shown on the following page).

The list of assets and liabilities should be the most current at the time of developing the plan.



04_Developing the Plan - Mandatory Information



The purpose of this section is to provide an overview of mandatory information that **must be included in the plan**, as stated in the ALRA. This section attempts to make it easier for the Land Council to identify specific activities that must be included in the plan if Land Council proposes to carry out such activities.

This section is broken down into easily identifiable areas to assist the Land Council address each of the items. For ease of reference the relevant sections of the ALRA are identified.

If the Land Council is not planning on entering into a specific activity as identified in **section 83(1) of the ALRA** the Land Council will not need to develop the section within the plan. However, in relation to **section 83(2) of the ALRA** pertaining to 4.1 *Matters in Relation to Land* the Land Council must include this information.

4.1 Matters in Relation to Land

Section 83 MATTERS COVERED BY THE PLANS

(2) A community land and business plan must contain the following matters in relation to land:

- a) the identity of, and particulars of any encumbrance affecting any parcel of land of the Council
- b) the particulars of any other interest in land of the Council
- c) whether, and on what, land is subject to the restriction contained in section 40AA or to Part 4A of the NPW Act
- d) any conditions affecting land of the Council under section 36 or 39
- e) any other matters prescribed by the regulations

As mentioned previously under section 3.7 of this document 'Register of Land & Property Holdings', the matters in relation to land as described in this section of the ALRA should be presented as part of the Register of Land and Property Holdings to ensure the format is coherent.

4.2 Acquisition, Management and Development of Land and Assets

Section 83 MATTERS COVERED BY THE PLANS

(1) A community, land and business plan of a Local Aboriginal Land Council must contain the following matters:

- a) the objectives and strategy of the Council for the acquisition, management and development of land and other assets

The purpose of this section is to identify how the Land Council proposes to treat its land and property assets (excluding rental housing as this will be dealt with under '*Social Housing Scheme*').

The Land Council plan must contain information on its strategies and objectives for the acquisition,

04_Developing the Plan - Mandatory Information

Local Aboriginal Land Council		
BALANCE SHEET AS AT 30 JUNE 2007		
	2007	2006
ASSETS		
Current assets		
Cash and cash equivalents	-	-
Receivables	-	-
Inventories	-	-
Non-current assets listed as held for sale	-	-
Total current assets	-	-
Non-current assets		
Receivables	-	-
Inventories	-	-
Computer equipment	-	-
Office equipment	-	-
Fixtures and fittings	-	-
Vacant land	-	-
Rental property – land	-	-
Rental property – building	-	-
Commercial property – land	-	-
Commercial property – building	-	-
Intangible assets	-	-
Total non-current assets	-	-
Total assets	-	-
LIABILITIES		
Current liabilities		
Payables	-	-
Interest bearing liabilities	-	-
Provisions	-	-
Other liabilities	-	-
Total current liabilities	-	-
Non-current liabilities		
Payables	-	-
Interest bearing liabilities	-	-
Provisions	-	-
Other liabilities	-	-
Total non-current liabilities	-	-
Total liabilities	-	-
Net assets	-	-
EQUITY		
Retained surplus	-	-
Amounts recognised in equity relating to assets held for sale	-	-
Total equity	-	-

05 Approving the Plan



The purpose of this section is to provide the Land Council with information to assist identify the steps required to approve the plan.

Section 84 APPROVAL OF PLANS

- (1) A community, land and business plan is adopted by a Local Aboriginal Land Council if it is approved by a meeting of the members the Council, of which not less than 14 days notice was given.
- (2) A Local Aboriginal Land Council must submit a proposed community, land and business plan to the New South Wales Aboriginal Land Council not less than 28 days before any such meeting.
- (3) A Local Aboriginal Land Council must make available to its members, on request, for a period not less than 14 days before any such meeting and at the meeting, a summary of the proposed community, land and business plan or a copy of the plan.
- (4) The summary is to contain the matters prescribed by the regulations.
- (5) More than one meeting may be called to enable approval of a community, land and business plan.
- (6) A community, land and business plan approved by a Local Aboriginal Land Council takes effect when it is approved by the New South Wales Aboriginal Land Council.
- (7) A community, land and business plan has effect for the period (not exceeding 5 years) specified in the plan or until it is replaced, whichever occurs first.
- (8) Failure to comply with requirement of this Division for the preparation and approval of a community, land and business plan does not affect the validity of the plan.

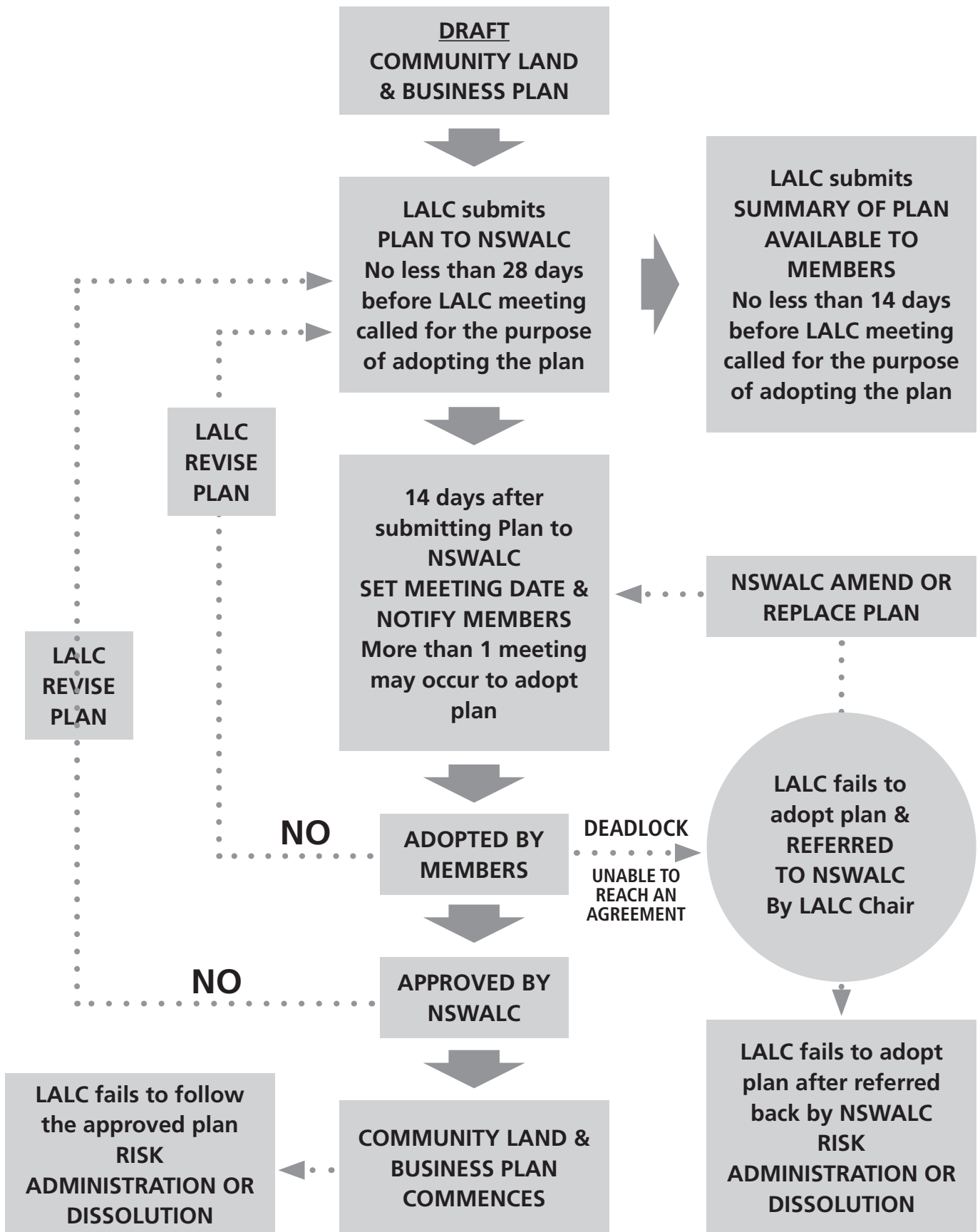
Section 85 APPROVAL OF PLAN BY NSWALC

- (1) The New South Wales Aboriginal Land Council must not approve a community, land and business plan unless it is satisfied that the plan complies with this Act and the regulations and is consistent with any applicable policy of the Council.
- (2) If a Local Aboriginal Land Council is not able to reach agreement on a community, land and business plan within 3 months after it is first proposed for approval at a meeting of the Council, the Chairperson of the Board may refer the proposed plan to the New South Wales Aboriginal Land Council.
- (3) The New South Wales Aboriginal Land Council may amend or replace a proposed community land and business plan referred to under subsection (2) and may refer the amended or replaced plan to the Local Aboriginal Land Council for approval.

Section 86 ADMINISTRATION MAY FOLLOW PLAN FAILURE

- (1) A failure by a Local Aboriginal Land Council to approve the same or another proposed community, land and business plan after a plan has been referred to it by the New South Wales Aboriginal Land Council under section 85(3) is, for the purposes of section 222(1)(e), a substantial breach of the requirements of this Act.
- (2) A substantial failure by a Local Aboriginal Land Council to comply with its community land and business plan is, for the purposes of section 222(1)(e), a substantial breach of the requirements of this Act.

05 Approving the Plan



06_Implementing the Plan



6.1 Implementing the Plan

The purpose of this section is to provide the Land Council with some guidance on implementing and reviewing the plan. A critical part of planning is the implementation of the plan. The main purpose of developing a community, land and business plan is to ensure the goals and needs of the members of the Land Council are being met. This may not happen if the plan is not implemented.

Section 82(1) of the ALRA stipulates the Land Council must prepare and implement a community, land and business plan. It is mandatory for the Land Council to not only prepare a plan, but to also implement the plan.

Section 86(2) of the ALRA stipulates failure by a Land Council to comply with its community, land and business plan, is for the purposes of section 222(1)(e), a substantial breach of the requirements of the Act.

Developing a method to monitor and track the implementation of the plan will ensure the Land Council adheres to the requirements of the ALRA.

Some suggestions for monitoring the implementation of the plan are:

1. Regular staff and board planning meetings

An initial meeting upon the approval of the plan should take place with staff and board to identify what the strategies are for the coming year and who is responsible for implementing the strategies. Regular meetings with staff and board throughout the year will allow for updates and discussion to ensure these strategies are being met and if not what the barriers are in meeting the strategies.

2. Progress reports

Provide regular progress reports to members at meetings. This does not have to be a long report but simply an update on the progress made, or not made, during the period between meetings and a list of key items planned for the current period.

3. Summary of actions for the current year

Display a summary of the actions for the current year in a prominent position in the Land Council office, with the due dates and responsibilities clearly marked. This will remind board, staff and members on the Land Council aims of the plan.

06_Implementing the Plan

6.2 Reviewing and Amending the Plan

The plan should be reviewed and amended annually to reflect the changes that have occurred during the year. Updating annually should include the removal of strategies achieved in the previous year and the inclusion of an additional year to ensure the document remains current.

The review should coincide with the preparation of the annual budget to identify any variation between the plan's budget and the annual budget.

The following things should be considered when updating the plan:

- Prepare a list of achievements and major milestones met during the year for distribution to Land Council members. Keeping members aware of achievements is extremely important. The Land Council may wish to present the information in the annual report.
- Consider the impact of any significant internal or external changes to the Land Council and amend the action plans and other sections as required.
- Remove any strategies that have been fully implemented and are no longer relevant. Where a strategy is complete it should appear as an achievement.
- Consider whether all items are still relevant and if not remove the items from the plan. Ensure any members directly affected by the removal of strategies are given an opportunity to comment.
- The detail on the actions for the coming year may need to be increased. The level of detail available on things to be done in the current year should always be much greater than that for items five years away.
- Identify whether any additional strategies should be added. During the year you may find the Land Council is doing things that are not on an action plan. If these items are required, add them to the plan.
- The timeline for each strategy should be reviewed to ensure that it is still achievable. Ensure the current start and end dates for the actions are appropriate.
- If new census information or other relevant information is released during the year, update the demographic section.
- Update the SWOT analysis and make any adjustments to the strategies.
- Amend the budget within the plan if necessary, as part of the preparation of the annual budget to NSWALC. Ideally, the timing should be such that it is all part of the same process, rather than duplicating the work.

Once the plan has been reviewed and amended, **under section 82(4) of the ALRA** the Land Council must apply the provisions of Division 6 of the ALRA to the proposed amendments in the same way as they apply to the preparation and approval of the plan. Meaning the plan must be considered, adopted and approved in the same way as if the plan were being developed for the first time.

The Land Council should conduct a major review of the plan every three years. This will involve verifying the demographic and needs assessments through new surveys or workshops, a reprioritising of the goals, and the review and development of strategies to ensure their achievement.

Frequently Asked Questions

1. Does every Land Council have to prepare a plan? Why?

Under section 82(1) of the ALRA it is mandatory for each Land Council to prepare and implement a plan unless the Land Council has been given an exemption from the NSWALC.

Under section 82(5) of the ALRA NSWALC may consider a Land Council exempt from preparing a plan if it is satisfied that, having regard to the limited operations of the Land Council, compliance is not appropriate.

2. Is there a deadline for completing the plan?

Under schedule 4, part 7, section 47(1) the Land Council is required to prepare and adopt a plan no later than 18 months after the commencement of Division 6 of the ALRA (being 1st January 2009).

3. What happens if the Land Council does not prepare a plan by the due date?

Under section 82(1) of the ALRA failure by the Land Council to prepare and implement a plan, unless exempted to do so by the NSWALC, is a breach of the requirements of the ALRA and can result in Administration.

4. Who approves the plan?

Under section 84 of the ALRA there are two processes for approval of the plan. Firstly, the Land Council must seek the approval of its members at a meeting of the Land Council to adopt the proposed plan. Secondly, the adopted plan only takes effect when it is approved by the NSWALC.

5. What happens if the plan is not approved?

Under section 85 of the ALRA if the Land Council is not able to reach an agreement on a plan within 3 months after it is first proposed for approval at a meeting called for this purpose, the Chairperson of the Board may refer the proposed plan to NSWALC.

NSWALC may amend or replace a proposed plan and refer it back to the Land Council for approval.

Under section 86(1) of the ALRA failure by the Land Council to approve the same or another proposed plan after the plan has been referred to it by NSWALC is a substantial breach of the ALRA and may result in Administration.

6. What happens if the Land Council does not implement or comply with the plan?

Under section 82(1) of the ALRA the Land Council is required to implement the plan. Failure to do so is a breach of the ALRA and may result in Administration.

Under section 86(2) of the ALRA the Land Council is required to comply with its plan. Failure to do this is a substantial breach of the ALRA and may result in Administration.

7. What if something happens that prevents the Land Council from complying with the plan?

If the Land Council is unable to comply with the plan because of unforeseen or unexpected events, the Land Council should immediately review and amend the plan to prevent any breaches of the ALRA. The Land Council should notify NSWALC of any such occurrences.

8. What if the Land Council wishes to amend or make changes to the plan?

Under section 82(3) of the ALRA the Land Council may amend the approved plan.

Under section 82(4) of the ALRA the Land Council must apply the provisions of Division 6 of the ALRA to any proposed amendments in the same way as they apply to the preparation and approval of the plan.

9. How often should the Land Council review and amend the plan?

The Land Council should review its plan annually at the same time it prepares the annual budget for NSWALC. If there are variations between the two, the Land Council will need to amend the plan's budget or annual budget to ensure they are aligned.

The Land Council should amend its plan annually to reflect the changes that have occurred during the year, this will include updating the plan to remove the strategies achieved and adding an additional year to the plan to ensure it remains current.

10. Why does the Land Council have to involve Aboriginal Owners? What if there are no Aboriginal owners?

Under section 82(2) of the ALRA the Land Council must consult with Aboriginal Owners. Aboriginal Owners are those people whose names are entered in the Register of Aboriginal Owners by the Registrar, Aboriginal Land Rights Act 1983 (NSW).

If there are no Aboriginal Owners listed on the Registrar of Aboriginal Owners within the Land Council boundaries the Land Council is exempt from this requirement.

If the Land Council is uncertain whether it has to comply with this requirement they should contact the Office of the Registrar, Aboriginal Land Rights Act 1983 (NSW) to seek clarification.

11. How can the Land Council involve the entire Aboriginal community within its boundaries if they are not members?

The Land Council should identify the most appropriate way to include the wider Aboriginal community in the planning process. One way the Land Council may do this is by undertaking a demographic profile. Another way may be to hold a public forum to invite the wider Aboriginal community to discuss key issues for the plan. Encouraging Aboriginal community members to complete a community profile survey by distributing the survey to other Aboriginal service providers, such as health care services, will ensure the information is distributed throughout the whole community rather than just the land council network.

12. What if the Land Council does not have the resources to achieve its goals? How may the Land Council find more resources to achieve their goals?

Having a good understanding of the current and expected resources of the Land Council will help to set realistic goals.

It is important the Land Council members are aware of the Land Council's resources and restrictions on resources, when involving them in the planning process. This will assist realistic goals being set and also ensure the members expectations are not disappointed.

If the Land Council identifies a specific critical need that requires additional resources that the Land Council does not have it should identify possible funding sources. Appendix B provides some information on funding opportunities for the Land Council.

13. What assistance can the Land Council get to help prepare the plan?

The Guide to Preparing a Community Land and Business Plan will assist the Land Council prepare the plan.

The Community Land and Business Plan Model is designed to accompany the guide and make the process of developing the plan easier to follow.

The Community Land and Business Plan Facilitator's Manual will assist the Land Council deliver the planning sessions to help with developing the plan.

NSWALC will work closely with Zone Offices to deliver training to the Land Council on developing the plan.

14. Why does the plan include a budget for the period of the plan when the Land Council submits a budget annually?

Setting a budget for the period of the plan, for example, if the plan is for a five year period the budget will also reflect a five year period, is critical for planning purposes as it demonstrates how the Land Council proposes to fund its operations and implement its strategies as outlined in the plan.

08_Resources



There is a range of different institutions that can provide the Land Council with direction and guidance in relation to business operations. The following information is intended to provide the Land Council with reference to some institutions should the Land Council wish to seek them.

Business.gov.au

<http://www.business.gov.au/Business+Entry+Point/>

This site offers simple and convenient access to government information, transactions and services. It's a whole-of-government service providing essential information on planning, starting and running your business.

IBA <http://www.iba.gov.au/>

IBA offers a range of programs designed to develop initiatives for long term asset accumulation, including enterprise and investment direction and guidance for Indigenous communities, organisations and/or individuals.

Indigenous Community Volunteer

<http://www.icv.com.au/>

Indigenous Community Volunteers (ICV) is a not for profit organisation providing Indigenous Australians with new skills. Communities, organisations or individuals identify their skill needs then ICV matches the projects with volunteers to address those needs. Volunteering with ICV is about sharing skills and knowledge and learning together. Skills transfer projects can lead to employment, self employment and community development.

NSW Department of Education & Training TAFE

http://www.icvet.tafensw.edu.au/resources/indigenous_capacity_building.htm#websites

Indigenous Learning - Capacity Building & Governance site offers links to websites and publications which emphasis the need for public management and developing community's governance, administration, managerial and leadership structures. It is also concerned with the development of culturally informed governance structures.

NSW Government of State & Regional Development

<http://www.business.nsw.gov.au>

The NSW Government's Business development agency works with business to promote investment and job creation, and build business capability. Provides advice to organisations operating a business in NSW and contains specific information for aboriginal organisations and for businesses located in rural and regional areas. It also contains information on a range of free workshops the Department holds across NSW during the year.

Westpac Bank

<http://www.westpac.com.au/>

Westpac Bank offers a range of business information, including workshops and free advisory guides. Westpac Bank also has a commitment to partnerships with community organisations and capacity building of non-profit organisations.

09_Definitions



In this document, except in so far as the context or subject-matter otherwise indicates, the following are definitions to common terms within the document:

Aboriginal Owners of the land means the Aboriginal persons whose names and other relevant information are entered on the Register of Aboriginal Owners.

Action Plan means the list of the key actions taken to meet a particular goal; linked to *Strategy*.

Administration means the appointment by the Minister for Aboriginal Affairs of an administrator to direct the affairs of a Land Council.

Asset means anything owned by the Land Council that has economic value and includes but is not limited to:

- a) Cash, Bank Accounts and Investments
- b) Land and Property
- c) Buildings
- d) Other property such as Vehicles, Equipment and Furniture

Board means members of a Board of a Local Aboriginal Land Council.

Business Enterprise means a business venture and may include but is not limited to:

- a) Retirement village
- b) Childcare centre
- c) Tourism venture

Business Environment means the business environment within which the Land Council operates; linked to *Stakeholder Analysis*.

Community Benefit means a benefit or service provided for the benefit of Aboriginal persons and may include but is not limited to:

- a) Funerals
- b) Residential accommodation
- c) Education and training
- d) Scholarships and other assistance for education and training
- e) Cultural activities
- f) Child care
- g) Aged care services

Community Benefits Scheme means a scheme for the provision of community benefits.

Community, Land and Business Plan means a plan prepared and approved under the *Aboriginal Land Rights Act NSW (1983)* Division 6 of Part 5 or Division 5 of Part 7.

Community Profile Survey means a method for collecting information about the local Aboriginal community.

09_Definitions

Compliance means acting according to relevant laws and legislation.

Consensus means an agreement by a group of people.

Councillor means the elected board members of the New South Wales Aboriginal Land Council.

Demographic Profile means a set of statistics that describes the characteristics of a particular community.

DGR Status means Deductible Gift Recipient under the tax legislation which allows the Land Council to claim donations to the Land Council as a tax deduction.

Dissolution means a statutory procedure that terminates the existence of a Land Council.

Encumbrance Affecting Land may include but is not limited to:

- a) Taxes, rates and insurances costs
- b) High maintenance, hazard reduction or security costs
- c) Caveat
- d) Restrictions upon land as a condition of transfer (previous AHO, ATSIC, CDEP properties or lands)

Financial Stewardship means the management of finances.

Five Year Budget means a financial forecast over the coming five years.

Framework means the structure or arrangement of the plan.

Goal means what the Land Council wants to achieve.

Investment of Asset means an outlay of an asset with the object of making a profit or generating an income and may include but is not limited to:

- a) Lease and development of land assets
- b) Contribution or use of any asset owned by the Land Council to generate an income or make a profit
- c) Investment of money into shares of a company with the object of making a profit

Legislative Framework means the legislative environment within which the Land Council operates; lists the key legislation that the Land Council operates under.

Liability means amounts owed for items received, services rendered, expenses incurred, assets acquired, construction performed, and amounts received but not as yet earned.

Needs Analysis Survey means a method for collecting information about key issues and needs of the Land Council members.

Needs Assessment means analysing and determining results from information collected about key issues and needs of the Land Council members.

09_Definitions



Objective means the goal intended to be achieved.

Performance Indicator means the method by which performance of a strategy, action plan or program can be measured.

Register of Land & Property Holdings means a list of land assets, including a description of the assets and their current/potential use.

Registrar means the Registrar of the *Aboriginal Land Rights Act NSW (1983)*

Resources means the people, finances, equipment, facilities and other things used to deliver services of the Land Council.

Social Housing Scheme means a *Community Benefits Scheme* for the purpose of acquiring and providing residential accommodation, and upgrading, extending or constructing residential accommodation.

Stakeholder means a person or group with a direct interest, involvement or investment in the Land Council

Stakeholder Analysis means a list of key stakeholders and what they want from the Land Council.

Strategy means the activities or actions that are undertaken to meet a particular goal or achieve results; linked to *Action Plan*.

SWOT Analysis means strengths, weaknesses, opportunities and threats relating to the parameters within which the Land Council business operates.

Trust means a business structure whereby the trustee holds property and earns and distributes income on behalf of the beneficiaries.

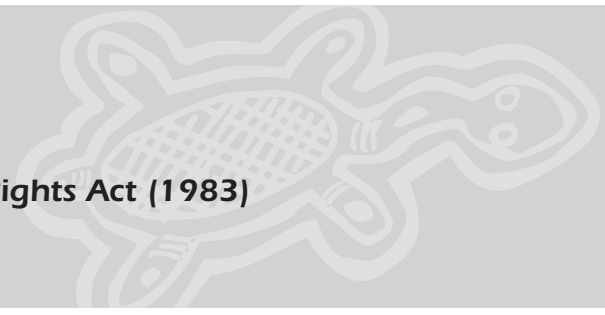
Values Statement means a list of key values of the Land Council.

Vision Statement means the aim or overall goal of the Land Council. It identifies in one or two sentences what the Land Council wants for itself and its members.



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2006 Amendments NSW Aboriginal Land Rights Act (1983)



1.1 The ALRA & the Community Land and Business Plan

Under **Division 6 of the amended ALRA** the *NSW Aboriginal Land Rights Act (1983)* ("ALRA") it is now mandatory for all Aboriginal Land Councils to prepare and implement a community, land and business plan.

Under the ALRA all Land Councils must prepare and approve a community, land and business plan unless exempted from NSWALC to do so. If a Land Council fails to do this it is a breach of the Act and may result in Administration.

The purpose of this appendix is to highlight the relevant sections within the ALRA that relate directly to the community, land and business plan ("the plan") and provide further discussion.

When the Land Council begins developing the plan, if it has any doubt or questions in relation to the interpretation of the ALRA it should seek further clarification from NSWALC.

