



***NSW Aboriginal Land Council***

***Submission to the House of Representatives Standing Committee on Indigenous Affairs Inquiry into food pricing and food security in remote Indigenous communities***

***June 2020***

**RECOMMENDATIONS:**

**Recommendation 1:** Longer-term food security solutions need to be developed in partnership with Aboriginal community controlled organisations that take into account structural inequities in remote NSW Aboriginal communities and address the interrelatedness of multiple sectors, including health, housing, transportation, education, employment and training, as well as food.

**Recommendation 2:** Government should build cross-sector collaborations and genuine and meaningful partnerships between Aboriginal peoples to ensure a reliable supply of food to remote NSW Aboriginal communities.

**Recommendation 3:** Government should support Aboriginal-led, locally based solutions, where communities have identified needs and designed local responses, such as community stores, market gardens, bush food initiatives and food banks.

**Recommendation 4:** Governments should support Aboriginal people's food sovereignty and access to traditional foods by returning land to Aboriginal peoples and recognising customary rights. This must include measures to support traditional food harvest.

**Recommendation 5:** Improved consumer protections and supports should be established to report evidence of, and investigate price gouging by the relevant agencies.

**Introduction**

The NSW Aboriginal Land Council (**NSWALC**) is the peak body representing Aboriginal peoples across NSW and with over 23,000 members, is the largest Aboriginal member-based organisation in Australia.

NSWALC is a member of the NSW Coalition of Aboriginal Peak Organisations (CAPO). CAPO is comprised of peak Aboriginal community controlled organisations, including the NSW Child, Family and Community Peak Aboriginal Corporation, Link-Up NSW, Aboriginal Education Consultative Group NSW, Aboriginal Legal Service NSW/ACT, Aboriginal Health and Medical Research Council and the First Peoples Disability Network. CAPO is a member of the National Closing the Gap Coalition, working to design the new Closing the Gap Framework.

This submission responds to the terms of reference of the inquiry, specifically:

- Barriers facing residents in Remote Communities from having reliable access to affordable fresh and healthy food, groceries and other essential supplies

- The availability and demand for locally produced food in Remote Communities
- The role of Australia's food and grocery manufacturers and suppliers in ensuring adequate supply to Remote Communities, including identifying pathways towards greater cooperation in the sector to improve supply
- The effectiveness of federal, state and territory consumer protection laws and regulators in supporting affordable food prices in Remote Communities and addressing instances of price gouging.

### Food Security

Food security is a fundamental human right, recognized in the 1948 Universal Declaration of Human Rights, enshrined in the 1966 International Covenant on Economic, Social and Cultural Rights and protected by regional treaties and national constitutions.<sup>1</sup> However, many Aboriginal peoples in Australia, especially those living in rural and remote areas, do not have physical and economic access to sufficient, safe and nutritious food to meet their dietary needs.<sup>2</sup> In its simplest terms, food insecurity is: 'not knowing where your next meal is coming from.'<sup>3</sup> There are three main components to food security:

- **Food availability** – the supply of food within a community, including the location of food outlets, the availability of food within stores, and the price, quality and variety of available food, including consistent availability during seasonal or cyclical events
- **Food access** – the ability of consumers to acquire food, which is safe, nutritious, affordable, competitively priced and culturally acceptable - the expropriation of lands, territories, waterways and resources from Indigenous peoples has meant many pre-colonial diets are no longer possible for Indigenous peoples.
- **Food use** – the appropriate use of food based on knowledge of basic nutrition and care and the availability of health infrastructure, such as sufficient storage and preparation facilities.<sup>4</sup>

### Barriers to reliable access to affordable and healthy food

There are numerous barriers to reliable access to affordable and healthy food but two of the biggest issues facing Aboriginal peoples in remote NSW are the availability of stores and the high price of groceries in the few stores that do exist.

