

people LAND opportunity



2013–2017



Australian Government
Indigenous Land Corporation

NILS | NATIONAL INDIGENOUS
LAND STRATEGY

Contents

Chairperson's introduction	1
Introduction	4
Purpose of the ILC	4
Role of the National Indigenous Land Strategy	4
Governance	5
The governance relationship between the ILC and its subsidiaries	5
Funding	6
17 years of the National Indigenous Land Strategy	7
Consulting with community	8
Aligning with Australian Government outcomes	8
Collaboration and partnerships	9
Our priorities / goals	10
Measuring our progress	10
Priority outcomes	11
Benefits – indicators of progress	14
Our programs	15
Land Acquisition	16
Land Management	21
ILC operated businesses	27
On country: working with natural resources	31
Participation in the carbon economy	31
Native title	34
ILC communication strategy	36
Our legislative requirements	37
Our policy requirements	40



Chairperson's introduction

On behalf of the Board of the Indigenous Land Corporation I am pleased to present the fourth National Indigenous Land Strategy, which sets out our vision and strategic direction for 2013 to 2017.



The NILS is our key policy document. It sets out our five-year strategic direction, our key priorities and how our land management and land acquisition programs will be implemented in order to meet our legislated function to assist Indigenous people to acquire and manage land to achieve economic, environmental, social or cultural benefits.

Developing the NILS

During 2012, the ILC Board oversaw a national public consultation process that was managed independently by the University of South Australia. Over 300 responses were received from a diverse stakeholder base. These contributions were used to develop our priorities and help target our programs.

I would like to take this opportunity to say a sincere thank you to the individuals, Indigenous organisations, non-government organisations, government agencies and industry groups that took the time to provide their views on how Indigenous people can achieve economic, environmental, social or cultural benefits through the acquisition and management of land.

Overall feedback confirmed that our priority outcomes and indicators of progress are in line with the expectations of stakeholders. While stakeholders expressed their support for land-based programs to continue to focus on economic development and training to employment outcomes, there was also strong support for cultural, social and environmental outcomes.

The ILC Board respects these views and applications for cultural and environmental acquisitions will continue to be received at any time of the year under this NILS. The Board considers that applications focussing on the goal of ensuring access to and protection of land with cultural and/or environmental significance are critical in ensuring the ILC achieves outcomes across its benefit targets.



The ILC Board looks forward to working with Indigenous Australians to achieve social, economic, cultural and environmental benefits over the next five years.

Measuring Progress towards our Priority Outcomes

Our strategy is focussed on Indigenous peoples achieving benefits through our two priority outcomes; socio-economic development and access to and protection of cultural and environmental values. These priorities are derived from our legislated purpose and shape the implementation of our land management and land acquisition programs. In order to ensure our programs are focussed on achieving benefits, we evaluate projects using indicators to measure progress toward our priority outcomes.

Each year we set targets for assisting Indigenous people to achieve benefits. We measure progress toward reaching those targets and we report our achievements against them in our Annual Report.

Collaborating with government

We are a relatively small organisation with limited resources. Each year we receive requests to fund projects that exceed our annual budget and our strategy ensures that we contribute to projects that will achieve the maximum benefits for Indigenous people. Collaborating with peak Indigenous organisations, government agencies and industry partners is a key priority in leveraging funds to achieve greater outcomes. Under our establishing legislation we cannot use our limited resources to fund activities that are the responsibility of other government agencies and collaboration is a means by which we can work together to achieve shared outcomes. These partnerships also ensure that we make a strong contribution to Commonwealth Government initiatives including Closing the Gap and the Indigenous Economic Development Strategy.

This NILS describes how we propose to work with governments, Native Title Representative Bodies and native title claim groups to play a constructive role in native title settlements.

“The connection between culture and land is a major part of our lives past, present and future. Culture is the land and the land is our culture.”

*Kooma man and ILC
Administrative Assistant*



This is the first time that we have formally enunciated our position and our Native Title Policy should make a constructive contribution in the settlement of targeted native title claims.

The ILC Board looks forward to working with Indigenous Australians to achieve social, economic, cultural and environmental benefits over the next five years.

Dr Dawn Casey

Chairperson



Unguu Rangers taking part in a Kimberley Rangers Program forum.

Introduction

Purpose of the Indigenous Land Corporation

The ILC is an independent Australian Government statutory authority set up under the *Aboriginal and Torres Strait Islander Act 2005* (the ATSI Act) to assist Indigenous people to acquire and manage land to achieve economic, environmental, social or cultural benefits.

Role of the National Indigenous Land Strategy

The National Indigenous Land Strategy (2013–17) is our key policy document. This strategy reflects the input of Indigenous organisations, individuals, and other stakeholders from around Australia. The ATSI Act sets out that our Board must:

- Prepare the strategy
- Revise it from time to time, and
- Have regard to it for the purpose of performing our functions.

This strategy is designed to be used as a reference and framework to guide our performance and functions. It sets out our priorities, our programs and ensures our activities meet our obligations under the ATSI Act.



This is not a static or fixed document. In keeping with the ATSI Act we will regularly review this Strategy and amend and update it as necessary.

Section 191N (1) of the ATSI Act states:

The Indigenous Land Corporation must prepare, and revise from time to time, a strategy to be known as the National Indigenous Land Strategy.

This Strategy will be shared with external partners, including beneficiaries, governments, non-government organisations and other stakeholder groups to describe the our approach to fulfilling our land acquisition and land management functions and achieving economic, environmental, social or cultural benefits.

We also prepare Regional Indigenous Land Strategies (RILS), a series of documents that give regional information about each State and Territory. The RILS assists by giving a regional context for decision making and an understanding of our operating environment. Each RILS is reviewed regularly and revised from time to time.

Governance

The ATSI Act sets out that the Board is the ILC's primary decision-making body. The Minister is not empowered to direct any of our activities except in limited circumstances. The Board oversees governance of administration, considers land acquisition and land management proposals, and monitors performance.

The Board consists of seven Directors of which five, including the Chairperson, must be Indigenous. The Board is appointed by the Minister for Families, Community Services and Indigenous Affairs, in consultation with the Minister for Finance and Deregulation. In accordance with ensuring high standards of governance, the Board has subcommittees to provide oversight and corporate accountability to key policy initiatives.



The ILC Board. L–R Neil Westbury, Ian Trust (Deputy Chair), Dr Dawn Casey (Chairperson), David Baffsky, Olga Havnen, Sam Jeffries, Graham Atkinson.

The governance relationship between the ILC and its subsidiaries

We have established subsidiaries in some specific and limited instances where the subsidiary might more effectively carry out one or more of our functions or for administrative ease. With each subsidiary, it has been necessary to determine the amount of active autonomy the subsidiary should have and balance that against appropriate control and reporting requirements for the ILC as the sole owner and parent company and consistent with the ATSI Act.

Governance and oversight of our subsidiaries is exercised through:

- Sole ownership by the ILC
- Formal ILC/subsidiary arrangements specifying the roles of the subsidiary and how they are to be performed
- Nominated ILC Directors occupying some positions on the relevant subsidiary Boards and an ILC officer being the common Company Secretary
- Relevant constitutional arrangements
- Appointment of independent Directors with relevant expertise

Section 191G of the ATSI Act enables the ILC to make arrangements with a subsidiary to perform one or more of the ILC's functions. Subsidiaries of the ILC are governed by Part 4A of the ATSI Act and by the *Corporations Act 2001*. In accordance with section 29 of the *Commonwealth Authorities and Companies Act 1997*, ILC subsidiaries cannot do anything that the ILC cannot do.

Our Internal Audit program and Corporate Risk Management Programs extend to ILC subsidiaries. The Audit and Risk Management committees of the respective active subsidiaries will be consulted when setting up the program.

The ILC Board has commissioned an independent review of the effectiveness of its governance practices and procedures, including those with its subsidiaries. Outcomes of the review will be incorporated into the NILS, as necessary, when the Board undertakes a review.

Funding

The ATSI Act also established the Aboriginal and Torres Strait Islander Land Account (the Land Account) to provide a secure stream of income to the ILC in perpetuity. We receive an annual payment derived from the real investment returns of the Land Account. This payment of at least \$45m per year is used to fund our programs and administrative costs. The Land Account is a *Special Account* with a balance of approximately \$1.9b as at 31 January 2013. It is administered by the Department of Families, Housing, Community Services and Indigenous Affairs under delegation from the Minister for Finance and Deregulation.

“Land is life and life is land. All nourishment and succor comes from the land. Cultural benefits empower individuals, families and communities. From birth to elderhood our identity is linked to where we come from. We draw strength from knowing our country. Our place in the world.”

Ugar em le (Stephen Islander) and ILC Project Advisor

17 years of the National Indigenous Land Strategy

In the 17 years of the ILC performing its statutory functions, four National Indigenous Land Strategies have been developed to guide the implementation of our programs and ensure we fulfil our purpose of assisting Indigenous people to acquire and manage land to achieve economic, environmental, social or cultural benefits.

The first NILS spanned 1996 to 2001 and was designed to provide Indigenous people with an understanding of the way we intended to work toward meeting our legislated purpose. As a newly formed body, the initial focus was to consult with Indigenous people and organisations across Australia to gain a detailed understanding of land needs at a regional level.

The main priority during the term of the NILS 1996–2001 was acquiring land and transferring it to Indigenous corporations. The primary focus during that period was acquiring land of cultural significance. However, where economic, social or environmental benefits could also be achieved, support was provided where possible.

The second NILS spanned 2001 to 2006 and was built upon consultations with Indigenous stakeholders and the experience we had gained in fulfilling our statutory purpose over our first five years of operation. The focus of activities broadened to include economic, environmental, social and cultural benefits, particularly through the introduction of an application process for land acquisition and land management projects.

Based on a review of the first five years of acquiring land, we recognised that achieving benefits through land ownership can be a challenging and complex task which must be underpinned by capacity and commitment of the landholder. The review concluded that land ownership in itself was not always a benefit and it could in fact be a liability if the land owner did not have the capacity to manage the property. As a result, our assistance was provided on the basis of applicants demonstrating their project's viability and sustainability, and their own commitment and capacity to make their project work to achieve benefits.

The third NILS (2007–2012) continued to focus on achieving economic, environmental, social and cultural benefits for Indigenous people through acquiring and managing land. The strategy focussed on the belief that sustainable employment, and training that leads to employment, is central to Indigenous people achieving long-term benefits. We introduced Priority Outcomes and Progress Indicators as a way of strategically aligning our program delivery with our legislated purpose and evaluating how our programs met the needs of Indigenous people.

In this period, we were proactive in our commitment to training and employment by expanding economic opportunities available to Indigenous people on ILC commercial enterprises. The renewed focus in 2007 was driven by the identified need to develop economic opportunities for Indigenous landholders across Australia, particularly in the agricultural and tourism industries.

Consulting with community

This NILS is built upon the input and views of Indigenous people and Indigenous corporations in addition to other stakeholders including government agencies and the private sector.

Throughout 2012 we undertook extensive consultations with individuals, organisations and agencies that have a direct interest in the way we operate. The consultations were undertaken through online surveys, written submissions and interviews managed independently by the University of South Australia. Participants were provided the opportunity to share their views on our priorities and work over the past five years and where our effort should be focussed for the 2013–2017 period.

Aligning with Australian Government outcomes

While upholding our independence as a statutory authority, we have a strong commitment to working closely with Australian governments to achieve sustainable benefits for Indigenous Australians. Our experience shows that Indigenous benefits can be maximised when we work closely with other government agencies to support shared outcomes.

Through our land acquisition and land management functions we contribute to overarching government strategies of addressing Indigenous disadvantage, and promoting Indigenous economic development. We are a strong supporter of Closing the Gap between Indigenous and non-Indigenous Australians and our priority of developing socio-economic opportunities contributes measurably to the Closing the Gap target of halving the gap in employment outcomes between Indigenous and non-Indigenous Australians within a decade.

The ATSI Act provides that we must exercise our functions in addition to, not instead of, the functions of other government agencies. It is necessary to ensure that support is obtained in instances where all or part of a project is the responsibility of another government agency. We work actively to collaborate with other agencies in projects where a joint approach will maximise Indigenous benefits and support shared outcomes.



In fulfilling our statutory purpose we will continue to work closely with the Australian Government in Closing the Gap and achieving shared outcomes, and have regard to the COAG National Partnership on Remote Service Delivery and the ILC's commitment to and support for the Australian Government's Indigenous Economic Development Strategy.

Collaboration and partnerships

Collaborating and developing partnerships with Indigenous organisations, government agencies and industry allows us to leverage our funding to maximise the Indigenous benefits achieved through our land management and land acquisition programs.

Collaboration, particularly across regions with multiple parties can be complex. In addition to leveraging additional resources and support, developing strong partnerships through collaboration fosters innovation, capacity and capability. Our experience shows that collaboration can encourage the sharing and exchange of information, the sharing of costs and risks associated with new projects and enterprises and the development of complementary skills and competencies. We will continue to provide leadership and share expertise with Indigenous beneficiaries and other partners.

Where practicable, we are keen to encourage Indigenous organisations and land holders to partner together across regions and develop enterprises with the necessary economies of scale to sustain employment and economic development. We welcome proposals for collaboration with Indigenous and non-Indigenous organisations.

KEY COLLABORATIVE OPPORTUNITIES

We will continue to work with Indigenous organisations, government agencies and industry partners to:

- achieve benefits through the acquisition and management of land.
- achieve Indigenous benefits through the resolution of native title.
- develop opportunities in carbon, bio-diversity and payment for environmental services markets.
- achieve socio-economic development outcomes in the agricultural and tourism industries.
- acquire land for access to and the protection of cultural and environmental values under the National Reserve System.
- establish projects across regions with Indigenous landholders where they have shared interests and ambitions.

Our priorities/goals

Measuring our progress

In this section we set out our approach, known as our Benefits Framework, to ensure our land acquisition and land management assistance is planned and implemented to achieve our purpose as defined in the ATSI Act. It also serves as a framework for reporting on our program delivery to the Australian Parliament and the wider community.

We define 'benefits' as the long term improvement in Indigenous wellbeing.

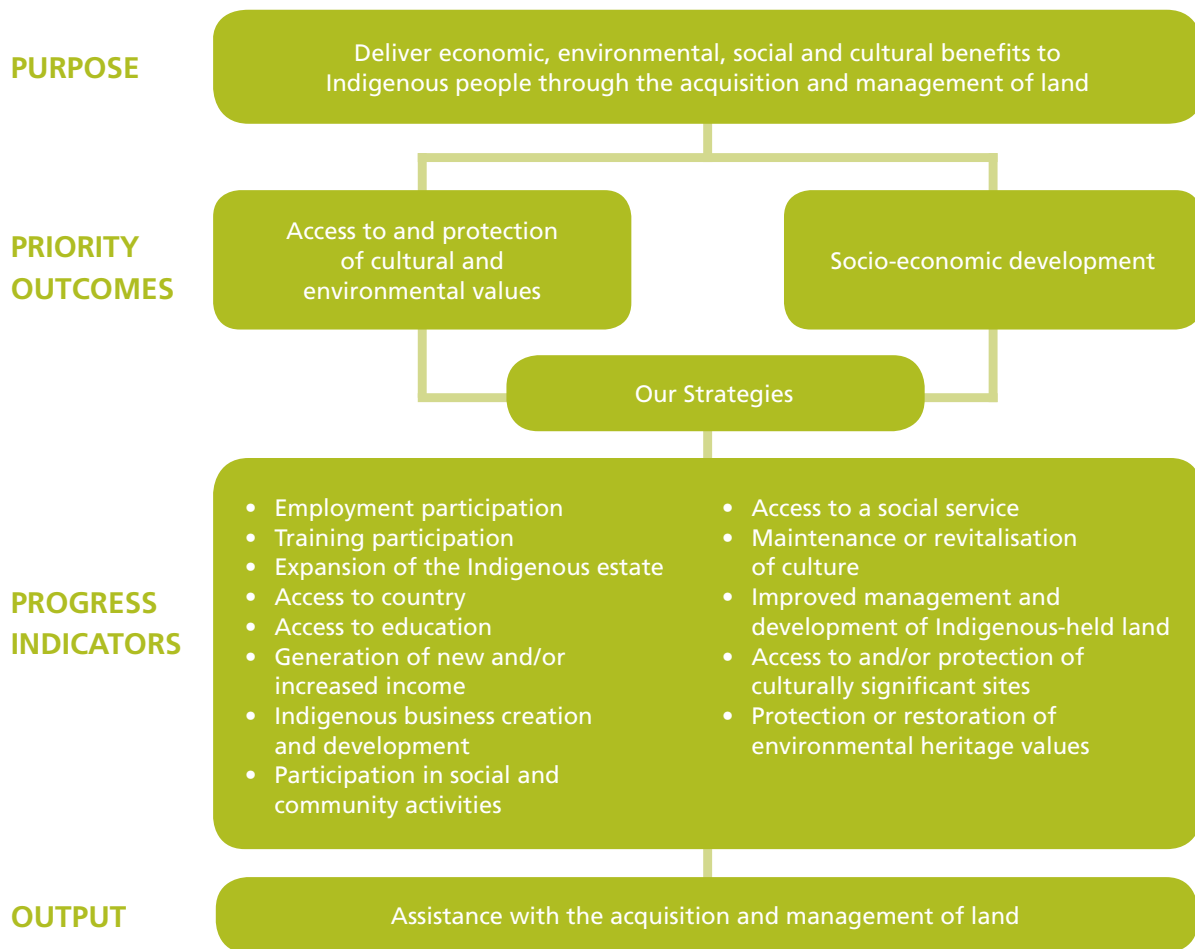
We define benefits as the long-term improvements in Indigenous wellbeing. We recognise the relationship between types of benefits and that a single project can achieve multiple benefits.

The way we achieve long-term benefits is mapped out in Figure 1. There are five tiers to our Benefits Framework with our purpose at the top and our programs at the foundation. Through our programs we provide practical assistance to Indigenous people in acquiring and managing land. We use progress indicators to assess how our programs and strategies lead to achieving our priority outcomes. In the long term, achieving our priority outcomes will lead to the realisation of benefits and fulfilment of our statutory purpose.



Workers erect trap yards on Lamboo Station in the east Kimberley as part of the Indigenous Landholder Services collaboration between the ILC and DAFWA.

Figure 1: Benefits Framework



Priority outcomes

All of our strategies are focussed on realising our two priority outcomes. They are derived from our legislated purpose and shape our program delivery to assist Indigenous people to acquire and manage land to achieve economic, environmental, social or cultural benefits.

“ For me I think the priorities are pretty good which is around the access for protection of cultural and environmental values and better opportunity for social economic development... ”

NILS consultation interviewee: August 2012

KEY STRATEGIES TO ACHIEVE INDIGENOUS BENEFITS INCLUDE:

- Acquiring and granting land to Indigenous organisations for the purposes of achieving access to and protection of cultural and environmental values.
- Providing land management assistance to Indigenous landholders to support them in accessing and protecting cultural and environmental values.
- Seeking opportunities to collaborate with Indigenous groups and landholders, other agencies, the not-for-profit sector and/or industry on land acquisitions that will ensure access to and protection of cultural and environmental values.

Priority outcome 1: access to and protection of cultural and environmental values

Land has a fundamental place in the cultural identity of Aboriginal and Torres Strait Islander peoples. We are committed to assisting Indigenous people acquire and manage land of cultural and environmental significance and protecting and maintaining the cultural and environmental values of land.

The priority outcome access to and protection of cultural and environmental values reflects our efforts to secure access to and protect and maintain land with high cultural and/or environmental significance or values.

Securing access to land is an important step toward protecting cultural and environmental values. Our land acquisition function recognises the fact that many Indigenous people have been denied access to or dispossessed of traditional lands and provides a means by which Indigenous Corporations can secure control of land to ensure cultural and environmental values are protected.



Roy Gibson – Traditional Owner Mossman Gorge sharing Kuku Yalanji cultural knowledge with international tourists during a Dreamtime walk.

Priority outcome 2: socio-economic development

We assist projects that deliver social and economic outcomes for Indigenous Australians with particular emphasis on projects that provide sustainable employment and training that leads to employment. We believe that sustained employment creates a range of benefits for Indigenous people, including increased standards of living, income and improved health and wellbeing.

Through this priority outcome, we provide significant social and/or economic benefits for Indigenous people through training and employment, enterprise development and supporting the delivery of social programs by Indigenous organisations.

“...the ILC invests heavily in that project but does not get its return on its money, if you like, or its investment until some years down the track. But the reason they've actually gone into that is to actually provide the opportunities for that local community in terms of employment opportunities etcetera where no other employment or economic opportunities exist for them. So it will ultimately be a business that will be handed back to the community.”

NILS consultation interviewee: August, 2012

KEY STRATEGIES TO ASSIST INDIGENOUS PEOPLE TO ACHIEVE SOCIO-ECONOMIC DEVELOPMENT OUTCOMES THROUGH:

- Acquiring and granting land to Indigenous organisations to achieve Indigenous training, employment and social outcomes.
- Operating agricultural and tourism businesses that train Indigenous people and assist them to transition to secure jobs.
- Operating the National Centre of Indigenous Excellence at Redfern, New South Wales, to provide Indigenous educational, cultural, sporting and social services programs and secure accommodation facilities for young Indigenous people from remote and regional Australia.
- Providing funding assistance to Indigenous landholders for projects that will develop land-based businesses and improve management of their land.
- Providing property planning assistance to build the capacity of Indigenous landholders to manage and use their land.
- Developing projects in collaboration with other organisations to assist Indigenous landholders engage with emerging enterprise opportunities in offsetting greenhouse gas emissions and delivery of environmental services.
- Collaborating with other agencies and industry partners to implement regional projects that provide mentoring, support and advice to assist Indigenous landholders to sustainably manage land.

Benefits – indicators of progress

To keep on track in achieving our priority outcomes, we use a set of indicators to measure progress. The Progress Indicators describe what is changing through our land acquisition and land management assistance.

We plan, monitor and measure our assistance based on the economic, environmental, social or cultural benefits being achieved by Indigenous people through owning and managing land. We report on the benefits being achieved and use benefits to describe how we are contributing to positive life experiences for Indigenous Australians today and into the future.

Key strategies:

- We will continue to use Progress Indicators when making funding allocation decisions to consider the potential benefits to be achieved by Indigenous people through land acquisition or land management projects.
- Beneficiary groups will use Progress Indicators to report the achievements of ILC funded projects. We will use Progress Indicators when evaluating projects and monitoring our performance.



Children proudly show produce they have grown in a school garden project supported by the ILC and Edge of Nowhere Edible Gardens Project in WA.

Our programs

We have two programs – Land Acquisition and Land Management.

OUR PROGRAM STRUCTURE IS BASED UPON SECTION 191B OF THE ATSI ACT WHICH SETS OUT OUR TWO MAIN FUNCTIONS:

The Indigenous Land Corporation is established:

- (a) to assist Aboriginal persons and Torres Strait Islanders to acquire land; and**
- (b) to assist Aboriginal Persons and Torres Strait Islanders to manage Indigenous held land;**

so as to provide economic, environmental, social or cultural benefits for Aboriginal and Torres Strait Islanders.

Each year we fund land acquisition and land management projects either through:

- Applications from Indigenous organisations or landholders; or
- Projects we develop in collaboration with Indigenous stakeholders, other agencies and the private sector.

Our annual budget to fund programs is limited. Each year, our Board allocates a proportion of our budget to our program types and decisions regarding assistance are made within the allocation. It is our goal to ensure that funding goes toward projects that will achieve the maximum benefits for Indigenous people. On occasions where total funding requests from applications is more than the available funding, we undertake a process of relative assessment where projected benefits and value for money for each project are compared to identify preferred applications.

The ATSI Act dictates that we must exercise our functions in addition to, not instead of, the functions of other agencies. In instances where all or part of a project is the responsibility of another agency it is necessary to ensure that support is obtained. We work actively to collaborate with other agencies in projects where a joint approach will maximise Indigenous benefits and support shared outcomes.



Traditional owners are providing advice to protect cultural and environmental sites during work to upgrade pastoral infrastructure on Warrigundu Station.

Applicants are required to demonstrate that their proposed land acquisition or land management projects will be well managed and use sound environmental and cultural heritage management practices.

Some of our projects and initiatives involve both land acquisition and land management elements. For example, in cases where we purchase land on behalf of an Indigenous corporation we may need to provide additional funding to ensure the property is suitable for its intended use.

ILC operated enterprises will often draw on both functions in order to successfully achieve the intended benefits of the project.

Our land management and land acquisition functions are also used to assist in the negotiation of native title settlements. See page 34 for more information.

Land acquisition

Our Land Acquisition Program is set up to acquire or purchase land for the purposes of granting the land to Indigenous corporations. The ATSI Act requires that the acquisition of land must achieve economic, social, cultural or environmental benefits for Indigenous people. The aim of the program is to build a sustainable land base now and for future generations of Indigenous people.

Indigenous corporations can apply for land under two categories that align with our Priority Outcomes:

- *Cultural and environmental values*, which focuses on acquisitions that have the primary goal of ensuring access to and protection of land which has high cultural and/or environmental significance. Applications for cultural and environmental acquisitions can be submitted at any time of the year.
- *Socio-economic development* focuses on acquisitions that provide social and/or economic benefits to Indigenous people including the establishment of land-based Indigenous enterprises.

Socio-economic development applications are assessed once per year. We give priority to assisting projects that provide sustainable employment and training that leads to sustainable employment for Indigenous people. A single annual round for socio-economic applications ensures that all are assessed on relative merit. The reason why we maintain an annual, not a rolling round for applications, is so that the limited funds available can be competitively allocated to the most worthy projects.

Whether you are running a land-based enterprise, providing social services or protecting culturally significant places, we recognise that land ownership can be a complex task.

Our experience, confirmed through consultation with stakeholders, shows that successful property owners and applicants have a clear plan, strong governance, a sustainable income source and the capacity to manage the property for its intended use and for the benefit of Indigenous people. We have developed criteria that we use to assess proposed land acquisition projects to ensure they can demonstrate that:

- There is a clear plan for use of the land
- Achievable and sustainable benefits will be delivered to Indigenous people
- The applicant or landholder has or will have the capacity to manage the land and land use
- The land use will be viable and sustainable
- The applicant/landholder has a secure income stream that will allow it to fulfil its plans for the property
- The applicant has the ability to pay for all land holding costs
- The land is suitable for the proposed land use
- The property is managed using sound environmental practices.

For acquisitions that focus on gaining access to and protecting land with high cultural values we have additional criteria in place to ensure that the project is driven by, or has the full support of traditional owners and people with traditional links to the land.

For acquisitions that focus on running a commercial enterprise we have additional criteria in place to ensure that the enterprise is viable and sound business practices will be followed.

The full set of criteria can be found in our Land Acquisition Handbook which is available on our website.



Land ownership

Our primary goal in acquiring land is for Indigenous corporations to own and manage land successfully and independently. When our Board approves the acquisition of a property a plan for the granting of the land is developed with the corporation. Where necessary, the plan will include a lease period to assist the corporation to build its skills and expertise in areas of property ownership and the planned activities undertaken on the land. We monitor the progress of the corporation during this time through regular reporting and property visits. Reports include details of the financial position of the corporation, the benefits generated from the land use and the compliance of the corporation with its regulatory body.

During the lease period, we may provide practical assistance in developing capacity such as funding for training and infrastructure needs with the goal of granting the property to the corporation in a reasonable timeframe. Once capacity to own and manage land independently has been demonstrated, we enter into a contract (or a Deed of Grant) with the corporation to enable the granting of the land.

“ Now we’ve got Kurtonitj, and that allows complete generations to grow up on their own place within the cultural landscape, within the community, to do what needs to be done. ”

Gunditj Mirring Traditional Owner, March 2012

Grant conditions

The ATSI Act provides that we can only divest interests in land to Aboriginal or Torres Strait Islander Corporations. When a property is granted, a number of conditions are included in the Deed of Grant that are directed to the property achieving Indigenous benefits, remaining in Indigenous control and being used for the purposes for which it was acquired.

The ATSI Act sets out that when a property is granted by us to an Indigenous corporation, it cannot dispose of the property or mortgage it without our consent. The Australian Parliament put in this protective measure to ensure property is not lost from the Indigenous estate through poor management. However, we do receive requests to dispose of property or mortgage it from time to time from Indigenous corporations looking to expand Indigenous economic development opportunities and we consider each case on its merits.

In the event that a corporation is unable to continue to own and manage the land successfully, does not achieve benefits for Indigenous people, becomes insolvent or goes into administration, the grant conditions enable us to work with the corporation to address these issues. In rare cases and as a last resort, if the property is in jeopardy of being lost from the Indigenous estate, the grant conditions may entitle us to re-acquire the property. In these situations, we look to find an alternative Indigenous corporation that can generate benefits for Indigenous people from the land. If that’s

not possible, we may sell the land as surplus and use the proceeds for a future land purchase for another Indigenous corporation.

In order to ensure that our ongoing but limited role in the property is visible to everyone, we will place a caveat on the title to that effect. The caveat acts as a flag to all stakeholders. In this way, there are no surprises down the track when someone wants to dispose of or mortgage the property.

It is important to understand that, on a day-to-day basis, our role will not affect Indigenous corporations' normal use and enjoyment of their property.

Key strategies for land acquisition:

- Continue to structure assistance consistent with our priority outcomes that are drawn from our governing legislation.
- Continue calling for application rounds and assessing where necessary on a relative merit basis.
- Continue to work in collaboration with governments, organisations and other partners to leverage support for achieving greater benefits for Indigenous people.

A template Deed of Grant, which sets out our standard grant conditions can be found on our website.

What happens after the property is granted?

We seek to develop long-term and constructive relationships with Indigenous corporations after we have granted land to them. We stay in contact to make sure the corporation is managing the property successfully and to record the ongoing benefits being generated by the corporation from the land. Keeping in touch with corporations means we can provide advice

and assistance when required and also allows us to report to Parliament, ensure benefits are being achieved and share the positive news stories that come from Indigenous land ownership with other corporations and the broader community.

Case study: Mawonga, New South Wales

Priority Outcomes: Socio-economic development, access to and protection of cultural and environmental values



Workers replacing old fencing on Mawonga.

Mawonga is a 22,373ha property acquired in 2011 on behalf of the Ngiyampaa Wangaaypuwan people for the protection of its cultural and environmental values. Located approximately 85km north of Hillston, NSW, the acquisition of Mawonga was the result of a successful application made by Winangakirri Aboriginal Corporation to our Land Acquisition Program in collaboration with the Australian

Government's Caring for our Country program as a National Reserve System priority area.

Case study: Verney Road, Shepparton, Victoria

Priority Outcomes: Socio-economic development



Above and below: Buildings and landscaping at the Rumbalara multi-aged care complex.



