

**Section Three:  
Report of Operations**



# Where We Operate

## Regional overview

### Geography and logistics

The Torres Strait is located in Australia and is part of the north eastern state of Queensland. The area spans approximately 150 kilometres and is situated between the tip of Queensland's Cape York Peninsula and Papua New Guinea. The region consists of over one hundred islands and reefs.

The Torres Strait links the Coral Sea in the east to the Arafura Sea in the west; the two main navigation passages are the Prince of Wales Channel, north of Hammond Island and the Endeavour Strait, between Cape York and Prince of Wales Island.

The Torres Strait islands have a variety of topographies, ecosystems and formations. Several islands, closest to the New Guinea coastline are low-lying and are regularly impacted by sea inundation. Many of the western islands are hilly and steep. The central islands are predominantly coral cays, and those to the east are volcanic.

The TSRA delivers services across the entire Torres Strait region, which includes seventeen inhabited Islands and two communities in Northern Peninsula Area of mainland Australia. Due to the area's remote location, the TSRA's service delivery is reliant on many logistical factors including the limited phone, facsimile and Internet communications between communities. Most travel within the region is restricted to small watercraft and light aircraft. The main gateway to the Torres Strait is the Ngurupai airport located on Horn Island, a 20 minute ferry ride from the Australian Government, Queensland Government and two local government administration hubs which are located on Thursday Island.

### Culture

The picturesque Torres Strait region is predominantly inhabited by native Torres Strait Islanders and Kaurareg Aboriginal people. The 2006 Australian Bureau of Statistics Census estimated that the total population of the region was 8,576, of whom 7,105 were Torres Strait Islander and Aboriginal people.

The Torres Strait's unique Ailan Kastom (island custom) is a central part of life in the region. Ailan Kastom is kept alive through the arts, rituals, performances, speaking languages and passing traditional knowledge on from one generation to the next. Cultural values are strongly intertwined around traditional, ancestral ties and respect for waterways, land, sea and the resources these provide.

### History

The Torres Strait is named after Spanish explorer, Luis Vaez de Torres, who sailed through the area in 1606. The Queensland Administration of the Torres Strait was established on Thursday Island in 1877, following the arrival of missionaries on Cape York Peninsula. Early settlers were involved in pearling, bech-de-mer collection and mining activities.

### Native Title

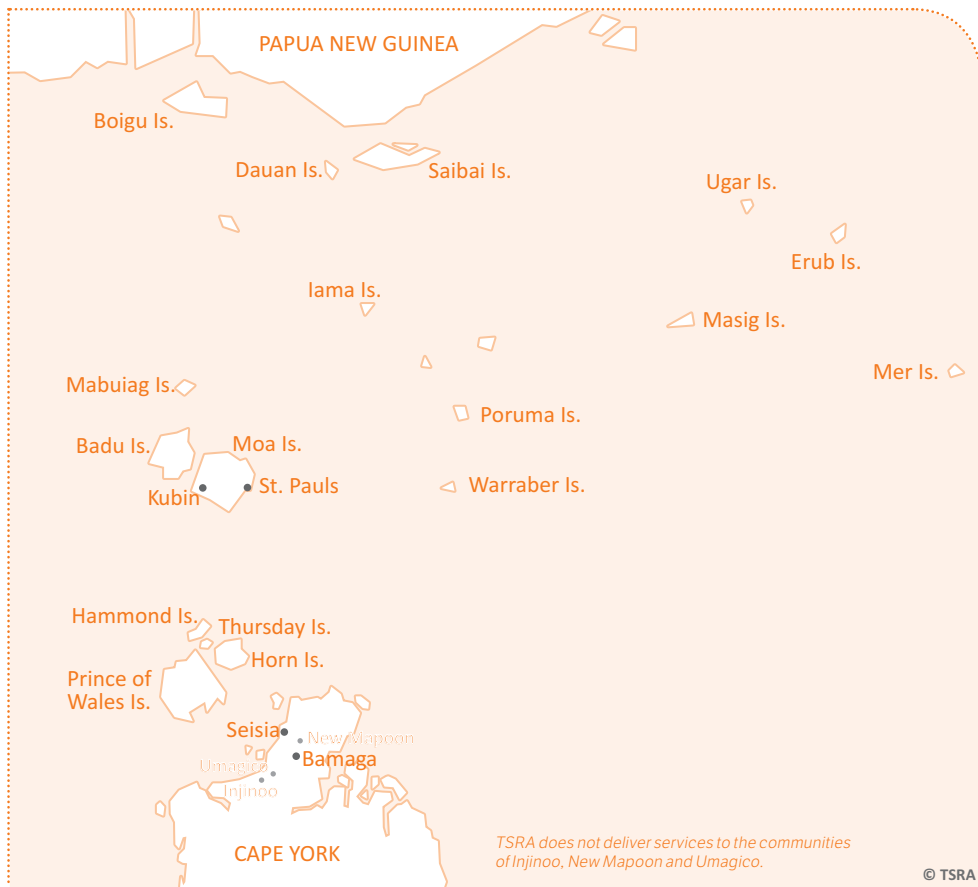
Torres Strait Islander people first achieved recognition of their land rights in 1992, following the High Court's landmark Mabo decision, granting the Miriam people native title rights over Mer (Murray) Island. This was the first time that native title was recognised under the common law of Australia. It set a precedent for Indigenous people throughout Australia to assert their native title rights through the *Native Title Act 1993 (Cth)*.



