

Indigenous Land Corporation Annual Report 2001-2002

ILC September 2002

ISSN 1325 3395

Published by: Indigenous Land Corporation

Design/Production: Design Notion

Copy Editing and Proofing: Colleen Johnson

Reprographics: Showads Adelaide

Printed by: Hyde Park Press

Information about the ILC can be obtained from:

**Indigenous Land Corporation
GPO Box 652
Adelaide SA 5001**

Telephone: (08) 8216 4100

Facsimile: (08) 8212 7264

Email: ilcinfo@ilc.gov.au

Website: <http://www.ilc.gov.au>

ILC Annual Reports are available on the 'Documents' page of the ILC website

Cover notes:

The ILC logo was developed by Aboriginal artist, Leigh Harris, who describes the logo the following way:

"The top half represents the land, specifically sand dunes, found both in the desert and on coastal shores. The bottom – in blue, representing the sea and water – symbolises the people of the Torres Strait and coastal Aboriginal people, as well as the importance of water resources, both inland and coastal, to all Indigenous peoples.

The ILC stylised instruments of a spear (I), a large boomerang (L), and a small boomerang (C) are placed as such to spell ILC. These items, used for centuries by Australia's Indigenous peoples to live on the land and sea, represent the knowledge that we have in developing, utilising and maintaining the land and water for the benefit of all people.

These items also represent the work that will be done by Indigenous peoples and the ILC in achieving its goals."



INDIGENOUS LAND CORPORATION
ABN 59 912 679 254

13 September 2002

The Hon. Philip Ruddock
Minister for Immigration and Multicultural and Indigenous Affairs
Parliament House
CANBERRA ACT 2600

Dear Minister

I am pleased to present the eighth annual report of the Indigenous Land Corporation, covering the period from 1 July 2001 to 30 June 2002.

This report complies with the requirements of section 9 of the *Commonwealth Authorities and Companies Act 1997* and includes the Corporations Report of Operations and audited consolidated financial statements for the reporting period in accordance with orders from the Minister for Finance.

The ILC Report also includes a report into the operation of the Indigenous Land Fund as required by section 193I of the *Aboriginal and Torres Strait Islander Commission Act 1989*.

Section 9(3) of the *Commonwealth Authorities and Companies Act 1997* requires that as soon as practicable after you receive a copy of the report you cause it to be laid before each House of Parliament.

Yours sincerely

SHIRLEY MCPHERSON
Chairperson

Head Office
Indigenous Land Corporation
GPO Box 652
Adelaide SA 5001
Ph: (08) 8216 4100
Fax: (08) 8212 7264

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LIST OF ACRONYMS AND ABBREVIATIONS

AFFA	Agriculture, Forestry and Fisheries Australia
ALT	Aboriginal Lands Trust, WA
Assoc	Association
ATSIC	Aboriginal and Torres Strait Islander Commission
<i>ATSIC Act</i>	<i>Aboriginal and Torres Strait Islander Commission Act, 1989</i>
<i>CAC Act</i>	<i>Commonwealth Authorities and Companies Act, 1997</i>
BOS	Board of Studies
CDEP	Community Development Employment Program
CDO	Central Division Office
CPI	Consumer Price Index
DIA	Department of Indigenous Affairs, WA
DOA	Department of Agriculture, WA
EDO	Eastern Division Office
EEO	Equal Employment Opportunity
EETS	Extension, Education and Training Strategy
<i>FMA Act</i>	<i>Financial Management and Accountability Act, 1997</i>
GIPPACC	Goldfields Indigenous Primary Producers Aboriginal Corporation
GIS	Geographical and Information System
GLSC	Goldfields Land and Sea Council
ILC	Indigenous Land Corporation
Inc	Incorporated
IPA	Indigenous Protected Areas
ILMF	Indigenous Land Management Facilitator

