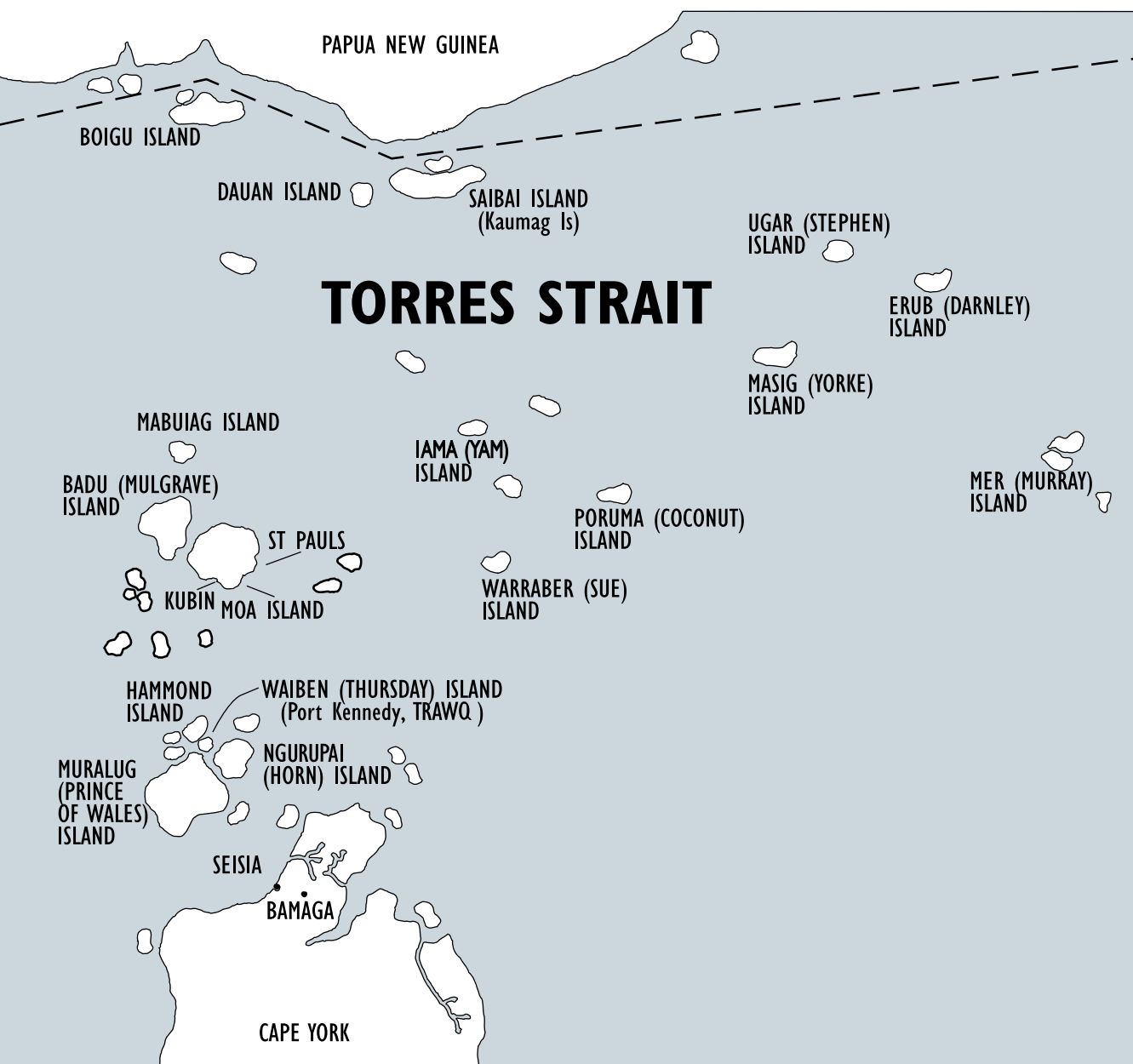




Australian Government



TORRES STRAIT REGIONAL AUTHORITY ANNUAL REPORT 2008–2009



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Australian Government



TORRES STRAIT REGIONAL AUTHORITY

The Hon. Jenny Macklin MP
Minister for Families, Housing, Community Services and Indigenous Affairs
Parliament House
Canberra ACT 2600

Dear Minister,

It gives me great pleasure to present you with the fifteenth Annual Report of the Torres Strait Regional Authority (TSRA), in accordance with Section 144ZB of the *Aboriginal and Torres Strait Islander Act 2005* and also Section 9 of the *Commonwealth Authorities and Companies Act 1997*. This annual report covers the period from 1 July 2008 to 30 June 2009.

As we enter our sixteenth year of operations, the TSRA will continue to work in partnership with the Australian Government to improve the quality of life for all Torres Strait Islander and Aboriginal people living in the Torres Strait region.

Yours sincerely,

A handwritten signature in black ink, reading 'John T. Kris'.

John T. Kris
Chairperson
Torres Strait Regional Authority
9 October 2009



OUR VISION

NGALPUN YANGU KAABA WOYDHAY, A NGALPUN MURUYGAW DANALAGAN MABAYGAL
KUNAKAN PALAYK, BATHAYNGAKA
(KALA LAGAU YA)

BUAIGIZ KELAR OBAISWERARE, MERBI MIR APUGE MENA OBAKEDI, MUIGE MERBI ARERIBI
TONARGE, KO MERBI KEUB KERKEREM
(MERIAM MIR)

NGALPAN MOEBAYGAL THOEPOERIWOEYAMO EYN, NGALPAN YA KUDUTHOERAYNU, NGALPAN
IGILILMAYPA, SEPA SETHA WARA GOEYGIL SEY BOEY WAGEL
(KALA KAWAU YA)

“EMPOWERING OUR PEOPLE, IN OUR DECISION, IN OUR CULTURE, FOR OUR FUTURE”

OUR GOALS

- ➔ Gain recognition of our rights, customs and identity as Indigenous peoples.
- ➔ Achieve a better quality of life for all people living in the Torres Strait region.
- ➔ Develop a sustainable economic base.
- ➔ Achieve better health and community services.
- ➔ Ensure protection of our environment.
- ➔ Assert our native title to the lands and waters of the Torres Strait region.



PREFACE

GUIDE TO THE 2008-2009 ANNUAL REPORT

The Torres Strait Regional Authority's Annual Report 2008-2009, is the Chairperson's report on operations to the Minister for Families, Housing, Community Services and Indigenous Affairs on the performance and achievements of the TSRA during 2008-2009. It is a key accountability document to the Parliament of Australia.

REPORT STRUCTURE

The Chairperson's Report provides broad comment on the Torres Strait Regional Authority's (TSRA) challenges and achievements during the reporting period and discusses the TSRA's performance from a political and strategic perspective.

Following the Chairperson's Report is the section that provides details of the TSRA Board, Advisory Committees, Portfolio Positions and the TSRA meetings held during 2008-2009.

The following chapter 'About the TSRA,' provides some detail about the Torres Strait region and the people living there. It also describes the environment in which the TSRA operates; how and when the TSRA was created; what the TSRA does; the framework in which it distributes grants and loans; and contains the General Manager's Corporate Overview that outlines a detailed administrative and organisational review of TSRA's performance during the financial year.

The section on Outcome and Outputs states the planned and actual costs of the organisation's outcome, and six outputs which include: Economic Development; Community Development, Employment and Training; Native Title; Social and Cultural Development; Housing and Environmental Health Infrastructure; Policy and Information.

A table is provided giving details of the planned achievements and the actual achievements for the year in relation to each of these six outputs, which is then followed by an overview of each. The programs and subprograms are listed and each program's objectives are stated. Details are provided on the strategies and activities the TSRA has undertaken during the year to meet its program objectives; the performance of the programs and subprograms; and how these programs integrate with the planned achievements as stated in the Torres Strait Development Plan. Where appropriate, the future direction of the program is outlined.

Audited financial statements and the independent Audit Report are also provided. The appendices contain information on a range of topics including grants the TSRA has made during the year (Appendix 1); the TSRA's statutory functions and powers as described under Section 8 of the Freedom of Information Act 1982 (Appendix 2); advertising and market research details (Appendix 3); and a full staffing overview including Ministerial Appointments (Appendix 4). A Consultancy Summary is listed in Appendix 5.



ADDITIONAL INFORMATION

To obtain more information please contact the Torres Strait Regional Authority, PO Box 261, Thursday Island, Queensland 4875, on telephone (07) 4069 0700, toll free 1800 079 093, facsimile (07) 4069 1879 or by email info@tsra.gov.au.





CHAIRPERSON'S REPORT 2008-2009



INTRODUCTION

It is with great pleasure that I present the Torres Strait Regional Authority's 2008-2009 Annual Report of Operations under Section 9 of the *Commonwealth Authorities and Companies Act 1997*.

Over the last year the TSRA has progressed and worked on developing strong relationships with all levels of government to achieve the best outcomes for Torres Strait Islanders and Aboriginal people living in the Torres Strait region.

I express my thanks to the TSRA Board Members, General Manager and the Administration for the work they have undertaken over the last year in making progress on a number of issues and delivering important outcomes for the region.

INTEGRATED PLANNING AND SERVICE DELIVERY FOR TORRES STRAIT AND NPA

The TSRA, in partnership with the Department of Communities - Aboriginal and Torres Strait Islander Partnerships (ATSIP-FNQ), Torres Strait Island Regional Council (TSIRC), Torres Shire Council (TSC) and Northern Peninsula Area Regional Council (NPARC), commenced a joint planning process to progress integrated service delivery for Torres Strait and Northern Peninsula communities.

This joint planning process represents an important step in building a framework that can achieve strong and positive outcomes for the region consistent with the national approach to whole-of-government delivery.