1.2 Local Aboriginal Land Council Mandatory Responsibilities

1.2.1 FINANCIAL STEWARDSHIP

PART 5, Division 1A, FUNCTIONS

Section 52 FINANCIAL STEWARDSHIP

(5) A Local Aboriginal Land Council has the following functions in relation to financial management and business planning

- a) to prepare and implement, in accordance with this Act, a community, land and business plan;
- b) to manage, in accordance with this Act and consistently with its community land and business plan, the investment of any assets of the Council;
- c) to facilitate business enterprises, in accordance with this Act and the regulations and consistently with its community, land and business plan.

Under **section 52(5) of the ALRA** it is now mandatory for the Land Council to develop a community, land and business plan to facilitate the financial management and business planning of the Land Council. The plan must give consideration to the investment of assets and business enterprises of the Land Council.

The Land Council should include the following in a community, land and business plan:

- A budget for the period of the plan
- Investment of assets, for example:
 - Lease and development of land assets
 - Contribution or use of any asset owned by the Land Council to generate an income or make a profit
 - Investment of money into shares of a company with the object of making a profit
- Business enterprises, for example:
 - Retirement village
 - Childcare centre
 - Tourism venture

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1.2.2 COMMUNITY BENEFITS SCHEMES

PART 5, Division 1A, FUNCTIONS

Section 52A COMMUNITY BENEFITS SCHEMES

(1) A Local Aboriginal Land Council may, in accordance with an approval of the New South Wales Aboriginal Land Council:

- a) directly or indirectly, provide community benefits under community benefits schemes; and
- b) without limiting paragraph (a), provide, acquire, construct, upgrade or extend residential accommodation for Aboriginal persons in its area.

(2) The New South Wales Aboriginal Land Council must not approve a community benefits scheme of a Local Aboriginal Land Council unless it is satisfied that:

- a) the proposed scheme complies with this Act and the regulations; and
- b) the proposed scheme is consistent with any applicable policy of the New South Wales Aboriginal Land Council ; and
- c) the proposed scheme is consistent with the community, land and business plan of the Local Aboriginal Land Council
- d) the proposed scheme is fair and equitable and will be administered in a way that is responsible and transparent; and
- e) the proposed scheme is not likely to prevent the Local Aboriginal Land Council from being able to meet its debts as and when they fall due; and
- f) the need for the proposed benefits is not otherwise being adequately met.

(3) A Local Aboriginal Land Council must ensure that any community benefits scheme under which community benefits are provided by or on its behalf:

- a) complies with this Act and the Regulations;
- b) is consistent with any applicable policy of the New South Wales Aboriginal Land Council; and
- c) is consistent with the community, land and business plan of the Local Aboriginal Land Council

(4) A Local Aboriginal Land Council may provide a community benefits under a community benefits scheme to persons within the areas of other Local Aboriginal Land Councils and may provide community benefits in conjunction with one or more other Local Aboriginal Land Councils.

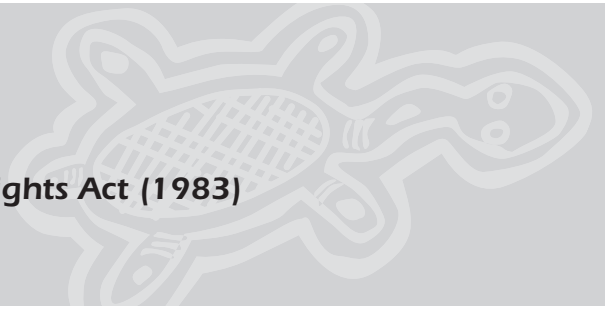
Under **section 52A of the ALRA**, with the approval of NSWALC the Land Council is able to provide community benefits either directly, or indirectly. The provision of residential accommodation is considered a community benefit under the ALRA.

Under the ALRA a **community benefit** means a benefit or service provided for the benefit of Aboriginal persons and may include but is not limited to the following:

- Funerals
- Residential accommodation (known as a *Social Housing Scheme*)
- Education and training

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- Scholarships and other assistance for education and training
- Cultural activities
- Child care
- Aged care services

Under the ALRA a **community benefits scheme** means a scheme for the provision of community benefits.

NSWALC must only approve a community benefits scheme if it is satisfied it:

- Complies with the ALRA, regulations and the applicable NSWALC policy
- Consistent with the Land Council plan
- Fair and equitable
- Managed in a responsible and transparent manner
- Does not prevent the Land Council from paying its bills when they are due
- Only provides for a need not otherwise being adequately met

In accordance with **section 52A of the ALRA**, a proposed community benefits scheme of the Land Council must meet the required criteria as described above and be considered in the Land Council plan.

An approved community, land and business plan with reference to a proposed or existing community benefits scheme, does not provide approval for the proposed or existing community benefits scheme. This information should be provided to NSWALC as a separate proposal for consideration to be approved.

A proposed community benefits scheme must not be commenced until it has received the approval of NSWALC. Any existing community benefits schemes must comply with the requirements of the ALRA.

If the Land Council proposes to deliver more than one community benefits scheme, each one must be considered separately in the plan.

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SCHEDULE 4, Savings, transitional and other provisions

PART 7, Section 46 OTHER EXISTING COMMUNITY BENEFITS

(1) This section applies to a community benefits scheme (other than an existing social housing scheme) under which community benefits were provided by Local Aboriginal Land Councils to Aboriginal persons immediately before the commencement of this clause (an **existing community benefits scheme**).

(2) A Local Aboriginal Land Council may continue to operate an existing community benefits scheme despite any other provision of this Act.

(3) The New South Wales Aboriginal Land Council may review an existing community benefits scheme, to determine whether or not:

- (a) it is fair and equitable and is administered in a responsible and transparent way;
- (b) it is likely to prevent the Local Aboriginal Land Council from being able to meet its debts as and when they fall due.

(4) On a review, the New South Wales Aboriginal Land Council may impose conditions on the provision of an existing community benefits scheme by a Local Aboriginal Land Council.

(5) Any such condition is to be consistent with any applicable policy of the New South Wales Aboriginal Land Council.

(6) A Local Aboriginal Land Council must comply with any conditions imposed on it after a review under this clause.

Under **schedule 4, section 46 of the ALRA**, a community benefits scheme delivered by the Land Council prior to the commencement of the amendments to the ALRA, is referred to as an existing community benefits scheme.

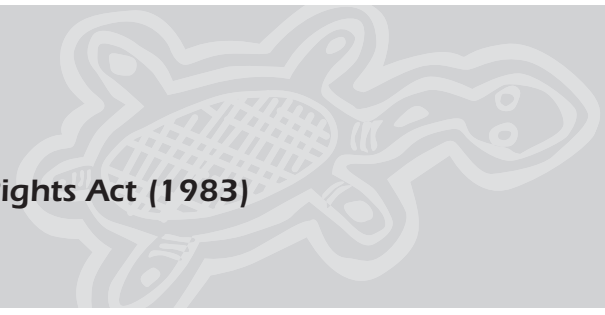
An existing community benefits scheme may continue to operate, however NSWALC may review an **existing community benefits scheme** to determine if it is:

- Fair and equitable
- Administered in a responsible and transparent manner
- Does not prevent the Land Council from paying its bills when they are due

A review of an existing community benefits scheme may result in NSWALC imposing conditions upon the provision of the scheme. Any such conditions must be consistent with the applicable NSWALC policy. The Land Council must comply with any conditions imposed on it after a review.

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1.2.3 SOCIAL HOUSING SCHEMES

PART 5, Division 1A, FUNCTIONS

Section 52B SOCIAL HOUSING SCHEMES

(1) This section applies to a community benefits scheme in relation to the acquisition and provision by or on behalf of a Local Aboriginal Land Council of residential accommodation for Aboriginal persons in its area and to the construction, upgrading and extension of any such accommodation (a **social housing scheme**).

(2) The New South Wales Aboriginal Land Council must not approve a social housing scheme under section 52A unless:

- a) it is satisfied that the income (including any subsidiaries and grants) from any existing social housing scheme provided by or on behalf of the Local Aboriginal Land Council or of the proposed scheme is or will be sufficient to meet all the expenses of the scheme concerned, including long term maintenance requirements; and
- b) it has considered the likely impact of the proposed scheme on the overall financial situation of the Local Aboriginal Land Council.

(3) A Local Aboriginal Land Council may provide a social housing scheme by using the services of another body or agency, or with the assistance of another body or agency, approved by the New South Wales Aboriginal Land Council either generally or in relation to a particular social housing scheme.

(4) Section 40B(2) applies to a lease by a Local Aboriginal Land Council (whether or not for a period exceeding 3 years) if the lease is for the purposes of the provision or management of a social housing scheme.

Under **section 52B of the ALRA** the Land Council may provide a social housing scheme. A social housing scheme is considered a community benefits scheme for the purpose of the ALRA and will be treated as per **section 52A of the ALRA**. A social housing scheme includes:

- Acquiring and providing residential accommodation
- Upgrade, extension and construction of residential accommodation

NSWALC must only approve a social housing scheme if it is satisfied:

- The existing and/or proposed scheme is able to meet all associated operating costs, including long term maintenance
- The scheme will not impact negatively on the financial position of the Land Council

With the approval of NSWALC, the Land Council may operate a proposed social housing scheme through an outside agency.

If the Land Council intends to lease land for the purpose of providing residential accommodation it must also comply with **section 40B(2) of the ALRA**.

An approved community, land and business plan with reference to a proposed or existing social housing

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scheme, does not provide approval for the proposed or existing social housing scheme. This information should be provided to NSWALC as a separate proposal for consideration to be approved.

A proposed social housing scheme must not be commenced until it has received the approval of NSWALC. Any existing social housing scheme must satisfy the requirements of the ALRA to be approved by NSWALC.

To ensure compliance with the ALRA, a proposed or existing social scheme must be included within the Land Council plan.

SCHEDULE 4, Savings, Transitional and other Provisions

PART 7, Section 45 EXISTING SOCIAL HOUSING

(1) This clause applies to residential accommodation provided by Local Aboriginal Land Councils to Aboriginal persons that was provided immediately before the commencement of this clause (an **existing social housing scheme**).

(2) A Local Aboriginal Land Council must not operate an existing social housing scheme, after 18 months after the commencement of this clause, except in accordance with an approval of the New South Wales Aboriginal Land Council.

(3) The New South Wales Aboriginal Land Council must not approve an existing social housing scheme unless it is satisfied that:

- (a) the scheme complies with this Act and the regulations; and
- (b) the scheme is consistent with any applicable policy of the New South Wales Aboriginal Land Council; and
- (c) the scheme is consistent with the community, land and business plan (if any) of the Local Aboriginal Land Council; and
- (d) the scheme is fair and equitable and will be administered in a responsible and transparent way; and
- (e) the income (including any subsidies and grants) from the existing social housing scheme is or will be sufficient to meet all the expenses of the scheme, including long term maintenance requirements; and
- (f) it has considered the impact of the scheme on the overall financial position of the Local Aboriginal Land Council.

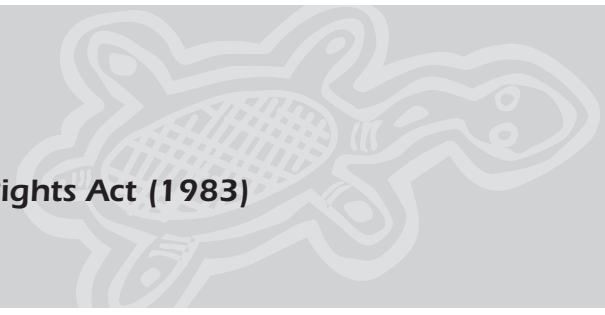
(4) The New South Wales Aboriginal Land Council may impose conditions on an approval under this clause.

(5) Without limiting subclause (4), the New South Wales Aboriginal Land Council may make it a condition of an approval under this clause that the Local Aboriginal Land Council operate the existing social housing scheme by using services of another body or agency, or with the assistance of another body or agency, approved by the New South Wales Aboriginal Land Council.

(6) A Local Aboriginal Land Council that fails to obtain the approval of the New South Wales Aboriginal Land Council to operate an existing social housing scheme under this clause may, with the approval of that Council, enter into an agreement or other arrangement with another body or agency for that body or agency to operate the existing social housing scheme.

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Under **schedule 4, section 45 of the ALRA** a social housing scheme delivered prior to the amendments of the ALRA, is referred to as an **existing social housing scheme**.

The Land Council must not operate an existing social housing scheme, **after 18 months of 1st July 2007** (no later than 1st January 2009) except in accordance with the approval of NSWALC.

NSWALC must only approve an existing social housing scheme if it is satisfied it:

- Complies with the ALRA
- Complies with the applicable NSWALC policy
- Consistent with the plan
- Fair and equitable
- Administered in a responsible and transparent manner
- Any income from existing scheme is sufficient to meet all expenses
- It will not impact negatively on the financial position of the Land Council

NSWALC can impose conditions on the approval of an existing social housing scheme, including a condition that the Land Council must operate an existing social housing scheme through the services of an outside body or agency, or with the assistance of an outside body or agency, approved by NSWALC.

If NSWALC does not approve an existing social housing scheme, the Land Council may seek a resolution by its members to approve entering into an arrangement or agreement with another body or agency to operate the existing social housing scheme.

1.2.4 TRUSTS

PART 5, Division 1A, FUNCTIONS

Section 52C TRUSTS

(1) A Local Aboriginal Land Council may, with the approval of the New South Wales Aboriginal Land Council, establish or participate in the establishment of, a trust for the purpose of providing a community benefits scheme.

(2) The New South Wales Aboriginal Land Council must not give an approval for the purposes of this section unless it is of the opinion that the proposed action by the Local Aboriginal Land Council:

- a) complies with the Act and the regulations;
- b) is consistent with any applicable policy of the New South Wales Aboriginal Land Council; and
- c) is consistent with the community, land and business plan of the Local Aboriginal Land Council.
- d) is not likely to prevent the Local Aboriginal Land Council from meeting its debts as and when they fall due.

(3) Regulations may be made for or with respect to financial and reporting obligations for trusts established by Local Aboriginal Land Councils.

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Under **section 52C of the ALRA**, with the approval of NSWALC the Land Council may establish or participate in the establishment of a trust, for the purpose of providing a community benefits scheme.

NSWALC must only approve proposed trust activity if it is satisfied it:

- Complies with the ALRA
- Consistent with the applicable NSWALC policy
- Consistent with the plan
- Is not likely to prevent the Land Council from paying its bills when they are due

Regulations may be made by the Minister regarding the financial and reporting requirements of the trust.

1.2.5 COMMUNITY, LAND AND BUSINESS PLANS

PART 5, Division 6, COMMUNITY, LAND AND BUSINESS PLANS

Section 82 COMMUNITY, LAND AND BUSINESS PLANS

(1) A Local Aboriginal Land Council must prepare and implement a community, land and business plan.

(2) A Local Aboriginal Land Council preparing a community, land and business plan must consult with the following persons:

- a) members of the Council;
- b) persons who have a cultural association with the land within the Council's area;
- c) any other persons required to be consulted by the regulations or a policy of the New South Wales Aboriginal Land Council.

(3) A Local Aboriginal Land Council may amend a community, land and business plan.

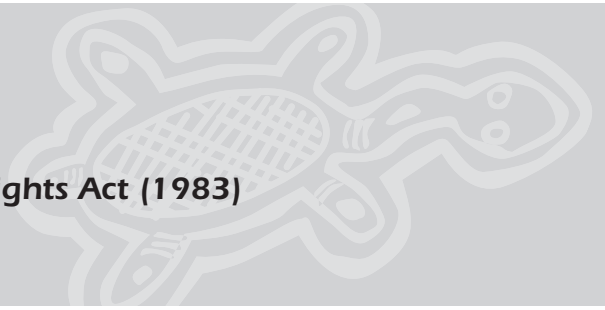
(4) The provisions of this Division apply to any proposed amendment in the same way as they apply to the preparation and approval of a plan.

(5) The New South Wales Aboriginal Land Council may exempt a Local Aboriginal Land Council wholly or partly from the requirement to prepare a community, land and business plan, if the New South Wales Aboriginal Land Council is satisfied that, having regard to the limited operations of the Local Aboriginal Land Council, compliance is not appropriate.

(6) For the purposes of this section, a person has a cultural association with the land if the person is an Aboriginal Owner in relation to the land within the area of the Local Aboriginal Land Council concerned or is a person of a class prescribed by the regulations for the purposes of this subsection.

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Under **section 82 of the ALRA** the Land Council must prepare and implement a community, land and business plan.

The Land Council must consult with

- Land Council members
- Persons listed on the Register of Aboriginal Owners because they have a cultural association with particular land within the Land Council's boundaries
- Refer to the regulations of the ALRA and the applicable NSWALC policy

The Land Council may amend or make changes to the plan. However any changes to the plan must be done in accordance Division with the ALRA, in the same way as they apply to the preparation and approval of the plan.

NSWALC may exempt a Land Council from preparing a plan, if it is satisfied that, having regard to the limited operations of the Land Council, compliance is not necessary.

SCHEDULE 4, Savings, Transitional and other Provisions

PART 7, Section 47 PREPARATION OF COMMUNITY, LAND AND BUSINESS PLANS

(1) Despite any other provision of this Act, a Local Aboriginal Land Council is to prepare and adopt a community, land and business plan in accordance with this Act, not later than 18 months after the commencement of Division 6 of Part 5.

(2) The New South Wales Aboriginal Land Council may extend the period within which a Local Aboriginal Land Council is to prepare and adopt a plan and may waive the requirement wholly or partially in an appropriate case.

Under **schedule 4, section 47 of the ALRA** the Land Council must prepare and adopt a community, land and business plan **no later than 18 months after the 1st July 2007** (no later than 1st January 2009).

NSWALC may extend the period of time within which the Land Council is required to prepare and adopt a plan, or may exempt a Land Council from compliance with Division 6 of the ALRA.

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1.2.6 MATTERS COVERED BY THE PLANS

PART 5, Division 6, COMMUNITY, LAND AND BUSINESS PLANS

Section 83 MATTERS COVERED BY THE PLANS

(1) A community, land and business plan of a Local Aboriginal Land Council must contain the following matters:

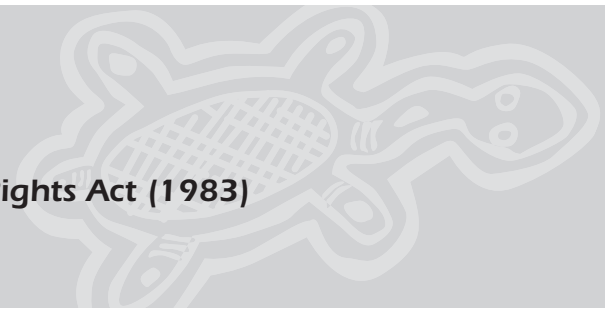
- a) the objectives and strategy of the Council for the acquisition, management and development of land and other assets;
- b) the objectives and strategy of the Council for the provision and management of community benefits schemes;
- c) the objectives and strategy of the Council for carrying out business enterprises and investment;
- d) the objectives and strategy of the Council in relation to Aboriginal culture and heritage;
- e) if the plan contains particular proposals related to the strategies in (a), (b) or (c), strategies for the development or acquisition of human resources and skills to implement the proposals;
- f) timelines for the achievement of proposed strategies and proposals in the plan;
- g) particulars of the assets and liabilities of the Council;
- h) any other matter required to be included by a policy of the New South Wales Aboriginal Land Council;
- i) any other matter prescribed by the regulations.

Under **section 83(1) of the ALRA** the Land Council plan must contain the following matters:

- Objectives and strategies relating to acquiring, managing and developing any land and property assets
- Objectives and strategies relating to the provision and management of a community benefits scheme
- Objectives and strategies relating to business enterprise and investment
- Objectives and strategies relating to Aboriginal culture and heritage
- Objectives and strategies relating to employing, hiring, contracting and engaging people with the necessary skills to put into practice its proposals for:
 - Acquiring, managing and developing land and other assets
 - Community benefits schemes
 - Business enterprise and investment activities
- Timelines for when the Land Council expects it will achieve its objectives for the proposed activities as outlined above
- A current list of all the Land Council's assets and liabilities
- Any other matters as outlined by the regulations and the applicable NSWALC policy

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PART 5, Division 6, COMMUNITY, LAND AND BUSINESS PLANS

Section 83 (2) MATTERS COVERED BY THE PLANS

A community land and business plan must contain the following matters in relation to land:

- a) the identity of, and particulars of any encumbrance affecting any parcel of land of the Council;
- b) the particulars of any other interest in land of the Council;
- c) whether, and on what, land is subject to the restriction contained in section 40AA or to Part 4A of the NPW Act;
- d) any conditions affecting land of the Council under section 36 or 39;
- e) any other matters prescribed by the regulations.

Under **section 83(2) of the ALRA** the Land Council must include in the plan the following matters relating to land holdings:

- Identity and details of any lands which have any type of encumbrance placed upon them, for example:
 - Taxes, rates and insurances costs
 - High maintenance, hazard reduction or security costs
 - Caveat
 - Restrictions upon land as a condition of transfer (previous AHO, ATSIC, CDEP properties or lands)
- Identity and details of any land which has any type of non-Land Council interest associated in the land, for example:
 - Zoning constraints or restrictions
 - AHO, ATSIC, CDEP as noted above
- Identity and details of any land with section **40AA of the ALRA** restrictions (disposal of land subject to native title restriction)
- Identity and details of any land which **Part 4 of the National Parks and Wildlife Act (1974)** applies (reservation of land).
- Identity and details of any land with **section 36 of the ALRA** restrictions, (claimable crown lands, includes granting of land with conditions imposed by the Crown Lands Minister, appeals to the Court against a decision to refuse a land claim and lease of land in perpetuity)
- Identity and details of any land with **section 39 of the ALRA** restrictions (acquisition of land)

1.2.7 APPROVAL OF THE COMMUNITY, LAND AND BUSINESS PLAN

PART 5, Division 1A

FUNCTIONS

Section 52G FUNCTIONS TO BE EXERCISED BY COUNCIL RESOLUTION

The following functions are to be exercised, in accordance with this Act, by resolution of the voting members of a Local Aboriginal Land Council:

- d) approval of the community, land and business plan of the council and any changes to the plan

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Under **section 52G(d) of the ALRA**, the Land Council community, land and business plan must be approved by members of the Land Council at a duly advised meeting of members. Any changes to the plan must also be approved by members of the Land Council at a duly advised meeting of members.

PART 5, Division 6, COMMUNITY, LAND AND BUSINESS PLANS

Section 84 APPROVAL OF PLANS

(1) A community, land and business plan is adopted by a Local Aboriginal Land Council if it is approved by a meeting of the members the Council, of which not less than 14 days notice was given.

(2) A Local Aboriginal Land Council must submit a proposed community, land and business plan to the New South Wales Aboriginal Land Council not less than 28 days before any such meeting.

(3) A Local Aboriginal Land Council must make available to its members, on request, for a period not less than 14 days before any such meeting and at the meeting, a summary of the proposed community, land and business plan or a copy of the plan.

(4) The summary is to contain the matters prescribed by the regulations.

(5) More than one meeting may be called to enable approval of a community, land and business plan.

(6) A community, land and business plan approved by a Local Aboriginal Land Council takes effect when it is approved by the New South Wales Aboriginal Land Council.

(7) A community, land and business plan has effect for the period (not exceeding 5 years) specified in the plan or until it is replaced, whichever occurs first.

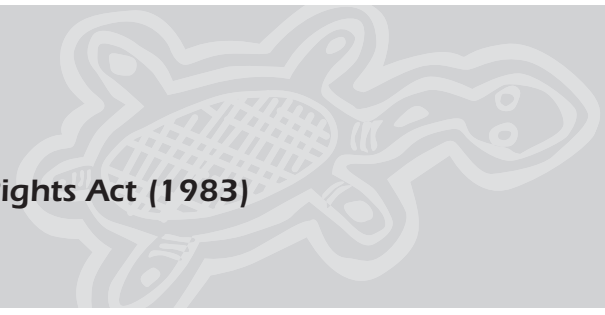
(8) Failure to comply with requirement of this Division for the preparation and approval of a community, land and business plan does not affect the validity of the plan.

Under **section 84 of the ALRA** the following steps need to be taken by the Land Council to approve the plan:

- Give no less than 14 days notice to members of the Land Council for a meeting of members whereby the plan is proposed to be adopted
- Give a copy of the plan to NSWALC no less than 28 days prior to the scheduled meeting of members for the purpose of adopting the plan
- If a member requests to see the plan, the Land Council must provide a summary of the plan or a copy of the Plan to the members, for a period not less than 14 days before the scheduled meeting of members for the purpose of adopting the plan. A summary of the plan must have information as described in the regulations. **Part 3, Division 5, section 30 of the regulations** state a summary of the plan must include:

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- A summary of each of the matters listed in section 83(1) of the ALRA under headings that correspond to the paragraphs set out in that subsection.
- The Local Aboriginal Land Council may include any other information that it thinks fit in the summary.
- If required the Land Council can hold more than one meeting to adopt the plan
- A plan adopted by Land Council members does not take effect until it has been approved by NSWALC.
- The approved plan will be considered active for the length of the plan, not exceeding 5 years, unless the plan is replaced by a new plan.
- If the Land Council does not include in the plan all matters as outlined in Division 6, for instance because the Land Council does not engage in various activities or operations, the plan will not be considered invalid for this reason.