KABS	Kimberley Aboriginal Beef Strategy
KAPA	Kimberley Aboriginal Pastoralists Association
KLC	Kimberley Land Council
LAAS	Land Acquisition and Access Strategy
Land Fund	Aboriginal and Torres Strait Islander Land Fund Reserve
LEA	Land Enterprise Australia Pty Ltd
LNPP	Land Needs Planning Process
LNP	Land Needs Planning
Ltd	Limited
<i>Mabo Case</i>	<i>Mabo vs Queensland (No 2) 175 CLR 1</i>
MET	Monitor and Evaluation Team
MMS	Mogila Merino Stud
MSU	Management Services Unit
NHT	Natural Heritage Trust
NTRB	Native Title Representative Body
OEA	Office of Evaluation and Audit
PMP	Property Management Planning
PPM	Policy and Procedures Manual
Pty Ltd	Propriety Limited
QC	Queens Council
QSRBAC	Queensland South Representative Body Aboriginal Corporation
RILS	Regional Indigenous Land Strategy
SAMLISA	Strategy for Aboriginal Managed Lands in South Australia
SAMLIV	Strategy for Aboriginal Managed Lands in Victoria
SRILUS	Southern Rangelands Indigenous Land Use Strategy
SROLN	Sub-Regional Overview of Land Needs
SRS	Sub-Regional Strategy
SWALSC	South West Aboriginal Land and Sea Council
THB	Title Holding Body
VRD	Victoria River District
WDO	Western Divisional Office
YLSC	Yamatji Land and Sea Council



REPORT FROM THE CHAIRPERSON

2001-2002 has been a significant and busy year for the ILC. The year has seen a number of significant changes at both Board and senior staff level and, more importantly, some refocusing of how the ILC conducts its business.

Along with my three-year appointment as Chairperson in August 2001, Norma Ingram was appointed as a Director at the same time for two years. We are pleased to work with the continuing Directors to further the activities of the ILC.

One of the first tasks of this new Board was to appoint a replacement for the former General Manager, John Wilson, who resigned the previous year. After an extensive selection process, Mr David Galvin was appointed as the ILC's General Manager for a three-year term. The Board also recreated the position of Deputy General Manager and Mr William (Smiley) Johnstone won this position.

I have been delighted with the energy of these two senior staff, as well as the efforts of all other ILC staff in meeting the needs of our clients.

During the year, the ILC continued to meet its statutory responsibilities to assist Indigenous Australians to purchase land and to assist in the management of Indigenous-held land. Since its inception and to 30 June 2002, the ILC purchased 151 properties, of which 109 have been divested

to Indigenous Corporations.

The ILC has been in existence for seven years. Early in the year, the ILC Board commissioned an extensive internal audit report of the status of all properties the ILC has purchased, including land handed over and land yet to be handed back. The report looks at the physical status of the land, including fixed infrastructure, such as houses, buildings and fences, the capacity of the title-holders or proponents to effectively manage the land to meet their needs, as well as the reasons the ILC purchased the land initially, and whether that still accords with the aspirations of the title-holders or proponents.

Not surprisingly, the findings are varied. Some land is being managed very well and is genuinely helping the local Indigenous community meet their needs. On other properties, this outcome is not so obvious. Partly in response to this study, the ILC Board has approved in principle a move towards buying land under one of four program streams: economic, social, environmental and cultural. I look forward to reporting on this in more detail in next year's annual report.

As reported in last year's annual report, the ILC Board commissioned the Hon. Andrew Rogers QC to conduct a report into the ILC's purchase and management of two pastoral stations in Western Australia - Cardabia and Roebuck Plains Stations. Mr Rogers has briefed the Board saying he found no evidence of illegality or criminal behaviour. His advice, was also that the Board seek indemnity from any claims for defamation for the ILC, its Directors and officers prior to him providing his report to the ILC Board. After a lengthy delay, the ILC was unable to secure an indemnity from the Commonwealth. The ILC Board then granted its own indemnity, which is outlined in the Finance and Administration section of this report. The Board will now consider what, if any, action it now takes in regards to the release and publication of the Rogers report¹.

The ILC Board is acutely conscious of the special relationship Indigenous Australians have with their land. The Board is pleased that many Indigenous Australians have already benefited from the properties purchased by the ILC in addition to the many Indigenous-held properties that have received its

¹ Refer page 57 for further details

land management support. For those Indigenous Australians still wanting ILC support, the Board asks you to please continue to work with us to achieve your aspirations.

SHIRLEY McPHERSON
CHAIRPERSON

ILC BOARD OVERVIEW

SHIRLEY MCPHERSON [CHAIRPERSON]



Ms Shirley McPherson, a chartered accountant, is a Director of the Indigenous Business Network and a Board member of First Australians in Business. She is currently employed with Portman Iron Ore to negotiate Indigenous Land Use agreements in Western Australia.

Ms McPherson has held senior positions in the private, government and university sectors and has a wealth of experience at the regional, national and international levels of government in program delivery and private business development.

Raised in Morawa, Western Australia, Ms McPherson was appointed to the ILC Board as Chairperson in August 2001 for a three-year term.