The plan is a live document that will be reviewed each year to ensure any changes to priorities or circumstances within the region are taken into account.

Following the elected representatives' forum, an initial draft plan was distributed to communities in the region for further comments/additions before being presented to a second elected representatives' forum in May 2009 for final consideration. The final plan is expected to be signed off in July 2009 and will mark an important milestone in the proposed integrated planning process.



The next step in the process will be the development of a regional service delivery agreement for Torres Strait and NPA that commits all levels of government to work towards achieving the goals and objectives specified in the plan. The TSRA will be playing a lead role in supporting the region's leadership in its efforts to secure the commitment of Commonwealth, State and Local Government agencies to the plan.

REVIEW OF TSRA PROGRAMS AND TORRES STRAIT DEVELOPMENT PLAN

The TSRA also reviewed the Torres Strait Development Plan as well as its program structure. A new development plan has been drafted and this document takes into account the goals and objectives noted in the TS and NPA Regional Plan as well as the COAG "building blocks" for closing the gap in indigenous disadvantage. The Torres Strait Development Plan details TSRA's new programs and demonstrates how the TSRA will contribute to the objectives of the regional plan. The 2009–2010 financial year will be a transition year for the TSRA as it rolls out its new program structure which will take full effect in 2010–2011.

For more details about the Torres Strait Development Plan please refer to Output 6 – Policy and Information.

ECONOMIC DEVELOPMENT

To ensure that Torres Strait Islander and Aboriginal people are able to become economically viable and financially sustainable, the Economic Development area continues to remain a high priority.

TSRA has continued to assist the people of the Torres Strait region through its Business Funding Scheme, Home Ownership Program and Community Enterprise Initiative Scheme grants, as well as progressing a number of initiatives including the Small Business Development Framework.

Since the employment of a Tourism Development Officer last year, work has steadily progressed to implement the Cape York and Torres Strait Tourism Action Plan. It is exciting to note that the Torres Strait, as a tourism destination, has already featured in a number of national newspapers and television programs.

GAB TITUI CULTURAL CENTRE

This year the Gab Titui Cultural Centre (GTCC) celebrated its fifth birthday and has continued to maintain a high profile. GTCC plays an important role supporting the maintenance and promotion of our unique Torres Strait identity, as our region's cultural safekeeping place.



Through 2008-2009, GTCC has hosted and successfully launched a number of significant exhibitions including:

- ➡ The “Mina Big Launch Nite” where a number of talented Torres Strait Islander singers and songwriters launched new CDs.
- ➡ Launch of the Erub Erwer Meta Exhibition that featured a vibrant collection of work from talented artists from Erub Island featuring lino prints, ceramics and screen printing.
- ➡ The Zamiakal Exhibition, featuring Torres Strait Island Dance Machines.
- ➡ The second Gab Titui Indigenous Art Awards, which attracted 55 talented artists from 15 Torres Strait communities, enabling them to exhibit and promote their work at the centre through the peak tourism season.

FISHERIES

As a formal member of the Protected Zone Joint Authority (PZJA) that works with the Australian and Queensland Ministers, TSRA continues to work closely with the Community Fisher Group (CFG), whose members represent their communities, to progress the aspirations of Torres Strait fishers.

The CFG representatives have been supported to attend PZJA Consultative meetings including Management Advisory Committee and Working Group meetings. At the same time, work has closely continued with other fisheries management agencies to further the aspirations of our fishers.

ENVIRONMENT

Although only in its third year of operations, the TSRA's Land and Sea Management Unit (LSMU) continues to deliver a range of projects and undertake a valuable role in supporting communities to manage their land and sea sustainably through the implementation of the Land and Sea Management Strategy for the Torres Strait.

Particular achievements of note for the LSMU over the 2008-2009 year include:

- ➡ The Dugong and Turtle Management Project that developed eight community based plans by working closely with communities, and included a visit from the Comcaac Indians of Mexico at the end of 2008, to share their knowledge of turtles and take part in research activities being undertaken at the time of their visit; and
- ➡ Working with the Torres Strait Island Regional Council (TSIRC) to deliver the Land and Sea Ranger Program.



NATIVE TITLE

The Native Title Office (NTO) has an important role in assisting Traditional Owners, Prescribed Bodies Corporate and Torres Strait communities with native title and related matters.

The NTO continues to assist the Traditional Owners over the three remaining land claims for the uninhabited islands Zuizin, Naghir, Raine Island and Warral & Ului to reach determination through the mediation and court processes.

TORRES STRAIT SEA CLAIM

The Torres Strait Regional Sea Claim, which commenced in 2001, covers a significant part of the waters to the Torres Strait region. It has remained a high priority area and been a key focus area for the Native Title Office.

To date the Federal Court has heard evidence from Traditional Owners and three expert witnesses on the Sea Claim. It is expected that the closing arguments on the Torres Strait Regional Sea Claim will be heard in early 2009-2010.

MAJOR INFRASTRUCTURE PROGRAM (MIP)

The Major Infrastructure Program continues to successfully improve the health of Torres Strait Indigenous people by providing appropriate and sustainable environmental health infrastructure.

Over the last year, the program has delivered a number of projects including reticulated sewerage, treatment plants, roads and drainage, and water metering to communities throughout the Torres Strait and Northern Peninsula Area.

This year we welcomed the Minister for Families, Housing, Community Services and Indigenous Affairs, the Hon. Jenny Macklin to the Torres Strait, and she announced additional funding for the continuation of MIP Stage 4. It is encouraging that all levels of government are committed to improving the quality of life and overall community sustainability through programs such as the MIP and this reflects the success of the whole of government partnership.

CLIMATE CHANGE IN THE TORRES STRAIT

Climate change and its effects on our low lying Torres Strait communities has become another key focal point for the TSRA over the past year.



The TSRA continued to play a pivotal role through the Coastal Erosion and Inundation Steering Committee that consists of representatives from the most affected Torres Strait island communities, as well as Local, State and Commonwealth government representatives. Together with scientific researchers, they aim to identify long term sustainable solutions to address the coastal erosion and inundation issues on our affected communities.

Over the last year, the TSRA has made submissions to the House of Representative Standing Committee on Climate Change, Water, Environment and the Arts on climate change in the region and its impact on our people. The TSRA was invited to attend a hearing held in Darwin in April 2009, and the effects and cost estimates were explained to the committee.

In May 2009, I was invited to attend the 8th United Nations Permanent Forum on Indigenous Affairs in New York. At this international forum the TSRA highlighted the threat that sea level rise and inundation poses to more than a quarter of the communities in the Torres Strait. It was pointed out that there was a critical need for a comprehensive climate change adaptation program that assesses the risks and the need to evaluate potential adaptation options to enable communities to plan for the future.

CONCLUSION

This year has seen strong partnerships develop with all levels of government, including our Local Government Councils, the Torres Strait Island Regional Council, Torres Shire Council and Northern Peninsula Area Regional Council through the progression of plans for integrated service delivery in our region. Over the next year, the TSRA looks forward to building on these partnerships as we progress the Torres Strait and Northern Peninsula Area Regional Plan.

I take this opportunity to express my sincere thanks to TSRA's partner agencies together with Torres Strait Elders, Traditional Owners, Prescribed Bodies Corporate, Community Fisher Group, community members and community organisations for the work progressed over the last year.

To the TSRA Board Members, Management and Administration, please accept my gratitude and thanks for your continued commitment in striving for better outcomes for the people of our region.

I look forward to working with you all over the next year.

John T. Kris



Chairperson



TSRA BOARD

OVERVIEW

The TSRA Board consists of 20 Members. Due to the changes through the State Government's amalgamation of Community Councils to the recently formed Local Government Regional Councils, the Board is comprised as follows:

Fifteen Members hold office following their election on 15 March 2008 under the *Local Government Act 1993 (Qld)*, as Councillors on the Torres Strait Island Regional Council. Two Members from Bamaga and Seisia communities also hold office by virtue of their election to the Northern Peninsula Area Regional Council. The other three Members were elected in May 2008, in accordance with Division 5 of the *Aboriginal and Torres Strait Islander Act 2005*, for the Wards of Port Kennedy, Horn and Prince of Wales Islands, and TRAWQ (Tamwoy, Rosehill, Aplin, Waiben and Quarantine).

The TSRA Board Members are:

Mr John Toshie Kris	Ms Napcia Bin Tahal	Mr Kenny Bedford
Mr John Abednego	Mr Jeffery Aniba	Mr Donald Banu
Mrs Florianna Bero	Mr David Bosun	Mr Ron Day
Mr Ron Enosa	Mr Keith Fell	Mr Wayne Guivarra
Mr Willie Lui	Mr Walter Mackie	Mr Phillip Mills
Mr John Mosby	Mr Philemon Mosby	Ms Nancy Pearson
Mr Raymond Mario Soki	Mr Reginald Williams	



MR JOHN TOSHIE KRIS, TSRA CHAIRPERSON & TSRA MEMBER FOR ST PAULS COMMUNITY, MOA ISLAND

Mr Kris returned to the TSRA for his third term as Member for St Pauls community in 2008. Mr Kris was re-elected as the Chairperson by the TSRA Board and subsequently commenced his second term as Chairperson of the TSRA.

Mr Kris is also the TSRA Portfolio Member for Governance and Leadership and aims to continue achieving real and measurable outcomes for the people of the Torres Strait region by working cooperatively with Commonwealth, State and Local Government agencies, including the three regional Councils in the Torres Strait.

Indigenous ownership of fisheries is a key area that Mr Kris believes is critical to improving good economic outcomes for the region. Two other focus areas for Mr Kris are increased tourism opportunities and Indigenous home ownership.