**Availability of stores:** The lack of supermarkets in many remote towns in NSW is a principal barrier to food security for many remote Aboriginal residents. Across NSW there are 25 towns where there are few stores (Table 1). In three towns (Brewarrina, Goodooga, and Ivanhoe) there are no commercial supermarkets at all. In Walgett, the only supermarket in the town burnt down over a year ago, and until recently when a pop-up shop was opened, community members had to make a two-hour round trip to Lightning Ridge to shop for food.

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<sup>1</sup> <https://www.ohchr.org/Documents/Publications/FactSheet34en.pdf>

<sup>2</sup> Good Food Systems: Good Food for All Project. Annual Face to Face Workshop. Menzies School of Health Research. Darwin; 2010.

<sup>3</sup> New South Wales Parliament Legislative Council (2018) Portfolio Committee No. 1 – Premier and Finance. Fresh food pricing / Portfolio Committee No. 1 – Premier and Finance, Sydney, N.S.W.  
<sup>8</sup><https://www.parliament.nsw.gov.au/lcdocs/inquiries/2487/Final%20report%20-%20Fresh%20food%20pricing.pdf>

<sup>4</sup> Ibid and House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs, (2009) Everybody's Business: Remote Aboriginal and Torres Strait Islander Stores, Canberra  
[https://www.aph.gov.au/Parliamentary\\_Business/Committees/Committees\\_Exposed/atsia/communitystores/report](https://www.aph.gov.au/Parliamentary_Business/Committees/Committees_Exposed/atsia/communitystores/report) page 95.

Table 1 NSW Towns with limited grocery stores

Town (ABS State Suburb)	Woolworths	Coles	IGA
Balranald	No	No	Yes
Baradine	No	No	Yes
Bourke	No	No	Yes
Brewarrina	No	No	No
Cobar	No	No	Yes
Condobolin	No	No	Yes
Coonamble	No	No	Yes
Dareton	No	No	Yes
Goodooga	No	No	No
Ivanhoe (NSW)	No	No	No
Lake Cargelligo	No	No	Yes
Lightning Ridge	No	No	Yes
Menindee	No	No	Yes
Tibooburra	No	No	Yes
Toomelah	No	No	Yes
Walgett	No	No	Yes
Wanaaring	No	No	Yes
Warren	No	No	Yes
Weilmoringle	No	No	Yes
West Wyalong	No	No	Yes
Wilcannia	No	No	Yes

**Affordability of food:** The affordability of food in remote towns is affected by the tyranny of distance and the lack of competition. The cost of food is reported to be at least 24 percent higher in remote areas in comparison to major cities.<sup>5</sup> The higher price is attributed to costs associated with operating stores in geographically isolated locations, including freight costs and repairing store infrastructure as well as the lack of locally sourced perishable produce.<sup>6</sup> The fact that many remote towns only have one store, as discussed above, also means there is an absence of competition and stores are able to sell goods at high prices (or provide inferior products and/or poor service) without a reduction in demand. If people want to shop in towns or cities where grocery prices are cheaper and there is more variety, there are few transport options. These remote towns are some of the most disadvantaged postcodes in NSW and the additional costs of groceries further compounds their disadvantage.<sup>7</sup>

**COVID-19:** The panic buying that accompanied COVID-19 affected food supply and exacerbated existing food insecurity issues in these towns. The closure of the Queensland border also meant some residents were unable to travel to their nearest supermarket to purchase food. In response, NSWALC

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<sup>5</sup> Ibid and House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs, (2009) Everybody’s Business: Remote Aboriginal and Torres Strait Islander Stores, Canberra [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Committees\\_Exposed/atsia/communitystores/report](https://www.aph.gov.au/Parliamentary_Business/Committees/Committees_Exposed/atsia/communitystores/report) page 78

