

# & policy & strategy development

## Objective:

To establish and maintain relevant ILC policies and strategies based on sound research and consultation.

## Corporate Strategies

- Undertake consultation with relevant stakeholders to ensure that ILC policies and services are consistent with its legislation and reflect, to the best extent possible, the expectations and requirements of its stakeholders;
- Undertake consultation and research with Indigenous peoples and other stakeholders, including ATSIC, in the review and revision of the National and Regional Indigenous Land Strategies; and
- Through a comprehensive evaluation system, monitor the ILC's activities and achievements against the National and Regional Indigenous Land Strategies and strategic plans, including satisfaction with ILC services.

## Policy Development

The ILC Board reviewed the NILS in December 2004 and, given the short life of the new program structure and its success to date, decided to re-endorse the NILS. The ILC Board agreed that the NILS enables the ILC to accommodate the wide range of goals Indigenous people wish to attain through owning and managing land.

During 2004–2005, the ILC rolled out the revised NILS, Regional Indigenous Land Strategies (RILS), Program Guidelines, and associated public documents such as the Guide, application forms and terms of reference. The Guide package was significantly streamlined so that the ILC provided prospective applicants with information that is targeted to their needs and the relevant program stream. To accompany these, land acquisition and land management application assessment policy and procedure notes were revised and distributed to staff, who were also trained in their use and application.

### Key policy development activities were conducted in three key areas:

Firstly, amendments were made to the application process, which was refined to provide greater clarity for Indigenous people considering lodging an application to the ILC, with the aim of assisting the identification of goals and matching these to the appropriate stream or strategic initiative. These refinements complemented the reduction in the size of ILC information packages and enhanced targeting of information.



Secondly, procedures and support tools were either developed or refined to assist ILC processes for the assessment of applications, including:

- The land acquisition and land management assessment policy and procedure notes, which were refined to ensure that assessment includes research and consultation with applicants so that benefits sought are clearly identified, measurable, achievable and sustainable.
- Assessment process flow diagrams and quality control checklists, which were developed to improve transparency and assist ILC staff to adhere to program guidelines and policy and procedure notes.

Thirdly, the ILC responded to the requirements of the Environmental Protection and Biodiversity Conservation (EPBC) Act. Actions undertaken included:

- Implementation of an environmental management system (EMS);
- Development of an Environmental Policy;
- Drafting a Heritage Strategy; and,
- Drafting of environment and heritage assessment procedures.

## Program Documentation

The ILC has the following program documentation.

### For land acquisition, the documents are:

- Land Acquisition Program Guide;
- The four stream program guidelines –
  - Cultural Program Guidelines;
  - Social Program Guidelines;
  - Environmental Program Guidelines;
  - Economic Program Guidelines;
- Terms of Reference – Business Plan Economic Acquisition Program;
- Terms of Reference – Property Management Plan; and
- Land Acquisition Application (includes ‘How to complete the land acquisition application form’ and application form).

### For land management, the documents are:

- Land Management Program Guide;
- Land Management Program Guidelines;
- Terms of Reference – Planning Project Outline;
- Terms of Reference – Property Management Plan;
- Terms of Reference – Small Enterprise Business Plan;
- Terms of Reference – Commercial Enterprise Business Plan;
- Terms of Reference – Strategic Project Plan;
- Application forms for the three strategic initiatives (includes ‘How to complete the land management application form’ and application form);
- Application for assistance – Group Based Planning;
- Application for assistance – Enterprise Development; and
- Application for assistance – Regional Development.

## Regional Indigenous Land Strategies

In line with legislative requirements, the RILS were revised during 2003–2004. Given the short time frame since that revision, the Board decided to re-endorse the existing RILS for 2004–2005.

## Evaluation Framework

During the reporting period, the ILC significantly reviewed and refined its performance evaluation framework to improve the monitoring of the ILC's activities and achievements against the NILS and RILS, and satisfaction with ILC services. The changes will be implemented in the next reporting period.

**Elements of the improved framework include:**

- Maintaining internal controls through periodic review of the ILC internal processes;
- Desktop analysis of randomly selected individual projects;
- Client satisfaction surveys;
- Client group interviews, post completion of ILC assistance;
- Focus groups (with other ILC stakeholders);
- Comparison of ILC processes with other agencies;
- Staff surveys; and
- Regular reporting.