MS NAPCIA BIN TAHAL, TSRA DEPUTY CHAIRPERSON & TSRA MEMBER FOR HORN AND PRINCE OF WALES ISLANDS

Ms Napcia Bin Tahal, TSRA Member for Horn and Prince of Wales, commenced her first term on the Board in 2008. She is also the Deputy Chairperson, the Portfolio Member for Economic Development and the Deputy Mayor of the Torres Shire Council.

Ms Bin Tahal aims for long-term economic sustainability through the development of local businesses that can operate independently of Government assistance. For Torres Strait Islanders to be able to achieve these goals, Ms Bin Tahal strongly supports higher education. She believes that through the development of professional skills people in the region will take control of their own future.

Ms Bin Tahal is actively involved with a number of local community organisations which ensures that she has remained in touch with issues at the grass root level.



MR KENNY BEDFORD, TSRA ALTERNATIVE DEPUTY CHAIRPERSON & TSRA MEMBER FOR ERUB ISLAND

Mr Kenny Bedford commenced his first term on the Board as Member for Erub. He is also the TSRA Alternate Deputy Chairperson and carries the portfolio responsibilities for Fisheries.

Mr Bedford is concerned about inadequate housing in the Torres Strait, limited access to basic community services, particularly on the outer islands, and the need to preserve cultural knowledge and traditional practices.

During his time on the Board, Mr Bedford will advocate for a more coordinated approach to regional planning and service delivery between the TSRA and Regional Councils. This will help the Torres Strait to secure funding for services and programs that benefit the Indigenous people in the region.



MR WAYNE GUIVARRA, TSRA MEMBER FOR BADU ISLAND

Mr Wayne Guivarra is the TSRA Member for Badu Island. This was his first term on the TSRA Board.

Since his appointment 15 months ago, Mr Guivarra has gained a greater understanding of the TSRA's administrative processes. Whilst he recognises that the tasks ahead are still an enormous responsibility, Mr Guivarra believes that the team has the ability to develop and structure the goals to meet the region's needs. Mr Guivarra is most encouraged to be receiving committed administrative support in these changing times and looks forward to the future with great optimism.





MR REGINALD WILLIAMS, TSRA MEMBER FOR BAMAGA

This was the fourth term on the TSRA Board for Mr Reg Williams, Member for Bamaga. Mr Williams held the position previously in the years 1994-1997, 1997-2000, and 2000-2004.

On returning to the TSRA, Mr Williams aims to achieve a better lifestyle and standard of living for Torres Strait Islanders and Aboriginal people living in the region. Areas of concern for Mr Williams are housing, health and education. Through his representation on the Board, Mr Williams aims to address these concerns by facilitating increased funding for housing, awareness of health issues such as diabetes and heart disease, and in the range of subjects available to secondary school students in the region.



MR DONALD BANU, TSRA MEMBER FOR BOIGU ISLAND

Mr Donald Banu returned as the TSRA Board Member for Boigu Island for his second term. Previously, Mr Banu held the Portfolio for Native Title and has continued his work in the Native Title portfolio area. Mr Banu would like to focus on increased capacity building for Prescribed Bodies Corporate so that the people in the Torres Strait can undertake opportunities, such as lease agreements, as they arise.

To maximise benefits for the Torres Strait community, Mr Banu aims to maintain positive working relationships across the whole of government framework and in particular, with community stakeholders. Mr Banu will strive to ensure that there are developments in home ownership, as well as appropriate initiatives under the Torres Strait Treaty to address health and associated cross border issues between Australia and Papua New Guinea.



MR RAYMOND (MARIO) SOKI, TSRA MEMBER FOR DAUAN ISLAND

This was the first term for Mr Raymond (Mario) Soki who is the TSRA Member for Dauan Island. During his term with the TSRA, Mr Soki will continue to encourage major improvements in economic development and fostered an increased focus on social issues and career pathways.

Mr Soki believes in educating, mentoring, and monitoring youth to ensure that their sense of respect and pride in their culture is not diminished by a diversifying population. Mr Soki wants more resources channelled into capacity building and training for community members so that they better understand government processes and can reap the benefits of a stronger economic base.



Mr Soki is also passionate about empowering his people and this drives his commitment for the region and his community. He also believes that leadership is not about making oneself powerful but making the people around you powerful so that they can stand up for their rights as human beings.



MS NANCY PEARSON, TSRA MEMBER FOR HAMMOND ISLAND

Ms Nancy Pearson commenced her first term as a Member of the TSRA Board for Hammond Island.

Ms Pearson is an avid champion for women and families in the region. Economic development, environmental sustainability and strategies to increase employment are all areas that Ms Pearson sees as being of concern. She aims to encourage the preservation and revitalisation of 'Ailan Kastom' through lifestyle, art, story-telling, and dance, to ensure each community's unique culture is maintained and respected.



MR WALTER MACKIE, TSRA MEMBER FOR IAMA (YAM) ISLAND

Mr Mackie is a returning Member of the TSRA Board as the Member for Iama Island and the Portfolio Member for Environmental Management. Mr Mackie has continued addressing major concerns relating to island erosion, as well as protection and preservation of the Torres Strait's land and sea resources.



MR DAVID BOSUN, TSRA MEMBER FOR KUBIN COMMUNITY ON MOA ISLAND

This was the first term for Mr David Bosun who is the TSRA Member for the Kubin Community on Moa Island. During his term on the TSRA Board, Mr Bosun would like to see marked improvement in the Torres Strait's economy through sustainable tourism ventures and the promotion of arts and culture.

Mr Bosun emphasises a grass roots approach in addressing issues such as training, employment and economic development, so that communities will be empowered to be self sufficient and independent.





MR KEITH FELL, TSRA MEMBER FOR MABUIAG ISLAND

Mr Keith Fell is the TSRA Member for Mabuiag Island. Mr Fell believes that education, training and communication are the keys to success in all avenues of life and achieving an increased standard of living for the people of the region. Other areas of importance for Mr Fell are economic development, and cultural and social issues.

During his term on the Board, Mr Fell has pursued affordable housing for Torres Strait Islanders in the region and worked towards the empowerment of his people through more accessible employment and training opportunities.



MR RON DAY, TSRA MEMBER FOR MER ISLAND

Mr Ron Day is the returning Member for Mer Island. Mr Day has been a Board Member since 2000.

Through his past experience on the TSRA Board, one issue Mr Day would like to see progressed is for all levels of Government to work closely together with the community towards shared goals for our region.

The empowerment of his people through independence and a strong, autonomous economy is Mr Day's vision for the region. He believes that the strength of this region is only in a unity of individual Torres Strait Islanders.



MR PHILLIP MILLS, TSRA MEMBER FOR PORT KENNEDY

This is Mr Phillip Mills first term on the TSRA Board as the Member for Port Kennedy. Mr Mills was the Chairperson and rotation Member of the TSRA Audit Committee during 2008-2009.



MR PHILEMON MOSBY, TSRA MEMBER FOR PORUMA ISLAND

Mr Philemon Mosby is the TSRA Member for Poruma Island and holds the Portfolio for Culture, Art and Heritage. Mr Mosby is also a standing member of the TSRA Audit Committee.





MR RON ENOSA, TSRA MEMBER FOR SAIBAI ISLAND

Mr Ron Enosa has commenced his first term on the TSRA Board as Member for Saibai Island. Mr Enosa would like to see a continuation of activities to support Torres Strait culture, not only in his home community of Saibai Island but throughout the whole Torres Strait region.

Mr Enosa has supported the development of career pathways for students in the Torres Strait to enhance and support further economic development in the region. He has also advocated for land and sea matters in the Torres Strait.



MR JOHN ABEDNEGO, TSRA MEMBER FOR TRAWQ

Mr John Abednego re-joined the TSRA Board having previously been a Board Member from 1994 to 2004. Mr Abednego held office as the TSRA Chairperson 1997 to 2000 and is the TSRA Board Member for the Communities of Tamwoy, Rosehill, Aplin, Waiben and Quarantine which are covered by the TRAWQ Ward.

During his time on the Board, Mr Abednego's aspirations include working with the TRAWQ Community and raising its public profile. He sees the establishment of a TRAWQ Development Plan and an increased focus on social services as important preliminary initiatives in achieving this goal.



MR JEFFREY ANIBA, TSRA MEMBER FOR SEISIA

Mr Jeffrey Aniba is the TSRA Member for Seisia and commenced his first term as a TSRA Board Member.

During his term as a Member of the Board, Mr Aniba is focusing on the Community Development Employment Project (CDEP) program, and increasing loans for homeownership and small business development in the Torres Strait.



MRS FLORIANNA BERO, TSRA MEMBER FOR UGAR ISLAND

This is Mrs Florianna Bero's first term as a member of the TSRA Board. As Member for Ugar Island, Ms Bero is enthusiastic about using her position on the Board to promote good health, education and housing for people in the Torres Strait region.

Mrs Bero has advocated for increased funding in the education and health care sectors, together with an increase in the promotion of small businesses to benefit all communities in the Torres Strait region.





MR WILLIE LUI, TSRA MEMBER FOR WARRABER ISLAND

Mr Willie Lui commenced his first term on the TSRA Board as Member for Warraber Island.

To build a stronger economic and social base for the Torres Strait region, Mr Lui aims to prioritise economic development, employment opportunities and increased cultural awareness. He has advocated for increased numbers of apprenticeships and traineeships, with appropriate and accredited training tailored to suit individual communities, and opportunities for Indigenous people in the Torres Strait region. Mr Lui also identifies erosion, fishing and housing in the region as three of the main areas requiring immediate attention.



MR JOHN MOSBY, TSRA MEMBER FOR MASIG (YORKE) ISLAND

Mr John Mosby is the TSRA Member for Masig Island.