<sup>6</sup> Ibid

<sup>7</sup>Vinson, T., Rawsthorne, M., Beavis, A., & Ericson, M. (2015). Dropping off the edge 2015. Persistent communal disadvantage in Australia. Jesuit Social Services/Catholic Social Services Australia, page 51

purchased 1000 food and emergency relief supplies for vulnerable Aboriginal peoples impacted by COVID-19. NSWALC also sought support from the NSW Government and supermarket chains, the NSW Government donated 2000 emergency relief packages and Woolworths donated 1000 each. NSWALC is continuing to work with Government and corporate partners to source additional boxes to be delivered to those most at risk. However, the supply of emergency food relief can only be a temporary measure and does not address the systemic issues underpinning food insecurity in these towns. Longer-term food security solutions need to be developed that take into account structural inequities. As academic Deanna Davey states:

*“Improving food security among Aboriginal and Torres Strait Islander peoples in Australia also requires addressing inequities in social status; focusing on issues related to employment, income, welfare, and education; improving access to adequate housing; and improving public transportation in remote communities.”<sup>8</sup>*

#### Locally based solutions to food insecurity:

There is strong evidence that locally based solutions, where communities have identified their needs and designed a response, are more successful than top-down, government-controlled approaches.<sup>9</sup> As the Sefa submission to this inquiry points out:

*“Place-based programs are key to achieving food security in Indigenous communities. Successful programs are co-designed with communities, tackle financing as well as access and availability constraints, and are locally led.”<sup>10</sup>*

Community ownership is important because it provides a mixture of autonomy and accountability and helps to ensure commitment and buy-in from community members, as well as contributing to community capacity so that communities can address their own needs.<sup>11</sup>

**Community stores:** In Australia, some remote communities have developed their own community stores, for example, the Arnhem Land Progress Aboriginal Corporation (ALPA) and the Bawinanga Aboriginal Corporation (BAC).<sup>12</sup> ALPA has been successfully operating for over 40 years and its range, pricing and operational standards have been reported as the blueprint for the Outback Stores model.<sup>13</sup> ALPA attributes its success to its focus on the employment and training of local Aboriginal people and the fact that the majority of net profits go into improving store infrastructure and services.<sup>14</sup>

NSWALC’s Local Aboriginal Land Council (**LALC**) Business Enterprise Program has been working with the National Indigenous Affairs Agency (NIAA) and other stakeholders including North West Land Trust<sup>15</sup> and Murdi Paaki Regional Enterprise Corporation to secure funding to open a community store

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<sup>8</sup> Davy D. (2016). Australia's Efforts to Improve Food Security for Aboriginal and Torres Strait Islander Peoples. *Health and human rights*, 18(2), 209–218.

<sup>9</sup> Morley, S. R. (2015). *What works in effective Indigenous community-managed programs and organisations*. Melbourne: Australian Institute of Family Studies

<sup>10</sup> Sefa Submission to House of Representatives Standing Committee on Indigenous Affairs Inquiry into food pricing and food security in remote Indigenous communities

<sup>11</sup> Ibid

<sup>12</sup> <https://www.alpa.asn.au/> AND <https://www.bawinanga.com/>

<sup>13</sup> Arnhem Land Progress Aboriginal Corporation (ALPA) submission cited in Hudson, S (2010). *Healthy stores, healthy communities: the impact of outback stores on remote Indigenous Australians*. St Leonards: Centre for Independent Studies.

<sup>14</sup> Ibid

<sup>15</sup> North West Land Corporation (NWLC) is a wholly Local Aboriginal Land Council (LALC) owned corporation, incorporated under Corporations Act 2001 in early 2013 and acts as trustee for the North West Land Trust. The 17 LALCs of the NW Region of NSW are all member/shareholders of the corporation and have chosen to

in Goodooga. Goodooga has been without any fresh food for more than a decade, after its only general store shut down, forcing residents to make a 150-kilometre round trip to buy their groceries.

One of the key challenges in addressing food security and seeking financial investment to fund community stores is small population size. In small and remot communities, it may not economically viable to open a community store. For Outback Stores to become involved in a community store project, the store project proposal must satisfy the requirements of their 'food security assessment,' which among other things, looks at the economic viability of the proposal.<sup>16</sup>

Due to Goodooga's small population size, government confidence in the financial viability of a community store administered through the Goodooga LALC was limited. As a way of overcoming this barrier, Goodooga LALC partnered with the North West Land Trust. The partnership instilled government confidence in the prospect of the store and in 2019 the Australian Government announced that it would contribute to the cost of building the store. The store will be built on land owned by the Goodooga LALC but the store will be owned by the North West Land Corporation. The government, NSWALC, ILSC, Outback Stores and the Regional Enterprise Development Institute all contributed to the \$2.8 million needed to build the store.<sup>17</sup>

This type of partnership model presents a potential way forward for remote Aboriginal communities. At the same time, there are always going to be circumstances when it is not commercially viable to open a store in a remote community and in these situations, government should, as part of its human rights obligations, provide support. In providing support, government should look for opportunities to work in partnership with Aboriginal people, rather than top-down approaches or doing things without community-led partnerships.

**Food sovereignty and traditional foods:** Food sovereignty is inherently linked to access and control over Country. The expropriation of lands, territories, waterways and resources from Aboriginal peoples has meant it is no longer possible for many Aboriginal people to follow a pre-colonial diet, and has impacted on traditional economies. A focus on maintaining a primarily colonised diet also denies people the option to reintroduce and/or maintain decolonised diets. Governments can assist Aboriginal people's food sovereignty and access to traditional foods by returning land to Aboriginal peoples and recognising customary rights. For example, the NSW Government could support Aboriginal people's cultural fishing by:

- commencing Section 21AA of the *Fisheries Management Act 1994*,
- removing restrictions on Aboriginal cultural fishers and cultural fishing activity, including for example regulations relating to size, gear, method and closure, and
- placing a moratorium on prosecuting Aboriginal cultural fishers.

Helping Aboriginal peoples and communities to reconnect with traditional food practices is another area where there is growing interest and opportunity. The bush food market is currently valued at \$20 million annually, but it is estimated that Aboriginal and Torres Strait Islander people make up only 1-2% of the market.<sup>18</sup> A recent symposium in Sydney explored how to bring traditional foods into a contemporary industry while protecting their cultural knowledge. One of the successful examples discussed at the symposium was the Northern Australia Aboriginal Kakadu Plum Alliance (NAAKPA),

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collaborate on a regional basis to targeting regional economic and social development, education/training and employment outcomes for the Aboriginal people of NW NSW – see website <http://www.nwlt.org.au/>

<sup>16</sup> <https://outbackstores.com.au/>

<sup>17</sup> <http://alc.org.au/media/152198/nswalc%20annual%20report%202018-2019%20part%201.pdf>

<sup>18</sup> <http://www.firsthandsolutions.org/bushfood-symposium>

which is funded by the Indigenous Land and Sea Corporation and has grown to be the largest Traditional Owner-led bush food supply chain in Australia.<sup>19</sup>

#### Availability of locally produced food

The lack of locally produced food in remote areas in Australia has been recognised for years but attempts to address this situation have not been particularly successful.<sup>20</sup> Initiatives to establish market gardens often rely on volunteers, may lack technical support or have unrealistic aims.<sup>21</sup> The Commonwealth Department of Health and Ageing used to fund market gardens in remote communities but ceased doing so because ‘there was no evidence of long-term systematic change in terms of public health care.’<sup>22</sup> Assuming that a market garden will improve public health outcomes in the short to immediate term is not reasonable. However, with proper support and funding there are examples of successful market gardens and locally produced food.

For example, in Canada the Flying Dust First Nation has successfully established a market garden.<sup>23</sup> In just over ten years the garden has expanded from two acres to more than 14 acres of produce, with a state-of-the-art potato storage, retail and commercial kitchen building on the site. This example demonstrates what is possible when there is long-term commitment and the process is led by an Aboriginal community.