PART 5, Division 6, COMMUNITY, LAND AND BUSINESS PLANS

Section 85 APPROVAL OF PLAN BY NSWALC

(1) The New South Wales Aboriginal Land Council must not approve a community, land and business plan unless it is satisfied that the plan complies with this Act and the regulations and is consistent with any applicable policy of the Council.

(2) If a Local Aboriginal Land Council is not able to reach agreement on a community, land and business plan within 3 months after it is first proposed for approval at a meeting of the Council, the Chairperson of the Board may refer the proposed plan to the New South Wales Aboriginal Land Council.

(3) The New South Wales Aboriginal Land Council may amend or replace a proposed community land and business plan referred to under subsection (2) and may refer the amended or replaced plan to the Local Aboriginal Land Council for approval.

Under section 85 of the ALRA NSWALC must not approve a plan unless it is satisfied the plan:

- Meets the requirements of the ALRA and regulations
- Consistent with the applicable NSWALC policy

The Chairperson of the Land Council may refer the plan to NSWALC because of failure to get the plan approved within three months after it is first proposed for approval at a members meeting of the Land Council.

NSWALC may only amend or replace the plan if it is referred to NSWALC by the Chairperson of the Land Council as per **section 85(2) of the ALRA**. In such an instance NSWALC must refer the amended or replaced plan back to the Land Council for approval by the Land Council members.

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1.2.8 ADMINISTRATION MAY FOLLOW PLAN FAILURE

PART 5, Division 6, COMMUNITY, LAND AND BUSINESS PLANS

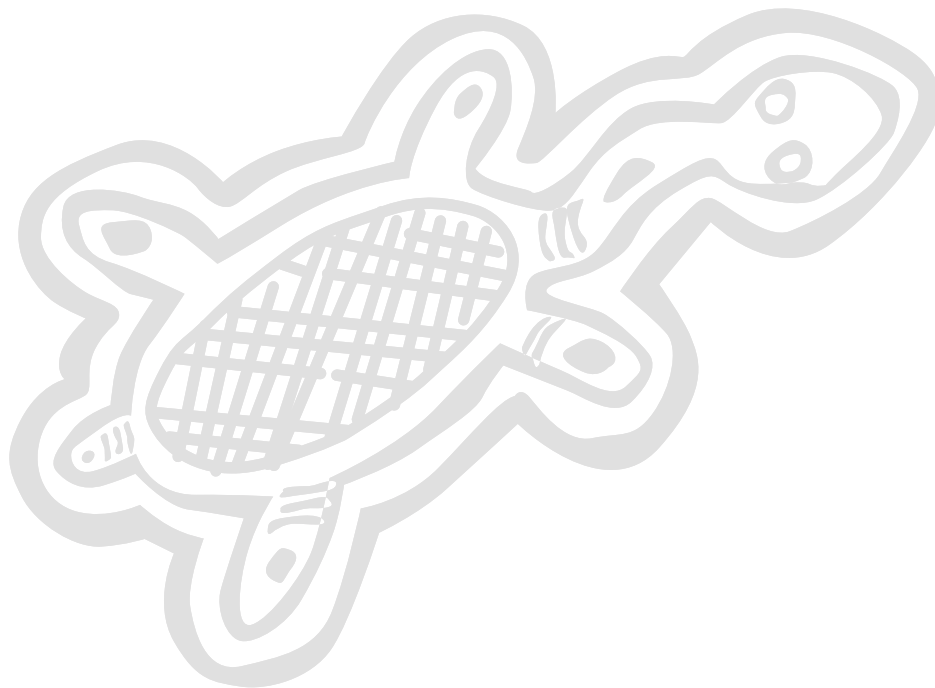
Section 86 ADMINISTRATION MAY FOLLOW PLAN FAILURE

(1) A failure by a Local Aboriginal Land Council to approve the same or another proposed community, land and business plan after a plan has been referred to it by the New South Wales Aboriginal Land Council under section 85(3) is, for the purposes of section 222(1)(e), a substantial breach of the requirements of this Act.

(2) A substantial failure by a Local Aboriginal Land Council to comply with its community land and business plan is, for the purposes of section 222(1)(e), a substantial breach of the requirements of this Act.

Under **section 86 of the ALRA** it is considered a substantial breach of the requirements of the ALRA, for which an Administrator can be appointed to the Land Council, if the Land Council:

- Fails to produce an approved community, land and business plan, if after being forwarded by the Chairperson of the Land Council to NSWALC under **section 85(2) of the ALRA** and referred back to the Land Council for approval.
- Fails to comply with its community, land and business plan.



Appendix B

Funding Opportunities



1.1 Overview

The range of funding sources available to Land Councils includes:

- a) Commonwealth and State Government grants specifically directed to Aboriginal organisations
- b) Other Commonwealth, State and Local Government grants
- c) Non-government grants and donations

In most cases, Government and non-Government organisations will not fund the general operating expenses of a Land Council, such as rent, salaries or insurance.

They will look for projects that have the following characteristics:

Clear Objectives	Identify & show how the project will meet a specific social or community need
Specific Timeline	Provide start & finish dates NOT indefinite or ongoing
Clear Project Outline	Identify & show how the project will operate and how its success or otherwise will be measured
Budgeting	Provide a well prepared and realistic budget

1.2 Finding and Applying for Grants

Before Looking for a Grant

Determine what programs the Land Council is seeking to deliver and where any funding gaps exist. The members should have previously identified the types of programs during the planning process.

The Land Council should:

- Estimate the cost the works
- Ascertain if they can afford to do the works
- Research grant opportunities to assist cover cost of the works (via internet or through other contacts within the Land Council system and community groups)

Once a suitable grant is found, contact the organisation directly and discuss the proposed project to ensure it meets the criteria for the grant. Find out as much information about the grant selection process as possible from the organisation providing the grant and, if possible, from other organisations that have received the grant in previous years.

The Grant Submission

It is essential the Land Council provides all the required information and that the submission is clearly set and easy to follow. In most instances the grant submission will follow a format set by the grant provider.

If the Land Council is successful in receiving the grant, the reporting requirements and other conditions of the grant must be satisfied. This will ensure that the Land Council is eligible for future grants from this organisation.

Appendix B

Funding Opportunities

1.3 Finding Grants

The best source of information on grants is the internet. Useful sites in finding grants include:

1. Grants Link:

www.grantslink.gov.au

Provides information on Commonwealth Government grants. Part of this website is on indigenous grants, but it also includes grants for the arts, culture, education, employment, health and other areas, which may be applicable.

To use this site, first search for an appropriate grant. The site will then provide a link to the appropriate Government department, which will have information on how and when to apply for the grant.

2. Community Builders:

www.communitybuilders.nsw.gov.au/finding_funds

Provides information on NSW Government and private sector grants available to organisations in NSW. Like the above site, it provides links for each grant to the relevant organisation, where detailed information on how and when to apply can be found.

The site also provides information on preparing submissions, determining community needs and goals, case studies of successful community projects and other items designed to assist community based organisations.

3. DOTARS

<http://www.regionalaustralia.gov.au/About.aspx>

The Department of Transport and Regional Services - The Regional Entry Point, provides information and links to Australian Government programs and services relevant to people living in regional, rural and remote Australia. The primary objective of this regional portal is to make accessing programs and services easier without people needing to know the structure of government or portfolio responsibilities.

4. Business.gov.au

<http://www.business.gov.au/Business+Entry+Point/>

Offers you simple and convenient access to all the government information, transactions and services you need. It's a whole-of-government service providing essential information on planning, starting and running your business, includes current information on grants and funding available.

5. Department of Employment and Workplace Relations

<http://www.workplace.gov.au/workplace/>

The Indigenous Small Business Fund (ISBF) offers funding to Indigenous community-based organisations to assist Indigenous people learn about business, develop good business skills and expand their businesses.

Appendix B

Funding Opportunities



6. Aboriginal Infonet:

www.aboriginal.nsw.gov.au

The NSW Department of Aboriginal Affairs manages this site. It provides some links to grant providers as well as other information for Aboriginal people and organisations.

7. Environment & Water Resources Grants

<http://www.environment.gov.au/programs/index.html>

Lists the grants available through the Australian Government Department of the Environment and Water Resources.

Some of the same grants appear on all of the above websites, as the areas they cover do overlap. Links to some of the above websites are available on the NSWALC website, www.alc.org.au

Another excellent source of information on grants is other Local Aboriginal Land Councils or community groups. They will also be able to provide advice on the application process and reporting requirements for any grants they have received.

1.4 Applying for Grants

The information required when applying for a grant will vary, depending on the size and complexity of the target projects. The first three websites listed above provide useful, detailed information on how to apply for grants. Land Councils should review these sites prior to preparing any submissions.

Some of the key points to remember when preparing submissions are:

- ✓ Clearly explain the project
- ✓ Clearly explain why the project is needed
- ✓ Clearly explain why the Land Council is the appropriate organisation to conduct it
- ✓ Be as clear as possible about how the project will be run and the funding requirements
- ✓ Identify any other funding required for the project and where it will be sourced from
- ✓ Use any application forms supplied by the grant organisation and follow any guidelines they establish
- ✓ Use a consistent & logical structure
- ✓ Use informative headings
- ✓ Remember that the person assessing the submission will only know what is included in the submission as they will have no other knowledge of the project
- ✓ Ask someone who isn't closely involved in the proposed project to edit the submission and listen to their feedback
- ✓ If appropriate, attach other documents as appendices to the submission, such as the Land Councils Annual Report and Business Plan. This will highlight the Land Councils governance and management structures and demonstrate that the Land Council has developed the project through a logical process that involved its members

Appendix B

Funding Opportunities

1.5 Grants and Donations from Non-Government Sources

To be eligible for the majority of grants from non-Government organisations, Land Councils will need to have *Deductible Gift Recipient (DGR)* status under the income tax legislation. This status means that organisations can claim any donations to the Land Council as a tax deduction.

To achieve this status, the Land Council must do the follow:

- Set-up an appropriate “gift” bank account into which grants requiring DGR status can be made
- Pass a resolution of the members stating that if the Land Council ceases to exist any funds in the account will transfer to another “gift” account. The easiest way to do this would be to transfer the funds to a NSWALC gift account. Under the ALRA, if a LALC ceases to exist, its assets and liabilities transfer to NSWALC
- Apply for Deductible Gift Recipient status from the Australian Tax Office. NSWALC has this status as it meets the requirements for a Public Benevolent Institution (PBI) due to its responsibilities under the ALRA. As the responsibilities for a Land Council are similar to those of NSWALC, Land Councils should also receive this status on application



Appendix C

Planning Information Sheets



Work Sheets

The following worksheets may assist the Land Council in the planning process.

1. Benefits & Concerns

Highlights benefits and concerns involved in the planning process and encourages thinking towards overcoming concerns

2. History & Present Situation

Looks at the past and present situation and identifies historical trends for consideration

3. Reviewing the Existing Vision Statement

Encourages consideration and the review of the current vision statement

4. Creating A Vision Statement

Identifies key factors to be considered when developing and creating a vision statement

5. Strengths & Weaknesses

Highlights the current strengths and weaknesses of the business, and helps identify what elements are critical to the future success of the business

6. Opportunities & Threats

Highlights the current opportunities and threats facing the business, and helps identify what elements are critical to the future success of the business

7. SWOT Table

A proforma for presenting information identified in worksheets 5 & 6

8. Stakeholders Analysis

Identifies current or potential stakeholders and their resources, and develops ideas around how the business may meet the needs of stakeholders and utilise their resources

9. Identifying Critical Issues

Reviews information gathered from worksheets 2 to 8 to identify critical issues or choices facing the business

10. Developing Strategies

Assists in the development of strategies to address critical issues

11. Organising the Planning Effort

Identifies timelines and responsible parties in the planning process

Appendix C

Planning Information Sheets

Worksheet 1

Benefits & Concerns

1. List benefits expected from planning as well as concerns
2. Note possible ways to build benefits and overcome concerns – highlight best ideas
3. Decide how you will move forward

Benefits	Concerns	Ways to build benefits and overcome concerns
Decide how to move forward <input type="checkbox"/> Full Steam Ahead <input type="checkbox"/> With Caution, address concerns above <input type="checkbox"/> Wait until better time to begin		

Appendix C

Planning Information Sheets



Worksheet 2

Historical & Present Situation

1. Review the Land Council's historical and present situation
2. List any historical issues or trends that need attention as you plan for the future

Situation	Details	Why does it need attention? What impact does it have?

Appendix C

Planning Information Sheets

Worksheet 3

Reviewing Existing Vision Statement

1. Describe your understanding about the Land Council's vision or purpose
2. List any queries, ideas or concerns you may have about the current vision
3. Note ideas of how the current vision may be updated, improved or made more relevant

CURRENT VISION/PURPOSE	
QUERIES ABOUT CURRENT VISION	
POSSIBLE CHANGES IN VISION	

Appendix C

Planning Information Sheets



Worksheet 4

Creating a Vision Statement

1. Consider the following questions when creating a vision statement for the Land Council:

Who are we? What is our purpose? What is our business?	
What are the social/political needs/problems we exist to meet?	
What do we do to recognise & address the needs/problems?	
How should we respond to key stakeholders?	
What are our values?	
What makes us distinct & unique?	
DRAFT VISION STATEMENT	

Appendix C

Planning Information Sheets

Worksheet 5

Strengths & Weaknesses

1. List major strengths and weaknesses of the Land Council
2. Identify strengths and weaknesses most critical to the success of the Land Council

Strengths & Assets	Weaknesses & Liabilities	Critical

Appendix C

Planning Information Sheets



Worksheet 6

Opportunities & Threats

1. List major opportunities & threats the Land Council may face in the coming five years that may impact or influence its success or failure
2. Identify opportunities or threats that are most critical to the Land Council's future Success

Customers/Stakeholders	Competitors/Allies	Social, Cultural, Economic, Political	Critical

Appendix C

Planning Information Sheets

Worksheet 7

SWOT Table

1. Record into a table format the key strengths, weaknesses, opportunities & threats identified in worksheet 5 & 6

STRENGTHS	OPPORTUNITIES
WEAKNESSES	THREATS

Appendix C

Planning Information Sheets



Worksheet 8

Stakeholder Analysis

1. List significant groups with a stake in the Land Council (e.g. members, wider Aboriginal community, funding providers, governing bodies and regulators, supporters)
2. Note how the Land Council may meet their needs
3. Note the resources stakeholders may offer
4. Note how the Land Council may access stakeholder resources

STAKEHOLDER GROUP	THEIR NEEDS	WAYS TO MEET THEIR NEEDS
STAKEHOLDER GROUP	THEIR RESOURCES	WAYS TO USE OR ACCESS THEIR RESOURCES

Appendix C

Planning Information Sheets

Worksheet 9

Identifying Critical Issues

1. Review worksheets 2 to 8 to help identify critical issues or choices facing the Land Council in the coming years
2. Identify no more than 10 critical issues or choices to target for developing strategies to address the issues or choices

	CRITICAL ISSUE OR CHOICE
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	

Appendix C

Planning Information Sheets



Worksheet 10

Developing Strategies

1. Discuss and note the following issues in relation to the Land Council
2. Note what attention is required to address the issues

What is the issue?	
Why is it an issue?	
How is it related to the SWOT?	
What are the consequences of not addressing the issue?	
What should our goals be in addressing the issue?	
What are the practical alternatives or visions we may pursue to address this issue to achieve our goal?	

Appendix C

Planning Information Sheets

What are the barriers in realising the alternatives or visions?	
What major initiative may we pursue to achieve these alternatives or visions?	
What key actions must be taken to implement the major initiative?	
Are there resources available?	
What attention does it require? (immediate, timely attention in the near future, attention in the long-term)	
What timeline should we have in mind?	

Appendix C

Planning Information Sheets



Worksheet 11

Organising the Planning Effort

Indicate how each of the following matters will be dealt with, outline who will be responsible for each of the steps and provide timelines for developing a strategic plan.

1. What critical issues do you hope the planning will address?

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2. Time devoted to planning: which approach do you prefer?

- "What we can do in a very limited time": under 16 hours of planning meetings
- A compact approach: 16 to 30 hours of planning meetings
- A more extensive approach: more than 30 hours of planning meetings

3. Who will manage the planning effort & keep it on track?

- Individual:
- Steering Group:
- Other:

4. Are you going to use a consultant or other resource persons in developing the plan?

- Yes No Unsure

If Yes, what kind of help will be needed?

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Appendix C

Planning Information Sheets

5. How will you involve/engage members in planning process?

- Surveys
- Workshops
- Other?
-
-
-
-
-
-
-
-
-
-
-
-
-
-

6. How will you involve/engage Aboriginal community within your boundaries?

- Surveys
- Workshops
- Public Forum
- Other?
-
-
-
-
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-
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-
-
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-
-
-

7. Other identified stakeholders & how will you include their input into the planning process?

- a).....
-
- b).....
-
- c).....
-
- d).....
-
- e).....
-

8. Are there any persons listed on the Register of Aboriginal Owners?

- Yes No Unsure

If unsure, this needs to be identified immediately; if yes, how will you meet the requirement to consult with them?

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Appendix C

Planning Information Sheets



WHO WILL BE INVOLVED IN THE PLANNING PROCESS & HOW THEY WILL BE INVOLVED?								
	Planning Meetings	Workshops	Needs Analysis Survey	Community Profile Survey	Interviews	Demographic Analysis	Public Forum Session	Other
Board Members								
CEO								
Staff								
Members								
Aboriginal Community								
Stakeholder Groups								
Consultants & Resource People								

Appendix C

Planning Information Sheets

ACTION PLAN			
ACTION	PERSON RESPONSIBLE	DUE DATE	STATUS
GATHERING INFORMATION FOR THE PLAN			
Organise planning meetings (set dates, notify, agendas, minutes)			
Organise needs analysis survey for members/community (include creating, distributing, compiling information)			
Identify & compile outcomes from needs analysis survey			
Organise community profile survey for wider Aboriginal community (include creating, distributing, compiling information)			
Identify & compile outcomes from community profile survey			
Organise members workshops (set dates, notify, agenda, venue, identify time needed, catering, equipment)			
Facilitate members workshops			
Identify & compile outcomes from members workshops			
Search & compile Demographic Information; Identify outcomes for Demographic Profile			
Consult with other identified stakeholders (includes interviews, meetings, etc)			
Identify & compile outcomes from consultation with other stakeholders			
PREPARING & DEVELOPING THE PLAN			
'Items of Fact'			
Demographic Information			
SWOT			
Needs Assessment of Community			

Appendix C

Planning Information Sheets

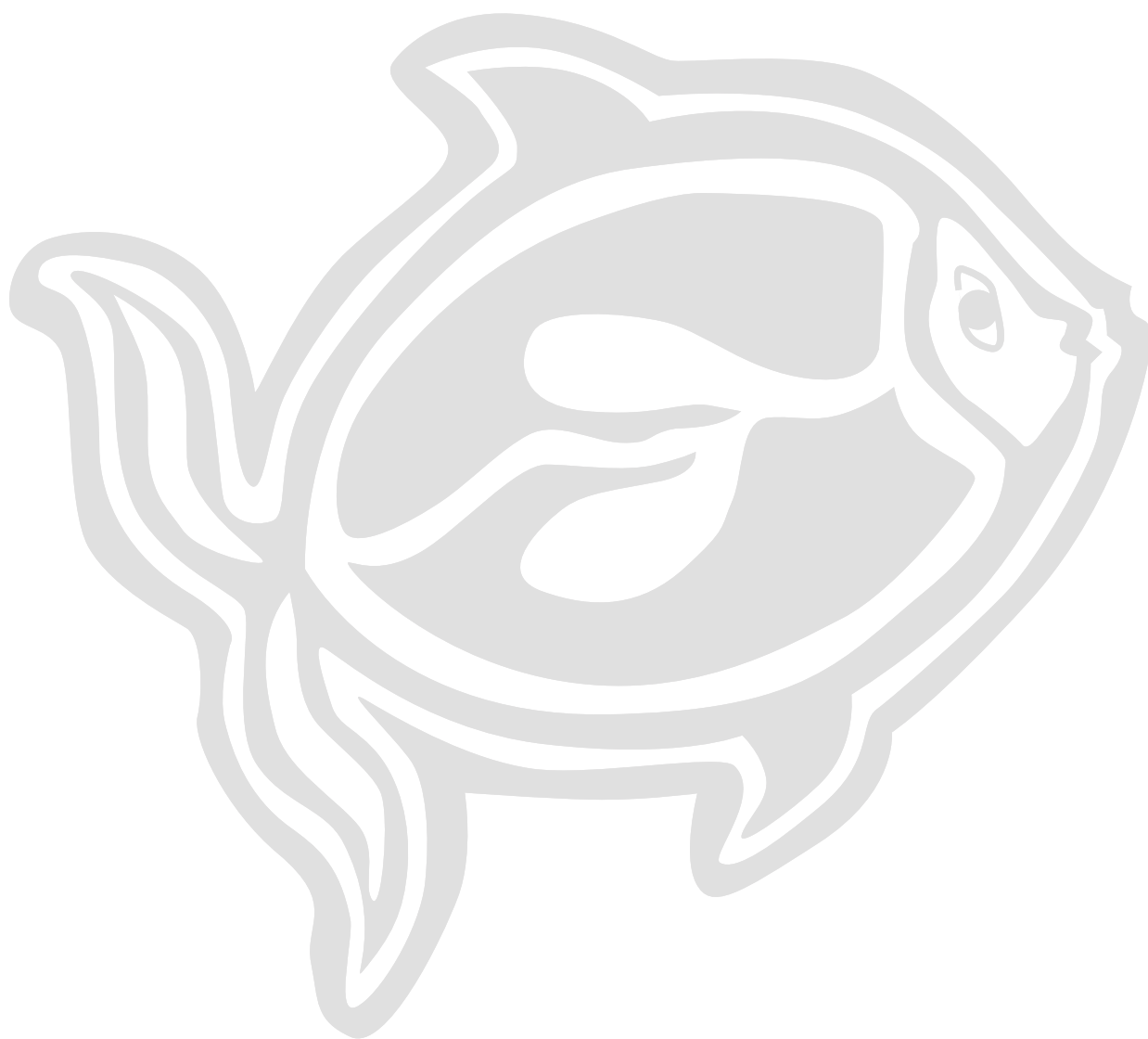


ACTION	PERSON RESPONSIBLE	DUE DATE	STATUS
Goals Statement			
Land Holdings Statement			
Developing Action Plans			
Set Responsibilities			
Set Action Plan Costings			
Budget for Period of Plan			
APPROVING THE PLAN			
Review & make amendments to the plan			
Agree on method for circulating plan to members			
Circulate DRAFT plan to members			
Refine plan if necessary			
Send to NSWALC at least 28 days prior to calling meeting of members to approve plan			
Make plan or summary of plan available to members at least 14 days prior to members meeting			
Seek members resolution to approve the plan			
Seek NSWALC final approval of the plan			
Implement plan immediately upon NSWALC approval			
Review annually at Budget Preparation 2008			

Appendix C

Planning Information Sheets

ACTION	PERSON RESPONSIBLE	DUE DATE	STATUS
Review annually at Budget Preparation 2009			
Review annually at Budget Preparation 2010			
Review annually at Budget Preparation 2011			



Appendix D

Survey Examples



NEEDS ANALYSIS SURVEY

Question: How much need is there for the following for you and your family?

SCALE:



IMPROVED HEALTH	1	2	3	4	5
HOUSING	1	2	3	4	5
EDUCATION & TRAINING	1	2	3	4	5
EMPLOYMENT	1	2	3	4	5
ALCOHOL & SUBSTANCE ABUSE PROGRAMS	1	2	3	4	5
BUSINESS OPPORTUNITIES	1	2	3	4	5
CHILD CARE FACILITIES	1	2	3	4	5
YOUTH ACTIVITIES (<11yrs)	1	2	3	4	5
YOUTH ACTIVITIES (12>21yrs)	1	2	3	4	5
AGED CARE FACILITIES	1	2	3	4	5
ELDERS ACTIVITIES	1	2	3	4	5
COMMUNITY ACTIVITIES	1	2	3	4	5
SOCIAL & CULTURAL ACTIVITIES	1	2	3	4	5
IMPROVED RELATIONS WITH POLICE	1	2	3	4	5
IMPROVED RELATIONS WITH SCHOOLS	1	2	3	4	5
IMPROVED RELATIONS WITH NON-INDIGENOUS COMMUNITY	1	2	3	4	5
Other Suggestions?	1	2	3	4	5
1.	1	2	3	4	5
2.	1	2	3	4	5
3.	1	2	3	4	5

The Land Council thanks you for your time and effort in completing this survey

Appendix D

Survey Examples

OUR COMMUNITY SURVEY

This survey is about understanding our local community better so that we may utilise our services and resource to meet the needs of the Aboriginal community.

We need your help to do this – could you please complete the enclosed survey

The survey asks questions about many things we need to know to develop a greater understanding of how we may better meet the needs of our community, including:

- What suburb you live in
- What age you are
- Your current employment status
- The industry you work in
- Level of schooling/training
- Literacy level
- Mode of transportation
- Health questions
- Size of your family

Some of the questions are personal e.g. questions about your views and how you experience the local community. It is very important to the Land Council that we hear your views and better understand how you feel about the community within which you participate.

The survey is **ANONYMOUS** so please do not put your name on the survey. The survey should take approximately 20 minutes to complete.