During his term on the TSRA Board, Mr Mosby aims to concentrate on the issues of erosion and waste management affecting our communities. Mr Mosby applauds the progress made by the previous Board in relation to these concerns and intends to continue their good work through the engagement of skilled engineers and increased lobbying to all levels of government.

ADVISORY COMMITTEES

The TSRA had one advisory committee in accordance with section 142M of the *Aboriginal and Torres Strait Islander Act 2005*. – the *Audit Committee*.

AUDIT COMMITTEE

As a requirement of the *Commonwealth Authorities and Companies Act 1997*, the TSRA formed its Audit Committee in June 2008. The TSRA Audit Committee comprises three TSRA Board Members, of which one position rotates annually, and an Independent Member. The Audit Committee is a crucial component of corporate governance and is fundamental in assisting the Board to:

- Ensure all key controls are operating effectively;
- Ensure all key controls are appropriate for achieving corporate goals and objectives; and
- Meet statutory and fiduciary duties.

The Committee also assists the Administration and Board in corporate governance areas, particularly in regard to compliance with obligations under the *Commonwealth Authorities and Companies Act 1997*.



Mr Phillip Mills, Member for Port Kennedy, was appointed to the annual rotational position for the period 2008-2009. He was also appointed as the Chairperson of the TSRA Audit Committee for that period. Mr Raymond (Mario) Soki, Member for Dauan Island, was endorsed by the TSRA Board in June 2009, as the new rotational member on the Audit Committee for the 2009-2010 financial year. The Audit Committee was directed by the TSRA Board to elect a new Chairperson at their next meeting.

TSRA received advice from Mr John Roney's Power of Attorney in August 2008, that he could no longer undertake the Independent Member's position due to ill health. The Audit Committee appointed Mr Peter McQuoid as the Acting Independent Member for the interim period. Mr Adrian Kelly of Ascent Governance Pty Limited has since been endorsed by the TSRA Board as the new Independent Member.

The other standing Members of the TSRA Audit Committee are:

- ➔ Ms Napcia Bin Tahal, Member for Horn and Prince of Wales Islands; and
- ➔ Mr Philemon Mosby, Member for Poruma.

During the 2008-2009 financial year, the Audit Committee met on the following dates:

- ➔ 16 July 2008
- ➔ 8 September 2008
- ➔ 5 November 2008
- ➔ 24 November 2008
- ➔ 6 April 2009

PORTFOLIO POSITIONS

At the first meeting of the new incoming TSRA Board on 5 June 2008, the following portfolio positions were endorsed:

- ➔ Mr Philemon Mosby – Small Business and Economic Development
- ➔ Mr John Mosby – Education, Employment and Training
- ➔ Mr Donald Banu – Native Title
- ➔ Ms Napcia Bin Tahal – Housing and Infrastructure
- ➔ Mr Walter Mackie – Environment and Health
- ➔ Mr John Abednego – Legal and Media
- ➔ Mr Mario Soki – Legal and Media
- ➔ Mrs Nancy Pearson – Women and Families
- ➔ Mr David Bosun – Arts and Culture
- ➔ Mr Wayne Guivarra – Youth, Sport and Recreation
- ➔ Mr Keith Fell – Youth, Sport and Recreation
- ➔ Mr Kenny Bedford – Marine and Fisheries



- ➔ Mr John (Toshie) Kris – Regional Governance and Legislative Reform
- ➔ Mr Phillip Mills – Regional Governance and Legislative Reform

Since 2008, the TSRA has been working with the Torres Shire Council, Torres Strait Island Regional Council and the Northern Peninsula Area Regional Council on an integrated service delivery planning process. To better align and streamline the TSRA Portfolio Positions to the new service delivery planning being undertaken, on 16 June 2009, the Board elected new Portfolio Positions as follows:

- ➔ Mr Philemon Mosby – Culture, Art and Heritage
- ➔ Ms Napcia Bin Tahal – Economic Development
- ➔ Mr Walter Mackie – Environmental Management
- ➔ Mr John (Toshie) Kris – Governance and Leadership
- ➔ Mr Keith Fell – Healthy Communities
- ➔ Mrs Nancy Pearson – Safe Communities
- ➔ Mr Kenny Bedford – Fisheries
- ➔ Mr Don Banu – Native Title

TSRA BOARD MEETINGS

The TSRA Board met five times between July 2008 – June 2009.

Meetings	Date	Duration
Meeting No. 65	11 – 12 September 2008	2 Days
Meeting No. 66	25 – 27 November 2008	3 Days
Meeting No. 67	7 – 9 April 2009	2.5 Days
Meeting No. 68	1 May 2009	1 Hour
Meeting No. 69	16 – 18 June 2009	2.5 Days

All Members attended these meetings except for the following who forwarded their apologies for the meetings listed below:

Meeting No. 65 – Member for Kubin

Meeting No. 66 – Members for Ugar and Bamaga

Meeting No. 67 – Members for Saibai, Mer and Bamaga

Meeting No. 68 – Members for Bamaga, Seisia, TRAWQ, Kubin, Warraber and Port Kennedy

Meeting No. 69 – Member for Kubin, Seisia and Bamaga



PARTICULARS OF THE DIRECTORS OF THE TSRA

Under Schedule 1, Part 2, Division 3, Clause 14 of the *Commonwealth Authorities and Companies (Report of Operations Orders) Act 2008 (CAC)*, the TSRA is required to detail within its report of operations the following particulars with respect to the directors of the Commonwealth authority:

- a) each director's name, qualifications, experience and special responsibilities and whether he or she is an executive director or a non-executive director.

NAME, SPECIAL RESPONSIBILITIES AND STRATEGIC VISION

By the nature of their appointments all TSRA Board members (also known as Directors under the CAC Act) are classified as non-executive directors. The name, special responsibilities and strategic vision of each board member can be found in their individual profiles as listed on pages 6 – 12.

QUALIFICATIONS AND EXPERIENCE

The TSRA Board members are elected on the basis of their specialist knowledge of their Torres Strait communities and all Board members possess strong communication, negotiation and relationship management skills.

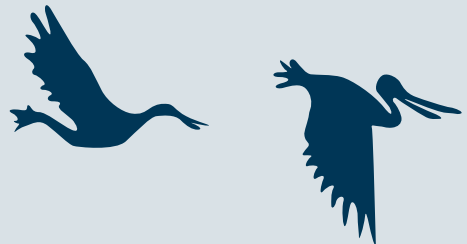
They also have the ability to develop relationships across all Torres Strait communities as well as other TSRA related agencies, which ultimately benefits their individual communities and the TSRA as a whole. TSRA Board members also possess unique communications skills that relate to "Ailan Kastom".







ABOUT THE TSRA



ABOUT THE TSRA

TORRES STRAIT REGION

The Torres Strait stretches 150 kilometres between the tip of Cape York Peninsula in North Queensland to the southwest coast of Papua New Guinea. It is characterised by an array of islands, reefs, coral and sand cays which are scattered throughout its expanse. The closest island to PNG is Saibai, reaching to within five kilometres of the neighbouring Papua New Guinean coastline.

Uniquely beautiful, the Torres Strait remains predominantly inhabited by Torres Strait Islander people who have retained their strong seafaring and trading traditions and maintain bonds to the sea through their culture, lifestyle and ancestry.

The region was named after Luis Vaez de Torres, a Spanish explorer who sailed through the Torres Strait in 1606. After the arrival of missionaries, on Cape York and early settlers who were involved in the pearling, beche-de-mer and mining industries, the Queensland Administration of the Torres Strait was established in 1877, relocating from Somerset on Cape York to Thursday Island.

The Torres Strait region includes 18 island communities and two mainland communities on the Northern Peninsula Area (NPA), located on the north coast of mainland Australia. The region's total population is estimated at 8,576, of whom 7,105 are Torres Strait Islander and Aboriginal people.

Torres Strait Islanders first achieved recognition of their traditional rights over their land in 1992, through the High Court's landmark decision to grant the Miriam people Native Title rights over Mer (Murray Island). This was the first time Native Title had been recognised under the common law of Australia. It set a precedent for Torres Strait Islander and Aboriginal people throughout Australia who have since put forward their own claims under the *Native Title Act 1993 (Cth)*, hoping to achieve equally successful outcomes.

Torres Strait Islanders have now achieved Native Title rights over all of 13 community islands and most of the uninhabited islands. In addition, the Kaurareg people of the region 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 (Packe Island) and Damaralag. Torres Strait Islanders are now pursuing their Native Title rights over three remaining land claims and over their traditional sea area.

OPERATING ENVIRONMENT

The change of Australian Government in late 2007 brought with it a shift in political priorities in relation to Indigenous Affairs in Australia. Confirming that shift and marking the beginning of a different approach, was the Prime Minister's apology made in Parliament House on 13 February 2008, on behalf of the Australian Government, for the past mistreatment of Aboriginal and Torres Strait Islanders and in particular the 'Stolen Generation'.



In an earlier speech at the National Press Club in Canberra on 27 January 2008, entitled “Closing the Gap – Building an Indigenous Future”, the Minister for Families, Housing, Community Services and Indigenous Affairs, the Hon. Jenny Macklin MP, referred to the gap between the standard of living of Indigenous and non-Indigenous Australians and recognised there was no single solution to what she described as a systemic and complex problem. The Minister said that it does not make sense to think that what works in one remote Indigenous community can be effectively transposed to another and the problems must be tackled community by community, with local input and ownership.

The Minister also spoke of the Australian Government’s intention to engage Indigenous people in developing solutions. She said that to work and be sustainable, solutions must be developed on the ground and be driven by the communities who own them.

Since its inception in 1994, the TSRA has worked to implement these priorities as effectively as possible in the Torres Strait region.