Native title has been granted for 13 inhabited islands in the Torres Strait region and most of the uninhabited islands. In addition, the Kaurareg Aboriginal people have achieved recognition of their native title rights over seven inner islands, Ngurupai (Horn Island), Muralag (Prince of Wales Island), Zuna (Entrance Island), Yeta (Port Lihou Island), Mipa (Turtle Island), Tarilag (Packer Island) and Damaralag.

Native title claims are being pursued over the remaining three land claims. The Regional Sea Claim was finalised on 23 August 2010. The Australian Government and Queensland Government have appealed the judgement of Justice Finn, and the full bench of the Federal Court of Australia heard the appeal matter in May 2011. Judgement has been reserved for a future date.

## Map of Torres Strait Region



## Data Used to Benchmark Progress Towards Closing the Gap

### The Indigenous Reform Agenda

*Closing the Gap* is a commitment by all the Commonwealth, State and Territory governments to improve the lives of Indigenous Australians, and in particular provide a better future for Indigenous children.

A national integrated *Closing the Gap* strategy has been agreed through the Council of Australian Governments (COAG), the peak intergovernmental forum in Australia. COAG brings together the Prime Minister, State Premiers, Territory Chief Ministers and the President of the Australian Local Government Association.

*Closing the Gap* is linked to a wider reform of Commonwealth-State financial relations. COAG's national agreements and partnerships, in areas such as education, housing and health, are clearly focused on overcoming Indigenous disadvantage.

In 2008 COAG set specific and ambitious targets for *Closing the Gap*; these targets continue to remain a priority for the Australian Government:

- ▶ To close the life-expectancy gap within a generation
- ▶ To halve the gap in mortality rates for Indigenous children under five within a decade
- ▶ To ensure access to early childhood education for all Indigenous four years olds in remote communities within five years
- ▶ To halve the gap in reading, writing and numeracy achievements for children within a decade
- ▶ To halve the gap for Indigenous students in Year 12 (or equivalent) attainment rates by 2020
- ▶ To halve the gap in employment outcomes between Indigenous and non-Indigenous Australians within a decade

This year, the TSRA continued to work towards the six COAG targets through the organisation's planned outcome statement:

*Progress towards closing the gap for Torres Strait Islander and Aboriginal people living in the Torres Strait region through development planning, coordination, sustainable resource management, and preservation and promotion of Indigenous culture.*

Each of the TSRA programs is required to report against the COAG targets. Detailed reporting is contained in Section 2 of this Annual Report.

***Closing the Gap is a commitment by all the Commonwealth, State and Territory governments to improve the lives of Indigenous Australians, and in particular provide a better future for Indigenous children.***



## Regional Statistics

The latest data available at the time of writing this report was from the Australian Bureau of Statistics (ABS). This data, collected in 2006, has been used to benchmark the progress of the TSRA's Programs against *Closing the Gap* targets. TSRA updates its progress against targets as new data becomes available from the ABS.

### Population

The 2006 Census showed that the Torres Strait Islander and Aboriginal population in the region:

- ▶ Increased from 6,168 in 2001 to 7,105 in 2006.
- ▶ Represented 82.8 per cent of the total population of the region, approximately 2.3 per cent of the Indigenous population of Australia and approximately 5.5 per cent of the Indigenous population of Queensland.
- ▶ 49.3 per cent of the Torres Strait population was male, 50.7 per cent was female.
- ▶ The median age of Aboriginal and Torres Strait Islander people was 21 years.

