

**Select Committee on the Administration of  
Indigenous Affairs**

**Inquiry into the Administration of Indigenous  
Affairs**

**Submission No: 228**

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**Australian Government**  
**Indigenous Land Corporation**

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Senator Claire Moore  
Chairperson  
Senate Select Committee on the Administration of Indigenous Affairs  
Parliament House  
CANBERRA ACT 2600

Dear Senator Moore

***Submission to the Senate Select Committee on the  
Administration of Indigenous Affairs***

Thank you for your letter of 3 December 2004 advising of the status of the Committee and the timeframe for receipt of submissions.

Whilst the *ATSIC Amendment Bill 2004* introduces a number of issues that impact on the Indigenous Land Corporation (ILC), there are two that impact most significantly and are addressed in this submission—the transfer of ATSIC's land assets and Regional Land Fund moneys to the ILC.

I wish to advise the Committee that the ILC has the necessary expertise, infrastructure and capacity to assume administration of the ATSIC properties that will be transferred. The Committee may wish to note that the ILC has, to date, purchased 172 properties amounting to a little over five million hectares of land throughout Australia. One hundred and eight of those properties are presently eligible for participation in the ILC's remediation program (see below), which is designed to create sustainable outcomes for Indigenous people and their properties. The ILC also plays an active role in assisting Indigenous landholders across Australia on land that was not purchased by the ILC and currently has numerous major and minor projects to ensure that Indigenous landholders utilise their land to provide benefits in a sustainable manner. Currently, Indigenous held land amounts to 15% of Australia's total land mass. Consequently, we are fully able to integrate the nineteen ATSIC properties scheduled to be transferred to the ILC, within our current resources and programs.

The ILC will undertake a stocktake of the properties to evaluate their potential for divestment, provision of land management assistance, placement under a remediation strategy to identify and address any issues that prevent the achievement of aspirations and benefits, or to operate them if required. The following paragraphs provide a brief illustration of the ILC's programs and how they operate.

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The ILC's Land Acquisition Programs include a rigorous assessment where applicants are required to clearly define a specific purpose—cultural, social, environmental or economic—and demonstrate commitment and the capacity to achieve their aspirations. The identified property is also assessed to determine its viability and sustainability. Upon acquisition, the ILC retains title to the land and applicants are asked to enter into a lease. The terms of the lease include a staged work plan, which includes ongoing capacity development activities, and the development of a Property Management Plan. Grant of the land is dependent on the the achievement of negotiated milestones and successful completion of the work plan.<sup>1</sup>

The ILC's Land Management Program assists Indigenous people to care for, develop and productively use their land to derive cultural, social, environmental or economic benefits. Applicants must demonstrate that their primary purpose is viable and sustainable, the land is suitable and that they possess the commitment and capacity to achieve their aspirations. The application process requires applicants to demonstrate the potential for achieving long-term benefits and to enter into a land management agreement that includes a detailed work plan and reporting requirements. Land Management support activities include Group Based Planning (to assist applicants to identify and clearly define achievable goals for use of their land), Enterprise Development (to assist applicants to develop viable and sustainable enterprises), and Regional Development (to contribute to regional development processes to ensure that benefits accrue to local Indigenous landholders). Support services provided by the ILC include Coordination (to provide Indigenous groups with information and assistance on agency coordination and available funding and support programs in their region) and Research (to undertake research to ensure that applicants benefit from land management and enterprise opportunities).

The ILC's Remediation Program provides funding to address critical OH&S issues on ILC purchased properties, facilitates governance and technical training, and assists landowners to develop property management plans for their land. Landowners are required to demonstrate commitment and ongoing capacity and ongoing funding is dependent upon the achievement of negotiated milestones.

I confirm that the ILC also has the capacity to assume administration of the Regional Land Fund and acknowledge that funds are to be spent in the region that they were raised. The ILC will assess proposed projects through its normal assessment processes that, as described above, focus on the key areas of sustainability and viability, capacity and commitment and the selection of a primary purpose to ensure projects deliver ongoing benefits.

Finally, the ILC has been briefed about the Government's new Indigenous service delivery arrangements including the concepts of Whole of Government collaboration and shared responsibilities. I am able to advise the Committee that the ILC's land acquisition, land management and remediation programs have operated consistently with these concepts since October 2003, when the ILC Board substantially revised its

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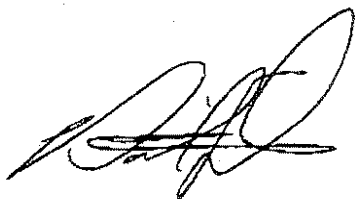
<sup>1</sup> The ILC's view is that it is usually reasonable to grant land within three years of acquisition.

National Indigenous Land Strategy (NILS) to create the four-stream program structure described above. The NILS emphasises the ILC's role in providing supplementary funding that does not overlap the responsibilities of other agencies. Therefore, a critical feature of more than 60% of ILC projects is collaboration with Australian Government, State and Territory agencies, the private sector and Indigenous groups to maximise available funding.

I am able to appear before the Committee if required.

Should you have any enquiries regarding this submission please do not hesitate to contact Mr Paul Jenkins (Manager, Policy & Research) on 08 8100 7121 or at [paul.jenkins@ilc.gov.au](mailto:paul.jenkins@ilc.gov.au)

Yours sincerely



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