Additionally, the Murrawarri Local Aboriginal Land Council in NSW has developed a bush food garden initiative. This is another positive example of locally-led solutions that can be supported to build local community food resilience.<sup>24</sup>

#### Role of food and grocery manufacturers

Greater coordination is needed to ensure there is reliable delivery of food to remote communities. In some remote areas, freight arrangements have been established to coordinate food deliveries and make it economically viable for freight companies to increase the regularity of freight runs from fortnightly to weekly.<sup>25</sup> Large supermarket chains such as Coles, Woolworths and IGA should identify opportunities to work together to support the supply of food to remote Aboriginal communities as part of their Corporate Social Responsibility agendas. The COVID-19 crisis has shown that supporting communities in need can help corporations improve public perceptions of their brand.<sup>26</sup>

#### Government’s role in food security

In addition to partnering with Aboriginal and Torres Strait Islander people to support locally-led solutions, another key role for government in addressing food security is applying consumer protection laws to ensure food is affordable and stores are not price gouging. The recent examples of price gouging in the media indicate that the current regulatory system is not working and that many

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<sup>19</sup> Ibid

<sup>20</sup> Hudson, S (2010). Healthy stores, healthy communities: the impact of outback stores on remote Indigenous Australians. St Leonards: Centre for Independent Studies.

<sup>21</sup> Centrefarm Aboriginal Horticulture Ltd, Submission 15 cited in Hudson, S (2010). Healthy stores, healthy communities: the impact of outback stores on remote Indigenous Australians. St Leonards: Centre for Independent Studies

<sup>22</sup> Lesley Podesta, First Assistant Secretary, Office for Aboriginal and Torres Strait Islander Health, Department of Health and Ageing, Committee HANSARD (Canberra: 28 May 2009), 22

<sup>23</sup> <https://flyingdust.net/economic-development/riverside-market-garden/>

<sup>24</sup> <https://www.abc.net.au/news/2018-06-15/native-bush-food-helping-remote-nsw-community-thrive/9870698>

<sup>25</sup> Hudson, S (2010). Healthy stores, healthy communities: the impact of outback stores on remote Indigenous Australians. St Leonards: Centre for Independent Studies.

<sup>26</sup> <https://insidefmcg.com.au/2020/05/04/how-supermarkets-are-winning-hearts-and-minds/>

stores are engaging in unconscionable conduct.<sup>27</sup> The suggestion by Mr Leeser, the Indigenous Affairs Standing Committee chair, for people to take a photo of the prices they pay and send it to the Committee, should be an option that is continued after this inquiry.<sup>28</sup> A user-friendly consumer app or email address should be established for people to send evidence of price gouging to and government representatives could investigate the stores in question.

In considering options for addressing food security the government needs to consider the interrelatedness of key human rights issues across multiple sectors, including health, housing, transportation, education, employment and training, as well as food. Government should also seek to build cross-sector collaborations and genuine and meaningful partnerships between Indigenous Aboriginal peoples and governments.

Eleven years ago, there was a similar government inquiry, which looked at the role of community stores in relation to food security: “Everybody’s Business: Remote Aboriginal and Torres Strait Community Stores.” While the terms of reference of the two inquiries are different, many of the issues identified in the 2009 report are relevant to this inquiry. In developing the recommendations for this inquiry, the Committee should review what (if any) recommendations from the 2009 inquiry have been implemented, and if not, why this might be the case.

Thank you for the opportunity to provide this submission. We would be happy to provide further information to the Committee. Please contact NSWALC on 02 9689 4444 or <a href="mailto:policy@alc.org.au">policy@alc.org.au</a> .
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<sup>27</sup> <https://www.sbs.com.au/nitv/article/2020/06/16/system-error-blamed-high-priced-item-remote-indigenous-community-store>

<sup>28</sup> Ibid