The TSRA aims to improve the lifestyle and wellbeing of Torres Strait Islander and Aboriginal people living in the region by implementing programs that address their poor socio-economic and health status. Due to the history of severe disadvantage suffered by the Indigenous people of the region, such improvements will be gradual. A 1991 report by the Royal Commission into Aboriginal Deaths in Custody revealed that significant improvements could only be achieved through fundamental changes in society’s attitudes and recognition of the rights of Australia’s Indigenous citizens. Consideration should be given to these when assessing the TSRA’s programs.

The following report of the TSRA’s operating environment has three sources:

- ➡ The Australian Bureau of Statistics (ABS) 1996, 2001 and 2006 Census information;
- ➡ Australian Government strategies, policies and responses, which have shaped many of the TSRA’s program activities; and
- ➡ Queensland Health regional statistics.





EXTENT OF NEED

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;
- Is 49.3 per cent male and 50.7 per cent female; and
- Had an average age of 21 years compared with 37 years as the average age of Australia's resident population.

EMPLOYMENT

The 2006 Census information showed:

- The number of unemployed Torres Strait Islander and Aboriginal people in the Torres Strait region was 136 and that a total of 2,705 people were employed. This represents 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. In 2001, the unemployment rate in the Torres Strait Islander labour force was 5.5 per cent.
- During the week prior to the 2006 Census, 2,842 Indigenous people aged 15 years and over who were usually resident in the Torres Strait Region were in the labour force. Of these, 2,705 were employed (95.2 per cent) and 137 people (4.8 per cent) were unemployed; and
- There were 1,352 Indigenous people not in the labour force.

Note: Community Development Employment Projects (CDEP) program participants are counted as employed.

EDUCATION

The 2006 Census showed that in the Torres Strait region:

- 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 an additional 22.2 per cent had completed Year 12 or equivalent; and
- 3.5 per cent of the Indigenous people of the region aged 15 to 19 years indicated that they were in full-time education, while 3.2 per cent specified that they were undertaking further education through technical/further educational institutions, university or other tertiary establishments.

INCOME

Household incomes of Torres Strait Islander and Aboriginal people were, according to the 2006 Census, on average lower than those of other households. Of those households where all income data was available:

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

HOUSING

The following information is derived from the report to the Housing Minister's Advisory Council: Multi Measure Modelling of Indigenous Housing Needs August 2003. The source data for this report was based on Australian Bureau of Statistics 2001 Census information and the Community Housing and Infrastructure Needs Survey 2001. The Torres Strait area was defined as an ATSI region in the report.

- Of the total number of households surveyed in the Torres Strait, 20.7 per cent were overcrowded. This was above the total regional average (for all ATSI regions) of 18.92 per cent;
- The Torres Strait region has the third highest number of dwellings requiring major repair or replacement, being 369. This is 19 per cent of the total Queensland figure of 1,916. (Major repairs were defined as repairs of \$20,000 to less than \$60,000 in low cost areas, \$27,000 to less than \$80,000 in medium cost areas and \$33,000 to \$100,000 in high cost areas. Replacement was defined as repairs of \$60,000 or more in low cost areas, \$80,000 or more in medium cost areas and \$100,000 or more in high cost areas.); and
- This figure represented 36.8 per cent of the total number of dwellings surveyed in the Torres Strait region and is above the total regional average (for all ATSI regions) of 26.1 per cent.

The 2006 Census reported that there were 1,653 dwellings in the region occupied by Indigenous persons. Of these:

- 7 per cent of these were fully owned;
- 1.6 per cent were being purchased; and
- 87.6 per cent were rented.

HEALTH

The following information is derived from the Report on Health Indicators for the Torres Strait and Northern Peninsula Area Health Service District (2001), a publication of the Tropical Public Health Unit Network of Queensland Health.



- Rates for all causes of death were higher in the Torres Strait and Northern Peninsula Area Health Service District than in Queensland, with much of the excess occurring in the age group 40-70 years;
- Deaths due to Diabetes Mellitus were more than 10 times higher in the District than in Queensland. Information on deaths due to Diabetes Mellitus was sourced from Improving Diabetes Self-Care in the Torres Strait: a one-year randomised cluster trial 2002-2003; and
- Hospital admission rates for Diabetes Mellitus were 10 times higher in the Torres Strait than rates for Queensland over the period 1994-1998.

For the period 1999-2003, mosquito-borne diseases were 164 times higher than the rate for Queensland as a whole and in 2005, a second mosquito capable of causing dengue fever was detected in the Torres Strait for the first time.

Over 300 cases of dengue fever were recorded from 2002 to 2006, and in response the Torres Strait Dengue Mosquito Eradication Strategy was implemented in 2007 and continued into 2009.

Data gathered from community consultation, available statistics and studies indicated that numerous factors impacted on the health status of the Torres Strait region including environment, housing, infrastructure, nutrition, access to health services, community involvement and traditional culture, alcohol and other substance abuse, infectious diseases, women's health and mental health.

FORMATION

The Torres Strait Regional Authority (TSRA) was established on 1 July 1994, under the *Aboriginal and Torres Strait Islander Commission Act 1989* (the ATSIC Act), following a review of that Act. Under the ATSIC Act, the Torres Strait was one of 35 ATSIC regions throughout Australia. The review proposed the creation of a separate Torres Strait authority with the same powers as the Aboriginal and Torres Strait Islander Commission (ATSIC).

Following consultation with the ATSIC ZONE Torres Strait Regional Council, and the Council's recommendation to establish a regional authority, the Parliament of Australia established the Torres Strait Regional Authority within the framework of the ATSIC Act.

On 16 March 2005, Parliament passed the *Aboriginal and Torres Strait Islander Commission Amendment Bill 2005*, repealing provisions of the *Aboriginal Torres Strait Islander Commission Act 1989* (Cth), and in particular abolishing ATSIC. The legislation received Royal Assent and was proclaimed with effect from 24 March 2005. The Act is now referred to as the *Aboriginal and Torres Strait Islander Act 2005* (ATSIA Act).



The TSRA consists of an elected arm and an administrative arm. The elected arm is comprised of 20 elected representatives who are Torres Strait Islander and Aboriginal people living in the Torres Strait region. Seventeen TSRA Members are Island Councillors elected under the *Local Government Act 1993 (Qld)*, and three TSRA Members are elected under Division 5 of the ATSI Act.

Members of the TSRA elect a Chairperson, a Deputy Chairperson and an Alternate Deputy Chairperson. A General Manager is responsible for the TSRA's administration and staffing.

ENABLING LEGISLATION

The enabling legislation as stated in Part 3A Division 1 of the *Aboriginal and Torres Strait Islander Act 2005*, Section 142 is as follows:

- (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.

Note:

The *Commonwealth Authorities and Companies Act 1997*, applies to the TSRA. That Act deals with matters relating to Commonwealth Authorities, including reporting and accountability, banking and investment, and conduct of officers.

- (3) 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.
- (4) All courts, judges and persons acting judicially must:
 - (a) take judicial notice of the imprint of the common seal of the TSRA appearing on a document; and
 - (b) presume that the imprint was duly affixed.

FUNCTIONS

The functions of the TSRA, as outlined in Section 142A of the ATSI Act, are:

- (a) to recognise and maintain the special and unique Ailan Kastom of Torres Strait Islanders living in the Torres Strait area;
- (b) to formulate and implement programs for Torres Strait Islanders, and Aboriginal persons, living in the Torres Strait area;





- (c) to monitor the effectiveness of programs for Torres Strait Islanders, and Aboriginal persons, living in the Torres Strait area, including programs conducted by other bodies;
- (d) to develop policy proposals to meet national, State and regional needs and priorities of Torres Strait Islanders, and Aboriginal persons, living in the Torres Strait area;
- (e) to assist, advise and co-operate with Torres Strait Islander and Aboriginal communities, organisations and individuals at national, State, Territory and regional levels;
- (f) to advise the Minister on:
 - (i) matters relating to Torres Strait Islander affairs, and Aboriginal affairs in the Torres Strait area, including the administration of legislation;
 - (ii) the co-ordination of the activities of other Commonwealth bodies that affect Torres Strait Islanders or Aboriginal persons, living in the Torres Strait area;
- (g) when requested by the Minister, to provide information or advice to the Minister on any matter specified by the Minister;
- (h) to take such reasonable action as it considers necessary to protect Torres Strait Islander and Aboriginal cultural material and information relating to the Torres Strait area if the material or information is considered sacred or otherwise significant by Torres Strait Islanders or Aboriginal persons;
- (i) at the request of, or with the agreement of, the Australian Bureau of Statistics but not otherwise, to collect and publish statistical information relating to Torres Strait Islanders, and Aboriginal persons, living in the Torres Strait area;
- (j) such other functions as are conferred on the TSRA by this Act or any other Act;
- (k) such other functions as are expressly conferred on the TSRA by a law of a State or of an internal Territory and in respect of which there is in force written approval by the Minister under section 142B;
- (l) to undertake such research as is necessary to enable the TSRA to perform any of its other functions; and
- (m) to do anything else that is incidental or conducive to the performance of any of the preceding functions.

POWERS

The powers of the TSRA, as outlined in section 142C of the *ATS/ Act 2005*, are the following:

- (1) The TSRA has power to do all things that are necessary or convenient to be done for or in connection with the performance of its functions.
- (2) The powers of the TSRA include, but are not limited to, the following powers:
 - (a) to accept gifts, grants, bequests and devises made to it;
 - (b) to act as trustee of money and other property vested in it on trust;
 - (c) to negotiate and co-operate with other Commonwealth bodies and with State, Territory and Local Government bodies;

(d) to enter into an agreement for making a grant or loan under section 142GA to the State of Queensland or an authority of that State (including a Local Government body); and

(e) to enter into an agreement (other than an agreement referred to in paragraph (d)) with a State or a Territory.

(3) Despite anything in this Act, any money or other property held by the TSRA on trust must be dealt with in accordance with the powers and duties of the TSRA as trustee.

(4) The powers of the TSRA may be exercised in or out of Australia.

POWERS OF DIRECTION BY THE MINISTER

The TSRA is directed by the Minister for Families, Housing, Community Services and Indigenous Affairs, the Hon. Jenny Macklin MP, under section 142E of the *ATSI Act 2005*, which states:

- (1) The TSRA must perform its functions and exercise its powers in accordance with any general written directions given to it by the Minister.
- (2) The Minister must not give directions about the content of any advice, information or recommendation that may be given by the TSRA to a Minister, Department of State or authority of the Commonwealth.
- (3) The Minister must not give directions about the content of any advice, information or recommendation that may be given by the TSRA to:
 - (a) a Minister of a State or Territory; or
 - (b) a Department of State of a State or Territory; or
 - (c) an authority of a State or Territory;

except for the purpose of protecting the confidentiality of information given to the TSRA by the Commonwealth or an authority of the Commonwealth.

- (4) Subject to subsection (5), the Minister must cause a copy of a direction to be laid before each House of the Parliament within 15 sitting days of that House after that direction was given.
- (5) The rule in subsection (4) does not apply if the laying of a copy of a direction before each House of the Parliament would result in the disclosure of a matter in a manner that would be inconsistent with the views or sensitivities of Torres Strait Islanders or Aboriginal persons.



CORPORATE OVERVIEW BY THE GENERAL MANAGER



2008-2009 has been a significant year for the TSRA. During this period the organisation has continued to work with the region's communities to deliver positive social, economic and cultural development.

The TSRA also underwent a substantial review of its own programs to enhance its service delivery and address Indigenous disadvantage in the Torres Strait. As a result, a new set of programs will be introduced in 2009-2010.

ORGANISATIONAL CAPACITY

During 2008-2009, the TSRA experienced a growth in staff, primarily due to the expansion of the Land and Sea Management Unit. As at 30 June 2009, the TSRA had 75 staff.

WORKFORCE DEVELOPMENT

Since my last report, the TSRA developed a Workforce Management Plan, which aims to position the TSRA as an employer of choice, particularly for Torres Strait Islander and Aboriginal peoples in the region.

The workforce plan also aims to maintain and improve the diverse skills of our staff while at the same time providing adequate career pathways.

Some of the initiatives adopted in 2008-2009 include:

- Sponsoring staff members in structured leadership development programs;
- Strategic training delivery;
- Continuation of cadetships within the TSRA;
- Continuation of scholarships;
- Continued hosting of Tagai State College School students for participation in the School-to-Work program;
- Continued hosting of state-based traineeships;
- Participation in the James Cook University Careers Fair;
- Further development of the Performance Management Program;



- ➡ Continued refinement of the Internal Leadership Program; and
- ➡ Active promotion of employment in the Australian Public Service and the TSRA in particular.

The TSRA has also contributed to the Australian Public Service Commission's State of the Service Report for 2008-2009, as well as a number of other reports required of various agencies.

TORRES STRAIT DEVELOPMENT PLAN AND REVIEW OF TSRA OPERATIONS

As mentioned above, the TSRA undertook a significant review of its programs and planning frameworks during the reporting period to enhance its service delivery, and consequently will implement a new program structure in 2009-2010. In addition, a new organisational structure is being put in place to better position the organisation to deliver the seven new programs developed. As of the 1 July 2009, the TSRA programs will be Economic Development; Culture, Art and Heritage; Native Title; Environmental Management; Governance and Leadership; Healthy Communities; and Safe Communities.

For further information refer to Output 6 - Policy and Information

RELATIONSHIP WITH THE BOARD

In June 2008 the TSRA welcomed the new TSRA Board including the re-appointment of Mr Toshie Kris as the Chairperson of the Board for a second term. I am pleased to report that a strong working relationship has been established and maintained between TSRA Administration and the new Board Members, and together we are building on the work of the previous Board.

OUTLOOK FOR 2009-2010

Key operational areas that the Administration will focus on during 2009-2010 include:

- ➡ Regional economic and small business development;
- ➡ CDEP reform;
- ➡ Continued workforce capacity building;
- ➡ Improved whole of government planning and the introduction of new programs;
- ➡ Finalise the Torres Strait Regional Sea Claim and remaining land claims;
- ➡ Create Indigenous home ownership opportunities;
- ➡ Fisheries capacity building; and
- ➡ Improved service delivery.



The following pages contain a summary of the TSRA's activities in performing its functions under the *Commonwealth Authorities and Companies Act 1997 (CAC)*, the *Public Service Act 1999*, the *Financial Management and Accountability Act 1997 (FMA)*, the *Aboriginal and Torres Strait Islander Act 2005 (ATSIL)*, and various other public service initiatives and directives.

CORPORATE GOVERNANCE

The TSRA was scrutinised by government audit agencies during the year and actively responded to deficiencies identified by audit agencies. The TSRA endeavours to continually improve the quality of administrative and program procedures.

Internal: The Board identified the benefits of appointing an accredited internal auditor and this was progressed throughout 2008-2009. In November 2008, Mr Peter McQuoid of PDM Consultancy was appointed as Head of Internal Audit.

External: The audit of the 2008-2009 financial statements commenced after the reporting period in August 2009. HLB Mann Judd conducted the audit on behalf of the Australian National Audit Office (ANAO), resulting in an unqualified audit opinion, as indicated by the delegate of the Auditor General, at the beginning of the Financial Statements.

AUDIT COMMITTEE

As a requirement of the *Commonwealth Authorities and Companies Act 1997*, the TSRA formed its Audit Committee in June 2008. Please see TSRA Board Members, Advisory Committees for more details.

COMPLIANCE REPORT

In line with section 16(1)(c) of the CAC Act, the Finance Minister requires all Commonwealth Authorities to provide a Compliance Report on legislative compliance and financial sustainability. This is the third year of this requirement, which came into effect following the completion of the 2006-2007 financial year. The TSRA provided the Finance Minister and the Minister for Families, Housing, Community Services and Indigenous Affairs a copy of this report and developed a comprehensive process for meeting the Compliance Report requirements. This process included review points throughout the year to deliver the best possible outcome for this important report.



BUSINESS CONTINUITY PLAN

The TSRA recognises the importance of robust business continuity practices to ensure the continued delivery of critical business activities in the event of a serious incident.

The TSRA initiated an extensive upgrade of its business continuity processes to ensure that business systems and infrastructure are available as quickly as possible in the event of disaster. This project encompasses the redevelopment of the Business Continuity Plan, an extensive overhaul of ICT systems, and the integration of business risk analysis and review processes as part of the TSRA's Operational Management. These activities, due for completion in early 2010, will enable the TSRA to manage unexpected business interruptions and continue to provide services to support program delivery.

RISK MANAGEMENT

The TSRA has not given any indemnity to current or former officers against a liability. It pays an annual premium for insurance to Comcover, which in some cases, namely professional indemnity, protects against current or former officers' liability for legal costs.

FRAUD CONTROL

The Torres Strait Regional Authority had a comprehensive Fraud Control Plan in place for 2008-2009, in accordance with the Commonwealth Fraud Control Guidelines.

COLLECTIVE AND INDIVIDUAL WORKPLACE AGREEMENTS

As at 30th June 2009, there are 24 staff employed under individual Australian Workplace Agreements (AWAs), which will serve their remaining terms before expiry in line with the *Fair Work Act 2009*.

In accordance with direction from government, the TSRA ceased offering AWAs to staff as at 13 February 2008. The TSRA uses Section 24(1) determinations when it is appropriate to supplement existing conditions in order to maintain competitiveness in the employment market, which are included in the Collective Agreement 2006-2009.

The current Collective Agreement ceases on 26th December 2009. The process of negotiating a new Enterprise Agreement for 2009-2011 began in late April 2009. All staff were involved in information and consultation workshops in preparation for the negotiation stage of the process, which is scheduled to begin in July 2009.





HUMAN RESOURCES

PAYROLL

The HR and payroll company Frontier Software Pty Ltd provides software and support services so that the TSRA can provide these services in-house.

STAFF DEVELOPMENT AND TRAINING

Staff attended various internal and external courses throughout the year including: cultural awareness training; Indigenous Career Trek Workshop; career development training; leadership training; a fitness and health seminar; and a financial planning seminar.

The TSRA also uses a wide range of computer based training products.

The TSRA offers office administration traineeships each calendar year and made two placements in 2008-2009.

LEAVE RECORDS

All leave records are managed through the Human Resources section and payroll electronic system.

PROPERTY

The TSRA has an office accommodation usage of 1,213 square metres for 75 staff and the TSRA Chairperson, providing an average of 16.17 square metres per person.

EQUAL EMPLOYMENT OPPORTUNITY (EEO)

The TSRA is an Equal Employment Opportunity (EEO) employer and upholds the Australian Public Service Values. It provides a workplace that is free from discrimination and recognises and utilises the diversity of the Australian community it serves. Staff members and management receive up to date information and have access to the publications from the Australian Public Service Commission (APSC), Department of Education, Employment and Workplace Relations (DEEWR) and numerous other agencies on employment related matters including, EEO, Harassment Free Workplaces and Workplace Diversity. Appropriate EEO statistical information is collected upon recruitment of all TSRA staff and provided to the APSC. The TSRA's statistical data is set out in Appendix 4 (c).

FREEDOM OF INFORMATION (FOI)

A statement outlining the structure of the TSRA, as requested under Section 8 of the *Freedom of Information Act 1982*, can be found in Appendix 2. During the reporting period, one FOI request was received and no applications for Internal Review or applications to the Administrative Appeals Tribunal for review of a decision in relation to a request was received.

INDUSTRIAL DEMOCRACY

The TSRA fosters and promotes industrial democracy through regular management, section and staff meetings. As appropriate, it consults with employees on:

- ➔ Major workplace changes;
- ➔ The development of guidelines and policies applying to employment conditions; and
- ➔ Implementation of the Workplace Agreement.

OCCUPATIONAL HEALTH AND SAFETY (OH&S)

The TSRA recognises its responsibilities under the *Occupational Health and Safety (Commonwealth Employment) Act 1991*. The TSRA has an established Health and Safety Committee responsible for developing and implementing strategies to protect employees from associated risks. The Health and Safety Committee works with management and staff in a cooperative manner to manage all Occupational Health and Safety (OH&S) policy and operational matters. Staff members are informed of the current issues and receive OH&S publications from Comcare. The TSRA has a trained Health and Safety Representative.

The Authority has actively used an Occupational Therapist over the course of the year to provide ergonomic support to any employees experiencing pain or injury.

The TSRA uses CRS Australia to provide off-site (via telephone), short-term, confidential counselling services to employees

PRIVACY

The Privacy Commissioner did not issue a report on the TSRA under Section 30 of the *Privacy Act 1988* and no personal privacy complaints were made against the TSRA during the reporting period.

COMMONWEALTH DISABILITY STRATEGY

The TSRA is aware of and acknowledges the Commonwealth Disability Strategy which is a planning framework that assists agencies to ensure their policies, programs and services are accessible for people with disabilities.



The TSRA is committed to the continued development of their Disability Strategy during the reporting period as detailed under the *CAC Act 2008*.

This strategy includes reviewing the impact and suitability of the development of communications, newly advised policies and programs, consultation processes, feedback and complaint processes as well as purchasing specifications to ensure the complex needs of people with disabilities and their carers are met.

The TSRA has already ensured that the physical accessibility of its administration centre meets the needs of people with disabilities, and anticipates it will progress its strategy during the next reporting period of 2009-2010. Further to this it is also anticipated that the TSRA will be able to demonstrate more detailed performance reporting against their strategy for 2009-2010 period.

CORPORATE DOCUMENTS

The TSRA produced its 2007-2008 Annual Report during the reporting period, together with 10 community newsletters, the 'TSRA News'. The newsletters were distributed throughout the Torres Strait region and onto the Australian mainland via insertion in the local newspaper, the 'Torres News'. It is also available on the TSRA website together with all other key organisational publications. The aim of the newsletter is to inform the community of the TSRA's programs, goals and achievements, including those of the organisation's elected and administrative arms.

The Torres Strait Development Plan, which is required under the *Aboriginal and Torres Strait Islander Act 2005*, expired in June 2009. A new Plan is being developed and will be in place by 2010.

RELATIONSHIP WITH THE MINISTER

The TSRA falls under the Australian Government's Indigenous Portfolio, which forms part of the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA). During the reporting period, both the Chairperson and I had the opportunity to visit the Minister, the Hon. Jenny Macklin MP, in Canberra. The region was also fortunate to welcome Minister Macklin on her inaugural tour of the Torres Strait in April 2009, where she met with the Board, and announced funding for the region's Major Infrastructure Program.

Throughout the year, the TSRA has continued to maintain dialogue with respective Ministers by providing regular briefs and correspondence to ensure the expectations and vision for the TSRA and region are being addressed by respective governments.



This year the TSRA was visited by Australian Government Ministers, parliamentarians and government representatives, including the Hon. Bob Debus MP, Minister for Home Affairs in December 2008, and the Minister for Human Services, the Hon. Joe Ludwig MP in April 2009.

The TSRA was also invited to meet with the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs in March 2009, while the Committee was conducting its inquiry into community stores in remote Aboriginal and Torres Strait Islander communities.

The TSRA met with the House Of Representatives Standing Committee on Climate Change, Water, Environment and the Arts in Darwin, during November 2008, and provided a submission on the environmental affects and impacts of climate change in the Torres Strait region.

Her Excellency the Governor of Queensland, Ms Penelope Wensley AO, was also welcomed to the Torres Strait region in May 2009.

CONCLUSION

In closing, I would like to take the opportunity to acknowledge the commitment and professionalism of the TSRA staff and Board. I also extend my thanks to TSRA partner agencies and Torres Strait communities whose support and collaboration is critical to improving the lives of Indigenous people in the Torres Strait region. I look forward to working in partnership with you all in 2009-2010.

Wayne See Kee



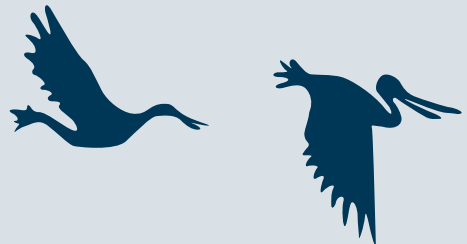
General Manager







OUTCOME AND OUTPUTS



OUTCOME AND OUTPUTS

PRICES OF OUTCOME AND OUTPUTS PLANNED AND ACTUAL

Since the Australian Government introduced a new financial management framework in 1999–2000, Outcomes and Outputs have become the focus of the way in which departments and agencies plan their activities, budget and manage resources at their disposal, and report to the government. It also introduced government agencies to the accrual method of financial reporting and budgeting, which matches revenues with the cost of outputs for a certain financial period. It was generally understood that these measures, together with the introduction of the method of budgeting based on the full cost of government activities (Outputs), would promote better accountability and professionalism and facilitate more informed decision making.

The TSRA had one planned Outcome for the financial period 2008–2009. The Outcome was 'to achieve a better quality of life and to develop an economic base for Torres Strait Islander and Aboriginal persons living in the Torres Strait'. There were six Outputs that contributed to the achievement of the planned Outcome. The budgeted and actual prices of the TSRA's six outputs are listed in the notes to the Financial Statements and in the following table.



BUDGET TOTAL PRICE OUTCOME

BUDGETED TOTAL PRICE OUTCOME \$51.90M			
ACTUAL TOTAL PRICE OUTCOME \$69.65M			
OUTPUT 1			
Economic Development	Budgeted Total Price	\$2.96m	
	Actual Total Price	\$2.42m	
OUTPUT 2			
Community Development, Employment & Training	Budgeted Total Price	\$35.01m	
	Actual Total Price	\$30.13m	
OUTPUT 3			
Native Title	Budgeted Total Price	\$1.82m	
	Actual Total Price	\$3.99m	
OUTPUT 4			
Housing & Environmental Health Infrastructure	Budgeted Total Price	\$2.94m	
	Actual Total Price	\$19.00m	
OUTPUT 5			
Social & Cultural Development	Budgeted Total Price	\$6.72m	
	Actual Total Price	\$10.17m	
OUTPUT 6			
Policy & Information	Budgeted Total Price	\$2.45m	
	Actual Total Price	\$3.94m	

Notes:

1. Revenue from Government through appropriations contributes 73.5% to the total Output price for this outcome for 2008-2009
2. The TSRA has no administered expenses
3. Budgeted Total Price and Actual Price Outcomes, listed in the above table, include the addition of allocated administrative costs
4. The Actual Total Price Outcome includes externally funded expenditure on:

Major Infrastructure Program	\$14.28m
Other Programs	\$3.47m
5. For a detailed explanation of the variances in the above Table see Appendix 6.



PERFORMANCE AGAINST OUTPUTS

These Tables demonstrate planned achievements (in accordance with the TSRA goals), as stated in the Development Plan, and the actual achievements for the financial year (FY).

PERFORMANCE AGAINST OUTPUT 1 – ECONOMIC DEVELOPMENT

Planned Achievements	Actual Achievements
10 Community Economic Initiatives Scheme (CEIS) grants to be approved.	At least 10 CEIS Grants, including roll-overs from previous year, were approved for: Mer Fuel Bowser; Poruma Resort Boat; Warraber Resort; Seisia TSIC Enterprise Divestment; NPARC Enterprise Divestment; Ugar Fuel Bowser; Ugar Multi-Purpose Building; Saibai Bistro; Mabuaig Guesthouse; TSIRC Enterprise Divestment; and Kailag Enterprises Sponge Farm.
3 Housing loans and 6 Business loans provided to establish Indigenous businesses.	During the financial year, 6 BFS Loans and 3 Housing loans were granted.
Settle 100% of contracts within one to months.	100% of contracts were settled within one to three months.
	The loan Portfolio consists of 23 Business Funding Scheme (BFS) loans and 30 housing loans.
Actual Price: \$2.42m	
Budgeted Price: \$2.96m	



PERFORMANCE AGAINST OUTPUT 2 – COMMUNITY DEVELOPMENT, EMPLOYMENT AND TRAINING

Planned Achievements	Actual Achievements
Quality: 90% of Community Development Employment Projects (CDEP) Program communities comply with guidelines.	66.6% of CDEP organisations fully complied with the CDEP and general funding and operational guidelines. Compliance issues related to late reporting following the amalgamation of Island Councils.
Quantity: 19 communities access CDEP.	19 communities accessed CDEP through 3 contracted providers.
85% of targeted training delivered within the financial year.	60% of targeted training programs were delivered.
19 training programs to be implemented	20 training programs implemented.
Ensure that the program is working effectively by: meeting with CDEP providers twice a year; checking quarterly financial returns; and that up to 2,000 eligible participants are qualified to be on the program.	In 2008-2009, TSRA visited CDEP providers on 45 occasions. The financial year ended with 1,643 eligible participants on the Program.
	The CDEP Manager System, on the TSRA website and connected to Centrelink, provided the administrative tool for the management of CDEP participants. Costs associated with CDEP Manager are included in the overall cost of this output. The TSRA has a Memorandum of Understanding with Centrelink.
Actual Price: \$30.13m	
Budgeted Price: \$35.01m	



