

## Case Study

### Changing the rules of engagement for Ngarrindjeri economic participation



#### Background

The Ngarrindjeri Regional Authority (NRA) is the peak Indigenous organisation at the Lower River Murray, Lakes and Coorong region of South Australia. The NRA represents more than 12 community organisations from a broad range of sectors including community services, land care, traditional governance, eco-tourism and cultural education.

The NRA negotiates important agreements on behalf of its nation and takes a leading role in facilitating and brokering relationships between its organisations and government or corporate stakeholders. It aims to reduce reliance on government funding by strengthening Indigenous-owned businesses – ones that bring a range of social and economic benefits to individuals and communities, but face significant barriers in doing so.

In 2015 the NRA agreed that they were spending too much time actively looking for business opportunities, and were being overlooked in public procurement processes. With this in mind, the NRA sought Jawun's support to: enhance participation of Ngarrindjeri businesses in public procurement; advance Ngarrindjeri economic and business development; and promote partnership opportunities between Ngarrindjeri and non-Ngarrindjeri businesses.

From February 2016, three Jawun secondees from the Australian Government, Ernst and Young, and Woodside respectively were deployed to resolve this with the Managing Director of the NRA's subsidiary company, Ngarrindjeri Ruwe Contracting (NRC), Luke Trevorrow.

#### Approach

Relationship building and re-shaping was identified as the first step. Australian Tax Office Workforce Supply (Contract) Manager Scott Ison was deployed for his specialised skills in procurement. Scott used his tender evaluation expertise to develop a revised tender clause that could reshape the relationship between NRC and major civil construction firms looking to win government contracts within the boundary of the Ngarrindjeri nation. To promote it, Scott emphasised the benefit for the SA Government of appointing a single Aboriginal contact, via NRC, for major projects in the region. His understanding of government process was instrumental in getting buy-in for the new tender clause.

Following preliminary agreement to adopt the new clause, Ernst and Young Corporate Finance, Mergers and Acquisitions Manager Kirsten Bernhardt, was deployed to use her commercial advisory skills to increase access to opportunities for Ngarrindjeri businesses – since as Luke had identified, they were being routinely left out of key SA Government procurement decisions.

Kirsten began by working with Luke to support NRC's registration with the SA Government Aboriginal Business Portal, a gateway into the SA Government procurement space which grants registered users access to contractual opportunities. Kirsten also used her commercial expertise to submit applications to local councils for NRC to become 'prequalified' – indicating that it has the requisite skills and experience required to submit tenders. For this, she created strong capability statements integral in negotiations with prospective tenderers.

With agreement from the SA Government over the new tender clause, and NRC in a stronger position to access public procurement opportunities, Luke sought Jawun's help to develop a strong tender process within NRC, and one in accordance with SA Government probity rules and best practice.

In August 2016, Woodside Contracting & Procurement Adviser Tyrone Handley came to NRC, bringing vital contracting experience. Identifying the risk that NRC could lose the tender clause if an unsuccessful tenderer lodged a complaint and NRC could not demonstrate prudent procedures, Tyrone worked to safeguard progress made to date. He created an internal probity policy for NRC, and an account management structure that ensured a responsive service to prospective contractors.

## Outcomes

With Jawun's support, NRC has become part of the SA Government tender process that compels the commercial sector to not only approach them, but also define how they intend to maximise opportunities for Ngarrindjeri people. For the first time in SA, tenderers are now engaging directly with the Indigenous community. By strategically applying the professional skills of secondees, Luke and NRC have allowed Ngarrindjeri businesses to operate on a more level playing field.

These changes have also enabled government and industry to recognise that strong relationships with Ngarrindjeri make good business sense and bring mutual benefits. Benefits include:

- **Certainty in processes** – a positive relationship can facilitate certainty for business and other processes that result in timely business operations and decisions while averting costly delays.
- **Access to a labour force** – Ngarrindjeri have a highly skilled workforce which supports major construction firms with a range of services that otherwise would scarce or costly, for significant projects (such as the NBN rollout across regional South Australia).
- **Social responsibility** – The new tender clause enables the conditions for contractors to form meaningful partnerships with the Ngarrindjeri Nation in a way that builds and supports strong communities and fosters opportunities for people to pursue a living.
- **Access to cultural knowledge** – Ngarrindjeri holds a wealth of knowledge about the diversity and interactions among their plant and animal species, landforms and waterways. Companies may benefit from this knowledge to build new practices for protecting and conserving resources, or complying with cultural heritage management.

Luke sees clearly the importance of the secondees' contribution: *"Their collective efforts have supported us to grow, and to employ Ngarrindjeri to work on our lands and waters – which our people have done for thousands of years"*.

Other benefits included skills transfer and professional role modelling by the secondees. As Luke explained, *"It was great to see how Kirsten operates and communicates with potential clients. Her insight into corporate needs was eye opening. Her organisation and work ethic is inspiring."*

The secondees themselves also had a unique and enriching experience, which changed how they work as individuals and in companies. Tyrone for example reflected that, *"The secondment afforded me an opportunity to deepen my skills. I will leave with a better understanding of the opportunities for Indigenous contracting within my company's supply chain."*

## Next Steps

Through new business, the tender clause has so far supported NRC to reduce its reliance on government funding by 30%, contributing to the regional communities' economic prosperity and sustainability. It aims to continue this. The next opportunity is the South East Flows Restoration Project, a \$60m joint investment by the SA and Australian Governments to manage regional wetlands. NRC will provide resources for planning and construction, and cultural advice in aquatic ecology and cultural heritage management, through at least 10 full-time positions and two new commercial ventures.