If you have any queries about the survey or would like further information please do not hesitate to contact the Land Council on XXXXXXXX.

The findings from the survey will be used to:

- Identify priorities for the community
- Increase our knowledge of the way the community works
- Establish the current local community dynamic so that we can monitor and track change

Please complete and return the full survey by XX of XXX 2007 to the Land Council, PO Box XXXX NSW XXXX.

Thank you for your time and effort in completing this survey.

Yours truly,

CEO
Land Council

Appendix D

Survey Examples



OUR COMMUNITY SURVEY

We are interested to know which Nation you belong to?

Question 1 Which suburb do you live in?
Postcode:

Question 2 Gender Male Female

Question 3 Age 15 to 19 20 to 24 25 to 34 35 to 44
 45 to 54 55 to 64 65 +

Question 4 How long have you lived in the region?
 Less than 2 years 2 to 4 years
 5 to 9 years 10 or more years

Question 5 Are you currently employed?
 Permanent Part time/Casual seeking Permanent Part time/Casual
 Self-employed Homemaker Unemployed Studying/Training
 Not in workforce

Question 6 What area do you work in?
 Many locations At home Locally Other

Question 7 How do you travel to work?
 Own vehicle Public Transport Car pool/Share with others
 Walk/Bicycle Other

Question 8 If employed what is your current job? OR if not employed what type of work are you looking for?
.....

Question 9 If employed what type of work do you do? (e.g. community nursing, local council, food production, machine operation, infants teaching, accounting)
.....

Question 10 What type of industry are you currently employed in?
 Agriculture Retail Communication & Marketing
 Mining Wholesale Finance & Insurance
 Manufacturing Transport Health & Community Services
 Construction Education Cultural & Recreational
 Government Snr Management Hotels/Restaurants
 Other

Appendix D

Survey Examples

Question 11 When choosing a job, please rate the following in importance?

(1 being most important, 2 somewhat important, 3 least important)

Money 1 2 3 Career Prospects 1 2 3
 Location 1 2 3 Other 1 2 3

Question 12 What would you change about your working situation if you could?

Question 13 Please answer this question if you work in the local area

If more than one apply, please rank 1,2,3 on how well they apply to you

(1 being most important, 2 somewhat important, 3 least important)

I would take a job in my CHOSEN occupation outside the area if it paid more money	
I would take a job in ANOTHER occupation outside my area if it paid more money	
I would take a job outside the area to advance my career, regardless of money	
I would not seek employment outside the area	
Other?	

Question 14 Please answer this question if you work outside the area

If more than one apply, please rank 1,2,3 on how well they apply to you

(1 being most important, 2 somewhat important, 3 least important)

There are better career prospects outside the area	
The pay level for similar work is higher outside the area	
There is better job security outside the area	
I would take a job in my CHOSEN occupation in the area if the pay was similar to what I currently receive	
I would take a job in my ANOTHER occupation in the area if the pay was similar to what I currently receive	
I would take a job in the area to advance my career regardless	
Other?	

Question 15 Please answer if you are currently unemployed

What do you believe are the reasons you are currently unable to find work?

.....

Appendix D

Survey Examples



Question 16 Specific Work Related Skills

Do you have any of the following skills?

Operate specialised industrial machinery (give details)	
Operate specialised office machinery (give details)	
Supervise/Manage/Lead Staff	
Consult with and gather ideas from a small group of people	
Prepare briefs/minutes/letters using good grammar & spelling	
Understand customer needs & explain product or service	
Use word computer packages	
Use spreadsheet computer packages	
Use database computer packages	
Present yourself, products or services	
Specialised trade skills (give details)	
Work-team based procedures	
Financial accounting/bookkeeping	
Marketing/Communications procedures	
Small business operations	
Planning & problem solving techniques	
Mediation & negotiation techniques	
Other?	

Question 17 Do you have extra skills that you use or could use at work? (e.g. bus license, cooking, crafts, use of power tools, sports/coaching, art, cultural knowledge)

.....

.....

Question 18 Do you do any volunteer work? No Yes. If yes, what type of volunteer activity?

.....

Question 19 What is the level of your highest formal training?

- Secondary Schooling
- Higher School Certificate
- Trade Certificate
- Diploma, Associate Diploma
- Degree
- Other:

Question 20 How would you rate your literacy and numeracy skills?

- Reading: Basic Fair Good
- Writing: Basic Fair Good
- Maths: Basic Fair Good

Appendix D

Survey Examples

Question 21 How would you describe your current level of health?

- Very Well Moderately Well OK, but could feel better
 Not so good, often unwell Poor, nearly always ill

Question 22 How would you describe your eyesight?

- Excellent Good Poor

Question 23 Do you wear glasses or contact lenses? Yes No

Question 24 How would you describe your hearing?

- Excellent Good Poor

Question 25 Do you currently have private health insurance? Yes No

Question 26 Do you use a local Aboriginal health care service? Yes No

Question 27 Do you use mainstream health care services? Yes No

Question 28 Do you suffer from any of the following illnesses/diseases?

- Asthma/Respiratory Diabetes Heart Obesity
 High Blood Pressure Mental/Psychological
 Other:

Question 29 Can you tell us about your family? Are you:

- Married Defacto Divorced
 Widowed Other:

Question 30 Do you have any dependent children currently living with you?

- No Yes, if yes how many?

Question 31 If you have dependant children living with you please indicate their age group/s?

- 1-4 yrs 5-12 yrs 13-18 yrs 19+ yrs

Question 32 If you have a partner/spouse, is he/she currently employed?

- No Yes, if yes what type of work?

Question 33 If you or your partner are currently employed and have dependant children under school age, who looks after them while you are at work?

- Childcare Centre Family Member
 Others in your community Other:

Appendix D Survey Examples



Question 34 For your household, what is the weekly income earned?

- \$0 to \$120 \$120 to \$199 \$200 to \$399
 \$400 to \$599 \$600 to \$799 \$800 to \$999
 \$1000 or more

Question 35 Are you aware of support programs and resources available to you in the area, such as the following:

	YES	NO
Community Housing & Infrastructure		
Aboriginal Employment & Job Services		
Aboriginal Small Business		
Aboriginal Education Initiatives		
Aboriginal Students Support & Parent Awareness		
Aboriginal Tutorial Assistance		
Aboriginal Vocational & Educational Guidance		
Aboriginal Health Care Services		
Domestic Violence Services		
Alcohol & Substance Abuse Services		
Aboriginal & Emergency Hostels		
Aboriginal Legal Aid		

Appendix D

Survey Examples

Question 35 Please indicate which you believe most accurately reflects your family's need for the following:

SCALE:



IMPROVED HEALTH	1	2	3	4	5
HOUSING	1	2	3	4	5
EDUCATION & TRAINING	1	2	3	4	5
EMPLOYMENT	1	2	3	4	5
ALCOHOL & SUBSTANCE ABUSE PROGRAMS	1	2	3	4	5
BUSINESS OPPORTUNITIES	1	2	3	4	5
CHILD CARE FACILITIES	1	2	3	4	5
YOUTH ACTIVITIES (<11yrs)	1	2	3	4	5
YOUTH ACTIVITIES (12>21yrs)	1	2	3	4	5
AGED CARE FACILITIES	1	2	3	4	5
ELDERS ACTIVITIES	1	2	3	4	5
COMMUNITY ACTIVITIES	1	2	3	4	5
SOCIAL & CULTURAL ACTIVITIES	1	2	3	4	5
IMPROVED RELATIONS WITH POLICE	1	2	3	4	5
IMPROVED RELATIONS WITH SCHOOLS	1	2	3	4	5
IMPROVED RELATIONS WITH NON-INDIGENOUS COMMUNITY	1	2	3	4	5
Other Suggestions?	1	2	3	4	5
1.	1	2	3	4	5
2.	1	2	3	4	5
3.	1	2	3	4	5

Appendix E

Example of a Community Land & Business Plan



LOCAL ABORIGINAL LAND COUNCIL

COMMUNITY LAND & BUSINESS PLAN
2007 - 2012

Appendix E

Example of a Community Land & Business Plan



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Appendix E

Example of a Community Land & Business Plan

INTRODUCTION

The Local Aboriginal Land Council ("LALC") was incorporated in April 1984 under the New South Wales Aboriginal Land Rights Act 1983 ("ALRA"). The 2006 amendments to the ALRA require the LALC to develop the community, land and business plan ("the plan").

The plan identifies the main goals of the LALC and the strategies that will assist the LALC achieve these goals. The plan is a vital tool in the effective management of the LALC as it provides clear direction to ensure the success of the LALC over the coming years and beyond.

In preparing this plan the members, board and staff of the LALC have provided a benchmark to measure the LALC's success in achieving the strategies identified.

The plan will strengthen the financial position of the LALC and support applications for financial and other assistance from third parties during the years ahead.

METHODOLOGY

The following planning preparation took place:

- Planning Committee established including member, staff and board representation
- One to one interviews held with staff of the LALC
- One workshop conducted with board of LALC
- Two workshops conducted with members of the LALC
- All members were sent a needs analysis survey to complete
- A community profile survey was distributed throughout the local Aboriginal organisations
- Draft plan presented to members for feedback
- A review was carried out of:
 - LALC policies and procedures
 - LALC housing policy 04/05
 - LALC annual reports 03/04 to 05/06
 - LALC audit reports 03/04 to 05/06

The Planning Committee, board and staff would like to thank the many members who participated in the survey and workshops. This plan belongs to the community. It could not have been prepared without the generosity of the many members who gave their time, wisdom and expertise to ensure the best possible plan was developed.

VISION

The Local Aboriginal Land Council is committed to the advancement, protection and promotion of Aboriginal people, heritage and culture. The Local Aboriginal Land Council will realise this through the proper protection, acquisition, management and development of its assets to achieve long-term generational self-sustainability.

Appendix E

Example of a Community Land & Business Plan



VALUES STATEMENT

The values possessed by the Local Aboriginal Land Council include:

- The active participation of community members
- Strong commitment to culture and heritage
- Awareness of local issues
- Strong networks with Local Government
- Skilled and dedicated staff
- Fairness and equity
- Patience and respect
- Positive outlook
- Commitment to achieving the community's goals
- Accountability and responsibility

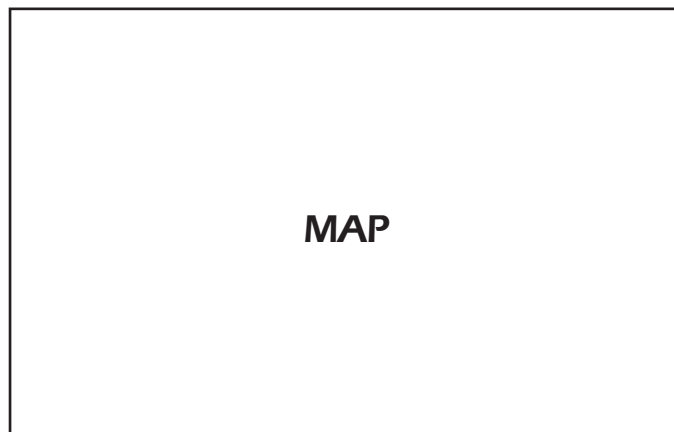
BACKGROUND/HISTORY

Since its creation in 1984, the LALC has constantly focused on improving the lives of its members. It achieves this by implementing the functions of all Aboriginal Land Councils, as directed by the ALRA.

Over the past twenty-one years, the LALC has moved through a number of phases, from the enthusiasm of its initial creation and the excitement of the first successful land claim to the building of capacity to pursue business opportunities, and the difficulties involved in turning the wealth locked in the LALC's land assets into sustainable economic benefits for the members.

This is the first time the LALC has prepared a comprehensive community land and business plan. The successful implementation of this plan will enable the LALC to move into a new phase of financial and economic stability and to provide more services to members, particularly those services that will empower the members socially, culturally and financially.

LOCATION & MAP



Appendix E

Example of a Community Land & Business Plan

BUSINESS ENVIRONMENT

The business environment relates directly to the services delivered by the LALC. These services stem from the needs and aspirations of the LALC members and the Aboriginal community.

The following table shows the business environment the LALC operates within:

INTERNAL CUSTOMERS	
Members and local Aboriginal community	Need for improved access to housing, health, education, training and employment opportunities; Need for long-term generational self-sufficiency
Staff	Job security, stability and satisfaction; clear line of authority; making a difference to community; leadership and clear direction
Suppliers of goods and services	Ongoing business
EXTERNAL CUSTOMERS	
Traditional Owners	Consultation and consideration of Traditional Owner views and ideas
Local Aboriginal community controlled business	Consultation and agreement on strategies to address common issues and goals; No duplication of services
Local Business	Improved relations and joint cooperation
Local, State and Federal Government bodies	Achieve goals through appropriate assistance and funding opportunities; be accountable and responsible
Media	Interest stories and for us to be responsive
Other industry bodies	Achieve goals such as tourism; educational; historical and cultural; intellectual property rights; youth and aged
Land owners/Developers	Utilise our lands
Broader community	Realise our full potential economically, culturally and socially

LEGISLATIVE FRAMEWORK

The LALC is an incorporated body constituted under the ALRA. The ALRA states that the object of Local Aboriginal Land Councils is to *"improve, protect and foster the best interests of all Aboriginal persons within the Council's area and other persons who are members of the Council"*.

The functions of LALC include:

- Make claims on vacant crown land;
- Acquire land and to use, manage, control, hold or dispose of, or otherwise deal with, land vested in or acquired by the Council;
- Protect the interests of Aboriginal persons in its area in relation to the acquisition, management, use, control and disposal of land;
- Take action to protect the culture and heritage of Aboriginal persons in the Council's area, subject to any other law;
- Promote awareness in the community of the culture and heritage of Aboriginal persons in the Council's area;
- Prepare and implement, in accordance with this Act, a community, land and business plan;
- Manage, in accordance with this Act and consistently with its community land and business plan, the investment of any assets of the Council;

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Example of a Community Land & Business Plan



- Facilitate business enterprises, in accordance with this Act and the regulations and consistently with its community, land and business plan;
- Directly or indirectly, provide community benefits under community benefits schemes;
- Provide, acquire, construct, upgrade or extend residential accommodation for Aboriginal persons in its area;
- Establish or participate in the establishment of, a trust for the purpose of providing a community benefits scheme.

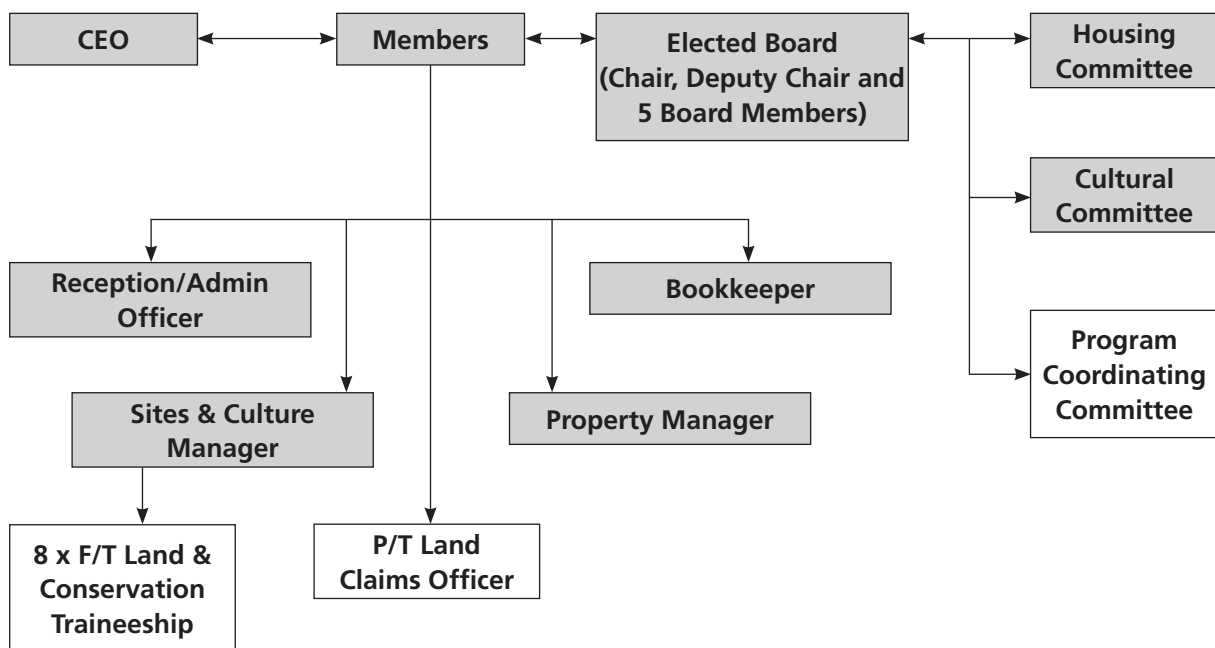
The LALC is also subject to a range of other legislation to varying degrees. The Acts that have the main impact on the LALC's day to day operations are set out below:

ACT	IMPACT
Residential Tenancies Act	Establishes rights and obligations of landlords and tenants. Governs LALC rental housing operations
Anti Discrimination Act	Requires equality of opportunity, particularly in employment, irrespective of race, religion, sex, marital status, etc. Certain exemptions are available to LALC where Aboriginality is a reasonable condition of employment
Environmental Planning and Assessment Act	Establishes framework under which land is managed and used in NSW. Sets out framework of planning instruments used by the State/Local Govts, including: <ul style="list-style-type: none"> • State Environmental Planning Policies; • Regional Environmental Plans; • Local Environment Plans; and, • Development Control Plans. Each of these items (plus rules established by Govt agencies) must be complied with if LALC want to use land granted or acquired. This could be establishing a business, developing or selling land or reserving land for cultural purposes
Local Government Act	Establishes role, functions and constraints on Local Govt in NSW. Impacts upon the LALC in terms of payment of rates, provision of services (parks, library, child care facilities) and approving applications for land development
National Parks and Wildlife Act	Establishment, preservation and management of national parks, historic sites and certain other areas to assist in the protection of certain fauna, native plants and Aboriginal objects Key impact for LALC is the provisions relating to the identification, assessment and management of areas of Aboriginal cultural heritage. This Act sets rules under which LALC undertakes site inspections and prepares reports recommending preservation or consent to destroy
Commonwealth and State Taxation Legislation	LALC is exempt from a range of State and Commonwealth taxes and charges, including: <ul style="list-style-type: none"> • Stamp duty and vendors duty on property transactions (automatic); • Land tax (automatic); • Income tax (application to the Australian Tax Office required); and • Fringe benefit tax (application to the Australian Tax Office recommended).

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Example of a Community Land & Business Plan

ORGANISATIONAL STRUCTURE



Under this structure, the LALC operates the following programs:

1. Reception/administration – includes reception and general administrative duties, LALC meetings, IT, fleet management, stores and stationery, records management, compliance with the ALRA.
2. Rental housing - administers the fifteen rental housing properties currently owned by the LALC.
3. Home ownership - this is a new program established to review long-term opportunities to provide affordable home ownership to members.
4. Property management - manages the non-rental properties owned by the LALC, including properties leased for a commercial return and land development and sales activities.
5. Culture and heritage - manages the cultural responsibilities of the LALC, including protecting the Aboriginal heritage in the area, and developing and delivering culturally appropriate educational programs.
6. Land claims – this new position has been identified as a result of the preparation of this plan. It will ensure the land claims matters are dealt with effectively whilst also sharing knowledge and skills with other employees.
7. Aboriginal cultural tours – this new program has been identified for as a result of the preparation of this plan. This new business enterprise is an important tool for protecting and promoting Aboriginal culture and heritage while also providing training and employment opportunities. With growth the business will be able to generate income for the LALC.
8. Training and employment opportunities – this new program has been identified as a result of the preparation of this plan. It will provide training and employment opportunities to 8 trainees within the Aboriginal community. The program will also assist in the promotion and protection of Aboriginal culture and heritage and the passing on of knowledge to young Aboriginal people. The traineeship will generate income through site surveys, bush regeneration contracts and cultural tours.

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Example of a Community Land & Business Plan



9. Community and family programs – this new program has been identified as a result of the preparation of this plan. Culturally appropriate programs aimed at community and family will be developed throughout the year to encourage greater participation in a healthy and safe environment.

All employment is based on merit, with Aboriginality being a recognised criterion for any future positions.

DEMOGRAPHIC ANALYSIS

A demographical overview for the LALC has been established from membership information, obtained through the members survey combined with in-house records. This information has then been compared against indigenous specific statistics obtained from the Australian Bureau of Statistics relevant to the specific Local Government Areas within the LALC boundaries.

	Members			Total Aboriginal			Total Population		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Total	111	125	336	582	565	1,147	66,396	67,188	133,584
0-4 years	-	-	-	72	64	136	4,758	4,403	9,161
5-14 years	-	-	-	123	126	249	8,909	8,484	17,393
15-24 years	26	24	50	101	95	196	9,331	9,240	18,571
25-44 years	93	74	167	184	170	354	22,531	21,699	44,230
45-64 years	45	42	87	84	79	163	14,198	13,994	28,192
65 years and over	13	19	32	18	31	49	6,669	9,368	16,037
Attending an educational institution:									
Aged 5-14 years	-	-	-	107	115	222	8,259	7,888	16,147
Aged 15-19 years	-	-	-	22	30	52	3,272	3,284	6,556
Highest level of schooling completed:									
Year 10 or below	90	95	185	196	213	409	19,030	21,133	40,163
Year 11 to 12	69	59	128	113	115	228	27,867	27,075	54,942
Still at school	2	4	6	15	14	29	1,615	1,641	3,256
Never attended school	2	1	3	5	6	11	1,227	1,430	2,657

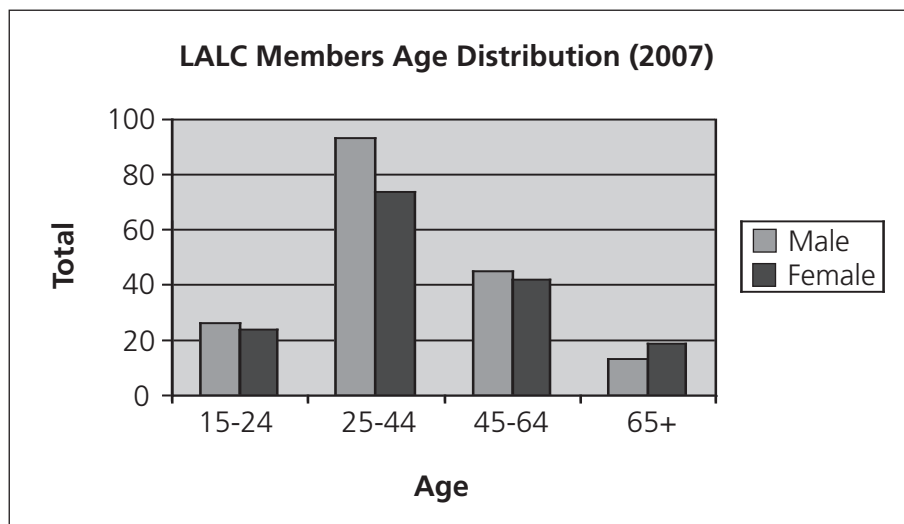
NOTE: Member must be over eighteen years of age

LALC has 336 members, 211 of which are currently voting members. The membership base represents approximately 30% of the total Aboriginal population residing within the LALC boundaries, being 1,147.

Appendix E

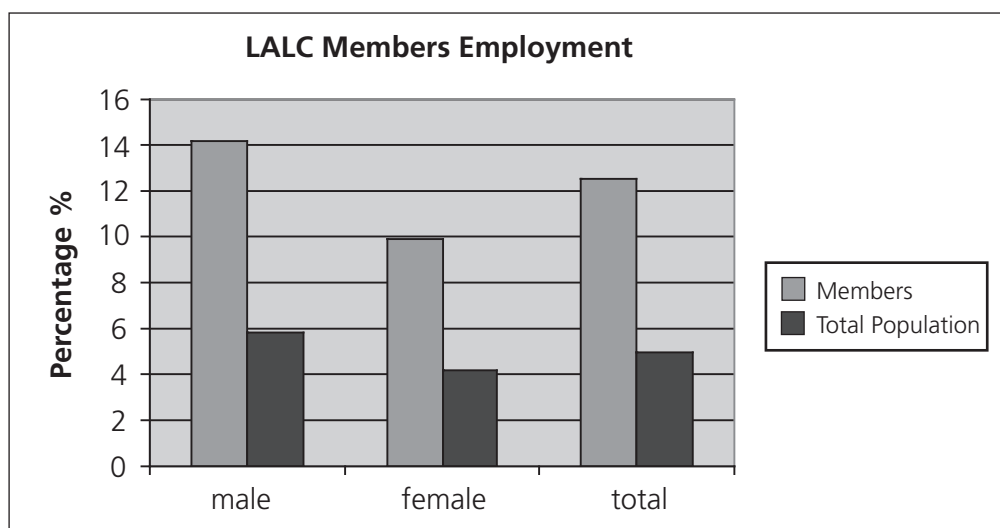
Example of a Community Land & Business Plan

Age Distribution



The above table indicates a high percentage of the LALC members are aged between 25 and 44 years of age. This figure represents approximately 50% of the membership population and approximately 50% of the entire Aboriginal population in this age group within the LALC boundaries.

