



Transport for NSW

Aboriginal Participation Strategy

2021



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Acknowledgement of Country

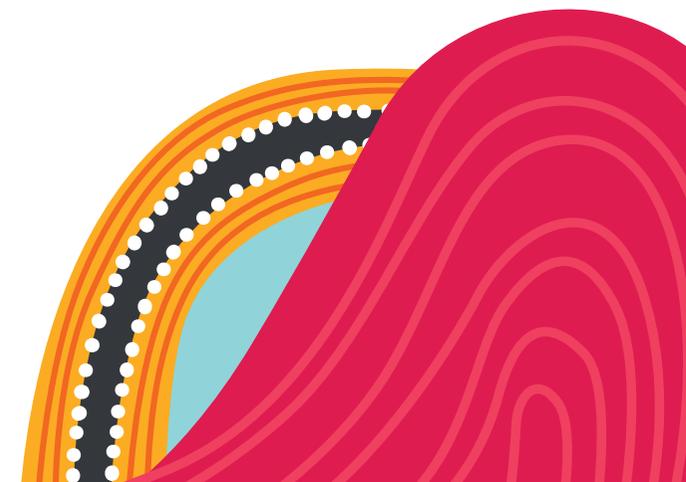
We recognise and acknowledge that modern New South Wales is an overlay on Aboriginal land and that many of the transport routes of today follow songlines, trade routes and ceremonial paths which Aboriginal Peoples have followed for tens of thousands of years.

We acknowledge the Traditional Custodians of the lands and waterways where we work and the places in which we live.

We celebrate the Aboriginal Peoples' unique culture and spiritual relationship to the land and waterways, including their rich contribution to Australia throughout history.

We acknowledge that Aboriginal businesses and Peoples are vital to the workforce and supply chains as part of the New South Wales economy.

We pay sincere respects to the Aboriginal Peoples of NSW and Elders past and present.





Our Songlines are calling 2019
Frances Belle Parker

Artist statement

'Our Songlines are Calling' is a painting which shows the strong importance of our Traditional Songlines when travelling through country.

As Aboriginal people, we have navigated the country for thousands of years and in that time our natural travelling routes became our Songlines, this is the country in which the landscape sang us home, singing, walking, meeting, sharing, celebrating were regular occurrences when we followed our Songlines. We listened to the Country and in return we were guided safely to our destination.

The view featured is an aerial view in a topographical mapping to symbolise various aspects of Country within NSW. The colours used are to represent the varying aspects of the landscape across NSW, the water which runs from numerous river systems towards the coastline, the bush, desert, and mountains. The small linear markings are representative of the tracks we made whilst we travelled our Songlines.

Frances Belle Parker
Artist

The above artwork was commissioned as part of the Transport Reconciliation Action Plan, August 2019

Secretary's message



On behalf of Transport for NSW, I am proud to present our Aboriginal Participation Strategy 2021.

The Transport for NSW's Aboriginal Participation Strategy 2021 is aligned to the NSW Government Aboriginal Procurement Policy.

Transport for NSW is already engaging with Aboriginal businesses and developing new relationships. We are playing our part in the growth of the Aboriginal business sector.

This procurement strategy is designed to increase supplier diversity to improve social outcomes, grow NSW's First economy and promote economic prosperity of Aboriginal Peoples and communities in NSW.

Our vision for Reconciliation is one where respect, collaboration and partnerships foster greater inclusion and recognition for Aboriginal Peoples across all segments of NSW's vibrant community.

With our Aboriginal Participation Strategy 2021, we are now looking to all parts of our organisation including staff and our supply chains to demonstrate and uphold their commitment to social procurement outcomes.

Rodd Staples

Secretary, Transport for NSW



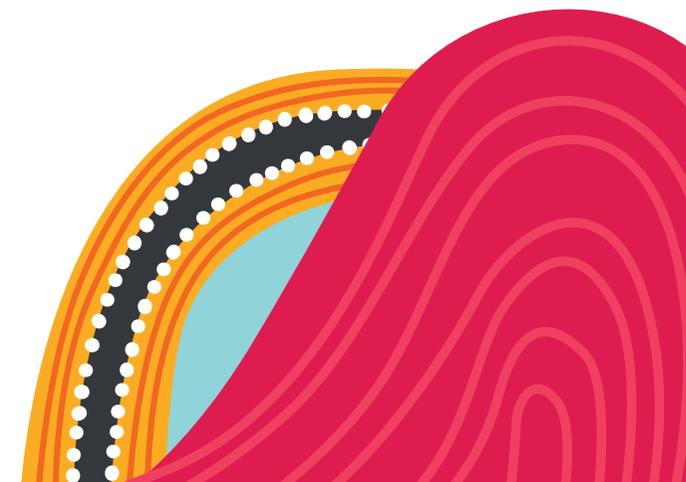
NSW Government commitment

The NSW Government's strategic economic policy 'Growing NSW's First Economy' is underpinned by the Aboriginal Economic Development Framework and Aboriginal Procurement Policy. These policies work together to drive greater participation by Aboriginal people and businesses in the goods, services and infrastructure project supply chain administered by government agencies.