### Employment

The 2006 Census showed:

- ▶ An unemployment rate of 5.03 per cent for Torres Strait Islander and Aboriginal people compared to 3.1 per cent for the non-Indigenous population of the region.

### Education

The 2006 Census showed that:

- ▶ 13.8 per cent of Torres Strait Islander and Aboriginal people who were usually residents of the region and aged 15 years and over, completed year 10 or equivalent and that 22.2 per cent had completed Year 12 or equivalent.

In 2011 the Australian Bureau of Statistics advised that in the Torres Strait region:

- ▶ 42 per cent of Indigenous people of the region, aged 15 to 19 years, indicated that they were in full-time education; 4 per cent were undertaking part time education.

### Income

In 2006, household incomes of Torres Strait Islander and Aboriginal people were lower than the reported Australian average.

- ▶ The reported median weekly household income for the region was \$809, compared with the Australian average of \$1,027.
- ▶ The median individual income for an individual living in the Torres Strait region was \$270 a week, compared to the Australian average of \$466 per week.

### Housing

The 2006 Census reported that there were 1,653 dwellings in the region with Indigenous residents. Of these:

- ▶ 7.0 per cent of these were fully owned.
- ▶ 1.6 per cent were being purchased.
- ▶ 87.6 per cent were rented.

### Health

ABS data from the 2006 Census shows that death rates continue to be higher in the Torres Strait and Northern Peninsula Area than in mainland Australia with diabetes, heart disease and obesity being key health issues in the region.

# How the TSRA Operates

## Legislative Framework

### Formation

The TSRA is a Commonwealth Statutory Authority which was established on July 1, 1994 under the *Aboriginal and Torres Strait Islander Commission Act 1989 (Cth)*, now known as the *Aboriginal and Torres Strait Islander Act 2005 (Cth)*. The TSRA is the leading Commonwealth representative body for Torres Strait Islander and Aboriginal people living in the Torres Strait, including two communities (Bamaga and Seisia) in the Northern Area Peninsula.

The TSRA is composed of twenty elected representatives and the administrative staff. The twenty elected representatives are Torres Strait Islander and Aboriginal people who live and work in the region. The TSRA Board elects a Chairperson, a Deputy Chairperson and an Alternate Deputy Chairperson. A General Manager is responsible for the TSRA's administration and staffing.

The TSRA performs separate functions under the *Native Title Act 1993 (Cth)* as the Native Title Representative Body (NTRB) for the Torres Strait Region. The TSRA holds this NTRB responsibility until 30 June 2013.

Under Section 142D of the *Aboriginal and Torres Strait Islander Act 2005 (Cth)* the TSRA is required to formulate and implement a plan to guide the progress of the Torres Strait region. This document, known as the *Torres Strait Development Plan*, is updated every four years, a period consistent with the term of the TSRA Board.

In 2008 - 2009 the TSRA finalised the *Torres Strait Development Plan 2009 - 2013*, the fourth development plan since the establishment of the organisation. The plan outlines seven new or revised TSRA program components: Culture, Art and Heritage; Economic Development; Environmental Management; Governance and Leadership; Healthy Communities; Native Title and Safe Communities. In

recognition of the importance of fisheries to the economic development of the region, in 2010 the TSRA separated responsibility for fisheries management from the Environmental Management Program, establishing a stand-alone Fisheries Program. This change will be reflected in the next edition of the *Torres Strait Development Plan*. For consistency of reporting against the Portfolio Budget Statements and the current *Torres Strait Development Plan*, the outcomes from the Fisheries Program are reported under the Environmental Management Program.

### Enabling Legislation

The enabling legislation for the TSRA is contained in Section 142, Part 3A Division 1 of the *Aboriginal and Torres Strait Islander Act 2005 (Cth)*, which states:

- (1) A Torres Strait Regional Authority is established.
- (2) The TSRA:
  - (a) is a body corporate, with perpetual succession; and
  - (b) is to have a common seal; and
  - (c) may acquire, hold and dispose of real and personal property; and
  - (d) may sue and be sued in its corporate name.

The *Commonwealth Authorities and Companies Act 1997 (Cth)* also applies to the TSRA. The Act deals with matters relating to Commonwealth Authorities, including reporting and accountability, banking and investment and conduct of officers. The Act states:

- (1) The common seal of the TSRA is to be kept in such custody as the TSRA directs and must not be used except as authorised by the TSRA.
- (2) All courts, judges and persons acting judicially must: