

Objective

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

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 people and other stakeholders, including ATSIC, in the review and revision of the NILS and RILS.
- Through a comprehensive evaluation system, monitor the ILC's activities and achievements against the NILS, RILS and strategic plans, including satisfaction with ILC services.

POLICY DEVELOPMENT

During 2003-2004 a major revision of the NILS, RILS, Program Guidelines, and associated public documents such as the Guide, application forms and terms of reference was undertaken. This revision focussed on simplifying the text, consolidating similar sections, refining the criteria, providing greater clarity about key activities such as remediation, the requirement for a lease prior to grant and how the ILC will assess and the conditions that we place upon land management agreements and land grants.

The previous Guide was also significantly restructured; there is now one Guide for land acquisition and one for land management. The information in these, as well as in the application forms and terms of reference, has been reduced to provide material relevant only to the intention of the application.

Other policy development activities included:

- ECAP – A range of options were developed for senior management and the Board to consider prior to and during the revision of the Economic Acquisition Program Guidelines.
- Strategic Investments – The NILS was revised to enable the Board and/or General Manager to identify land acquisition and land management opportunities provided that the

activity provides employment and training outcomes, and social and cultural benefits, and is delivered via joint arrangements and/or coordinated service delivery. A framework for this mechanism and the associated Policy and Practice Note were developed.

- Application Process – Minor refinements to the assessment process for land acquisition and land management were made providing for greater clarity for Indigenous peoples considering lodging an application to the ILC, with the aim of assisting them identify their goal and match it to the appropriate stream or strategic initiative. These refinements complement the reduction in the size of ILC information packages and targeting of information.
- Regional Profiles - The move from the previous Land Needs Planning Process towards Regional Profiles was supported by the development of a template for these profiles, and providing quality assurance support to staff involved in their development.
- Refinement of Assessment Processes - ILC assessment processes are clearly articulated in public documents such as the Programs Guide. These processes ensure the assessment includes research and consultation with applicants to ensure the benefits sought are clearly identified, measurable, achievable and sustainable.

RESEARCH

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

- Reporting requirements for Ecologically Sustainable Development (ESD) were developed, which included consideration of the applicability of Environmental Management Systems (EMS) to the ILC and examinations of reports provided by other Australian Government Natural Resource Management Agencies
- Research as part of the preparation of submissions on Indigenous people's rights regarding water property rights and fishing
- A major research project titled Social Conditions of Indigenous Australians Informing Land Needs was completed to provide a baseline for policy development and to support the activities of the Towns and Cities Land Needs Committee. This project utilised ABS and other statistical data, and identified education, employment status, employment by sector and a range of other indicators of social disadvantage, including health, as issues that need to be considered when addressing urban land needs.

COORDINATION WITH OTHER AGENCIES

Close working relationships were maintained during the year with key Australian Government natural resource management agencies, most notably the Departments of Agriculture Forestry and Fisheries, and Environment and Heritage. These agencies jointly manage the Natural Heritage Trust (NHT), and the ILC actively contributed to a project seeking to ensure Indigenous people benefit from, and are involved in, the NHT regions formed under the Regional Planning framework of the NHT. The ILC also provided input into the revised Agriculture Advancing Australia and FarmBis programs.

Working relationships were maintained with the Australian Bush Heritage Fund (ABHF) and a scoping paper was developed to implement the Memorandum of Understanding (MoU) signed with ABHF in December 2003. The MoU establishes a shared framework to conserve and enhance the natural environment and Indigenous heritage sites of significance on ILC and ABHF properties.

In support of coordinated service delivery the Coordination Database is maintained, containing the latest information regarding agency (government and non-government) services, funding programs and contacts that may be beneficial for Indigenous landholders. A monthly newsletter is sent to all staff providing them with details of information added to the Database.

ILC staff were also provided with information about a number of significant websites identified during the year, including:

- 'The Indigenous Portal', which provides access to information on government websites and services for Indigenous people
- 'First Australians Business website', which provides information on the First Australians Business national program, assists young Indigenous people establish or develop a business through providing knowledge, expertise and support
- 'Regional Partnerships website', which provides information on the Government's key regional funding programs and how to access it through the national network of Area Consultative Committees.

SUBMISSIONS

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

These included:

- DAFF Review of the National Landcare Program
- ATSIIC Review
- Indigenous Business Review
- Productivity Commission, Overcoming Indigenous Disadvantage – Economic Participation and Development
- Submission to the Senate Inquiry on Invasive Species Environment Protection and Biodiversity Conservation Act (Invasive Species) Amendment Bill 2002 lodged 10 October 2003
- Submission on Environment Australia Consultation Paper Developing a National Biodiversity and Climate Change Action Plan lodged 24 October 2003
- Submission to the WA Government on the Draft Aboriginal Fishing Strategy (WA) lodged 28 November 2003
- COAG National Inquiry on Bushfire Mitigation and Management, 5 December 2003
- Submission to the Review of the WA Land Administration Act 1997 (with WDO and the Principal Legal Officer)
- Submission to the WA Minister for Planning and Infrastructure on the five Working Group Final Reports on the Pastoral Industry (with WDO)
- Submission to the NT, Sessional Committee on Environment and Sustainable Development on the Inquiry on Establishing an Environmental Protection Authority (EPA) in the Northern Territory
- To Department of Environment and Heritage, on the National Reserve System Program.

ECOLOGICALLY SUSTAINABLE DEVELOPMENT AND ENVIRONMENTAL PERFORMANCE

Legislative Powers

The ILC's environmental responsibilities in the ATSIIC 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)).

Policy Framework

An ESD Committee was established in 2003-2004. The Committee, endorsed by the Audit and Risk Management Committee, comprises key managers from the Policy, Operational and Administration sections of the ILC. A comprehensive environment policy was drafted and later considered by the Audit and Risk Management Committee.

The proposed environment policy relates to office and field-based operations and incorporates the following principles:

- Actively promote and encourage the adoption of ESD work practices and operations within the organisation
- Develop, implement and maintain an EMS aligned with the ISO14001 standard
- Develop other targets and initiatives for improving our environmental management
- Investigate green procurement, ie consideration of environmental factors when contracting and purchasing
- Clearly identify the environmental roles and responsibilities of staff
- Provide appropriate resources and training to support these commitments
- Communicate our environmental policy, EMS, initiatives and performance to staff and the public, utilising the website and the Annual Report where appropriate
- Regularly monitor environmental performance and implement a process of continuous improvement, including review and update of the environment policy
- Report on our environmental performance through the Annual Report and the website.

It is anticipated that the environment policy will be finalised in early 2004-2005. The policy will be circulated to all relevant staff and the EMS will be developed and progressively implemented in all ILC offices.

The revised NLS provides a policy framework that pursues ESD principles. The NLS states that the ILC

"... endeavours to ensure that sound land and environmental management establishes a balance between two key elements – the need to maintain and protect the land and, where appropriate, to derive economic gain from it. Best management practices and rehabilitation strategies will be supported as appropriate."

The NLS also provides that land will not be acquired or land management assistance given unless applicants clearly show that sustainable benefits will arise from land use and activities. Such benefits include environmental benefits. In addition, land uses must encompass sound environmental management so that land is not degraded.

This policy is incorporated into all program guidelines. The Cultural, Social, Environmental and Economic Acquisition Program Guidelines and Land Management Program Guidelines include the criterion to ensure applicants plan to pursue sound land and environmental management practice. For example:

- ECAP 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.
- EAP 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."