Through the Aboriginal Procurement Policy, Government recognises that its procurement power can be leveraged to grow Aboriginal businesses, increase employment opportunities for Aboriginal people, deliver positive socio-economic outcomes and break the cycle of disadvantage experienced by Aboriginal communities.

Transport is committed to playing its role in delivering the Government's agenda and has already made progress in improving the participation of Aboriginal people and businesses in its supply chains. In delivering this policy agenda, Transport will be measured against the following key performance indicators:

- Minimum of 1.5% eligible project spend to Aboriginal participation for contracts over \$7.5m
- Target of 3% of goods and services contracts to be awarded to Aboriginal businesses by 2021
- Target of 1% of addressable spend with Aboriginal businesses
- Requirement to consider Aboriginal participation in goods and services and construction contracts over \$7.5m
- Contribution to creation of 3,000 Aboriginal jobs



Aboriginal Procurement Policy (APP)

From 1 January 2021 Transport will commence implementing the NSW Government's new Aboriginal Procurement Policy that combines the requirements for goods, services and infrastructure procurement.

In addition, the Transport Social Procurement Workforce Policy will be updated to incorporate the skills and training requirements for Aboriginal people contained in Procurement Board Direction PBD 2020-03 Skills, Training and Diversity in Construction.

Where land transport construction projects receive Australian Government funding exceeding \$7.5 million, Transport will also implement the requirements of the Australian Government's Indigenous Employment and supplier-use Infrastructure Framework.



Our Goals

Aims for 3% of goods and services contracts to be awarded to Aboriginal businesses by 2021.

Requirement to consider Aboriginal participation in goods and services and construction contracts over \$7.5m.

Aims to support 3,000 FTE employment opportunities for Aboriginal people by 2021.

Target of 1% of addressable spend with Aboriginal businesses.

Minimum of 1.5% eligible project spend to Aboriginal participation for contracts over \$7.5m.

Transport initiatives

Target	Measure	Time-frame	Responsibility	
1	Create a performance dashboard to monitor progress against the Aboriginal Procurement Policy (APP) targets	Finalise a dashboard that measures APP Policy targets	0 - 6 months	Corporate Services and Infrastructure & Place Divisions
2	Develop and implement an Aboriginal Participation Communications Plan for Transport Staff	Communication Plan approved and implemented across Transport Divisions and Agencies	0 - 3 months	Customer Strategy & Technology and Corporate Services Divisions
3	Submit quarterly reports for Aboriginal business participation with Transport in accordance with the APP reporting requirements	Reports submitted to NSW Treasury	Quarterly 2021	Corporate Services and Infrastructure & Place Divisions
4	Develop and implement an Aboriginal procurement training plan to rollout to relevant Transport staff who perform procurement activities	Training Plan endorsed by Executive Sponsor and implemented	0 - 6 months	Corporate Services, supported by People & Culture
5	Create a Transport intranet and internet resource webpage for Aboriginal Business and Transport Staff	Web portals created, launched and communicated to Transport staff	0 - 6 months	Customer Strategy & Technology and Corporate Services Divisions
6	Procurement Leaders and staff to attend external Aboriginal business events / conferences	Transport staff attend events (number of attendees - minimum of 5 staff per Division)	0 - 12 months (on-going)	All Divisions
7	Organise Aboriginal business engagement / market briefing events that includes relevant Transport staff and Aboriginal businesses	Events held (1 per Division)	0 - 12 months	All Divisions
8	Include Aboriginal procurement conditions in Transport contract template suites as per APP target requirements.	Develop a library of standard APP clauses, endorsed by Transport Legal	0 - 12 months	Corporate Services and Infrastructure & Place Divisions

Transport's achievements

Case studies

Over the last few years Transport has engaged with Aboriginal businesses and Aboriginal communities while proactively increasing awareness of Aboriginal participation in the procurement processes.

We are proud to present case studies that illustrate our commitment to working with the broader community to build and foster business relationships with the Aboriginal business sector. The case studies link to Transport's diverse activities from road building, railway track work and building the Sydney Metro system.



Engaging Aboriginal communities

Case study

Mungle Back Creek

Two Aboriginal communities in Boggabilla and Toomelah have been involved in upgrading the Newell Highway between Mungle Back Creek and Boggabilla in Northern NSW. The work includes 27 kilometres of new road pavement, the widening of road shoulders and two new overtaking lanes. The communities have been valued partners in this project since 2018.

Aboriginal Participation in Construction (APiC) success factors (as at June 2020)



2.8%

of total project spend



50

Aboriginal people employed



50

Aboriginal businesses engaged

APiC success due to:

- Community engagement - Transport held meetings early with the local Aboriginal community to understand their needs and seek input into the road design. The project team built a meaningful relationship with the community and became involved in community working parties and local school activities.
- Respecting the Elders - A Community Elder has been employed as a staff mentor and he has engaged the Elders in the district. The mentor held monthly meetings with the community leaders to discuss updates and ensure that the APiC outcomes were being delivered.
- Looking long term - The Mungle Back Creek Community Engagement Officer has liaised with other organisations so the Aboriginal staff can be supported through training to improve their skills for further work after the project.

Liaising with contractors and suppliers

Blue Mountains Route Clearance Project

The Blue Mountains Route Clearance Project (BMRC Project) upgraded the rail link between Springwood and Lithgow to enable the running of the New Intercity Fleet Trains between Central and Lithgow. The work involved modifying tunnels, extending heritage listed station platforms and completing track and signalling work.

Transport engaged Continuum Alliance in July 2018 under a Project Alliance Agreement (PAA) and developed an Aboriginal Participation Plan (APP). Aboriginal Participation in Construction (APiC) success factors (as at June 2020).

APiC success due to:

- **Consultation enabled solutions** – The key lesson learnt was the need to properly support the Contractor/Supplier throughout the Project. This ensured that the requirements of the APiC Policy were properly understood by all parties. For example, the BMRC Project Team directed the Contractor/Supplier to associations where they could identify Aboriginal suppliers. The ongoing open consultations provided the Contractor/Supplier with the required tools and knowledge to ensure that the APiC Policy objectives and reporting requirements were met.
- **Understanding the criteria** – A central challenge was understanding the assessment criteria for exclusions from the Project Spend against which the APiC targets were established. As there were few precedents and established procedures, the BMRC Project Team rigorously assessed the exclusions submitted by the Alliance and challenged the Alliance on their submission. This ensured all appropriate items were included and the reasoning was understood.



3.1%

of total project spend



13

Aboriginal people employed



23

Aboriginal businesses engaged

Building a wider supply chain

Case study

Sydney Metro Aboriginal Business Forums

In 2016, the Sydney Metro established the Sydney Metro Aboriginal Business Forums to support its commitment to increase recognised Aboriginal businesses in the wider supply chain. Aboriginal business networking forums were held in late 2017 and again in April 2018. Connections were established, and by May 2020, we saw 2.5 per cent Aboriginal participation in Sydney Metro projects.

A practical outcome of the forums was that Aboriginal businesses could keep abreast of upcoming packages of work across the project and network with Sydney Metro delivery partners and the wider supply chain. The forums were attended by more than 100 Aboriginal businesses, tier one and tier two Sydney Metro contractors, and representatives from government agencies.

Through these forums, connections were made and sound relationships now exist between industry and recognised Aboriginal businesses. As of May 2020, 49 recognised Aboriginal businesses have worked on the City and Southwest project, making up 11 per cent of the small to medium enterprises working on the project.



Aboriginal owned strategic supply partner to Transport

Case
study

Borger Cranes

Borger Crane Hire and Rigging service has been operating for 40 years. They have been supplying cranes to the construction, infrastructure and more recently, the wind power industry. With Transport and other government agencies now committed to establishing relationships with Aboriginal-owned companies, the company sees great opportunities for all Aboriginal people. Borger Cranes are expanding beyond NSW and have recently opened depots in Brisbane and Sunshine Coast which will enable them to service the entire East Coast.

In total, they have more than 300 staff and hope to continue growing, with ambitions to see others do well.

Second generation owner, Shawn Borger says *'his parents moved from the mid north coast to chase a future when they were just 16 years old and fresh out of school over 40 years ago. Dad got his first job as a labourer on a building site. Then, a dogman who was working on a tower crane kept not turning up for work, and that's when Dad got his opportunity to work on a crane and the rest is history. It's always about opportunities and relationships'*.



\$4,900,000

of total project spend FY19/20



>6,700

works orders for Transport



"I never thought this could actually happen for a family from Dhungatti (Kempsey) NSW but with opportunities, great clients like Transport for NSW, a lot of hard work and a bit of dreaming, you never know where you can end up"

Shawn Borger
General Manager, Borger Cranes

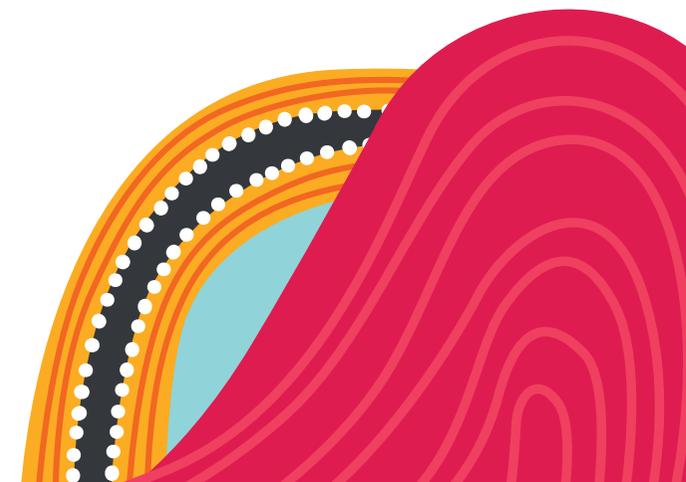
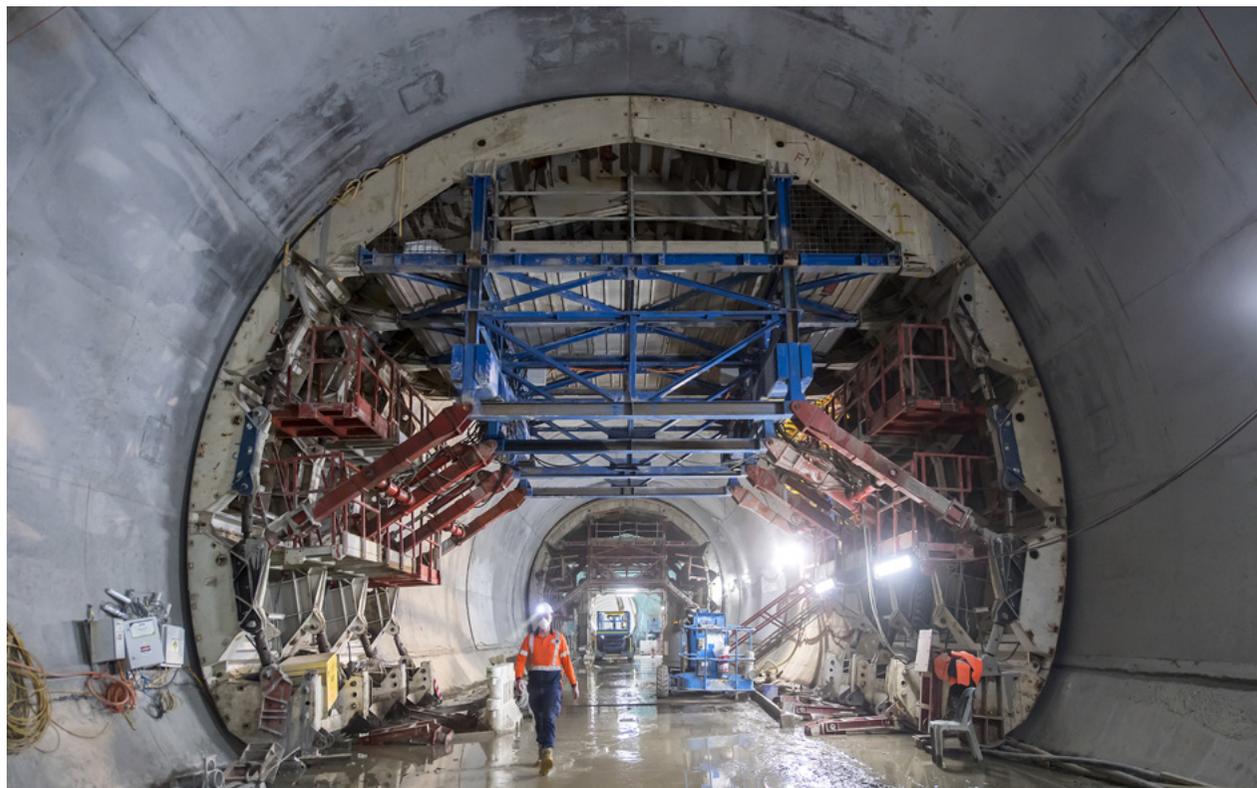
Opportunities – project pipeline

The Transport cluster currently procures over \$13 billion worth of goods, services and infrastructure each year, involving spend on day-to-day operational expenses and across hundreds of infrastructure projects ranging from one million dollars to many millions of dollars.

Economic participation through business creates real change within any community and we are committed to providing a platform of inclusion and grow the Aboriginal business economy.

The projects and spend activity of Transport is very complex and dynamic, however, interested Aboriginal-owned suppliers can go to Transport for NSW Project Preview for suitable opportunities transport.nsw.gov.au/projects

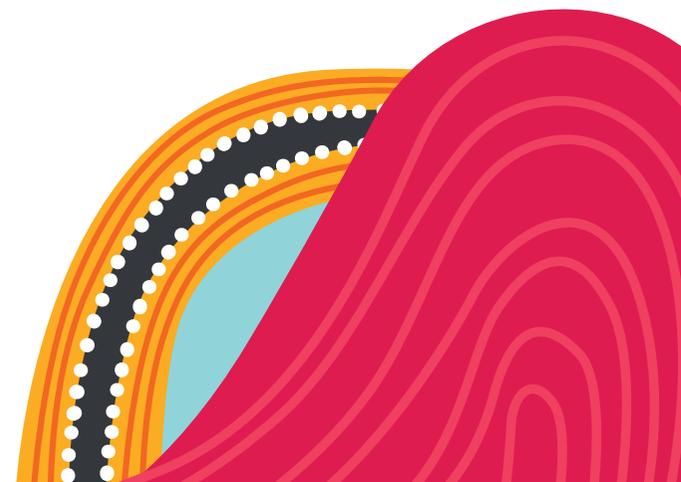
We would also encourage all suitably qualified Aboriginal-owned businesses register on NSW Procurement e-Tender portal to ensure inclusion on upcoming tenders.



Aboriginal participation checklist

For Transport staff and contractors

- ☑ During tender sourcing and preliminaries, ensure that Aboriginal participation requirements are included in all tender documentation.
- ☑ Ensure the tender evaluation committee has representation from someone with experience in evaluating Aboriginal Participation Plans.
- ☑ Assess the Aboriginal Participation Plan for evidence of engagement with Aboriginal businesses, people and communities, value for money and intended outcomes.
- ☑ Assess the Aboriginal participation and engagement track record of each tenderer to help determine whether the firm has the skills and experience to make good on the claims in their Aboriginal Participation Plan.
- ☑ Ensure that the Aboriginal participation reporting requirements are included as part of the regular reporting requirement in the Contract for Services.
- ☑ Regularly review Aboriginal participation progress in the project and identify any issues or problems as soon as possible.
- ☑ In the event of Aboriginal participation challenges, work collaboratively with the contractor to identify a mutually acceptable resolution.
- ☑ Monitor contractor's Aboriginal participation quarterly and annual reporting.
- ☑ In the event of an audit, seek feedback directly from Aboriginal participants if possible or practicable to gain access to their impressions about Aboriginal participation in the project.



Definitions

Term	Meaning
Aboriginal owned business	A business that is owned by an Aboriginal person or persons who individually or collaboratively own 50% or more of the business. The certification of Aboriginal businesses is formally recognised by Supply Nation or the Indigenous Chamber of Commerce.
Aboriginal person	Means a person who: <ol style="list-style-type: none"> i. is a member of the Aboriginal race of Australia ii. identifies as an Aboriginal person iii. is accepted by the Aboriginal community as an Aboriginal person.
Addressable spend	Addressable spend is a category of spend where there are opportunities for agencies to engage Aboriginal businesses. It has primarily been set based on categories of goods and services provided by businesses registered with Supply Nation and NSWICC.
Contractors	<p>Tier 1: Contractor is a business who supplies products or services directly to Transport for NSW and has more than 500 staff.</p> <p>Tier 2: Contractor is a business who supplies products or services directly to Transport for NSW, or a Tier 1 contractor, and has more than 50 but less than 500 staff.</p> <p>Tier 3: Contractor is a business who supplies products or services directly to Transport for NSW, a Tier 1 or a Tier 2 business, and has less than 50 staff.</p>
Transport for NSW	<p>Consists of:</p> <ul style="list-style-type: none"> • Greater Sydney Division (including agencies: Sydney Trains, Sydney Metro and State Transit Authority) • Regional and Outer Metropolitan (including agency: NSW TrainLink) • Infrastructure and Place • Customer Strategy and Technology • Corporate Services • People and Culture • Safety, Environment and Regulation.



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This publication can be accessed from
transport.nsw.gov.au