## Consultation

Under the ATSIC Act, the ILC was required to consult with ATSIC Regional Councils, in the development of its key policy documents. The ILC's consultation with Regional Councils went beyond the legislative requirements since Regional Councils were often well placed to disseminate information to local organisations. As a result of the abolition of ATSIC Regional Councils on 30 June 2005, the ILC has had to revise its approach to consultation. There are a number of Indigenous organisations, including land councils and native title representative bodies, which the ILC will continue to consult in relation to its policies. The ILC has previously conducted regional consultations by contacting local Indigenous organisations, advertising in key centres and inviting people who have land needs or other land-related issues to attend a consultation session. These sessions have generally been well attended and the ILC intends to continue this approach to consultation with its Indigenous stakeholders. In addition, there is the opportunity for the ILC to partner with meetings and consultations initiated by Indigenous Coordination Centres around Australia.

## Research

A number of investigations and specific research projects were undertaken during the reporting period, including:

- Collation of Indigenous demographic information for various regions to assist the Towns and Cities Committee in its consideration of the role of the ILC and the support that it should provide to Indigenous people in urban areas;
- Examination of the programs of other agencies that have relevance to Indigenous landholders and managers and making these available on the Coordination Database so that staff could better inform applicants;
- Examination of the requirement of other commonwealth agencies and statutory authorities to pay rates, and identifying the impact of ILC ownership of properties on the rates base of certain local government areas; and
- Identification of tourism opportunities and resources for Indigenous landholders to assist them establish interests in the industry.

## Coordination with Other Agencies/Stakeholders

In accordance with the ATSI Act, the ILC must assist Indigenous people to make full use of the funds and programs available from other agencies and be involved in the provision of technical and professional advice, information and training.

In its land acquisition and land management activity, the ILC has continued to place an emphasis on developing partnerships to enable Indigenous people to effectively access other relevant programs. Establishing regional relationships has successfully enhanced the capacity of ILC funds to lever support from other Australian and State Government agencies, along with accessing the technical knowledge and support these agencies can provide.

**To this end the ILC maintains membership/relationships of a wide range of organisations, committees and forums such as:**

- Indigenous Coordination Centres; in most States/Territories, ILC representatives meet regularly with Australian and State/Territory Government Managers. The major focus is on identifying and developing active partnerships between agencies seeking to engage in the development of Shared Responsibility Agreements and Regional Partnership Agreements for the benefit of Indigenous people. The benefits of this close working relationship include a better understanding of each others' statutory obligations, policies and practices, with a view to optimising on-ground benefits for those people and communities wishing to engage in programs centred in reciprocal obligation and sustainable outcomes.
- The Western Australian Pastoralists and Graziers Association (PGA), in recognition of its substantial pastoral landholdings, and sits on the Pastoral Committee of the PGA. Substantial goodwill, and a clearer understanding of the difficulties faced by both Indigenous pastoral lease holders and others, is achieved by working closely with the PGA and its regional divisions.
- Several State-based Farmers Federations.

- The Cooperative Research Centres for Australian Weed Management and Tropical Savannas, Rangelands Australia and the Avon River Basin Committee (CSIRO). Such partnerships are vital to the ILC's land management function and provide landholders with greater assistance opportunities for projects they wish to pursue.
- The Western Australian Native Title Strategy Group, a coalition of organisations including Representative Aboriginal and Torres Strait Islander Bodies, Western Australian State Government agencies, peak bodies (Chamber of Minerals and Energy, WA Fishing Industry Council, Pastoralists and Graziers Association), National Native Title Tribunal, WA Office of Native Title, and others. The group seeks to meet every three months and discusses strategic ways to engage cooperatively in the regional settlement of native title claims.

**Through these and other proactive relationships, a range of beneficial, multi-agency activities are under development, or have been developed and implemented, including:**

- Preliminary discussions with FarmBis Queensland in April 2005. It is anticipated that arrangements will be formalised in early 2005–2006 for the delivery of low-cost, culturally appropriate and accessible regional primary production training for Indigenous landholders. The NSW Government abandoned FarmBis and negotiations with the Department of Primary Industry have been scheduled for August 2005.
- A Memorandum of Understanding (MoU) between the ILC and the Macquarie Bank Ltd that will provide both an opportunity to leverage ILC funds through a partnership with a mainstream financial institution, and demonstrate that the delivery of services to Indigenous Australians can be achieved at both a project and strategic level using a combination of private and public sector interests and resources.