Unemployment



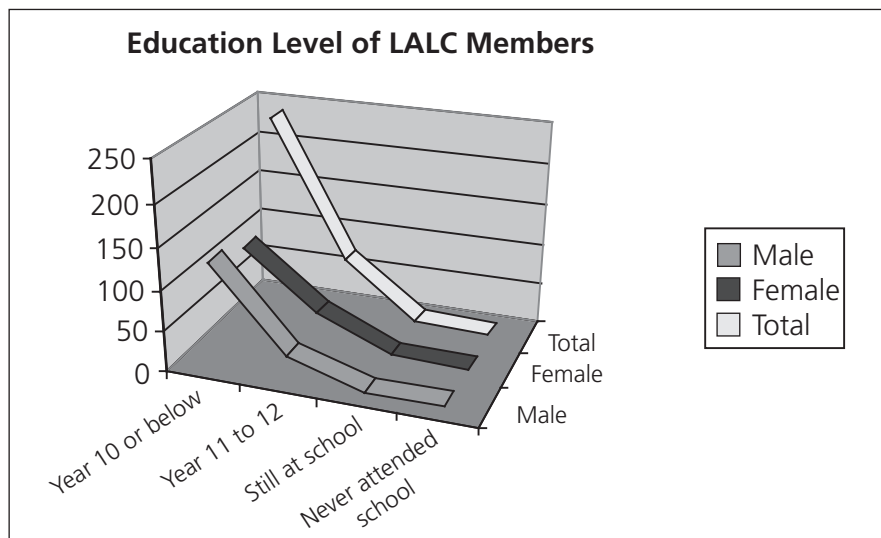
The LALC unemployment rates are considered higher than the total population of people residing within the LALC boundaries. The male unemployment rate is approximately 14% and the female rate is approximately 10%, whilst the combined rate is approximately 12%. The average unemployment rate for the total population residing within the LALC boundaries is approximately 5%.

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Example of a Community Land & Business Plan



Qualifications



The above table indicates a high percentage of members have obtained educational qualifications to Year 10 or below, being 75% of members. While only 22% of members, have educational qualifications to Year 11 to Year 12.

Demographic Conclusion

From the demographic data it is clear the LALC members are experiencing greater unemployment levels which link to the levels of education qualification. It is believed greater access to education and training opportunities may improve the employment situation which will impact positively on the overall standard of living for members.

NEEDS ANALYSIS

The needs analysis survey, consisting of 17 questions targeting members needs, was distributed by mail to all individuals listed on the membership base. The purpose of the survey was to identify possible gaps between the members expectations, as highlighted in the workshops conducted with members, and the direction of the board. A copy of the survey and the results is attached in appendix 2.

The results of the survey revealed the members and board of the LALC had a common understanding of the needs of the community. The results rated all areas identified by the board as being areas needing improvement, rating between an average need to a very strong need. The results confirmed the focus and direction of the board and business operations of the LALC.

A community survey was also distributed to members by mail. This survey was further distributed to various local Aboriginal organisations and community centres to assist the LALC gain a clearer idea of the needs of the entire Aboriginal community. A copy of the survey is attached in appendix 3.

Again the results of the survey reinforced the boards understanding of the key issues and needs within the community. The results also provided a better and broader understanding of the characteristics of the local Aboriginal community.

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Example of a Community Land & Business Plan

SWOT ANALYSIS

STRENGTHS	OPPORTUNITIES
Strong pride in local Aboriginal history, culture and heritage	Joint initiatives with other Aboriginal community controlled organisations in the region
Success in obtaining land claims	Amendments to the ALRA
Dedicated & professional staff	Strong local economy
Good working relationships with other LALCs and Aboriginal community controlled organisations in the area	Focus on future land acquisition
Credibility & support of wider community	Property development in conjunction with a major private sector developer
Transparency & accountability	Strengthening of internal policies & procedures
Good membership participation	Seek outside funding with CLBP
WEAKNESSES	THREATS
Understanding and experience in major property developments	Impact of the amendments to the ALRA
Poor financial management over the past two years, resulting in an F3 funding status	Lack of youth leadership emerging within the local community
Low economic, educational and employments standards in the community	Relationship with Local Government Areas and the wider community
Decline in new membership	Ongoing membership decline
Limited cash flow to support vision	Political changes both within the LALC and externally

Appendix E

Example of a Community Land & Business Plan



LAND HOLDINGS

The LALC has categorised its land holdings into five main areas: rental, cultural, current or future development and sale, commercial and not yet determined. The following table contains a summary of the key attributes of each property. The LALC is currently waiting for titles to be created for fifteen land claims. Detailed information is not yet available for these properties. In June 2006 the LALC commissioned Smith Valuations to value the majority of the LALC's properties at current market value. Valuations were not sought on the cultural properties or on the sites where title has not yet been obtained.

Rental Properties

The LALC currently owns fifteen rental properties. Under the current policy of the LALC, a tenant can put forward a request to acquire the rental property for a discount on current market value of 5%. This discount is considered reasonable, as the LALC does not need to pay real estate agents fees on the disposal. The member must pay for the valuation to be undertaken. The request will be put to an Extraordinary Meeting of the members and, if approved, an application will be made to NSWALC in compliance with the ALRA. Where a house is sold to a member, the funds will be used to acquire a replacement rental property.

At present, the LALC is only collecting an estimated 50% of the \$96,000pa rental income due on these properties. As set out in the goals and action plan below, the LALC is seeking to dramatically improve rental collection within the next twelve months. This additional revenue from rental collections will be used to fund maintenance and repairs to the existing properties and increase the rental portfolio over coming years. As can be seen below, seven of the fifteen rental properties are currently categorised as being in poor condition. Additional funding will also be sought from Commonwealth and State agencies, where appropriate.

Lot/DP or Claim Number	Title Held	Area m2	Constraint on sale	Address/Location	Tenanted	Rent per week	Value June 2006	Description
1 / 999999	Yes	350	No	1 Smith Street, Beachside	No	\$100	\$280,000	2 bedroom brick house, poor condition
2 / 999999	Yes	475	No	2 Smith Street, Beachside	Yes	\$120	\$360,000	3 bedroom brick house, average condition
3 / 999999	Yes	580	40AA	1 Jones Street, Beachside	Yes	\$150	\$450,000	4 bedroom brick house, nearly new
4 / 999999	Yes	600	40AA	2 Jones Street, Beachside	Yes	\$150	\$450,000	4 bedroom brick house, nearly new
5 / 999999	Yes	480	No	54 West Street, Beachside	Yes	\$120	\$370,000	3 bedroom brick house, average

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6 / 999999	Yes	475	NAAHS	12 East Street, Beachside	Yes	\$150	\$450,000	3 bedroom brick house, new
7 / 999999	Yes	380	NAAHS	13 East Street, Beachside	Yes	\$150	\$450,000	3 bedroom brick house, new
8 / 999999	Yes	450	No	22 Harris Street, Beachside	Yes	\$80	\$280,000	2 bedroom fibro cottage, poor condition
9 / 999999	Yes	475	No	22A Harris Street, Beachside	Yes	\$90	\$300,000	2 bedroom fibro cottage, average condition
10 / 999999	Yes	475	No	4 Church Street, Beachside	Yes	\$100	\$340,000	2 bedroom brick house, poor condition
11 / 999999	Yes	580	No	5 Church Street, Beachside	Yes	\$130	\$380,000	3 bedroom brick house, poor condition
12 / 999999	Yes	600	No	6 Church Street, Beachside	Yes	\$130	\$400,000	3 bedroom brick house, poor condition
13 / 999999	Yes	480	No	1 Railway Street, Beachside	Yes	\$130	\$380,000	3 bedroom brick house, poor condition
14 / 999999	Yes	475	No	2 Railway Street, Beachside	Yes	\$130	\$360,000	3 bedroom brick house, poor condition
15 / 999999	Yes	580	No	3 Railway Street, Beachside	Yes	\$130	\$410,000	3 bedroom brick house, average condition

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Example of a Community Land & Business Plan



Cultural Properties

The members of the LALC, having regard to the opinion of the elders in the area, have determined that the following sites have considerable cultural significance. The LALC agreed that no development or commercial operation is permitted on Land Claims 9001 to 9005. It is anticipated that a cultural centre will ultimately be constructed on lot 1 DP99998. This centre will be used by the members and the broader community. Lot 2 DP999998 and Land Claim 9006 have the potential to be used for low impact tourist ventures, such as running guided tours during holiday periods or for school groups. Further information on these ventures is provided in the action plans and forecast sections of this plan.

A cultural survey has or will be prepared for each of the sites. This survey will detail each cultural significant item on the site and provide a plan of management to ensure the preservation of these items. Each survey is prepared by the LALC.

Lot/DP or Claim Number	Zoning	Area hectares	s40AA or 4A NPWA	s36 or s39	Cultural survey prepared	Address/Location	Long-term use
1 / 999998	Open Space	3.700	Yes	No	Yes	1 George Street, Beachside	Potential cultural centre
2 / 999998	Unzoned	1.523	No	No	Yes	2 George Street, Beachside	Part of the site may be used for tourism and educational purposes
Claim 9001	Unzoned	2.000	Yes	No	Yes	3 George Street, Beachside	Access provided for traditional owners
Claim 9002	Opens Space	5.000	No	Yes	Yes	4 George Street, Beachside	Access provided for traditional owners
Claim 9003	Unzoned	3.000	Yes	No	No	5 George Street, Beachside	Access provided for traditional owners
Claim 9004	Unzoned	15.000	Yes	No	No	6 George Street, , Beachside	Access provided for traditional owners
Claim 9005	Unzoned	1.500	No	No	No	7 George Street, , Beachside	Access provided for traditional owners
Claim 9006	Unzoned	10.000	No	Yes	Yes	8 George Street, , Beachside	Part of the site may be used for tourism and educational purposes

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Example of a Community Land & Business Plan

Current or Future Development and Sale

The LALC has identified seven lots that have the potential for future development. The members have determined that the LALC will seek to be increasingly involved in the development of these sites. The first projects undertaken by the Council will be done in conjunction with a developer. The board and staff will seek to learn as much about the development process as possible during this period. Once the LALC has obtained sufficient skills, the developments will increasingly be managed in-house.

Lot/DP or Claim Number	Zoning	Area hectares	Value Jun 2004	s40AA or 4A NPWA	s36 or s39	Address/Location	Current Use	Future development
1 / 999997 & 24 / 999997	2(a) Res	10.235	\$15,000,000	No	No	1 George Street, Beachside	Vacant site – tender documents being prepared for tender in April 2007.	Estimated yield of 120 lots. Project to be completed by July 2009
2 / 999997	Rural Res	3.500	\$8,000,000	No	No	2 George Street, Beachside	Vacant site - rural lease	Residential development
3 / 999997	Rural Res	1.200	\$4,800,000	No	No	3 George Street, Beachside	Vacant site - rural lease	Residential development
4 / 999997	Unzoned	3.895	\$6,000,000	Yes	No	4 George Street, Beachside	Vacant, undeveloped land	Future release area - develop 2008/2010
5 / 999997	Unzoned	24.300	\$2,000,000	Yes	No	5 George Street, Beachside	Vacant, undeveloped land	Future release area - develop 2015/2016
Claim 9007	Unzoned	4.700	Not valued	Yes	Yes	6 George Street, Beachside	Vacant, undeveloped land	Long-term development potential

Appendix E

Example of a Community Land & Business Plan



Commercial

The LALC currently owns six commercial sites, one of which is being used as an office. Four of the lots are currently being rented on commercial terms with J Jones Real Estate appointed to manage the tenancy. To provide certainty of income and minimise processing costs, all leases require the tenant to pay for all outgoings (such as rates and services charges). Title to Lot 6 DP999996 was obtained in July 2006, after the LALC other properties were valued. The property is vacant land with a retail zoning and the members have agreed that a commercial rental should be sought over the property. An assessment of the options for the site will be obtained, with the expected best use being the construction of a small neighbourhood retail complex (3-4 shops) that can then be leased by the LALC. Once the options assessment has been completed, a full report (including cash flow estimates) will be made to the members for further consideration.

Lot/DP or Claim Number	Zoning	Area m2	Lease Expiry Date	Value Jun 2004	Income per annum	Outgoings	Yield	Address/Location	Current Use
1 / 999996	Comm.	120	n/a	\$500,000	Nil	\$10,000	n/a	24 West Street, Beachside	LALC office
2 / 999996	Comm.	80	2009	\$450,000	\$15,750	By tenant	3.5%	26 West street, Beachside	3 year lease – office
3 / 999996	Comm.	80	2009	\$450,000	\$15,750	By tenant	3.5%	26A West Street, Beachside	3 year lease - office
4 / 999996	Industrial	15,000	2025	\$1,500,000	\$100,000	By tenant	7.0%	1 West street, Beachside	25 year ground lease – building constructed by tenant
5 / 999996	Industrial	12,000	2007 or 2010	\$1,200,000	\$72,000	By tenant	6.0%	3 West Street, Beachside	3 year lease plus 3 year option. Vacant land used for storage
6 / 999996	Retail	850	Not leased	Not valued	Nil	Nil		10 West Street, Beachside	Title recently obtained. LALC will investigate opportunities.

Appendix E

Example of a Community Land & Business Plan

Not Yet Determined/Vacant

To date, the members of the LALC have not been able to agree on the future use of the following properties. It is anticipated that the majority of the sites will be retained for cultural purposes, although some may be suitable for commercial purposes or development. Any development on these sites is unlikely to occur within the next ten years.

Lot/DP or Claim Number	Date Granted	Zoning	Area hectares	Value Jun 2006	s40AA or 4A NPWA	s36 or s39	Address/Location	Cultural Survey Completed	Current Use
1 / 9999995	1984	2(a) Res	10.235	\$15,000,000	No	No	1 Phillip Street, Beachside	Nov 2006	Vacant, undeveloped land
2 / 9999995	1988	Rural Res	6.50	\$2,000,000	No	No	2 Phillip Street, Beachside	No	Agistment
3 / 9999995	1988	Rural Res	8.20	\$1,000,000	No	No	3 Phillip Street, Beachside	No	Agistment
4 / 9999995	2001	Rural Res	3.89	\$4,000,000	Yes	No	4 Phillip Street, Beachside	No	Vacant, undeveloped land – rezoning anticipated
5 / 9999995	1998	Unzoned	24.30	\$15,000,000	Yes	No	11 Phillip Street, Beachside	No	Vacant, undeveloped land
6 / 9999995	1996	Unzoned	4.70	\$1,200,000	Yes	No	12 Phillip Street, Beachside	Nov 2006	Vacant, undeveloped land
7 / 9999995	1996	Unzoned	3.10	\$800,000	Yes	Yes	12 Phillip Street, Beachside	Nov 2006	Vacant, undeveloped land
Claim 9008	2000	Unzoned	24.20	Not valued	Yes	Yes	13 Phillip Street, Beachside	No	Vacant, undeveloped land
Claim 9009	2002	Unzoned	2.00	Not valued	Yes	Yes	14 Phillip Street, Beachside	No	Vacant, undeveloped land
Claim 9010	2002	Unzoned	2.00	Not valued	Yes	No	21 Phillip Street, Beachside	No	Vacant, undeveloped land
Claim 9011	2003	Unzoned	17.00	Not valued	Yes	No	22 Phillip Street, Beachside	No	Vacant, undeveloped land

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Claim 9012	2004	Unzoned	1.00	Not valued	Yes	No	23 Phillip Street, Beachside	No	Vacant, undeveloped land
Claim 9013	2004	Unzoned	1.00	Not valued	Yes	No	24 Phillip Street, Beachside	No	Vacant, undeveloped land
Claim 9014	2005	Unzoned	4.00	Not valued	Yes	Yes	31 Phillip Street, Beachside	No	Vacant, undeveloped land
Claim 9015	2005	Unzoned	12.00	Not valued	Yes	Yes	32 Phillip Street, Beachside	No	Vacant, undeveloped land

NOTE: Where title has yet to be provided for a lot, the area is an estimate only.

Appendix E

Example of a Community Land & Business Plan

ESTABLISHING THE LALC GOALS

The needs of the LALC were established through a consultation process with members. A survey was sent to all members and the responses collated.

The results of the survey formed the starting point for one of the one-day members workshops to identify the key goals of the LALC to address the needs identified as having a priority. A copy of the survey is provided as an appendix.

The outcome from this process established the needs of the community:

- Housing
- Employment, training and education opportunities
- Youth, elders, and family programs
- Cultural and social activities to promote community cohesion
- Financial stability

The second one-day members workshop allowed the LALC to identify, and where relevant develop, key goals and strategies in relation to mandatory items to be included in the LALC plan as stated under the ALRA, as follows:

- Acquisition, management and development of land and property holdings
- Community benefits schemes
- Social housing schemes
- Trusts
- Business enterprise and investment of assets
- Culture and heritage
- Human resources

From the above outlined process the members agreed to ten key goals to be the focus of the LALC for the next five years. These goals are set out below followed by a broad outline of each of the goals.

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Example of a Community Land & Business Plan



GOALS AND PROGRAMS

SHORT to MEDIUM-TERM		PROGRAM
Goal 1	Provide a sustainable rental housing program and seek to increase rental housing owned by the LALC in the short-term	- Social housing scheme
Goal 2	Increase the economic base of the LALC through land claims and strategic acquisition, management and disposal strategies	- Land acquisition, management & development - Investment of assets
Goal 3	Develop guided Aboriginal cultural tours on LALC land	- Business enterprise - Culture & heritage
Goal 4	Provide access to training and employment opportunities through the creation of a land and conservation management traineeship program	- Community benefits scheme - Culture & heritage
Goal 5	Develop and provide culturally appropriate programs for specific target groups	- Community benefits scheme
LONG TERM		PROGRAM
Goal 6	Develop cultural centre for use by members and the broader community	- Culture & heritage
Goal 7	Create home ownership model to assist members own their own homes	- Social housing scheme
Goal 8	Identify new and existing business enterprise options for the LALC to invest in	- Business enterprise - Investment of assets
Goal 9	Ongoing protection & maintenance of Aboriginal culture and heritage for future generations	- Culture & heritage
Goal 10	Long-term financial and operational viability building towards economic independence	- Administrative & operational - Social housing scheme - Investment of assets

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Example of a Community Land & Business Plan

OVERVIEW OF GOALS

1. Provide a sustainable rental housing program and seek to increase rental housing owned by LALC

The need for further rental housing has been identified in the response provided by members in the needs analysis and members workshops. This is also reflected in the steady growth of the members housing waiting list.

The LALC's aim of appropriate affordable housing for all members will focus initially on existing rental housing. The first step in this process is to address rental arrears and to upgrade the existing rental houses to an appropriate standard. The LALC currently has sixty-five people on the waiting list for rental housing (single - 20, couples - 25, families - 20). Part of the proceeds from land dealings will fund the increase in the LALC's rental property portfolio.

The long-term preference of the LALC is for its members to move to home ownership, removing the need to maintain a large rental property portfolio. The LALC will liaise with NSWALC to determine what opportunities are available to assist members to achieve home ownership, within the constraints of the ALRA.

Over the past twenty years, a consistent level of non-payment of rent has resulted in the standard of the LALC's rental properties falling dramatically. The majority of the 15 properties now need a major overhaul.

Under the ALRA, the LALC must demonstrate its existing rental housing program is fair and equitable, managed in an accountable and transparent manner, and will not prevent the LALC from meeting its debts when they fall due. Furthermore, the LALC must demonstrate the income (including any subsidies and grants) is or will be sufficient to meet all the expenses of the scheme, including long term maintenance requirements.

In order for the LALC to expand rental housing, it must adhere to the ALRA. As such the growth of the rental housing scheme will only be pursued if the LALC is able to demonstrate the management of all existing rental housing meets the criteria as identified above. The LALC are confident the implementation of appropriate strategies, such as the development and implementation of a solid rental policy, including clearly identified procedures for rental arrears as a matter of priority, will ensure it can meet this goal.

2. Increase the economic base of the LALC through land claims and strategic acquisition, management and disposal strategies

The proper growth and management of the land and property assets of the LALC will secure the cultural, social and economic independence of the LALC into the future.

Effectively managing land and property owned by the LALC in an appropriate way ensures the value of the asset is protected while also reducing any possible liabilities that may arise from time to time. Therefore identifying appropriate maintenance procedures and identifying potential usages of lands and property is essential to ensuring this goal is achieved.

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Example of a Community Land & Business Plan



As part of the preparation of this plan, the community has categorised its land holdings into the following groups:

- Rental
- Culturally significant
- Future development and sale
- Commercial enterprise
- Not yet determined

Commercial Enterprises

Through successful land claims and strategic acquisitions, the LALC now own four commercial properties in addition to the LALC office. These properties are currently leased and generating a commercial return that funds the LALC other activities.

The LALC recently obtained title for Lot 6 DP 999996. This site is zoned commercial and has the potential for long-term lease for a small shopping area. The LALC will seek expert, independent advice on the best way to progress this site. Any lease is not expected to occur prior to 2012-13, when the surrounding residential development is substantially completed.

The LALC will continue to seek commercially viable property through either land claim or acquisition and to lease this land at a commercial rate. These acquisitions will be funded by one or more of the following methods:

- Property development and sale (refer below)
- Mortgaged acquisition (only the property being acquired can be mortgaged) or,
- Surplus LALC funds

Prior to any acquisition being made to acquire a commercial property, other than through land claim, a complete business and management plan for the site will be presented to members at a special workshop. The acquisition will be done in accordance with the ALRA.

Development and sale of existing land holdings

The LALC members have agreed that part of their landholdings will be developed and sold to fund the following:

- Commercially viable property and business acquisitions;
- Land of cultural significance; or
- Rental housing for members

Where the proceeds from property development and sale are not immediately required for the above purposes, they will be invested with an A+ rated financial institution to ensure the money is not used to meet the LALC's general operating costs.

The first parcel of land to be developed will be Lots 1 and 24 DP999997, located at 1 George Street Beachside. This land is already zoned for residential use and will have a yield of approximately 120 houses. LALC will initiate a tender process to find a developer to partner with the LALC to develop and sell the site. This will allow the LALC to maximise its return from the property.

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Example of a Community Land & Business Plan

The LALC's focus in tendering the site and during the development will be on the following:

- Generating a reasonable return whilst sharing the risk with the developer;
- Providing employment and training opportunities to members;
- Allowing the board and staff to obtain experience in property development;
- Allowing the members to gain an understanding of property development; and,
- Identifying potential business ventures the LALC could operate that complement our property development activities.

Ultimately, the LALC seeks to obtain sufficient expertise in property development to undertake future projects without a development partner. At this time, it is not known when the LALC will reach this level of competence.

Given the size of this project and that it is the first development by LALC, the specific processes to be undertaken by the board, staff and members of the LALC are provided at Attachment D. This document establishes the process to be followed in obtaining a development partner and identifies what items will require the approval of the membership. The approval of the members will also be sought prior to any variation being made to this process.

The LALC will produce separate feasibility studies, and any other documents so required, for each of the proposed ventures.

3. Develop guided Aboriginal cultural tours on LALC land

Developing low impact guided Aboriginal cultural tours on LALC land gained support from members. Guided Aboriginal cultural tours will provide training and employment opportunities in the short-term and also assist in promoting awareness about Aboriginal culture and heritage in the broader community.

Lot 2 DP999998 and Land Claim 9006 have previously been identified by members as having the ability to operate low impact tours. The LALC will utilise its cultural committee to identify appropriate options for tours. Tour options will target various interest groups such as, primary school groups, university groups and overseas groups.

It is envisaged tours will in the future link with the proposed cultural centre. Members could also be given employment opportunities through contracts for providing services and products, including catering and bush tucker, traditional performances and traditional activities.

4. Provide access to training and employment opportunities through the creation of a land and conservation management traineeship program

The workshops held identified a lack of training and employment opportunities available to members. The demographic analysis highlights the significantly higher levels of unemployment and low-paying employment when compared to the rest of the broader community. This goal will focus on three areas: improving training and employment opportunities, promoting and protection Aboriginal culture and heritage, generating further income for the LALC.

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Improved training and employment opportunities

One of the keys to improving the living standards of the members over the long term is to ensure they receive access to further training and employment.

One way this can be achieved is by the creation of a traineeship program through the LALC. Members strongly supported the idea of developing a Land and Conservation Management Traineeship aimed at providing training and employment while also developing skills in an area that incorporated the promotion and protection of Aboriginal culture and heritage.

Ideally, the LALC would be able to operate the traineeship program in conjunction with TAFE NSW. The traineeship will incorporate site surveys, cultural tours and talks, and bush regeneration to assist cover the costs of running the program.

A complete analysis (including compliance with the ALRA) will be carried out, with an aim of the traineeship program being operational by January 2009. External funding assistance will be sought, where available, to help with the cost of running the program.

Promotion and protection of Aboriginal culture and knowledge

The traineeship will be developed in conjunction with a TAFE provider to ensure the traineeship is culturally appropriate while also giving an opportunity for participants to obtain accreditation. Members indicated they would like to see the program incorporate identified aspects of Aboriginal cultural heritage to ensure the passing on of knowledge to young Aboriginal people and the survival of Aboriginal cultural practices.

Also identified by members was the desire to see a tourism and hospitality component included. This will provide participants with extra skills and qualifications that could be used to promote Aboriginal culture and heritage to the broader community while also strengthening their ability to go onto further employment.

Income generating opportunities

The LALC will provide the trainees with on the job training, being the employer of the trainees. Participants will be provided training in site surveys, bush regeneration, guided tours and other such activities as they arise which will assist in generating some income. The income earned will be put towards reducing the cost of providing traineeship program.

5. Develop and provide culturally appropriate programs for specific target groups

Through the needs analysis and the members workshops the idea of delivering programs to encourage community togetherness generated great support. It was identified programs should be developed for the following target groups - youth; elders; male and female; and family and community. Members requested the provision of such programs must be in a healthy and safe environment.

It was identified existing programs being offered by mainstream service providers were not culturally appropriate for Aboriginal people. Some of the reasons provided by members included - lack of access for larger families because of no transport; lack of programs which include intergenerational options to encourage family and extended-family participation; programs only provided occasionally and cost too much money, for example school holiday programs for youth; no programs that focus on Aboriginal cultural activities.

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Members suggested the creation of a Program Coordinating Committee consisting of participants from a cross-section of the target groups to meet quarterly to develop and investigate ideas for programs that may be operated by the LALC, and also in conjunction with other local Aboriginal organisations. The committee will also be responsible for identifying possible funding opportunities. Recommendations for programs will be made by the committee to the board and members for approval. Only those programs which are financially viable will be pursued.

6. Develop an Aboriginal cultural centre to promote Aboriginal culture and heritage

One of the ideas raised by members from the members workshops was the idea of creating a Aboriginal cultural centre. The members showed an overall support for this idea and indicated the venue could promote Aboriginal culture and heritage by housing various types of artifacts and relics, historical story-boards and pictures, art and crafts by local artists and members and other such items.

It was also stated the venue could provide access for members and various groups wishing to undertake cultural activities and host cultural events.

The venue should include an auditorium which could be used for sorry business activities and larger gatherings. The space may be used on a fee for basis by the broader community and for non-cultural activities, given there is a shortage of such venues in the area.

The cultural centre will ultimately be constructed on lot 1 DP99998, land previously targeted as being culturally significant but suitable for the construction of such a site. The design of the centre and auditorium will be done in a way that protects the significant sites on the land.

The LALC will begin to investigate options for the cultural centre and seek to provide training and employment opportunities within the Aboriginal community. The LALC will prepare feasibility studies, and any other documentation as required for approval, prior to beginning the project.

7. Create a home ownership model to assist members own their own homes

As previously identified the LALC's long-term vision is to decrease its rental housing program by turning the majority of rental housing currently provided into home ownership options for members. Members agreed they would like the opportunity to own their own homes and expressed the difficulties facing majority of members if they were to try and pursue this through the mainstream financial institutions.

Members would like to see models for home ownership investigated to take into account options for low-income earners, family and intergenerational models that will allow homes to be paid off over longer-periods, minimal interest rate charges and flexible and fair payment options in times of hardship.

The LALC will pursue the development of home ownership models by liaising with NSWALC in relation to possible existing options and through the use of seeking expert advice where required. Members workshops will be conducted in the future when these options are developed.

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Example of a Community Land & Business Plan



8. Identify new and existing business enterprise options for the LALC to invest in

In the long-term the LALC should seek new and existing business enterprise options to invest in to create further employment opportunities and work towards self-sustainability.

Expanding the operations of the LALC into true business enterprises will provide employment opportunities for members and generate profits without relying on Government funding. At present, there are numerous ideas amongst the board, staff and members about business operations the LALC could invest in. However, the problems experienced by other LALC's in operating businesses have served as a warning that the LALC should take its time in developing these proposals and start off small.

In the coming years, the focus of the LALC will be on deciding what type of businesses the community can best invest in given our location and the skills of the members. Workshops will be held to develop these ideas and the CEO will investigate the types of indigenous businesses that have succeeded in other places, as well as the ones that have failed.

The CEO will also obtain advice on what is the most appropriate legal and financial structure from which to operate the business. The structure must minimise the risk to the majority of the LALC assets, whilst ensuring that the members retain overall control of the business.

Once the community has agreed on a final list of potential opportunities, the LALC will undertake detailed investigations. Adherence to the ALRA and detailed feasibility studies will need to be undertaken before any decision to commence a business is made. Where appropriate the community, land and business plan will be amended to include any such future ventures.

9. Ongoing protection and promotion of Aboriginal culture and heritage for future generations

A constant focus of the LALC must be on the protection and promotion of Aboriginal culture and heritage, including culturally significant sites of which the LALC is responsible. Where the LALC is unable to acquire culturally significant lands within its boundaries, the LALC staff and members will work with the landowners, the local councils and the community to protect aboriginal heritage.

The land owned by the LALC will be used, as appropriate, to promote and foster aboriginal culture. This will include allowing access to the elders of the community for ceremonial and other purposes, providing education to members and promoting aboriginal culture to the broader community.

Where the land is not owned by the LALC, we will seek to ensure the cultural significance of any sites is protected, whilst also seeking employment opportunities via site surveys and other activities.

The LALC will endeavour to promote Aboriginal culture and heritage through public engagements such as welcome to country, cultural talks, guided cultural tours and printed publications. Where appropriate the LALC will provide these activities on a fee for service basis to generate much needed income for operational expenses.

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10. Long-term financial and operational viability building towards economic independence

To continue to operate into the future the LALC must concentrate on creating long-term financial and operational viability. At the time of writing this plan, the LALC is in NSWALC's F3 funding category, with a history of breaches of the ALRA over the past five years. If we wish to meet the needs of our members as set out in this plan, we must ensure that the financial, management and operational functions are of the highest standards. If the staff and board cannot manage the LALC to ensure that the compliance requirements of the ALRA are met, we will never be able to focus on the specific strategies outlined in the balance of this plan.

To ensure this occurs a number of factors must be addressed. Firstly, the LALC must comply with the statutory requirements of the ALRA, particularly in relation to reporting. Secondly, the ongoing financial burden of the current rental property portfolio must be corrected in the short-term and remain as such into the long-term. Reviewing the rental collection levels regularly and taking appropriate action where this rental collection is not occurring will assist. However if appropriate, consideration to outsourcing the rental properties to achieve an even higher level of rental collection may be a final option. The ultimate target for rental collection is 85% collection within two years. The current 50% collection rate is unfair as it means that some members are getting free housing at the expense of other members.

The community will also seek to strengthen its long-term financial position by converting some of its non-income producing land assets into income-producing financial assets. Seventy five percent of the money raised from assets sales will be invested with a financial institution in investments with a credit rating of at least A+. Fifty percent of the interest from these investments will be reinvested, with the balance available for LALC programs. This will ensure the assets of the LALC remain for future generations. Where the LALC identifies any sale of land compliance with the ALRA will occur and the community, land and business plan will be amended.

The final step in ensuring the long term success of the LALC is to ensure that the members are actively involved in the LALC's activities and operations. The next twelve months will see a major effort by the board, staff and members to revitalise the LALC's meetings and create other opportunities for member participation.

The successful implementation of this plan will see LALC obtain true financial self-sufficiency. Once this point has been achieved, LALC will no longer seek the NSWALC grant of \$110,000 per annum. Instead, NSWALC will be asked to donate these funds to the LALC's located in Western NSW to assist them in attaining self-sufficiency.

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LALC ACTION PLAN Short to Medium-Term Goals & Strategies

1.0 Provide a sustainable rental housing program and seek to increase rental housing owned by the LALC in the short-term

	Strategy	Responsibility	Start Date	Due Date	Budget	Status
Program: Social Housing Scheme						
1.1	Identify impact of ALRA amendment on existing rental housing program					
1.1.1	Prepare an overview of the relevant sections of the ALRA relating to social housing	Property Manager	July 2007	Aug 2007	N/A	0%
1.1.2	Identify how the ALRA amendments may impact on the LALC existing rental housing program	Property Manager	Aug 2007	Sept 2007	N/A	0%
1.1.3	Identify any major risks the LALC may face as a result of the ALRA amendment	Property Manager	Sept 2007	Oct 2007	N/A	0%
1.2	Provide an overview of the position of the current rental housing program					
1.2.1	Review the overall position of existing rental housing scheme in context of the ALRA amendments	Property Manager	Oct 2007	Nov 2007	N/A	0%
1.2.2	Identify any inconsistencies or possible breaches to the ALRA	Property Manager	Oct 2007	Nov 2007	N/A	0%
1.2.3	Develop strategies for recommendation for improvement or changes to the existing rental housing program where necessary	Property Manager	Nov 2007	Dec 2007	N/A	0%
1.2.4	Prepare full written report on outcomes identified, including recommendations, relating to strategies 1.1. & 1.2 for boards consideration	Property Manager	Dec 2007	Dec 2007	N/A	0%
1.3	Implement/strengthen internal rental housing mechanisms					
1.3.1	Review existing housing policy and procedures	Housing Committee / Property Mgr	Jan 2008	Jan 2008	N/A	0%

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	Strategy	Responsibility	Start Date	Due Date	Budget	Status
1.3.2	Identify gaps or shortfalls in existing housing policy and procedures relating to current practices	Housing Committee / Property Mgr	Jan 2008	Jan 2008	N/A	0%
1.3.3	Update housing policy and procedures and advise tenants of impact	Housing Committee / Property Mgr	Jan 2008	Jan 2008	N/A	0%
1.3.4	Review rental collection data and provide overview of the current status of each tenant and the rental collection to date	Housing Committee / Property Mgr	Feb 2008	Feb 2008	N/A	0%
1.3.5	Identify tenants with rental arrears and provide an overview of action to date to retrieve monies owing	Housing Committee / Property Mgr	Feb 2008	Feb 2008	N/A	0%
1.3.3	Identify strategies, both existing and new, to improve timely rental collection and bring rental arrears up to date	Housing Committee / Property Mgr	Feb 2008	Feb 2008	N/A	0%
1.3.4	Provide rental collection report to board including recommendations	Housing Committee / Property Mgr	Feb 2008	Feb 2008	N/A	0%
1.3.6	Annually review housing policy and procedures to identify gaps and shortfalls	Housing Committee / Property Mgr	Annually	-	N/A	0%
1.3.7	Track and monitor monthly rental collection data	Housing Committee / Property Mgr	Monthly	-	N/A	0%
1.3.8	Implement timely follow up of rental collection and where necessary tenancy tribunal procedures	Housing Committee / Property Mgr	Ongoing	-	N/A	0%
1.3.9	Inspect and prepare property evaluation reports for each property every 6 months	Housing Committee / Property Mgr	6 monthly	-	N/A	0%

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	Strategy	Responsibility	Start Date	Due Date	Budget	Status
1.3.10	Ensure timely repairs and maintenance are conducted according LALC policy and procedures	Housing Committee / Property Mgr	Ongoing	-	N/A	0%
1.4	Upgrade existing rental housing (15 houses)					
1.4.1	Undertake review of existing houses to identify those most in need of upgrade/repairs	Property Manager	March 2008	June 2008	N/A	0%
1.4.2	Obtain quotes for the work required	Property Manager	July 2008	Aug 2008	N/A	0%
1.4.3	Liaise with Government agencies to determine if funding can be obtained through a grants program	Property Manager	July 2008	-	N/A	0%
1.4.4	Prepare schedule of works to be undertaken in accordance with budget and tenants rental payment history	Property Manager	Aug 2008	Sept 2008	N/A	0%
1.4.5	Apply for grant funding from Government agencies	Property Manager	Sept 2008	-	N/A	0%
1.4.6	Manage contractors to undertake the upgrade/repairs. Assumes 50% funding from grants.	Property Manager	Oct 2008	June 2011	\$300,000.00	0%
1.5	Seek opportunities to outsource rental collection					
1.5.1	Discuss with other LALC's in the region to seek partners in outsourcing rental collection	Property Manager / CEO	Jan 2009	Mar 2009	N/A	0%
1.5.2	Discuss opportunities for outsourcing with AHO	Property Manager / CEO	Jan 2009	Mar 2009	N/A	0%
1.5.3	Undertake cost benefit analysis of outsourcing to the private sector, ie increase in fees compared to increase in rental income	Property Manager / CEO	Apr 2009	May 2009	N/A	0%
1.5.4	Select strategy based on the outcome of the above to achieve an 85% collection rate	Property Mgr / CEO / Housing Committee	June 2009	June 2009	N/A	0%
1.5.5	Seek NSWALC approval	CEO	June 2009	June 2009	N/A	0%
1.5.6	Implement strategy	Property Manager / CEO	July 2009	July 2009	N/A	0%

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	Strategy	Responsibility	Start Date	Due Date	Budget	Status
1.6	Acquire additional rental housing					
1.6.1	Assess self-sustainability of the existing rental housing program	Property Mgr / CEO / Housing Committee	Aug 2009	Dec 2009	N/A	0%
1.6.2	If existing rental housing program is not yet capable of self-sustainability no further housing stock will be pursued	N/A	-	-	N/A	0%
1.6.3	Liaise with Government agencies and prepare appropriate submissions to obtain funding for additional rental properties	Property Manager / CEO	Jan 2010	-	N/A	0%
1.6.4	Undertake review of housing waiting list to determine housing type and location most needed	Property Mgr / CEO / Housing Committee	Jan 2010	Apr 2010	N/A	0%
1.6.5	Acquire additional properties as funds allow	Property Mgr / CEO / Housing Committee	July 2010	June 2012	\$3,000,000.00	0%

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2.0 Increase the economic base of the LALC through land claims and strategic acquisition, management and disposal strategies

	Strategy	Responsibility	Start Date	Due Date	Budget	Status
Program: Investment of Assets						
2.1	Tender for a partner for 1 / 999997 & 24 / 999997					
2.1.1	Obtain legal advice on proposed arrangement and tender process	CEO	July 2007	Sept 2007	\$20,000.00	0%
2.1.2	Prepare tender document	CEO	Sept 2007	-	\$10,000.00	0%
2.1.3	Advertise tender and distribute documents	CEO	Oct 2008	-	\$5,000.00	0%
2.1.4	Evaluate tender submissions	CEO	Nov 2008	Dec 2008	\$5,000.00	0%
2.1.5	Seek LALC approval of shortlisted tenderers	CEO / Board	Dec 2008	-	N/A	0%
2.1.6	Negotiate documentation with recommended tenderer	CEO	Jan 2008	Feb 2008	\$5,000.00	0%
2.1.7	Extraordinary meeting of members	CEO / Board	Mar 2008	-	N/A	0%
2.1.8	Apply for NSWALC approval	CEO / Board	Apr 2008	-	N/A	0%
2.1.9	Sign Deed with successful tenderer	CEO / Board	June 2008		N/A	0%
Program: Human Resources						
2.2	Create and recruit p/t land claims officer for one year					
2.2.1	Develop recruitment package	CEO	July 2007	-	N/A	0%
2.2.2	Select recruitment panel	CEO	July 2007	-	N/A	0%
2.2.3	Advertise position and identify suitable applicant	CEO	Aug 2007	Sept 2007	\$2,000.00	0%
2.2.4	Recruit successful applicant	CEO	Sept 2007	-	N/A	0%
2.2.5	Develop training process for identified existing staff member to ensure skills sharing around land claims process	CEO	Oct 2007	Nov 2007	N/A	0%
Program: Land Acquisition, Management & Disposal						
2.3	Land claims - review existing claims					

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	Strategy	Responsibility	Start Date	Due Date	Budget	Status
2.3.1	Review refused claims to determine if the basis for the refusal was in accordance with the ALRA	Land Claims Officer / Identified staff	Sept 2007	Nov 2007	N/A	0%
2.3.2	Appeal refused claims where appropriate	Land Claims Officer / Identified staff	Dec 2007	-	5,000.00	0%
2.3.3	Review outstanding/undetermined claims	Land Claims Officer / Identified staff	Jan 2007	Mar 2007	N/A	0%
2.3.4	Develop and implement strategy for resolution of outstanding/ undetermined claims	Land Claims Officer / Identified staff	Apr 2007	-	N/A	0%
2.4	Create a computerised lands database of all land claims					
2.4.1	Collate current land holdings information	Land Claims Officer / Identified staff	May 2007	June 2007	N/A	0%
2.4.2	Liaise with Department of Lands for complete register of all allocated lands and those yet to be allocated	Land Claims Officer / Identified staff	May 2007	June 2007	N/A	0%
2.4.3	Obtain all certificates of title and deposited plans	Land Claims Officer / Identified staff	May 2007	June 2007	\$2000.00	0%
2.4.4	Determine most appropriate database system for lands information	Land Claims Officer / Identified staff	July 2007	-	\$1000.00	0%
2.4.5	Input data into system	Land Claims Officer / Identified staff	July 2007	Aug 2007	N/A	0%
2.4.6	Update when required	Land Claims Officer / Identified staff	Ongoing	-	N/A	0%

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	Strategy	Responsibility	Start Date	Due Date	Budget	Status
2.5	Land claims - lodge new claims					
2.5.1	Develop strategy for identifying all claimable land	Land Claims Officer	Sept 2007	-	N/A	0%
2.5.2	Investigate opportunities for NSWALC to assist identifying/lodging claims	Land Claims Officer	Sept 2007	-	N/A	0%
2.5.3	Lodge all possible claims in accordance with the ALRA	Land Claims Officer	Oct 2007	Ongoing	N/A	0%
2.5.4	Review potential claims periodically (ie completed leases, etc)	Land Claims Officer	Ongoing	-	N/A	0%
2.6	Create lands maintenance work plans					
2.6.1	Categorise lands for maintenance purposes	Property Mgr / Sites Manager	July 2007	Sept 2007	N/A	0%
2.6.2	Identify and prioritise lands requiring regular and ongoing maintenance	Property Mgr / Sites Manager	Oct 2007	Dec 2007	N/A	0%
2.6.3	Create work plans for maintenance of lands	Property Mgr / Sites Manager	Jan 2008	June 2008	N/A	0%
2.6.4	Implement work plans	Property Mgr / Sites Manager	July 2009	Ongoing	\$30,000.00	0%
2.6.5	Monitor and update lands maintenance work plans regularly	Property Mgr / Sites Manager	Monthly	-	N/A	0%
2.7	Tender for contractors for 6/999996					
2.7.1	Obtain legal advice on proposed arrangement and tender process	CEO	July 2007	-	\$4,000.00	0%
2.7.2	Prepare tender document	CEO	Aug 2007	-	N/A	0%
2.7.3	Advertise tender and distribute documents	CEO	Sept 2007	-	\$2,000.00	0%
2.7.4	Evaluate tender submissions	Property Manager / CEO	Oct 2007	-	\$2,000.00	0%
2.7.5	Seek LALC approval of shortlisted tenderers	CEO / Board	Oct 2007	-	N/A	0%
2.7.6	Negotiate documentation with recommended tenderer	CEO	Nov 2007	-	N/A	0%

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	Strategy	Responsibility	Start Date	Due Date	Budget	Status
2.7.7	Extraordinary meeting of members	CEO / Board	Nov 2007	-	N/A	0%
2.7.8	Apply for NSWALC approval	CEO / Board	Dec 2007	-	N/A	0%
2.7.9	Sign Deed with successful tenderer	CEO / Board	Jan 2008	-	N/A	0%
2.8	Investigate potential acquisitions of culturally significant land					
2.8.1	Review significant sites within LALC's boundaries	Sites Manager	July 2007	Dec 2007	N/A	0%
2.8.2	Identify/prioritise sites that should be owned by LALC	Sites Manager	Jan 2008	June 2008	N/A	0%
2.8.3	Determine appropriate strategies for acquisition – ILC, LALC funds, long-term lease, etc	Sites Manager	July 2009	Dec 2009	N/A	0%
2.8.4	Acquire sites following strategies identified above	Sites Manager	Jan 2010	Ongoing	N/A	0%

3.0 Develop and conduct guided Aboriginal cultural tours on LALC land

	Strategy	Responsibility	Start Date	Due Date	Budget	Status
Program: Business Enterprise & Culture and Heritage						
3.1	Review options for tours					
3.1.1	Identify culturally appropriate options for tour packages	CEO / Cultural Committee	July 2007	Sept 2007	N/A	0%
3.1.2	Engage consultant to provide initial financial and legal advice	CEO	Oct 2007	-	\$12,000.00	0%
3.1.4	Undertake detailed financial assessment and risk analysis	CEO / Consultant	Oct 2007	Nov 2007	N/A	0%
3.1.5	Liaise with NSWALC to ensure compliance	CEO / Consultant	Dec 2007	-	N/A	0%
3.2	Developing tour packages					
3.2.1	Seek expert marketing advice and package and promote tours	CEO	Jan 2007	Mar 2007	\$10,000.00	0%
3.3	Managing cultural tours					

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Strategy	Responsibility	Start Date	Due Date	Budget	Status
3.3.1 Identify appropriate person/s to undertake guided tours on LALC land	Sites Manager / Cultural Committee	Jan 2007	Mar 2007	N/A	0%
3.3.2 Create training and employment opportunities for members and Aboriginal community	CEO / Consultant	June 2008	Ongoing	\$150,000.00	0%
3.3.3 Utilise land and conservation management trainees to assist	Sites Manager	June 2008	Ongoing	N/A	0%
3.3.4 Identify alternative structure for coordination of cultural tours should the enterprise grow with time	Sites Manager	Not yet determined	-	N/A	0%
3.4 Tours Operating					
3.4.1 Begin guided cultural tours	Sites Manager	July 2008	-	N/A	0%

4.0 Develop and provide culturally appropriate programs for specific target groups

Strategy	Responsibility	Start Date	Due Date	Budget	Status
Program: Community Benefits Scheme					
4.1 Identify programs for delivery					
4.1.1 Identify existing programs delivered within the community to prevent duplication of services	CEO / Admin	June 2008	Sept 2008	N/A	0%
4.1.2 Liaise with Aboriginal service providers to identify partnership programs	CEO / Admin	Oct 2008	Dec 2008	N/A	0%
4.1.3 Create Program Committee	Admin / Board	Jan 2009	-	N/A	0%
4.1.4 Identify viable options for programs	CEO / Program Committee	Feb 2009	Apr 2009	N/A	0%
4.1.5 Workshop with members	CEO / Program Committee / Board	May 2009	-	N/A	0%

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Strategy	Responsibility	Start Date	Due Date	Budget	Status
4.1.6 Identify further Government funding opportunities	Adm / Program Committee	Ongoing	-	N/A	0%
4.2 Program Delivery					
4.2.1 Part contribution 22 seater bus	CEO	June 2009	-	42,500.00	0%
4.2.2 Deliver programs to community	Program Committee	July 2009	Ongoing	\$70,000.00	0%

5.0 Provide access to training and employment opportunities through the creation of the land and conservation management traineeship

Strategy	Responsibility	Start Date	Due Date	Budget	Status
Program: Community Benefits Scheme & Culture and Heritage					
5.1 Review options for traineeship					
5.1.1 Liaise with TAFE provider and identify culturally appropriate training model and program	Sites Manager / CEO	Oct 2007	June 2008	N/A	0%
5.1.2 Identify Government funding opportunities	Sites Manager / CEO	Jan 2008	Ongoing	N/A	0%
5.1.3 Undertake detailed financial assessment and risk analysis	Sites Manager / CEO	July 2008	Aug 2008	N/A	0%
5.1.4 Compliance with ALRA	Sites Manager / CEO	Sept 2008	-	N/A	0%
5.2 Recruitment of trainees					
5.2.1 Implement proper merit selection process	CEO	Dec 2008	-	N/A	0%
5.2.2 Recruit 8 trainees	Sites Officer / CEO	Dec 2008	-	N/A	0%
5.2.3 Ensure compliance in recruiting process	CEO	Dec 2008	-	N/A	0%
5.3 Deliver training & employment					
5.2.1 Begin traineeships	CEO	Jan 2009	Ongoing	\$554,112.00	0%

Appendix E

Example of a Community Land & Business Plan



LONG-TERM GOALS AND STRATEGIES

6.0 Develop a cultural centre to promote and protect Aboriginal culture and heritage

	Strategy	Responsibility	Start Date	Due Date	Budget	Status
Program: Culture & Heritage						
6.1 Review options for centre						
6.1.1	Engage consultant to provide initial expert advice	CEO	July 2009	-	\$8,000.00	0%
6.1.2	Undertake detailed financial assessment and risk analysis	CEO / Consultant	July 2009	Sept 2009	N/A	0%
6.1.4	Liaise with NSWALC to ensure compliance	CEO / Consultant	Sept 2009	-	N/A	0%
6.1.5	Develop architectural and construction plan of proposed site	CEO	Nov 2009	Jan 2010	\$4,000.00	0%
6.1.6	Seek Government support and funding	CEO	Jan 2010	June 2010	N/A	0%
6.2 Construction of centre						
6.2.1	Obtain all necessary approvals prior to construction beginning	CEO	Oct 2009	-	N/A	0%
6.2.2	Undertake all necessary planning as per advice of consultant in initial stages	CEO	Feb 2009	Apr 2010	\$8,000.00	0%
6.2.3	Identify tender process for engagement of trades people for the construction of the centre	CEO	May 2010		\$2,000.00	0%
6.2.4	Create training and employment opportunities for members and Aboriginal community within the tender process	CEO	June 2010	Ongoing	N/A	0%
6.2.5	Sign tender contracts with successful contractors	CEO	June 2010	-	N/A	0%
6.2.6	Begin construction of site when all necessary approvals have been obtained	CEO	July 2010		N/A	0%

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Example of a Community Land & Business Plan

	Strategy	Responsibility	Start Date	Due Date	Budget	Status
6.3	Open centre					
6.3.1	Cultural Centre Open	CEO	Nov 2011	-	\$200,000.00	0%
6.3.1	Adjoining auditorium & other facilities	CEO	June 2012	-	\$125,000.00	0%

7.0 Create a home ownership model to assist members towards owning their own homes

	Strategy	Responsibility	Start Date	Due Date	Budget	Status
Program: Social Housing Scheme						
7.1	Implement home ownership scheme					
7.1.1	Engage appropriate consultant to investigate home ownership models and opportunities	CEO	July 2010	-	\$22,000.00	
7.1.2	Review existing and proposed home ownership schemes	Property Mgr / Consultant	July 2010	Dec 2010		
7.1.3	If suitable scheme is already in existence, investigate opportunities to incorporate LALC into the scheme or to develop a similar scheme.	Property Mgr / Consultant	Jan 2011	Apr 2011		
7.1.4	If a suitable scheme does not exist liaise with NSWALC and other LALCs to determine if a scheme can be introduced across the network	Property Mgr / Consultant	Jan 2011	Apr 2011		
7.1.5	Workshop options with members	Property Mgr / Consultant	May 2011	-		
7.1.6	Implement scheme, possibly with a small target group to start with.	Property Manager / CEO	July 2012	Ongoing		
7.1.6	Compliance with ALRA	Property Manager / CEO	July 2010	Ongoing		

Appendix E

Example of a Community Land & Business Plan



8.0 Identify investment opportunities in new and existing business enterprise for the LALC

	Strategy	Responsibility	Start Date	Due Date	Budget	Status
Program: Investment of Assets & Business Enterprise						
8.1	Investigate opportunities					
	Engage appropriate consultants to investigate existing local business and new business opportunities	CEO	Jan 2012		\$20,000.00	0%
8.1.1		CEO	Jan 2012			
8.1.2	Workshop with members	CEO / Board / Consultant	Feb 2012	-	N/A	0%
8.1.3	Agree to shortlist options	CEO / Board / Members	Mar 2012	-	N/A	0%
8.1.5	Undertake detailed financial assessment and risk analysis	CEO / Consultant	Apr 2012	May 2012	N/A	0%
8.1.6	Determine what the first business enterprise is	Members	June 2012	-	N/A	0%

9.0 Ongoing protection and maintenance of Aboriginal culture and heritage for future generations

	Strategy	Responsibility	Start Date	Due Date	Budget	Status
Program: Culture & Heritage						
9.1	Annually review and update policies, procedures and practices					
9.1.1	Regularly update sites database	Sites Manager	Ongoing	-	N/A	0%
9.1.2	Continue to provide training and employment opportunities in land and conservation management	Sites Manager / CEO	Ongoing	-	N/A	0%
9.1.3	Update existing material and develop new material for publication	Sites Manager	Annually	-	N/A	0%
9.1.4	Continue to work with museums and DEC for repatriation of skeletal remains	Sites Manager / CEO	Ongoing		N/A	0%
9.1.5	Continue to develop and deliver educational programs for schools and other interested groups	Sites Manager	Ongoing	-	N/A	0%

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Example of a Community Land & Business Plan

	Strategy	Responsibility	Start Date	Due Date	Budget	Status
9.1.6	Identify new opportunities for the promotion of Aboriginal Culture & Heritage	Sites Manager / CEO / Board	Ongoing	-	N/A	0%
9.1.7	Continue to build strong networks with key stakeholders	Sites Manager / CEO / Board	Ongoing	-	N/A	0%
9.1.8	Annually source funding opportunities for Aboriginal culture & heritage	Sites Manager / CEO	Ongoing	-	N/A	0%

10.0 Long-term financial and operational viability building towards economic independence

	Strategy	Responsibility	Start Date	Due Date	Budget	Status
Program: Administration and Operational						
10.1	Maintain F1 funding status					
10.1.1	Prepare annual accounts and supply to auditor by statutory date	Bookkeeper	Annually	-	N/A	0%
10.1.2	Provide Annual Report, including audited accounts, to NSWALC by the statutory date	Bookkeeper	Annually	-	N/A	0%
10.1.3	Submit required reports to NSWALC by statutory date	CEO / Board	Ongoing	-	N/A	0%
10.1.4	Submit funding application to NSWALC by statutory date	CEO / Board	Ongoing	-	N/A	0%
10.1.5	Hold Annual General Meeting by statutory date	Board	Annually	-	N/A	0%
10.2	Increase member involvement in LALC					
10.2.2	Update community business plan annually	CEO / Board / Members	Annually	-	N/A	0%
10.2.3	Prepare new members packages and provide welcome day for potential new members	CEO / Board / Admin	Quarterly	-	N/A	0%
10.2.4	Identify strategies for encouraging younger member participation	CEO / Board	Ongoing	-	N/A	0%

Appendix E

Example of a Community Land & Business Plan



	Strategy	Responsibility	Start Date	Due Date	Budget	Status
Program: Social Housing Scheme						
10.3 Annually review and update rental program policy and procedures						
10.3.1	Regularly source other housing provider information to determine successful mechanisms that may be adopted	Property Manager / Housing Committee	Annually	-	N/A	0%
10.3.2	Regularly monitor rental collection data	Property Manager	Monthly	-	N/A	0%
10.3.3	Identify opportunities for Government funding	Property Manager	Ongoing	-	N/A	0%
10.3.4	Identify options for the growth of rental housing	Property Manager	Annually	-	N/A	0%
10.3.5	Identify, when implemented, opportunities for rental housing to be turned into home ownership	Property Manager	Ongoing	-	N/A	0%
10.3.6	Monitor compliance with ALRA	Property Manager / CEO	Ongoing	-	N/A	0%
Program: Investment of Assets						
10.4 Create and manage investment fund for 50% of proceeds from land sales						
10.4.1	Prepare a list of appropriate investment funds, outlining risks and returns from each	CEO / Bookkeeper	2010	-	N/A	0%
10.4.2	Select appropriate fund	CEO / Board / Members	2011	-	N/A	0%
Program: Business Enterprise						
10.5 Identify business opportunities						
10.5.1	Annually review business enterprise investments	CEO	Annually	-	N/A	0%

Appendix E

Example of a Community Land & Business Plan

FIVE YEAR BUDGET

ASSETS & LIABILITIES (BALANCE SHEET)

APPENDICES

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Example of a Community Land & Business Plan



LOCAL ABORIGINAL LAND COUNCIL	Summary 5 Year Budget				
	2007-08	2008-09	2009-10	2010-11	2011-12
	\$	\$	\$	\$	\$
REVENUE					
NSWALC/Administration	\$339,708.12	\$345,999.36	\$358,805.33	\$372,374.34	\$386,752.97
Rental Housing	\$96,000.00	\$186,000.00	\$208,000.00	\$1,580,000.00	\$1,524,000.00
Property Management	\$203,500.00	\$1,353,500.00	\$353,500.00	\$3,353,500.00	\$3,364,500.00
Business Enterprise	\$22,000.00	\$45,000.00	\$60,000.00	\$75,000.00	\$90,000.00
Culture & Heritage	\$134,500.00	\$150,875.00	\$164,606.00	\$253,732.00	\$368,296.00
Traineeship	-	\$130,000.00	\$130,000.00	\$130,000.00	\$130,000.00
Community Programs	-	\$42,500.00	\$20,000.00	\$22,250.00	\$25,000.00
Total Revenue	\$795,708.12	\$2,253,874.36	\$1,294,911.33	\$5,786,856.34	\$5,888,548.97
OPERATING EXPENDITURE					
NSWALC/Administration	\$327,893.00	\$336,205.36	\$344,596.46	\$356,409.26	\$375,158.82
Rental Housing	\$68,000.00	\$72,566.00	\$83,836.00	\$95,151.00	\$108,813.00
Property Management	\$128,298.00	\$86,651.69	\$89,554.99	\$144,541.12	\$150,157.33
Business Enterprise	\$22,000.00	\$36,462.00	\$41,495.00	\$45,780.60	\$49,868.05
Culture & Heritage	\$153,110.00	\$160,153.30	\$157,332.90	\$141,654.64	\$148,123.41
Traineeship	-	\$150,000.00	\$150,000.00	\$150,000.00	\$150,000.00
Community Programs	-	-	\$20,000.00	\$22,250.00	\$25,000.00
Total Operating Expenditure	\$699,301.00	\$842,038.35	\$886,815.35	\$955,786.62	\$1,007,120.61
NET PROFIT/LOSS	\$96,407.12	\$1,411,836.01	\$408,095.97	\$4,831,069.72	\$4,881,428.35
CAPITAL EXPENDITURE					
NSWALC/Administration	\$12,000.00	-	\$12,000.00	-	\$12,000.00
Rental Housing	-	\$100,000.00	\$100,000.00	\$1,500,000.00	\$1,400,000.00
Property Management	-	\$500,000.00	\$300,000.00	-	-
Business Enterprise	-	\$42,500.00	-	-	-
Culture & Heritage	\$15,000.00	-	\$15,000.00	\$75,000.00	\$265,000.00
Traineeship	-	-	-	-	-
Community Programs	-	\$42,500.00	-	-	-
Total Capital Expenditure	\$27,000.00	\$685,000.00	\$427,000.00	\$1,575,000.00	\$1,677,000.00
NET CASH FLOW					
NSWALC/Administration	-\$184.88	\$9,794.00	\$2,208.86	\$15,965.08	-\$405.86
Rental Housing	\$28,000.00	\$13,434.00	\$24,164.00	-\$15,151.00	\$1,415,187.00
Property Development Lots 1 & 24	\$75,202.00	\$1,266,848.31	\$263,945.01	\$3,208,958.88	\$3,214,342.67
Property Management	-	-\$500,000.00	-\$300,000.00	-	-
Business Enterprise	\$0.00	-\$33,962.00	\$18,505.00	\$29,219.40	\$40,131.95
Culture & Heritage	-\$33,610.00	-\$9,278.30	-\$7,726.90	\$112,077.36	-\$44,827.41
Community Benefits Schemes	-	-\$20,000.00	-\$20,000.00	-\$20,000.00	-\$20,000.00
Home Ownership	-	-	-	\$20,000.00	-
Business Investment Opportunities	-	-	-	-	\$20,000.00
Total Net Cash Flow	\$69,407.12	\$726,836.01	-\$18,904.03	\$3,351,069.72	\$4,624,428.35
CUMULATIVE NET CASH FLOW	\$69,407.12	\$796,243.13	\$777,339.11	\$4,128,408.83	\$8,752,837.19
Opening Cash Balance	\$3,411,000.00				
CLOSING CASH BALANCE	\$3,480,407.12	\$4,276,650.25	\$5,053,989.36	\$9,182,398.19	\$17,935,235.38
Operating Cash	\$3,480,407.12	\$4,276,650.25	\$5,053,989.36	\$7,182,398.19	\$10,935,235.38
Investments	-	-	-	\$2,000,000.00	\$7,000,000.00

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Example of a Community Land & Business Plan

LOCAL ABORIGINAL LAND COUNCIL	NSWALC / Administration				
	2007-08	2008-09	2009-10	2010-11	2011-12
	\$	\$	\$	\$	\$
REVENUE					
NSWALC Grant	\$130,000.00	\$130,000.00	\$130,000.00	\$130,000.00	\$130,000.00
Interest Income	\$204,708.12	\$210,849.36	\$223,500.33	\$236,910.34	\$251,124.97
Sundry Income	\$5,000.00	\$5,150.00	\$5,305.00	\$5,464.00	\$5,628.00
Total Revenue	\$339,708.12	\$345,999.36	\$358,805.33	\$372,374.34	\$386,752.97
OPERATING EXPENDITURE					
Salaries & related cost (existing)	\$84,123.00	\$86,646.69	\$89,246.09	\$91,923.47	\$94,681.18
Salaries & related cost (new)	\$25,589.00	\$26,356.67	\$27,147.37	\$27,961.79	\$28,800.64
Phone/fax/IT	\$20,968.00	\$21,968.00	\$22,587.00	\$23,123.00	\$24,345.00
Fleet cost	\$10,000.00	\$10,300.00	\$10,609.00	\$10,927.00	\$11,255.00
Training & development	\$10,000.00	\$10,300.00	\$10,609.00	\$10,927.00	\$11,255.00
Travel	\$13,213.00	\$15,654.00	\$16,789.00	\$17,654.00	\$17,987.00
Other office operating costs	\$80,000.00	\$82,400.00	\$84,872.00	\$87,418.00	\$90,041.00
Auditing cost	\$25,000.00	\$25,600.00	\$26,218.00	\$27,855.00	\$28,510.00
General consultants	\$20,000.00	\$20,600.00	\$21,218.00	\$21,855.00	\$22,510.00
LALC meetings	\$15,000.00	\$15,900.00	\$16,827.00	\$17,782.00	\$18,765.00
Insurance	\$15,000.00	\$15,450.00	\$15,914.00	\$16,391.00	\$16,883.00
Business Plan Consultant	\$8,000.00	\$4,000.00	\$1,500.00	\$1,500.00	\$4,000.00
Welcome day	\$500.00	\$515.00	\$530.00	\$546.00	\$563.00
Homeownership start up funding	-	-	-	-	\$5,000.00
Other	\$500.00	\$515.00	\$530.00	\$546.00	\$563.00
Total Operating Expenditure	\$327,893.00	\$336,205.36	\$344,596.46	\$356,409.26	\$375,158.82
NET PROFIT/LOSS	\$11,815.12	\$9,794.00	\$14,208.86	\$15,965.08	\$11,594.14
CAPITAL EXPENDITURE					
New Vehicles	\$30,000.00	-	\$30,000.00	-	\$30,000.00
Less: Trade in (every two years)	-\$18,000.00	-	-\$18,000.00	-	-\$18,000.00
Total Capital Expenditure	\$12,000.00		\$12,000.00		\$12,000.00
NET CASH FLOW	-\$184.88	\$9,794.00	\$2,208.86	\$15,965.08	-\$405.86
CUMULATIVE NET CASH FLOW	-\$184.88	\$9,609.12	\$11,817.99	\$27,783.07	\$27,377.21

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Example of a Community Land & Business Plan



LOCAL ABORIGINAL LAND COUNCIL	Rental Housing				
	2007-08 \$	2008-09 \$	2009-10 \$	2010-11 \$	2011-12 \$
REVENUE					
Rental Income (existing)	\$96,000.00	\$96,000.00	\$124,000.00	\$124,000.00	\$124,000.00
Rental Income (new)	-	\$28,000.00	\$28,000.00	-	-
Less: Rent not paid	-\$24,000.00	-\$12,000.00	-\$6,000.00	-	-
Plus: Rent from past years	\$24,000.00	\$24,000.00	\$12,000.00	\$6,000.00	-
Grant for property upgrade	-	\$50,000.00	\$50,000.00	\$50,000.00	-
Grant for acquisition programme	-	-	-	\$1,400,000.00	\$1,400,000.00
Total Revenue	\$96,000.00	\$186,000.00	\$208,000.00	\$1,580,000.00	\$1,524,000.00
OPERATING EXPENDITURE					
Normal repairs & maintenance	\$23,500.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00
Rate & taxes (existing)	\$30,000.00	\$30,900.00	\$31,827.00	\$32,782.00	\$33,765.00
Rate & taxes (new)	-	\$3,090.00	\$9,810.00	\$16,800.00	\$24,780.00
Policy expenses	-	\$1,000.00	-	-	-
Rental management fees	-	\$6,898.00	\$8,311.00	\$9,341.00	\$10,776.00
Insurance	\$14,500.00	\$15,678.00	\$18,888.00	\$21,228.00	\$24,491.00
Total Operating Expenditure	\$68,000.00	\$72,566.00	\$83,836.00	\$95,151.00	\$108,812.00
NET PROFIT/LOSS	\$28,000.00	\$113,434.00	\$124,164.00	\$1,484,849.00	\$1,415,188.00
CAPITAL EXPENDITURE					
Upgrade/major overhaul	-	\$100,000.00	\$100,000.00	\$100,000.00	-
Acquisition - rental property	-	-	-	\$1,400,000.00	\$1,400,000.00
Total Capital Expenditure	\$0.00	\$100,000.00	\$100,000.00	\$1,500,000.00	\$1,400,000.00
NET CASH FLOW	\$28,000.00	\$13,434.00	\$24,164.00	-\$15,151.00	\$15,188.00
CUMULATIVE NET CASH FLOW	\$28,000.00	\$41,434.00	\$65,598.00	\$50,447.00	\$65,635.00

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Example of a Community Land & Business Plan

LOCAL ABORIGINAL LAND COUNCIL	Property Management				
	2007-08	2008-09	2009-10	2010-11	2011-12
	\$	\$	\$	\$	\$
REVENUE					
Property development	-	\$1,000,000.00	-	\$3,000,000.00	\$3,000,000.00
Commercial property rental (existing)	\$203,500.00	\$203,500.00	\$353,500.00	\$353,500.00	\$364,500.00
Commercial Property Rental (new)	-	\$150,000.00	-	-	-
Total Revenue	\$203,500.00	\$1,353,500.00	\$353,500.00	\$3,353,500.00	\$3,364,500.00
OPERATING EXPENDITURE					
Salaries & related costs	\$45,123.00	\$46,476.69	\$47,870.99	\$49,307.12	\$50,786.33
Consultant fees (development)	\$45,000.00	\$20,000.00	\$21,000.00	\$72,050.00	\$75,653.00
Consultant fees (land claims)	\$20,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
Consultant fees (commercial)	\$8,000.00	-	-	-	-
Insurance	\$10,175.00	\$10,175.00	\$10,684.00	\$13,184.00	\$13,718.00
Total Operating Expenditure	\$128,298.00	\$86,651.69	\$89,554.99	\$144,541.12	\$150,157.33
NET PROFIT/LOSS	\$75,202.00	\$1,266,848.31	\$263,945.01	\$3,208,958.88	\$3,214,342.67
CAPITAL EXPENDITURE					
Investment in Joint Venture	-	-	-	-	-
Investment in Commercial Property	-	\$500,000.00	\$300,000.00	-	-
Total Capital Expenditure	\$0.00	\$500,000.00	\$300,000.00	\$0.00	\$0.00
NET CASH FLOW	\$75,202.00	\$766,848.31	-\$36,054.99	\$3,208,958.88	\$3,214,342.67
CUMULATIVE NET CASH FLOW	\$75,202.00	\$842,050.31	\$805,995.32	\$4,014,954.20	\$7,229,296.86

Appendix E

Example of a Community Land & Business Plan



LOCAL ABORIGINAL LAND COUNCIL	Business Enterprise				
	2007-08 \$	2008-09 \$	2009-10 \$	2010-11 \$	2011-12 \$
REVENUE					
Business Development	\$22,000.00	-	-	-	-
Low impact tours	-	\$45,000.00	\$60,000.00	\$75,000.00	\$90,000.00
Total Revenue	\$22,000.00	\$45,000.00	\$60,000.00	\$75,000.00	\$90,000.00
OPERATING EXPENDITURE					
Salaries & related costs	-	\$32,500.00	\$35,750.00	\$39,000.00	\$42,575.00
Administration/Utility	-	-	\$2,000.00	\$2,250.00	\$2,400.00
Consultant fees (business)	\$22,000.00	-	-	-	-
Insurance	-	\$3,962.00	\$4,195.00	\$4,530.60	\$4,893.05
Total Operating Expenditure	\$22,000.00	\$36,462.00	\$41,945.00	\$45,780.60	\$49,868.05
NET PROFIT/LOSS	\$0.00	\$8,538.00	\$18,055.00	\$29,219.40	\$40,131.95
CAPITAL EXPENDITURE					
Part contribution of 22 seater bus	-	\$42,500.00	-	-	-
Total Capital Expenditure	\$0.00	\$42,500.00	\$0.00	\$0.00	\$0.00
NET CASH FLOW	\$0.00	-\$33,962.00	\$18,055.00	\$29,219.40	\$40,131.95
CUMULATIVE NET CASH FLOW	\$0.00	-\$33,962.00	-\$15,907.00	\$13,312.40	\$53,444.35

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Example of a Community Land & Business Plan

LOCAL ABORIGINAL LAND COUNCIL	Culture & Heritage				
	2007-08	2008-09	2009-10	2010-11	2011-12
	\$	\$	\$	\$	\$
REVENUE					
Sites Inspections	\$102,000.00	\$115,000.00	\$125,000.00	\$135,000.00	\$145,000.00
Educational Programmes	\$2,500.00	\$2,875.00	\$3,306.00	\$3,802.00	\$4,373.00
Heritage & Conservation Funding	\$30,000.00	\$33,000.00	\$36,300.00	\$39,930.00	\$43,923.00
Cultural Centre Grants	-	-	-	\$75,000.00	\$150,000.00
Other Income	-	-	-	-	\$25,000.00
Total Revenue	\$134,500.00	\$150,875.00	\$164,606.00	\$253,732.00	\$368,296.00
OPERATING EXPENDITURE					
Salaries & related costs	\$45,123.00	\$46,476.69	\$47,870.99	\$49,307.12	\$50,786.33
Casual Wages	\$22,987.00	\$23,676.61	\$24,386.91	\$25,118.52	\$25,872.07
Cultural/educational programmes	\$15,000.00	\$18,500.00	\$20,000.00	\$22,500.00	\$25,000.00
Maintenance	\$30,000.00	\$31,500.00	\$33,075.00	\$34,729.00	\$36,465.00
Land Claims	\$40,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
Weed eradication program	-	\$30,000.00	-	-	-
Cultural Centre	-	-	\$22,000.00	-	-
Total Operating Expenditure	\$153,110.00	\$160,153.30	\$157,332.90	\$141,654.64	\$148,123.41
NET PROFIT/LOSS	-\$18,610.00	-\$9,278.30	\$7,273.10	\$112,077.36	\$220,172.59
CAPITAL EXPENDITURE					
Construction of Cultural Centre	-	-	-	\$75,000.00	\$250,000.00
Vehicles	\$30,000.00	-	\$30,000.00	-	\$30,000.00
Less Trade-in	\$15,000.00	-	\$15,000.00	-	\$15,000.00
Total Capital Expenditure	\$15,000.00	\$0.00	\$15,000.00	\$75,000.00	\$265,000.00
NET CASH FLOW	-\$33,610.00	-\$9,278.30	-\$7,726.90	\$37,077.36	-\$44,827.41
CUMULATIVE NET CASH FLOW	-\$33,610.00	-\$42,888.30	-\$50,615.20	-\$13,537.83	-\$58,365.24

Appendix E

Example of a Community Land & Business Plan



LOCAL ABORIGINAL LAND COUNCIL	Land & Conservation Management Traineeship				
	2007-08 \$	2008-09 \$	2009-10 \$	2010-11 \$	2011-12 \$
REVENUE					
Bush Regeneration Contracts	-	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00
Commonwealth Grants	-	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00
State Grants	-	\$75,000.00	\$75,000.00	\$75,000.00	\$75,000.00
Total Revenue	\$0.00	\$130,000.00	\$130,000.00	\$130,000.00	\$130,000.00
OPERATING EXPENDITURE					
Salaries & related costs	-	\$138,528.00	\$138,528.00	\$138,528.00	\$138,528.00
Training Activities	-	\$4,277.00	\$4,277.00	\$4,277.00	\$4,277.00
Insurance	-	\$7,195.00	\$7,195.00	\$7,195.00	\$7,195.00
Total Operating Expenditure	\$0.00	\$150,000.00	\$150,000.00	\$150,000.00	\$150,000.00
NET PROFIT/LOSS	\$0.00	-\$20,000.00	-\$20,000.00	-\$20,000.00	-\$20,000.00
CAPITAL EXPENDITURE					
Total Capital Expenditure	-	-	-	-	-
NET CASH FLOW	\$0.00	-\$20,000.00	-\$20,000.00	-\$20,000.00	-\$20,000.00
CUMULATIVE NET CASH FLOW	\$0.00	-\$20,000.00	-\$40,000.00	-\$60,000.00	-\$80,000.00

LOCAL ABORIGINAL LAND COUNCIL	Community Programs				
	2007-08 \$	2008-09 \$	2009-10 \$	2010-11 \$	2011-12 \$
REVENUE					
Grants & Contributions	-	\$42,500.00	\$20,000.00	\$22,250.00	\$25,000.00
Total Revenue	\$0.00	\$42,500.00	\$20,000.00	\$22,250.00	\$25,000.00
OPERATING EXPENDITURE					
Total Operating Expenditure	-	-	\$20,000.00	\$22,250.00	\$25,000.00
NET PROFIT/LOSS	\$0.00	\$42,500.00	\$0.00	\$0.00	\$0.00
CAPITAL EXPENDITURE					
Total Capital Expenditure	-	\$42,500.00	-	-	-
NET CASH FLOW	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
CUMULATIVE NET CASH FLOW	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Appendix E

Example of a Community Land & Business Plan

LOCAL ABORIGINAL LAND COUNCIL	Home Ownership Scheme				
	2007-08 \$	2008-09 \$	2009-10 \$	2010-11 \$	2011-12 \$
REVENUE					
Total Revenue	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
OPERATING EXPENDITURE					
Strategy Development	-	-	-	\$20,000.00	-
Total Operating Expenditure	\$0.00	\$0.00	\$0.00	\$20,000.00	\$0.00
NET PROFIT/LOSS	\$0.00	\$0.00	\$0.00	-\$20,000.00	\$0.00
CAPITAL EXPENDITURE					
Total Capital Expenditure	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
NET CASH FLOW	\$0.00	\$0.00	\$0.00	-\$20,000.00	\$0.00
CUMULATIVE NET CASH FLOW	\$0.00	\$0.00	\$0.00	-\$20,000.00	-\$20,000.00