Verney Road was acquired for Rumbalara Aboriginal Co-operative Limited (RAC) to establish a multi-aged care complex to deliver aged-care, assisted living, community programs, respite and disability services, and student accommodation for Indigenous people in the Shepparton region.

This project involves the collaboration of a number of state and Commonwealth agencies and non-government organisations, which have funded construction and operation of facilities on the property. RAC developed a comprehensive plan for the complex, including a workforce development plan, which has resulted in significant Indigenous employment and training outcomes during both construction and operation of the facility.

The success of the project was founded in detailed planning, secured funding from other agencies and dedication of the applicant group to achieve its goals.

Case study: Gladstone Street, Perth, Western Australia

Priority Outcomes: Socio-economic development



Dignitaries celebrate the opening of the Nyoongar Patrol facilities.

In 2011, a 730 sqm property in central Perth was acquired and granted to Nyoongar Patrol System Incorporated (NPSI) which delivers important early intervention services that address the social and welfare needs of Indigenous people at risk.

The acquisition was made after NPSI applied through our Land Acquisition Program under the socio-economic stream. The strength of the application was based on the clear vision that NPSI had for delivering increased services and its ability to collaborate with other agencies and funding providers to ensure the vision was realised. Since

acquisition the NPSI has based its Nyoongar Patrol Outreach officers at the property who carry out foot and mobile patrols in and across the metropolitan area. The new building has provided important training facilities for NPSI's increased service provision.

Land management

For the purposes of our program, land management is defined as the use, care and improvement of Indigenous-held land. Our land management program assists Indigenous landholders to deliver Indigenous benefits by building capacity to sustainably manage land and develop viable land uses. Our land management functions are defined in Section 191E of the ATSI Act and all land management projects that we contribute to must align with our legislated purpose to deliver economic, environmental, social or cultural benefits for Indigenous people.

WHAT DO WE MEAN BY INDIGENOUS-HELD LAND?

Indigenous-held land is defined in Section 4B of the ATSI Act. It means land controlled by Indigenous people and can include land which is owned outright or where there is a long-term lease in place. It can also include any other legal right, power or privilege over, or in connection with, the land.

Land in which Indigenous people hold an interest can also include a situation where there has been a positive determination of native title. Where native title rights co-exist with non-Indigenous interests, we look to ensure that any land management assistance provided will primarily benefit the native title holders, rather than the non-Indigenous interests.

Our Land Management Program has an annual application round. Applicants are invited to submit a proposal under two categories:

- *Property management planning* which assists Indigenous landholders to develop a plan for managing and using their property, or
- *Property-based projects* that contribute to the use, care and improvement of Indigenous-held land. This category focuses on improving land condition, developing infrastructure, and assisting with land management activities.

We can also assist with addressing urgent health and safety issues on Indigenous-held land where people are at risk, or for the protection of assets.

Our Land Management Program will continue to play a role in developing the capacity of Indigenous land owners in planning, managing and creating new opportunities on their land.

Whether you are running a land-based enterprise, providing social services or protecting culturally significant places, we recognise that managing land is an important task

which can be complex and require a wide variety of skills. Our experience shows that successful land management projects are underpinned by a clear plan, strong commitment from the land holder and the capacity to get the job done. With this experience in mind, we have developed criteria that we use to assess proposed land management projects to ensure an applicant can demonstrate that:

- There is a clear plan or strategy for the property
- The plan or strategy is achievable and viable
- The applicant has the capacity, or can access the necessary expertise, to undertake the project
- The project is agreed to by, and actively involves the Indigenous landholders
- The project will result in achievable and sustainable benefits to Indigenous people
- The project is undertaken using sound land and environmental practices
- The project is undertaken on Indigenous-held land.

When assessing projects we also ensure that they align with our priority outcomes for achieving Indigenous benefits which are socio-economic development and/or access to and protection of cultural and environmental values. While applications under each of these priorities are supported, priority is given to land management projects that provide Indigenous people with sustainable jobs and training that leads to employment on Indigenous-held land.

Implementing land management projects

Successful applicants will implement their projects, in accordance with their plan,

Key strategies for our land management program include:

- Continue to focus on employment and training as key indicators of socio-economic benefits being achieved by Indigenous Australians.
- Develop a collaborative assistance approach to support currently unproductive properties to find an economic purpose while continuing to help other properties develop a greater economic base.
- Continue to provide support to Indigenous landowners in developing capacity to manage land through our Property Management Planning and Property-Based Project categories.

by entering into an agreement with us.

The agreements include a work plan describing how and when the project will be implemented and sets in place a system that ensures the applicant regularly informs us about the implementation of the project and what benefits have been achieved.

When making agreements it is our priority to grant funds so that the land holder can carry out works and activities independently. This strategy enables Indigenous landholders to have control over managing their properties and fosters an environment that values self-reliance and autonomy. Where necessary we can directly manage aspects of a project by making purchases and/or engaging contractors to provide services to the applicant.

Case study: Thamurrur Wildlife Enterprise Centre, Wadeye, Northern Territory

Priority Outcomes: Socio-economic development, access to and protection of cultural and environmental values



A worker distills native plant oil.

In 2011, Thamurrur Development Corporation made an application for funding to assist in the development of the Thamurrur Wildlife Enterprise Centre (WEC), based in Wadeye, 400km south of Darwin. Our funding helped construct a covered work area and the construction of a crocodile egg incubator. The centre provides a hub for community members to become involved in small enterprises that use the natural resources of the Thamurrur region.

The WEC is focussed on creating economic opportunities for community members through the sustainable use of natural resources and traditional knowledge.

At the completion of the project Wadeye community members were harvesting and incubating crocodile eggs, harvesting Billygoat Plum, producing lip balms and soaps, and developing a commercial native honey enterprise through the domestication of native bees in hives constructed by community rangers.

Case study: Miller's Farm, Yorke Peninsula, South Australia

Priority Outcomes: Access to and protection of cultural and environmental values



Miller's Farm abuts the coast.

In 2011, Gynburra Narungga Men's Group Ltd made an application for funding to undertake a property management plan for its property known as Miller's Farm, located on South Australia's Yorke Peninsula.

The application was successful and a property management plan was developed that identified realistic and achievable ways of restoring the property's environmental and heritage values through a revegetation program.

The plan also identifies a number of opportunities to collaborate with other agencies and community groups to ensure the plan is implemented.

Foleyvale, Woorabinda, Queensland

Priority Outcome: Socio-economic development



Wetlands at Foleyvale.

In 2011, Woorabinda Pastoral Company (WPC) successfully applied to our Land Management Program for funding to enable infrastructure development on its station located north of Duringa, Queensland.

Low-stress cattle yards and refurbished staff accommodation will enable WPC to improve its grazing enterprise, increase its income and enable employees and trainees to reside on the property.

The strength of the application was in WPC's clear plan to implement the project and the viability of the environmental and economic benefits projected to be achieved through the installation of the infrastructure.



Roebuck Export Depot, Broome.



Teaching horse riding skills at Gunbalanya Station, NT.

Regional land management projects

In addition to inviting applications under our land management function, we also initiate or contribute to land management projects in collaboration with other agencies and strategic partners with a focus on supporting Indigenous landholders across a region to manage and develop their land. These projects usually include the input of a number of Indigenous landholders who have a common interest in developing opportunities in a given field or industry such as the agricultural sector or biodiversity protection.

We define regional projects as those that span multiple properties.

We acknowledge that there are significant regional variations that are directly shaping Indigenous Australians' opportunities for social and economic participation,

particularly given its young population. These variations include high Indigenous population growth and mobility in remote areas and regional towns and a concentration in the poorest inner city neighbourhoods. We view the careful targeting of regional land management projects and ILC operated businesses to these areas as an important initiative aimed at achieving increased social and economic participation.

Our experience has demonstrated that there are a number of benefits in Indigenous landholders working together to achieve outcomes across a region. Sharing skills, knowledge, infrastructure and experience can build success and ensure the long-term benefit of projects.