- Preliminary discussions with Queensland Government agencies to explore a possible Cape York Cattle Strategy. While this partnership remains in its infancy, it is expected that if it progresses it will need to include a range of governance, management and business aspects of the Local Government Councils responsible for the management of the Deed of Grant In Trust [DOGIT] communities.
- Working closely with the Department of Agriculture Western Australia at both executive and field level, in enhancing outcomes for Indigenous landholders throughout Western Australia's agricultural and pastoral zones. Benefits include improved farm management, better governance, enhanced financial skills and broad cultural, social, environmental, economic outcomes.
- Working closely with the Western Australian Indigenous Land Management and Indigenous Natural Resource Management Facilitators. Facilitators are based in the Kimberley and Pilbara (responsible for the rangelands of WA), and the ILC hosts a third position in Perth responsible for the five Catchment Council sub-regions of the South West. A proposal for a State Indigenous NRM Committee is under consideration, which would include the ILC. Benefits of this partnership include a better knowledge of the various ILC land management and land acquisition programs, and the construction of a strong local dialogue with Indigenous representatives on the ground in the various regions of Western Australia.

The ILC maintained close working relationships during the year with key Australian Government natural resource management agencies, most notably the Departments of Agriculture Forestry and Fisheries, and Environment and Heritage.

The ILC and the Department of the Environment and Heritage signed a MoU to enhance communication and understanding between the agencies to improve Indigenous landholders access to integrated land management services. The MoU is consistent with the whole-of-government initiative to improve overall service delivery to Indigenous people.

The ILC and the Australian Bush Heritage Fund worked together to progress the MoU signed with ABHF in December 2003. The organisations discussed how joint projects would be identified and implemented. The organisations have jointly funded a position to promote the environmental acquisition program with Indigenous people and identify projects that would be mutually beneficial.

The ILC also sought to develop stronger working relationships with other non-government natural resource organisations. As a starting point, it initiated a data exchange project that mapped the organisations' land interests, ILC-held and Indigenous-held land. This illustrated the proximity of these and provides a sound basis for the development of on-ground relationships.

The ILC contributed data regarding Indigenous land ownership to the Productivity Commission's report *Overcoming Indigenous Disadvantage 2005*. This data was used in the report's consideration of economic participation and development opportunities for Indigenous people.

To support coordinated service delivery, the ILC maintains a Coordination Database that is used by staff so that they can advise clients about the programs of other agencies that complement the support provided by the ILC. The database contains the latest information regarding agency (government and non-government) services, funding programs and contacts that may be beneficial for Indigenous landholders. ILC staff receive a monthly newsletter that identifies new information that has been added to the database.

**Notable additions to the database this year include:**

- 'Commonwealth Regional Information Book,' which provides a quick reference guide to the Australian Government's major services for regional areas, such as employment, education, health, communications, aged care and business services.
- 'Compendium of Sustainable Agriculture Programs,' which is a useful resource for land holders and land managers, providing information on the range of government and industry programs and activities which support the development and adoption of sustainable agriculture.

- ‘Small Business Answers Program,’ which provides a referral and general advisory service to small businesses, particularly those in remote or regional areas, through a network of forty-five Small Business Answers Officers.
- ‘Indigenous Heritage Program,’ which assists Indigenous communities to protect and promote their cultural heritage.

## Submissions

A number of submissions were made to key organisations relevant to the ILC.

### These included:

- Western Australia Aboriginal Tourism Discussion Paper. ILC input centred on the importance of Indigenous engagement, support for Indigenous tourism product at all levels and acknowledgement of the gulf between wanting to run a tourism enterprise and actually doing so.
- Review of *Pastoral Land Act (Northern Territory)*. The ILC’s comments highlighted the need to protect and improve Indigenous people’s access to pastoral leases, recognise and protect native title rights and diversify land uses to include social and cultural activities.
- Rural Financial Counseling Services review. The ILC’s comments focused on the need to make the service more available to Indigenous enterprises as there is a lack of awareness of the service in Indigenous enterprises, and lack of service in areas of high Indigenous land ownership.
- Queensland Land Acts review – *Aboriginal Land Act 1991 (QLD)* and the *Torres Strait Islander Land Act (1991) (QLD)*. The ILC urged the QLD Government to consider a wider review of laws relating to Indigenous land ownership, and to introduce a more streamlined approach to tenure systems. A major concern was the lack of statutory and resource support for appropriate administration of the legislation.
- WA Biodiversity Conservation Strategy. The ILC’s submission concentrated on recognition and integration of Indigenous rights by suggesting a model for conservation that acknowledges Indigenous peoples’ need for sustainable harvest of resources, cultural observances and impacts

and the integral and ongoing role of Indigenous people in conservation.

- Submission to the Senate Select Committee on the Administration of Indigenous Affairs. The ILC outlined its acquisition and management policies and described its assessment principles and processes. The ILC stated that it had the capabilities to manage formerly ATSIC-held land and to assume administration of the Regional Land Fund including acknowledging that funds would be spent in the region where they were raised.
- Submission to the Standing Committee on Aboriginal and Torres Strait Islander Affairs – Enquiry into Indigenous Employment. The ILC outlined its assessment process and identified that its success in delivering training and employment outcomes derived from taking a collaborative approach with other agencies and industry groups. It identified factors underlying its success, which included rigorously assessing the viability of proposals and the capacity and commitment of the applicant, as well as being involved in the business.
- Submission to the Parliamentary inquiry into Rural Skills Training and Research. Since many ILC acquisitions have been used for agricultural pursuits, the ILC identified its keen interest in the adequacy of education and training available in the agricultural sector. The ILC identified barriers to Indigenous participation and made suggestions to improve Indigenous peoples’ access to mainstream services. These included that Indigenous people should, where possible, be involved in the design and delivery of extension, training and education services to Indigenous land owners and that training activities should take place on the property of the Indigenous land owners.

# Ecologically Sustainable Development & Environmental Performance

## LEGISLATIVE POWERS

The ILC's environmental responsibilities in the ATSI Act include the following:

- Provide environmental benefits to Indigenous people through land acquisition and management (s.191b)
- Pursue sound land management and environmental management practices (191E(3)(a))
- May provide environmental land management services (191E(5)(C))
- Cover environmental issues relating to Indigenous-held land in the NILS and RILS (191N(2)(C); 191P(4)(C)).

## ACTIONS

During the year, the ILC undertook a number of actions to systematically address requirements of the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act), including:

- Senior managers were briefed by Department of Environment and Heritage regarding the effect of the EPBC Act upon the ILC and its land acquisition and management functions.
- The Board endorsed the Environment Policy that relates to both office and field-based operations of the organisation. This represents one component of the Environmental Management System that the ILC has adopted to address Ecologically Sustainable Development (ESD) requirements within the EPBC Act.

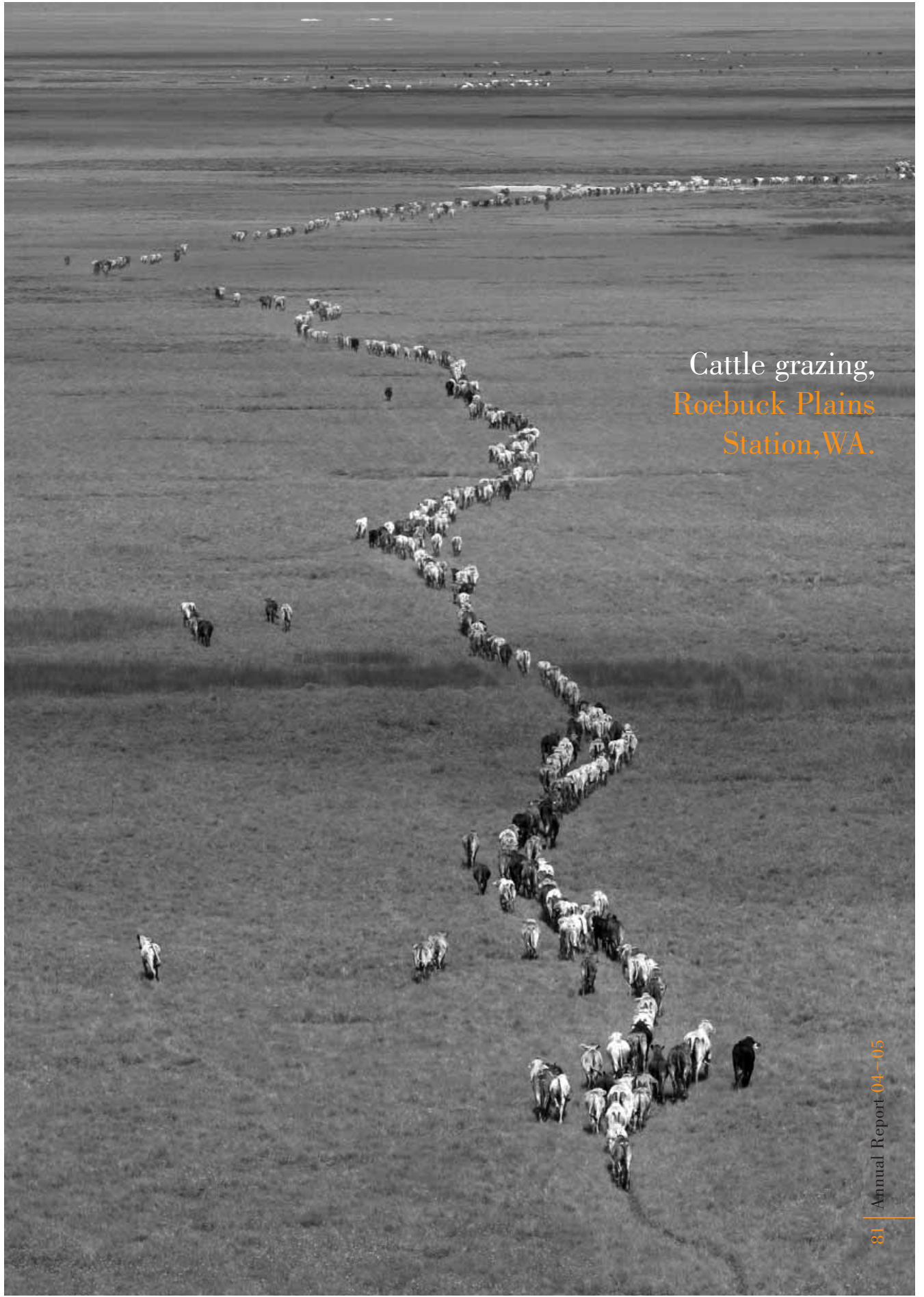
- Land acquisition and land management reports to the Board now incorporate assessment of environment and heritage impacts.
- Standard environmental and heritage procedures have been drafted and are being refined and will be incorporated into standard assessment practices.
- The ILC commenced development of an electronic environment and heritage register and this should be completed next year.
- The ESD committee identified office-based actions to reduce the Corporation's impact upon the environment, including:
  - The use of 35% recycled paper in printers;
  - Double-sided printing as default;
  - Use of energy-efficient lighting; and
  - Paper recycling.

As reported last year, the revised NILS continues to provide a policy framework that pursues ESD principles. The NILS includes requirements for 'sound land and environmental management' and the need for applications to 'clearly demonstrate that sustainable benefits will arise from land use and activities'. Such benefits include environmental benefits. In addition, the NILS requires that 'land uses must encompass sound environmental management so that land is not degraded'.

ESD principles are incorporated into all program guidelines. For example:

- The Economic Acquisition Program requires applicants to identify environmental risks and related management strategies, and to incorporate natural resource management planning to establish the ecological sustainability of the project in their business plans.
- Environmental Acquisition Program acquires land that will deliver environmental benefits and defines sound land management and environmental management activity that '...maintains, repairs, improves or protects the land, does not result in degradation or damage to the land and is consistent with any relevant industry best practice'.

During the next financial year, the ILC will finalise and commence implementation of its environmental management system and will develop a heritage strategy.



Cattle grazing,  
Roebuck Plains  
Station, WA.