CLEM RILEY [DEPUTY CHAIRPERSON]

Mr Clem Riley has extensive experience working in Aboriginal Affairs in Western Australia. A Noongar man from Wikepin, Mr Riley worked as a consultant to the Noongar Land Council in the area of Native Title rights. He has extensive experience in Indigenous community and business development, housing and legal services in various organisations, which assist the Noongar people of his region.



A former Chairperson of the ATSIC Perth Noongar Regional Council, Mr Riley was also the former Chairperson of the Western Australian Aboriginal Lands Trust.

Mr Riley was appointed to the ILC Board in August 1999 and was reappointed in 2001 for a two-year term.

DAVID BAFFSKY, AO



Mr David Baffsky is Chairperson of Accor Asia Pacific, the largest Hotel and Tourism Company in Australia and the Asia Pacific region. The company employs more than 10,000 people in Australia, and has launched a pioneering Indigenous Employment Program with the Australian government, which provides long-term career opportunities for more than 100 Indigenous Australians. Eurest Australia, of which he is also the Chairperson, has introduced a similar Indigenous employment initiative around Australia.

Mr Baffsky has had extensive experience in business management. A graduate in Law from the University of Sydney, Mr Baffsky is also a Director of Tourism Asset Holdings Limited, a founding member of the Singapore International Advisory Council for Tourism and a life member of the Tourism Task Force.

He is a Director of the Bundanon Trust, a Director of the New South Wales Government's Major Events Board, Co-Chairperson of the National Indigenous Leadership Group for Tourism and a member of the Australian government's Beef Management Quota Panel.

Mr Baffsky works with a number of charitable and non-profit groups – he recently joined the Executive Committee of the CARE Australia Corporate Council and is an active supporter of the Royal Flying Doctor Service.

In June 2001, Mr Baffsky was made an Officer in the General Division of the Order of Australia. The award was made for his 'service to tourism, particularly in relation to industry development, service provision and employment generation, and to the community through medical research, humanitarian relief and social welfare organisations'.

Mr Baffsky was appointed to the ILC Board in August 1999 and reappointed in 2001 for a two-year term.

GEOFF CLARK



Mr Geoff Clark was elected as the Chairperson of the Aboriginal and Torres Strait Islander Commission (ATSIC) on 16 December 1999. He is the first Chairperson of ATSIC to be elected (former Chairs were appointed by the Government).

Mr Clark is from the Tjapwurrong tribe of Western Victoria. He lives at the Framlingham Aboriginal Community near Warrnambool in Victoria and was Administrator of the Framlingham Aboriginal Trust for 17 years prior to his election as an ATSIC Commissioner in 1996.

Mr Clark has been involved in Aboriginal and Torres Strait Islander affairs for over 20 years, in a variety of local community, state, national and international forums. He is a member of the Indigenous Peoples Organisation on International Issues, and Vice-Chairperson of the Aboriginal Provisional Government.

Mr Clark is an ex officio member of the ILC Board during his term as ATSIC Chairperson.

KEVIN DRISCOLL, CBE

Mr Driscoll is a business operator with extensive experience in the building and construction industry as well as business and property investment.

Mr Driscoll is a founding member and first President of several industry organisations, including the ALP Youth Movement Queensland and the Housing Industry Association Queensland. Mr Driscoll has



also served as the National President of the Housing Industry Association, as a member of the Australian Housing Corporation Board and the Companies

and Securities Advisory Board and as a Director of the Prince Charles Hospital Foundation.

Mr Driscoll has extensive experience on boards of management and is Chairperson of Directors of his own companies, National Homes Pty Ltd, Driscoll Pastoral Company, Executive Air Travel and the Driscoll Hotels Group. He is currently Chairperson of the ILC's Business Enterprise Committee.

Mr Driscoll was appointed to the ILC Board in March 1998 and his appointment is ongoing.

STEVE GORDON



Mr Steve Gordon was re-elected Commissioner for his fourth consecutive term, an achievement unmatched in ATSIK's 11-year history. He has been taking stands for workers rights since, at the age of 19, he refused to be paid in tobacco and demanded cash for a stint in a western New South Wales shearing shed. Since then he has been a vocal union voice and forceful advocate of Aboriginal rights.