Regional land management projects will often require active collaboration with multiple Indigenous landowners, government agencies and industry partners. It is recognised that strategic collaborations at a regional level can be complex and require wide support from community and government to be successful. We will continue to identify viable regional land management projects and provide leadership in collaboration and implementation to achieve Indigenous benefits.

Key strategies for our regional land management projects will be:

- Continue to provide assistance to projects implemented across regions such as the Indigenous Pastoral Property project, NT, and the Indigenous Land Services, WA, and Ranger groups.
- Continue to carefully monitor demographic trends across the Indigenous population, their implications for social and economic participation and strategically target our support accordingly.

Case study: National Centre of Indigenous Excellence, Redfern, New South Wales

Priority Outcome: Socio-economic development



Students take a break from activities at the NCIE.

The National Centre of Indigenous Excellence (NCIE) in Redfern was established to promote Indigenous excellence and success nationally. We purchased the land and constructed the facility which is now operated as a subsidiary with its own Board. In collaboration with other agencies and developing strong partnerships with corporate Australia, NCIE works with young Indigenous Australians from across the country to provide life changing programs in the pathways of arts and culture, learning and innovation, health and wellness, and sport and recreation.

Case study: Indigenous Pastoral Program, Northern Territory

Priority Outcome: Socio-economic development



IPP trainees saddle up in Alice Springs, NT

The Indigenous Pastoral Program (IPP) supports the development of viable pastoral operations on Indigenous-held land across the Northern Territory.

The IPP engages with Indigenous landowners in the NT to provide pastoral extension services to assist the development of their properties to increase capacity and viability.

The IPP involves a collaboration between the Northern and Central Land Councils, government agencies, Northern Territory Cattlemen's Association and industry representatives focussed on bringing Indigenous-held grazing land back into production through developing leases to the mainstream pastoral industry.

The IPP was established in 2003 and assists Indigenous pastoralists by developing business and property management plans, providing training and developing infrastructure and livestock.

Case study: Indigenous landholder services, Western Australia

Priority Outcome: Socio-economic development

We have worked in partnership with the Department of Agriculture and Food Western Australia (DAFWA) for over ten years to assist Indigenous landholders to better manage their land.

The Indigenous Landholder Services (ILS) program expands the successful operations of the former Kimberley Indigenous Management Support Service into a WA-wide program that provides relevant expertise to Indigenous landholders. Through the ILS program, 14 field staff visit Indigenous-held farms and stations to provide training, advice and extension services to assist the practical management of Indigenous-held properties.

The ILS program engages with Indigenous corporations to offer advice on how to improve land management practices, improve efficiency of operations and co-draft business and property management plans. The ILS program also assists Indigenous landholders whose properties have limited commercial potential to identify and pursue alternative options (including changing tenure and exploring small enterprises associated with conservation and tourism) that will generate sustainable income for the group.



Mustering on the ILC-operated Crocodile/Welcome Station, QLD.

ILC operated businesses

As part of our strategy, we establish and operate a number of agricultural and tourism businesses on properties where Indigenous landholders have sought our assistance on ILC-held properties. Our businesses are operated in accordance with sound business principles and have the primary goals of:

- Supporting sustainable employment and providing accredited training that will lead to employment for Indigenous people
- Bringing Indigenous-held land back into production
- Creating sustainable Indigenous enterprises
- Developing the capacity of Indigenous landowners including to assist in the divestment process where the property is held by us.

Our focus on developing enterprises in these industries will continue throughout the life of this strategy. This will include integration across properties where it improves the viability of businesses. We will remain responsive to the broader market influences, and where necessary may consider diversifying the business, e.g., to respond to carbon market opportunities.

In line with our land acquisition program, divestment plans are in place where we currently hold the properties on which we operate our businesses. Divestment plans focus on securing the long-term viability of the businesses which will in turn support the realisation of benefits. In some instances the divestment strategy will see the

Key strategies for ILC-operated businesses:

- Continue to invest in and support training to employment pathways and outcomes for Indigenous peoples in agricultural enterprises.
- Further enhance integration opportunities across our businesses including, where relevant, beyond divestment.

property divested to an Indigenous corporation which will then enter into a lease agreement with us to continue to operate the business.

Agricultural businesses

During 2007–2012, our focus was on developing Indigenous agricultural businesses. As these operations become fully operational, our strategy will be to regionally integrate them where appropriate to increase productivity and profitability, which will in turn support our long-term

goal of achieving socio-economic development benefits for Indigenous people.

Through the operation of our agricultural businesses, Indigenous-held land will continue to contribute to the economic activity of the region in which each business is located and, in many cases, bring large areas of previously undeveloped land into production.

These operations are used to increase employment opportunities for Indigenous people and to provide on-the-job training opportunities in pastoral activities and natural resource management. The approach to residential-based training for our businesses is testament to our commitment to closing the gap in Indigenous socio-economic development outcomes through training that leads to employment.

Case study: Gunbalunya Station and Meats

Priority Outcome: Socio-economic development



Trainees gain meat processing skills.

Gunbalanya Station, 320 km east of Darwin, in western Arnhem Land, is the location of grazing and abattoir businesses that we operate at the request of traditional owners.

In an agreement with Gunbalanya Meat Supply Pty Ltd (GMS) and the Northern Land Council, we are spending \$3.1m over 15 years to upgrade and manage the community-owned meatworks business and floodplain grazing enterprises. The injection of our funding and operational support is developing the Gunbalanya cattle herd, increasing employment and training opportunities and providing fresh, affordable meat to community stores across the Top End.

The positive outcomes of this project for the local community extend far beyond the profits generated by its commercial business. The Gunbalanya pastoral and meatworks operations are providing job-readiness training for local people and will, at full capacity, employ 28 Indigenous people. The flow-on social and community benefits that these opportunities for employment and skill development brings are wide-reaching. This work has already seen the Gunbalanya Station and Meats project presented with a 2012 Australian Business Award for Community Contribution.

The meatworks is a valuable asset to the community at Gunbalanya. With our input and development, it will take on an even more important function as a centre for Indigenous employment and training for decades to come.

Tourism businesses

The tourism and hospitality sectors provide an opportunity to train and employ large numbers of Indigenous Australians in various locations around Australia, assist them to transition to secure jobs in the industry.

Key strategies for ILC tourism:

- Continue to invest in our Training and Employment Strategy across Ayers Rock Resort, Mossman Gorge and Home Valley Station.
- Further develop integration between our tourism businesses.

As a result of the acquisition of Ayers Rock Resort in 2011, our Board established a wholly-owned subsidiary company, Voyages Indigenous Tourism Australia (Voyages) to manage and operate our tourism business portfolio and act as a vehicle to assist in the development of Indigenous tourism across Australia.

Voyages' key objectives are to seize the once in a lifetime opportunity to bring Ayers Rock Resort into Indigenous ownership, to turn it into an iconic Indigenous tourism destination to employ and train Indigenous Australians, provide genuine Indigenous tourism experiences, and to generate profits to be used for our other projects.

The establishment of the National Indigenous Tourism Academy further consolidates our commitment to increasing the percentage of Indigenous employees at both at ARR, and within the tourism industry in Australia. By the end of 2018, the objective is that 50% of Voyages' staff will be Indigenous.

Our activities within the Indigenous tourism sector are achieving real benefits across both our priority outcomes of socio-economic development and access to and protection of cultural and environmental values. These outcomes demonstrate that socio-economic development and culture are not mutually exclusive.

Case study: Ayers Rock Resort, Yulara, Northern Territory

Priority Outcomes: Socio-economic development



Indigenous staff serving food to guests at the resort.

In 2011, we purchased Ayers Rock Resort, a large scale tourism enterprise with almost 700 staff, that provides Indigenous people training and employment opportunities in Central Australia.

As a result of the acquisition, our Board established Voyages Indigenous Tourism Australia, to manage and operate our tourism business portfolio and act as a vehicle to assist

in the development of Indigenous tourism across the nation.

Ayers Rock Resort is also the home of the National Indigenous Training Academy, which has been established to provide accredited enterprise-based training. Participants from across Australia have the opportunity to train in all aspects of the hospitality industry.



On country: working with natural resources



A controlled burn is carried out on the ILC-owned Fish River in the NT.

We recognise the significant opportunities that are emerging for Indigenous landholders in carbon, biodiversity, water and the growing market of payment for environmental services. These opportunities arise on Indigenous-held land that has high conservation value, and on degraded land that will benefit from remediation and restoration.

Deriving a sustainable income in this field, particularly in the carbon market, is a relatively new area and we aim to provide leadership in developing a knowledge base that can be utilised by Indigenous landholders to develop opportunities on their land.

Supporting economic development through conserving environmental values is a real opportunity for projects to achieve our two priority outcomes of socio-economic development and access to and protection of cultural and environmental values.

Participation in the carbon economy

We are committed to collaborating with Indigenous landowners, the Australian Government and industry to maximise opportunities for Indigenous people in the emerging carbon economy.

Indigenous people may be well placed to grasp opportunities in the carbon economy, particularly those who live on country and are custodians of ecological knowledge. Environmental activities such as savanna wildfire abatement, revegetation, forestry, native vegetation management and feral animal management all offer opportunities for generating income while protecting cultural and environmental values of land.

Applications from Indigenous land owners for carbon projects will be assessed in the same way as other land management proposals, including through the application process and collaborative projects with Indigenous people, other agencies and industries.

KEY STRATEGIES:

- Identify opportunities in the carbon, biodiversity and other payment for environmental services markets that will deliver sustainable benefits to Indigenous people, including employment opportunities that allow Indigenous people to work on country.
- Collaborate with Indigenous groups and landholders other agencies, the not-for-profit sector and industry.
- Continue to support eligibility and feasibility assessments of potential Carbon Farming Initiative (CFI) projects on Indigenous-held land.
- Provide information to Indigenous landholders that will contribute to making informed decisions about participating in the payment for environmental services markets, including the carbon economy.
- Partner to support the development of CFI Methodology development for the land sector, where substantial benefits to Indigenous landholders can be achieved.
- Monitor and identify other funding sources to leverage our funding to provide results on the ground.
- Identify opportunities on degraded land, including land impacted by the mining industry, where Indigenous benefits can be achieved through remediation and restoration of biodiverse landscapes.
- Research how we can support Indigenous people accessing economic development opportunities through water security both in terms of securing access to water essential for Indigenous livelihoods, and opportunities for Indigenous landholders to participate in trading water access entitlements.
- Investigate our contributions to food security through supporting Indigenous food production, processing and distribution opportunities on Indigenous-held land.

Case study: Fish River, Northern Territory

Priority Outcomes: Socio-economic development, access to and protection of cultural and environmental values



The Fish River Fire Project is the first savanna burning project approved under the Carbon Farming Initiative (CFI).

We purchased Fish River in collaboration with partners in 2010 with a focus on securing access to and the protection of significant cultural and environmental values.

The Fish River Fire Project is a demonstration project aimed at developing a strong and practical knowledge base that will be shared with Indigenous landholders across northern Australia that are interested in undertaking managed savanna burning to generate carbon credits. The lessons learned will assist many other Indigenous landholders in becoming accredited under the CFI and establishing sustainable income streams.



A large billabong flanks the mighty Daly River.

Native title



Traditional Owner and senior law man Adrian Gumurdul at a dreaming site in the Arnhem escarpment near Gunbalanya in the NT.

We recognise that native title can be a vehicle for achieving social, cultural, environmental or economic benefits for Indigenous Australians. Historically, we have worked with native title and traditional owner groups on a case-by-case basis through our existing Land Management and Land Acquisition Programs. We recognise the need to work strategically with native title groups and have developed a Native Title Policy that sets out how we can support the resolution of settlements through our statutory function.

In accordance with our Native Title Policy, we will consider providing land acquisition and/or land management assistance where a proposed native title settlement will facilitate a full and final resolution of claims and improve the quality of native title outcomes for Indigenous parties.

We particularly encourage parties to think strategically to maximise potential Indigenous benefits and to consider regional approaches to native title settlements, including beneficial arrangements that might arise from collaboration between native title groups.

Key Strategies for native title:

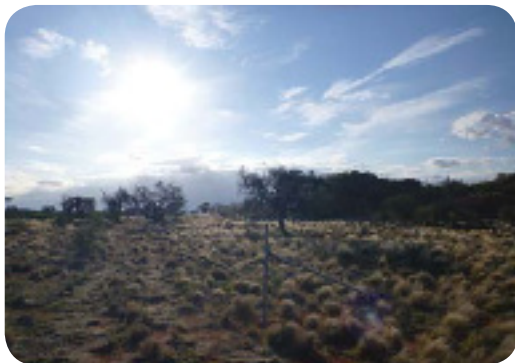
- Contribute to positive native title outcomes from pre-settlement planning to post-settlement implementation and achievement of Indigenous benefits.
- Continue to provide assistance to Indigenous groups that have acquired land following successful native title determinations.

We will continue to work closely with native title claimant groups, Native Title Representative Bodies and governments to maximize the social, cultural, environmental and economic opportunities that arise with the settlement of native title claims.

Our Native Title Policy does not preclude native title groups from accessing our programs through the application process.

Case study: De Rose Hill, South Australia

Priority Outcomes: Access to and protection of cultural and environmental values



A fenced cultural site on De Rose Hill.

We supported De Rose Hill Ilpalka Aboriginal Corporation, the native title holders for De Rose Hill Station in the north west of South Australia, to identify and fence a number of culturally significant sites on the property.

The sites, mostly water and rock holes of high cultural significance, are now protected from damage caused by cattle and camels.

Case study: Gunditj Mirring, Victoria

Priority Outcomes: Access to and protection of cultural and environmental values, socio-economic development



Part of the lava flow landscape.

We have granted five properties in the Budj Bim lava flow landscape located in Western Victoria to Gunditj Mirring Traditional Owners Aboriginal Corporation RNTBC, the native title holders for the area. We purchased the properties to ensure the continuation of Gunditjmara cultural practices and traditions through the protection and management of significant cultural and environmental values.

We have been working with Gunditjmara people of south west Victoria since 2002 to assist them in realising their aspirations of maintaining connection to country through ownership of land. Since we began working with Gunditjmara they have successfully fought for the recognition of native title over their country.

“ The kids can go out there and they can learn because cultural heritage is about learning and education and the experience. ”

Gunditj Mirring Traditional Owner, March 2012)

Our communication strategy

Our consultations have highlighted the need for us to communicate with more clarity and accessibility. We strive to build and maintain positive relationships with our beneficiaries and stakeholders. We appreciate that good communication is key to good relationships. We will continue to develop our communication activities through the life of this NILS.

KEY STRATEGIES:

- Increase awareness of and access to our land acquisition and land management programs.
- Promote ongoing relationships with our beneficiaries and other agencies and organisations.
- Develop culturally appropriate and effective communication tools that address the information needs of Indigenous peoples and organisations.



Use of Indigenous media such as BIMA (pictured above) plays an important part in the NILS communication strategy.

Our legislative requirements

Our programs and activities are governed by the requirements of our legislation, and policies set by the Board.

1. Legislative provisions that apply to all of our operations

1.1 Assist Indigenous Australians to achieve economic, environmental, social or cultural benefits (s191B)

The Act specifies the achievement of Indigenous benefits through land acquisition and Indigenous land management as the overarching purpose for all of our functions.

1.2 Have regard to the NILS, and each relevant RILS (s191N, s191Q, s191P)

In undertaking our functions, we are required to have regard to the NILS and the RILS. The NILS is reviewed annually by the Board, and it is tabled in Parliament when it is revised.

1.3 Act in accordance with sound business principles when conducting activities of a commercial nature (s191F(1))

1.4 Give priority to social and cultural benefits (s191F(2)(aa))

We give priority to social and cultural benefits through our efforts to achieve our priority outcomes: socio-economic development, and access to and protection of cultural and environmental values.

1.5 Maximise, where possible, Indigenous employment and the use of services and goods provided by Indigenous businesses (s191F(2)(b) and (c))

We give priority to employing Indigenous people and contracting Indigenous businesses. Through this employment, direct and indirect benefits will flow to Indigenous people and their communities.

1.6 Exercise our functions in addition to, not instead of, the functions of other agencies (s191F(3))

We do not assume responsibility for activities that are the responsibility of other Commonwealth, State and Territory agencies and departments.

1.7 Give priority to pursuing sound land and environmental management practices (s191E(3)(a))

We have an Environment Policy and a Heritage Strategy that describe our commitment to using sound environmental management practices in our offices, on ILC-acquired properties and when we provide land acquisition and land management assistance.

1.8 Ensure that sacred material is not disclosed in violation of Indigenous traditions (s191F(4))

We respect Indigenous traditions, ensure that sacred material is not disclosed and report to the Minister whenever such matters affect our functions.

1.9 Minister not generally powered to direct ILC

As the ILC is an independent statutory authority, the Minister is not generally empowered to direct the ILC how to carry out its programs or what policies to adopt. However, directions of generic application can be issued under the Commonwealth Authorities and Companies Act.

2. Legislative provisions specific to land acquisition

2.1 Undertake a native title search when considering acquisition of land (s191D(4))

We search relevant National Native Title Tribunal registers and take native title issues into consideration when making acquisition decisions.

2.2 Grant land within a reasonable time (s191D(3)(b))

We grant properties to Indigenous corporations once their ability to manage the property and achieve Indigenous benefits have been demonstrated. When we initiates acquisition of a property, the divestment plan will include identifying an appropriate Indigenous title holding body.

2.3 Grant land subject to terms and conditions (s191D(1A))

We place conditions on the granting of land, including reporting requirements and that the land is being used for the proponents and the purpose for which it was acquired. Our standard Deed of Grant, which describes the conditions placed on the grant of land, is publicly available on our website.

2.4 Dispose of properties that are not achieving Indigenous benefits (s191J)

If Indigenous benefits are not being achieved on an ILC-held property, and there is little prospect of them being achieved in the future, we may dispose of the property. Prior to any disposal, we will generally attempt to identify an alternative title-holding body that can deliver Indigenous benefits on the property

3. Legislative provisions specific to land management

3.1 Land management can include a range of activities but they must relate to the managed use, care or improvement of land. (s191E(5))

The activities can include environmental services, training in carrying on business that involves the care, use and improvement of land and disseminating information about land management practices.

3.2 Support projects that relate to the managed use, care or improvement of Indigenous-held land (s191E(1))

We can only assist with land management on land where that land is Indigenous owned. This means an interest is held in the land either by Indigenous individuals or a corporation controlled by Indigenous people.

3.3 Have the agreement of Indigenous landholders when undertaking or arranging land management activities (s191E(1)(a))

All land management projects require agreement from the Indigenous landholders to proceed. We seek to have their active involvement in implementing the project and achieving Indigenous benefits.

3.4 The ILC can carry on business while it owns land (s191E)(b) and (5)(a))

We can carry out land management activities on ILC-held land which includes carrying on business while we own it.

Our policy requirements

4. Policy requirements that apply to our operations

- 4.1** Communicate effectively and consult with stakeholders. We are committed to ensuring that we communicate effectively with Indigenous organisations, government agencies, and other stakeholders. This is done through our website, Land Matters magazine, applicant handbooks, information sessions and meetings.
- 4.2** Collaborate with other agencies and organisations in the delivery of our programs. We strive for proactive collaborations with Commonwealth, State and Territory government agencies, private industry, peak Indigenous organisations, communities and the non-government sector that will deliver real benefits to Indigenous people.
- 4.3** Support projects that are viable and economically sustainable. We assess projects and activities to ensure they will be viable and produce ongoing Indigenous benefits. We do not provide recurrent funding for projects.
- 4.4** Support applicants that demonstrate capacity, are effectively governed and can achieve benefits for Indigenous people. In applying for assistance, applicants must demonstrate the requisite skills and experience to own and manage land or implement the land management project, and achieve benefits for Indigenous people. They must also demonstrate effective governance and compliance with regulatory responsibilities.
- 4.5** Support projects that are of reasonable cost, given the benefits to be delivered. We are committed to maximising Indigenous benefits through our funding. Applications are assessed on relative merit, based on projected Indigenous benefits against the cost of the project.
- 4.6** Provide program guidelines for those wishing to apply for our assistance. Our program guidelines describe how applicants can apply to our programs, and how applications are assessed. Applicants are encouraged to read these guidelines together with the NILS. Program guidelines are available from our offices and website.

- 4.7** Achieve excellence in governance. We fulfil our responsibilities in accordance with the ATSI Act, the Commonwealth Authorities and Companies Act 1997 and other relevant legislation. Along with our subsidiary companies, we strive to maintain the highest standards of corporate governance, including having regard to the Australian National Audit Office Better Practice Guides, Corporate Governance in Commonwealth Authorities and Companies, and the requirements of the Auditor-General Act 1997.
- 4.8** Applicant groups must be actively involved in the proposed land based activity and not merely passive investors or recipients.

5. Policy requirements specific to land acquisition

- 5.1** Acquire land for Indigenous organisations that have a land need. Applicants must demonstrate a need for land ownership that cannot be met through the use of other Indigenous-held land in the region.
- 5.2** Acquire and grant land that is suitable for the proposed land use. All properties identified for acquisition are assessed for suitability for the proposed land use. We seek to acquire properties that are suitable and generally do not require significant remediation or capital development works.
- 5.3** Acquire and grant land that has cultural values to Indigenous corporations that include Traditional Owners. When land is acquired that has cultural values, we require applicants to demonstrate that Traditional Owners or people with traditional links to the land are included in the organisation's membership, and that there are no disputes about connection to the land.
- 5.4** Conduct sound planning for ILC-acquired properties. Planning is essential for sound property management and the achievement of sustainable Indigenous benefits. Property, business, environment and/or heritage management plans are developed for ILC-acquired properties.

6. Policies specific to land management

- 6.1** Assist Indigenous people to develop their capacity to own, manage and derive benefits from land. Through our land management program, we assist Indigenous landholders with training related to management of land, development of property plans, mentoring, and land management advice.

people LAND opportunity

Contact us

ILC Office Locations freecall 1800 818 490

Head Office

Level 7, 121 King William Street, Adelaide SA 5000
GPO Box 652, Adelaide SA 5001

Ph: (08) 8100 7100
Fax: (08) 8100 7171

Central Division (SA, VIC, TAS, NT)

Level 7, 121 King William Street, Adelaide SA 5000
GPO Box 652, Adelaide SA 5001
centraloffice@ilc.gov.au

Ph: (08) 8100 7102
Fax: (08) 8100 7150

Eastern Division (QLD, NSW, ACT)

67 Astor Terrace, Spring Hill QLD 4004
GPO Box 5212, Brisbane QLD 4001
easternoffice@ilc.gov.au

Ph: (07) 3854 4600
Fax: (07) 3854 4666

Western Division (WA)

Level 12, Carillon City Tower, 207 Murray Street, Perth, WA 6000
PO Box 7502 Cloisters Square, Perth WA 6850
westernoffice@ilc.gov.au

Ph: (08) 9420 6300
Fax: (08) 9420 6333

Canberra Office

Level 1, Football House, 3-5 Phipps Close, Deakin ACT 2600
PO Box 586, Curtin ACT 2605

Ph: (02) 6269 2500
Fax: (02) 6285 4300

www.ilc.gov.au



Australian Government
Indigenous Land Corporation