LOCAL ABORIGINAL LAND COUNCIL	Business Investment Opportunities				
	2007-08 \$	2008-09 \$	2009-10 \$	2010-11 \$	2011-12 \$
REVENUE					
Total Revenue	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
OPERATING EXPENDITURE					
Strategy Development	-	-	-	-	\$20,000.00
Total Operating Expenditure	\$0.00	\$0.00	\$0.00	\$0.00	\$20,000.00
NET PROFIT/LOSS	\$0.00	\$0.00	\$0.00	\$0.00	-\$20,000.00
CAPITAL EXPENDITURE					
Total Capital Expenditure	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
NET CASH FLOW	\$0.00	\$0.00	\$0.00	\$0.00	-\$20,000.00
CUMULATIVE NET CASH FLOW	\$0.00	\$0.00	\$0.00	\$0.00	-\$20,000.00

Appendix E

Example of a Community Land & Business Plan

LOCAL ABORIGINAL LAND COUNCIL BALANCE SHEET AS AT 30 JUNE 2007

	2007 \$'000	2006 \$'000
ASSETS		
Current assets		
Cash and cash equivalents	\$3,411,802.00	\$455,433.00
Receivables	\$46,255.00	\$12,345.03
Inventories	\$622.00	\$555.12
Non-current assets classified as held for sale	\$0.00	\$0.00
Total current assets	<u>\$3,458,679.00</u>	<u>\$468,333.15</u>
Non-current assets		
Receivables	\$2,685.22	\$1,223.85
Inventories	\$0.00	\$1,256.50
Computer Equipment	\$24,118.00	\$30,147.00
Office Equipment	\$12,200.00	\$15,250.00
Fixtures and Fittings	\$8,771.00	\$10,963.00
Vacant Land	\$74,800,000.00	\$74,800,000.00
Rental Property - Land	\$4,168,000.00	\$4,168,000.00
Rental Property – Building	\$1,042,000.00	\$1,042,000.00
Commercial Property – Land	\$6,520,000.00	\$6,520,000.00
Commercial - Building	\$1,630,000.00	\$1,630,000.00
Intangible assets	\$0.00	\$0.00
Total non-current assets	<u>\$88,207,774.22</u>	<u>\$88,218,840.35</u>
Total assets	<u>\$91,666,453.22</u>	<u>\$88,687,173.50</u>
LIABILITIES		
Current liabilities		
Payables	\$29,631.90	\$48,987.63
Interest bearing liabilities	\$26,789.00	\$24,123.45
Provisions	\$30,150.05	\$18,312.00
Other liabilities	\$15,553.00	\$25,632.00
Total current liabilities	<u>\$102,123.95</u>	<u>\$117,055.08</u>
Non-current liabilities		
Payables	\$5,236.55	\$17,123.45
Interest bearing liabilities	\$175,789.00	\$164,123.00
Provisions	\$19,632.02	\$11,789.55
Other liabilities	\$5,234.00	\$4,567.89
Total non-current liabilities	<u>\$205,891.57</u>	<u>\$197,603.89</u>
Total liabilities	<u>\$308,015.52</u>	<u>\$314,658.97</u>
Net assets	<u>\$91,358,437.70</u>	<u>\$88,372,514.53</u>
EQUITY		
Retained surplus	\$91,358,437.70	\$88,372,514.53
Amounts recognised in equity relating to assets held for sale	-	-
Total equity	<u>\$91,358,437.70</u>	<u>\$88,372,514.53</u>

Appendix E

Example of a Community Land & Business Plan

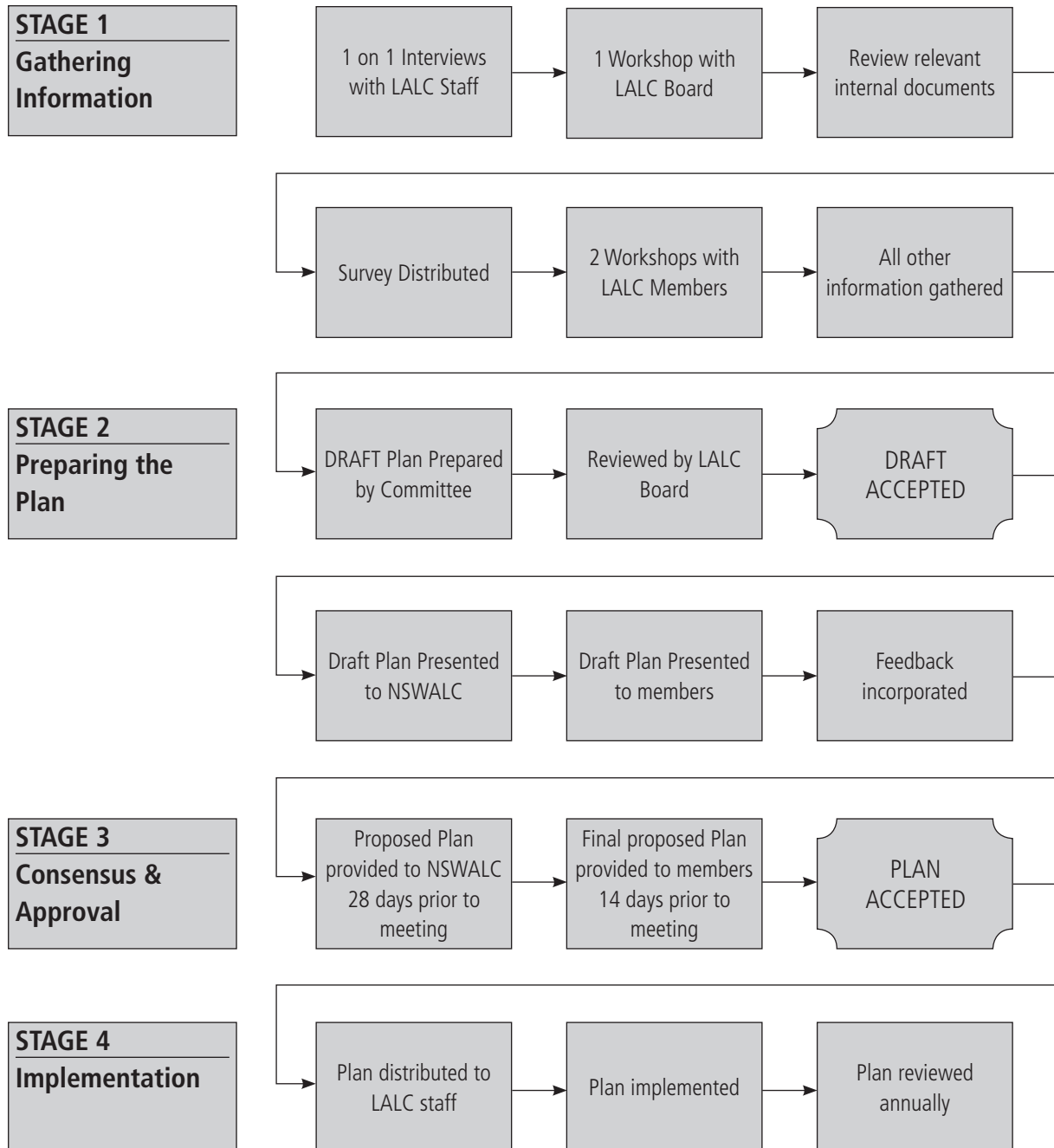
Appendix E

Example of a Community Land & Business Plan



APPENDIX A

Community Land & Business Plan Process



Appendix E

Example of a Community Land & Business Plan

APPENDIX B

Needs Analysis Survey

Question: How much need is there for the following for you and your family?

SCALE:

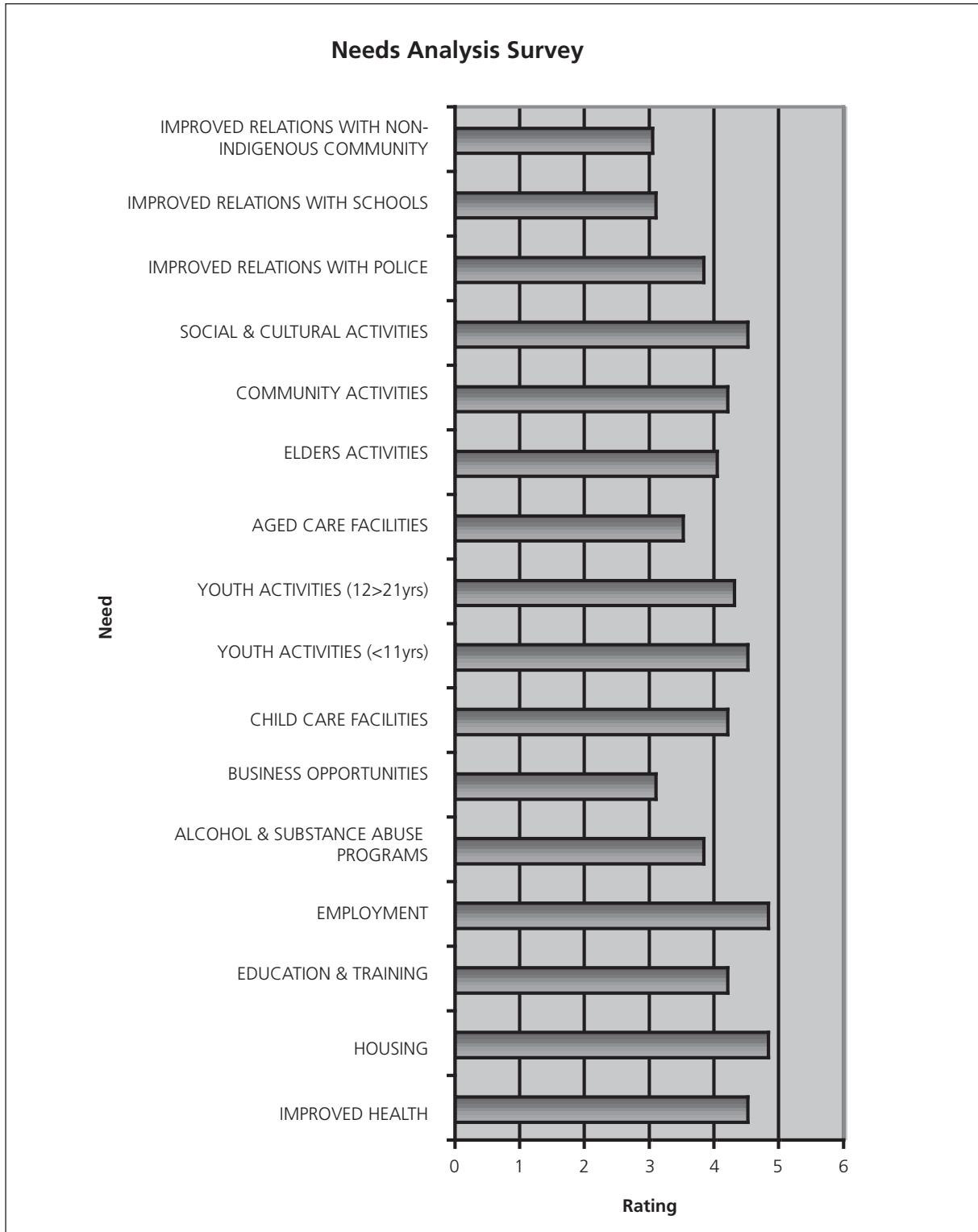


IMPROVED HEALTH	1	2	3	4	5
HOUSING	1	2	3	4	5
EDUCATION & TRAINING	1	2	3	4	5
EMPLOYMENT	1	2	3	4	5
ALCOHOL & SUBSTANCE ABUSE PROGRAMS	1	2	3	4	5
BUSINESS OPPORTUNITIES	1	2	3	4	5
CHILD CARE FACILITIES	1	2	3	4	5
YOUTH ACTIVITIES (<11yrs)	1	2	3	4	5
YOUTH ACTIVITIES (12>21yrs)	1	2	3	4	5
AGED CARE FACILITIES	1	2	3	4	5
ELDERS ACTIVITIES	1	2	3	4	5
COMMUNITY ACTIVITIES	1	2	3	4	5
SOCIAL & CULTURAL ACTIVITIES	1	2	3	4	5
IMPROVED RELATIONS WITH POLICE	1	2	3	4	5
IMPROVED RELATIONS WITH SCHOOLS	1	2	3	4	5
IMPROVED RELATIONS WITH NON-INDIGENOUS COMMUNITY	1	2	3	4	5
Other Suggestions?	1	2	3	4	5
1.	1	2	3	4	5
2.	1	2	3	4	5
3.	1	2	3	4	5

The Land Council thanks you for your time and effort in completing this survey

Appendix E

Example of a Community Land & Business Plan



Appendix E

Example of a Community Land & Business Plan

APPENDIX C

OUR COMMUNITY SURVEY

This survey is about understanding our local community better so that we may utilise our services and resource to meet the needs of the Aboriginal community.

We need your help to do this – could you please complete the enclosed survey

The survey asks questions about many things we need to know to develop a greater understanding of how we may better meet the needs of our community, including:

- What suburb you live in
- What age you are
- Your current employment status
- The industry you work in
- Level of schooling/training
- Literacy level
- Mode of transportation
- Health questions
- Size of your family

Some of the questions are personal e.g. questions about your views and how you experience the local community. It is very important to the Land Council that we hear your views and better understand how you feel about the community within which you participate.

The survey is ANONYMOUS so please do not put your name on the survey. The survey should take approximately 20 minutes to complete.

If you have any queries about the survey or would like further information please do not hesitate to contact the Land Council on (02) 9999 8888.

The findings from the survey will be used to:

- Identify priorities for the community
- Increase our knowledge of the way the community works
- Establish the current local community dynamic so that we can monitor and track change

Please complete and return the full survey by 31 of July 2007 to the Land Council, PO Box 1234 NSW 9876.

Thank you for your time and effort in completing this survey.

Yours truly,

CEO
Land Council

Appendix E

Example of a Community Land & Business Plan



OUR COMMUNITY SURVEY

Question 1 Which suburb do you live in?
Postcode:

Question 2 Gender Male Female

Question 3 Age 15 to 19 20 to 24 25 to 34 35 to 44
 45 to 54 55 to 64 65 +

Question 4 How long have you lived in the region?
 Less than 2 years 2 to 4 years
 5 to 9 years 10 or more years

Question 5 Are you currently employed?
 Permanent Part time/Casual seeking Permanent Part time/Casual
 Self-employed Homemaker Unemployed Studying/Training
 Not in workforce

Question 6 What area do you work in?
 Many locations At home Locally Other

Question 7 How do you travel to work?
 Own vehicle Public Transport Car pool/Share with others
 Walk/Bicycle Other

Question 8 If employed what is your current job? OR if not employed what type of work are you looking for?
.....

Question 9 If employed what type of work do you do? (e.g. community nursing, local council, food production, machine operation, infants teaching, accounting)
.....

Question 10 What type of industry are you currently employed in?
 Agriculture Retail Communication & Marketing
 Mining Wholesale Finance & Insurance
 Manufacturing Transport Health & Community Services
 Construction Education Cultural & Recreational
 Government Snr Management Hotels/Restaurants
 Other

Appendix E

Example of a Community Land & Business Plan

Question 11 When choosing a job, please rate the following in importance?

(1 being most important, 2 somewhat important, 3 least important)

Money 1 2 3 Career Prospects 1 2 3
 Location 1 2 3 Other 1 2 3

Question 12 What would you change about your working situation if you could?

Question 13 Please answer this question if you work in the local area

If more than one apply, please rank 1,2,3 on how well they apply to you

(1 being most important, 2 somewhat important, 3 least important)

I would take a job in my CHOSEN occupation outside the area if it paid more money	
I would take a job in ANOTHER occupation outside my area if it paid more money	
I would take a job outside the are to advance my career, regardless of money	
I would not seek employment outside the area	
Other?	

Question 14 Please answer this question if you work outside the area

If more than one apply, please rank 1,2,3 on how well they apply to you

(1 being most important, 2 somewhat important, 3 least important)

There are better career prospects outside the area	
The pay level for similar work is higher outside the area	
There is better job security outside the area	
I would take a job in my CHOSEN occupation in the area if the pay was similar to what I currently receive	
I would take a job in my ANOTHER occupation in the area if the pay was similar to what I currently receive	
I would take a job in the area to advance my career regardless	
Other?	

Question 15 Please answer if you are currently unemployed

What do you believe are the reasons you are currently unable to find work?

.....

Appendix E

Example of a Community Land & Business Plan



Question 16 Specific Work Related Skills

Do you have any of the following skills?

Operate specialised industrial machinery (give details)	
Operate specialised office machinery (give details)	
Supervise/Manage/Lead Staff	
Consult with and gather ideas from a small group of people	
Prepare briefs/minutes/letters using good grammar & spelling	
Understand customer needs & explain product or service	
Use word computer packages	
Use spreadsheet computer packages	
Use database computer packages	
Present yourself, products or services	
Specialised trade skills (give details)	
Work-team based procedures	
Financial accounting/bookkeeping	
Marketing/Communications procedures	
Small business operations	
Planning & problem solving techniques	
Mediation & negotiation techniques	
Other?	

Question 17 Do you have extra skills that you use or could use at work? (e.g. bus license, cooking, crafts, use of power tools, sports/coaching, art, cultural knowledge)

.....

.....

Question 18 Do you do any volunteer work? No Yes. If yes, what type of volunteer activity?

.....

Question 19 What is the level of your highest formal training?

- Secondary Schooling
- Higher School Certificate
- Trade Certificate
- Diploma, Associate Diploma
- Degree
- Other:

Question 20 How would you rate your literacy and numeracy skills?

- Reading: Basic Fair Good
- Writing: Basic Fair Good
- Maths: Basic Fair Good

Appendix E

Example of a Community Land & Business Plan

Question 21 How would you describe your current level of health?

- Very Well Moderately Well OK, but could feel better
 Not so good, often unwell Poor, nearly always ill

Question 22 How would you describe your eyesight?

- Excellent Good Poor

Question 23 Do you wear glasses or contact lenses? Yes No

Question 24 How would you describe your hearing?

- Excellent Good Poor

Question 25 Do you currently have private health insurance? Yes No

Question 26 Do you use a local Aboriginal health care service? Yes No

Question 27 Do you use mainstream health care services? Yes No

Question 28 Do you suffer from any of the following illnesses/diseases?

- Asthma/Respiratory Diabetes Heart Obesity
 High Blood Pressure Mental/Psychological
 Other:

Question 29 Can you tell us about your family? Are you:

- Married Defacto Divorced
 Widowed Other:

Question 30 Do you have any dependent children currently living with you?

- No Yes, if yes how many?

Question 31 If you have dependant children living with you please indicate their age group/s?

- 1-4 yrs 5-12 yrs 13-18 yrs 19+ yrs

Question 32 If you have a partner/spouse, is he/she currently employed?

- No Yes, if yes what type of work?

Question 33 If you or your partner are currently employed and have dependant children under school age, who looks after them while you are at work?

- Childcare Centre Family Member
 Others in your community Other:

Appendix E

Example of a Community Land & Business Plan



Question 34 For your household, what is the weekly income earned?

- \$0 to \$120 \$120 to \$199 \$200 to \$399
 \$400 to \$599 \$600 to \$799 \$800 to \$999
 \$1000 or more

Question 35 Are you aware of support programs and resources available to you in the area, such as the following:

	YES	NO
Community Housing & Infrastructure		
Aboriginal Employment & Job Services		
Aboriginal Small Business		
Aboriginal Education Initiatives		
Aboriginal Students Support & Parent Awareness		
Aboriginal Tutorial Assistance		
Aboriginal Vocational & Educational Guidance		
Aboriginal Health Care Services		
Domestic Violence Services		
Alcohol & Substance Abuse Services		
Aboriginal & Emergency Hostels		
Aboriginal Legal Aid		

Appendix E

Example of a Community Land & Business Plan

APPENDIX D

Process to Develop Lots 1 and 24 DP 999997

Step 1: Determine when the funds raised from the development are required

The first step in this process has now been completed through the production of this community land and business plan. The above financials establish the cash flow requirements of the LALC from these projects. The cash flows reveal that the LALC does not require substantial funding from these projects in the short-term, with the majority of the funding not required until 20010-011 and beyond.

Step 2: Obtain legal and financial advisors

NSWALC and our auditors have provided a list of some appropriately qualified and experienced legal (three) and financial advisors (five). Each will be invited to give a short presentation to members outlining their experience and ability. They will also be required to submit a fee proposal.

Member approval will be required for the appointment of the legal and financial advisors. A contract will be negotiated setting out what tasks they will complete and their fee plus estimated costs.

Step 3: Prepare tender document

The next step will be the preparation of the tender package by the legal and financial advisors, with input from the LALC, as appropriate.

The tender will be a legal document and must comply with all legal requirements in relation to tenders. It will include the following:

1. An overview of the LALC and the property to be developed;
2. The aims and objectives of the LALC in undertaking the development;
3. The criteria that will be used to select the developer; and,
4. Returnable schedules. These schedules contain the information the tenderer must provide to the LALC.

One of the returnable schedules will be the joint venture contract between the developer and the LALC. Instead of letting the developer write the contract, the LALC will provide it with the tender document and one of the criteria for selecting the tenderer will be the extent they try to change this contract.

In seeking a developer, the members have agreed that the LALC must consider:

- The experience and the financial capacity of the developer and their major consultants;
- The financial offer;
- The risk the LALC will be exposed to if something goes wrong;
- What portion of the land value the developer will guarantee and what part is at risk;
- The expected timing of the payments and their compatibility with this plan;
- The quality and marketability of the proposed development (the first project will establish the LALC's development reputation, so it is important that it works);
- The developers contractual commitment to providing employment and training opportunities to members and their past history in Aboriginal employment; and,
- The developers experience in working in partnership with other organisations.

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Example of a Community Land & Business Plan



The legal and financial advisors will be asked to present the tender package to the members and to provide a plain English summary of the joint venture contract.

Member approval will be required for the tender document (including the contract with the developer) and to commence the tender.

Step 3: Undertake tender

The LALC CEO will be responsible for the issuance of tender documents and for responding to any requests for further information from potential tenders. The CEO will seek advice from the board, the legal and financial advisors and members as required.

The LALC's Property Committee will evaluate the tenders. This Committee will seek expert advice from the following advisors, as a minimum:

- The legal advisor, who will also act as the probity advisor for the tender. A probity advisor is an independent person responsible for ensuring the tender is conducted in accordance with all legal requirements and the tender document;
- The financial advisor;
- An urban designer or planner; and,
- An expert in the building industry (architect or builder).

Additional advisors may also be required, depending upon the information provided by the tenderers. **Member approval** will be required for the approval of all advisors to the Committee.

The Property Committee will evaluate the tenders in accordance with the tender documentation and prepare a report to the members. This report will provide a recommendation as to the preferred tenderer/s and the unsuccessful tenderer/s. If appropriate, the members may agree that a shortlist of tenderers be invited to present their proposals to the members. **Member approval** will then be sought on the successful tenderer/s.

Step 4: Negotiation

Once the successful tenderer/s is/are selected, the LALC will negotiate to finalise any outstanding issues, including proposals to change the Joint Venture Deed. This will be done with the involvement of the legal and financial advisors, and any others that are required.

Step 5: s40D Approval

In accordance with s40D of the ALRA, the LALC will call an extraordinary meeting to consider the joint venture and to make the necessary approvals. The LALC's legal and financial advisors will present a complete overview of the arrangement to the members. This is to include all risks the LALC will be exposed to and what strategies have been adopted to minimise them. The board or CEO will also advise the meeting of how the LALC will manage their requirements under the agreement.

Member approval will then be sought in accordance with s40D of the ALRA (ie a quorum must be present at the extraordinary meeting and 80% of the members present and voting must agree to the proposal). The format for the motions to be put to the meeting will follow NSWALC's recommended format.

Appendix E

Example of a Community Land & Business Plan

A formal application will then be forwarded to the NSWALC for approval of the proposed arrangement. The application will comply with NSWALC's s40D Policy. NSWALC will be kept advised throughout the tender process to ensure that any major concerns are resolved prior to this stage of the process.

Step 6: Undertake project

At this stage only a preliminary estimate is available of what the LALC will be required to do once the project is underway. This won't be clearly known until the structure of the development is known and is likely to vary throughout the development.

At a minimum, the LALC will have two representatives on a Management Committee that oversees the development. One of the representatives will be one of the LALC's independent advisors (to be determined at a later date) and the other will be the LALC CEO.

The Management Committee should meet monthly, with the possible exception of January. Other staff or members of the board may also be required or able to attend meetings, depending on the other party. The LALC CEO must report to each monthly meeting of the LALC on the progress of the project. At least once a year, the developer must provide a full briefing to the LALC on the project.

Once the contract has been signed and the relevant motions passed by the LALC and approved by NSWALC, it will not be possible for the LALC to withdraw from the contract without facing considerable financial penalties. That said, depending on the structure adopted, the LALC **member approval** is likely to be required on some of the following:

- Major variations to the development budget (ie greater than 10%);
- Expenditure made in the name of the LALC;
- The terms of any mortgages; and
- Major elements of the project, such as the development application.

As stated at step 5 above, the CEO will be required to prepare a complete report to the members on how the LALC will manage the project prior to the members' approving the transaction under s40D.