He was the first Aboriginal Ombudsman in New South Wales. In Brewarrina, where he lives, he has held office with the legal service and a housing cooperative. In June 1997 he became the first Aboriginal elected representative to address the New South Wales Parliament. A second-term councillor on Brewarrina Shire Council, Commissioner Gordon was one of only 16 Aboriginal candidates to win a place in the New South Wales municipal elections held in 1999.

His portfolio responsibilities on the ATSIK Board are Communication, Broadcasting and Media.

Mr Gordon is the ATSIK Nominee on the ILC Board for the period of his current term as an ATSIK Commissioner.

NORMA INGRAM



Norma Ingram, a member of the Wiradjuri nation, was born the youngest of eleven children on an Aboriginal Reserve in central New South Wales. She is a graduate from Harvard University with a Masters Degree in Education and a strong advocate of education and enterprise development for Indigenous people.

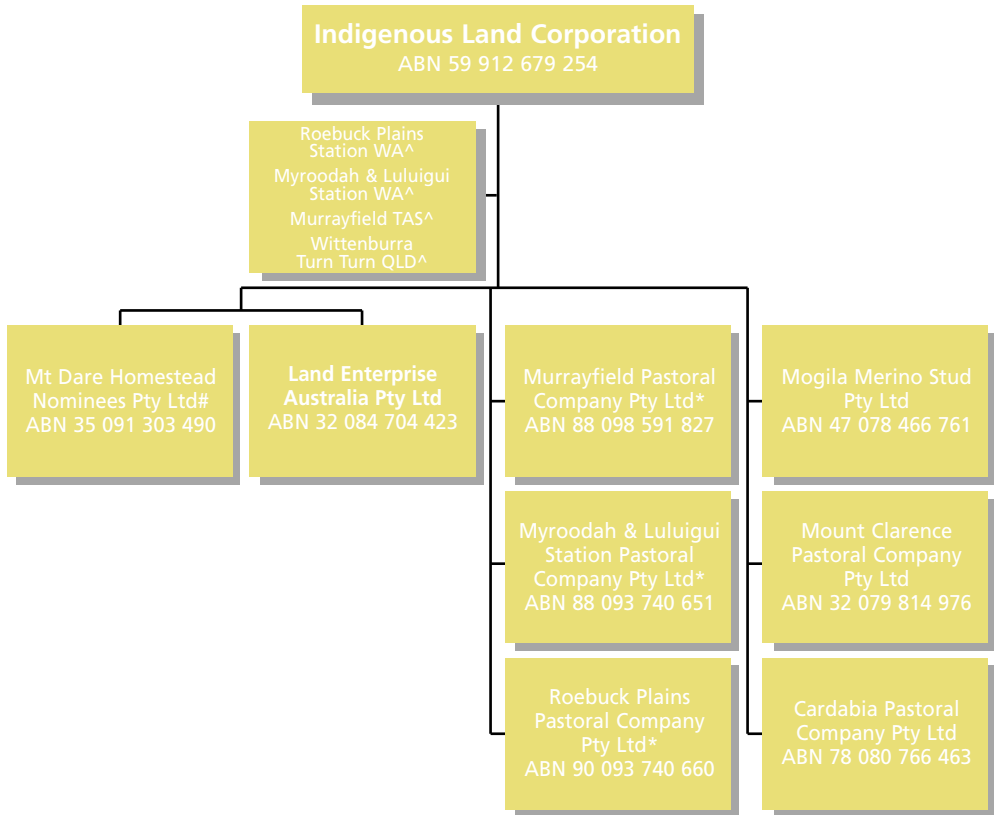
Ms Ingram has been actively involved in Aboriginal Affairs for over 30 years, mainly in the inner city of Sydney. She has been a lecturer at the University of Technology, an Employee Relations Manager at QANTAS Airways Ltd, managing the Aboriginal and Torres Strait Islander Employment and Training Strategy, and the CEO of the New South Wales Aboriginal Land Council.

Ms Ingram is employed by the New South Wales Premiers Department as Project Manager for the Strengthening Communities Unit where her role is to advise the Premier's Department on the major social and economic issues that concern the Aboriginal people of New South Wales.

Ms Ingram is the Chairperson of the sub-committee of the ILC on social and urban issues in regards to the dispossession of Aboriginal people in Australia.

Ms Ingram was appointed to the ILC Board in August 2001 for a two-year term.

**FIGURE 1:
STRUCTURE OF THE ILC AND ITS SUBSIDIARIES**



^ Commercial Pastoral Operations on ILC - held land
 * Employment companies only
 # Holds licences on Mt Dare Homestead as from 1/4/02