PERFORMANCE AGAINST OUTPUT 3 – NATIVE TITLE

Planned Achievements	Actual Achievements
Quality: Finalise the remaining land claims in the Torres Strait.	There are three remaining claims over land in the Torres Strait region; two are progressing through mediation; and one has been adjourned until a determination of the Torres Strait Regional Sea Claim.
Assist Native Title Holders and claimants negotiate agreements in response to Future Act notices and other land and sea management issues impacting on native title.	The NTO is currently assisting with the negotiation of approximately 10 ILUAs in the region. 84 actions were taken in response to 196 Future Acts.
Progress the Torres Strait Regional Sea Claim.	The Torres Strait Regional Sea Claim has adjourned so the Federal Court of Australia can make its decision. 26 traditional owners and three anthropologist experts provided evidence and a further four experts reports were tendered unchallenged. Nine volumes of documentary evidence were tendered.
Develop Indigenous Land Use Agreements (ILUAs) for the authorisation and validation of the construction of new infrastructure on community islands and other frequently occurring future acts.	No ILUA's were finalised or registered. Assisted 18 disputes relating to native title applications.
Provide support through Prescribed Body Corporate (PBCs).	21 PBC's were assisted during the reporting period. 2 regional PBC workshops were held as well as support for PBC Annual General meetings
Actual price: \$3.99m	
Budgeted price: \$1.82m	



PERFORMANCE AGAINST OUTPUT 4 – HOUSING AND ENVIRONMENTAL HEALTH INFRASTRUCTURE

Planned Achievements	Actual Achievements
<p>Quality: Environmental Infrastructure projects commenced in 2008-2009, to be completed by 30 June 2009 in accordance with MIP3-4 Implementation Plan and Schedule.</p>	<p>Major Infrastructure Program (MIP)</p> <p>MIP2: Overall, MIP2 projects under construction in 2008-2009 were 96% complete as at 30 June 2009.</p> <p>MIP3: Overall, 92% of the work on MIP3 projects under construction and scheduled for completion by 30 June 2009 were completed on schedule.</p> <p>MIP4A: Overall, 94% of the work on projects scheduled for completion by 30 June 2009 (the second year of MIP4A) were completed.</p>
<p>Quality: Water Supply related Infrastructure Maintenance at 15 Island Communities commenced in 2008-2009, to be completed by 30 June 2009 in accordance with TSIRCES 2008-2009 approved budget and Service Level Agreement.</p> <p>Quality: Upgrade of community roads and drainage projects commenced in 2008-2009 to be completed by 30 June 2009 in accordance with 2008-2009 TIDS approved program.</p> <p>Quantity: Upgrade of community transport infrastructure at 15 Island Communities to continue.</p>	<p>Minor infrastructure works were undertaken at 5 communities: Ugar Roads Stage 2 Paving, Road to Poruma Barge Ramp, Hammond Streets maintenance and paving, St Pauls Roads and Drainage, and Saibai Sports Field upgrade.</p> <p>Torres Strait Island Regional Council Engineering Services (TSIRC ES):</p> <p>Water Supply related Infrastructure Maintenance at 15 Island Communities were successfully delivered.</p> <p>Airstrips, Marine & Roads Upgrades:</p> <p>Work was completed on schedule for the following projects:</p> <p>Hammond Island Streets maintenance and paving, Ugar Roads Stage 2 Paving, St Pauls Roads and Drainage, Kubin Airstrip Reseal, and Dolphin Replacement Stage 1 at St Pauls, Badu, Mabuiag, and Boigu.</p>
Actual Price: \$19.00m	
Budgeted Price: \$ 2.94m	



PERFORMANCE AGAINST OUTPUT 5 – SOCIAL AND CULTURAL DEVELOPMENT

Planned Achievements	Actual Achievements
Quality: Approved grants for approved projects will be funded within 28 days of commencement of the financial year.	75% of funded organisations received all or part of their first quarterly release within the first quarter of the financial year.
Quantity: 25 grants will be approved in the financial year.	50 grants were approved in the 2008-2009 financial year, representing 80 activities providing social, cultural and environmental assistance to communities.
Provide assistance to communities to promote and improve their social and cultural wellbeing.	
Promote community involvement in environmental issues affecting them by providing financial assistance to suitable community organisations running appropriate programs and through publications produced by the TSRA.	
Maintenance and Training Works and Minor Infrastructure Works commenced in 2008-2009, to be completed by 30 June 2009 in accordance with 2008-09 HEMTP Program.	Heavy Equipment Management and Training Program (HEMTP): Maintenance works were completed at 7 communities: Saibai, Darnley, Warraber, Poruma, Yorke, Iama, and Mer.
Actual Price: \$10.17m	
Budgeted Price: \$6.72m	



PERFORMANCE AGAINST OUTPUT 6 – POLICY & INFORMATION

Planned Achievements	Actual Achievements
Quality: 3 Joint Torres Strait Housing and Infrastructure Committee meetings.	2 achieved.
3 MIP Steering Committee meetings.	2 achieved.
1 PZJA meeting.	100% achieved.
1 Torres Strait Fisheries Management Advisory Committee meeting.	100% achieved.
2 Torres Strait Finfish Working Group meetings.	100% achieved.
2 Torres Strait Tropical Rock Lobster Working Group meetings.	100% achieved.
2 Torres Strait Prawn Working Group meetings.	100% achieved.
1 Community Fisher Group meeting.	100% achieved.
2 PZJA Standing Officials meetings.	100% achieved.
3 Torres Shire Council MOU Meetings.	100% achieved.
Quality: 100% of Ministerial Correspondence dealt with within set timeframe.	100% of Ministerial Correspondence dealt with within set timeframe.
98% TSRA Board Members queries responded to within 14 days.	98% of queries from TSRA Board Members were responded to within 14 days.
98% of verbal queries responded to within 14 days.	98% of verbal queries responded to within 14 days.
Quality: 10 Newsletters are published to inform the public of the TSRA's programs.	10 newsletters were produced.
Press releases are circulated to promote TSRA initiatives.	15 press releases were circulated.
	13 Chairperson's Columns were published.
Actual Price for this Output: \$3.49m	
Budgeted Price: \$ 2.45m	



OUTPUT ONE – ECONOMIC DEVELOPMENT

PROGRAM – ECONOMIC DEVELOPMENT

This output is comprised of one major program, the Economic Program, which supplements and contributes to mainstream programs aimed at increasing the economic empowerment and status of Torres Strait Islander and Aboriginal people living in the Torres Strait region. The program also aims to develop opportunities for enhancing employment, training, enterprise development and home ownership.

The Economic Program is comprised of three sub-programs:

1. Business Funding Scheme (BFS) (loans)
2. Home Ownership (loans)
3. Community Economic Initiatives Scheme (CEIS grants)

SUB-PROGRAM: BUSINESS FUNDING SCHEME (BFS)

OBJECTIVE

To increase the economic independence of Torres Strait Islander and Aboriginal people living in the Torres Strait region by facilitating the acquisition, ownership and development of commercially viable enterprises in accordance with the principles of sustainable economic development.

DESCRIPTION

The Business Funding Scheme (BFS) provides Torres Strait Islander and Aboriginal people living in the region with the opportunity to establish, acquire, develop and own their own businesses thereby facilitating their economic independence. Over the years, the BFS has assisted many individuals and partnerships to establish successful business ventures in a range of industries. This in turn creates employment for the Indigenous people of the Torres Strait and Northern Peninsula Area.



The TSRA Board requested that additional business support activities be created and implemented to increase the potential for commercial enterprise success. Investigations subsequently identified that greater assistance is required for small business operators in the region, particularly during the initial development stages, to understand legal and financial requirements and successful marketing and operational practices. Consequently, the TSRA's Economic Development Unit developed a Small Business Development Framework, which now underpins the business loan process. The primary purpose of the framework is to both accelerate economic development in the region and improve business success. The framework was endorsed by the TSRA Board and is now being implemented.

The Small Business Development Framework encompasses the following four activities:

Financial Statement Submission

To assist clients create successful businesses, and to highlight their business loan status, clients are requested to voluntarily submit their financial activity statement each quarter. The statements are analysed for performance and provide a basis for informed mentoring support.

Quarterly Mentoring or Additional Training

Business loan clients are provided with quarterly business mentoring support to monitor the financial and operational health of their business and provide business advice and support where possible.

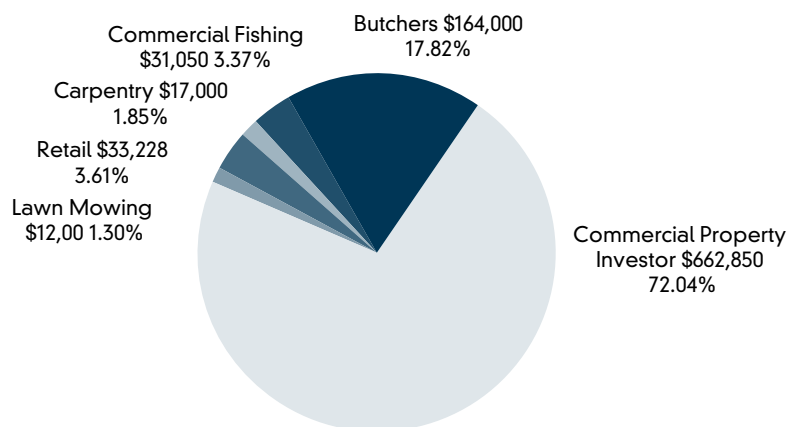
The BFS is proving to be an important source of commercial finance for Torres Strait Islander people wanting to establish or expand their businesses. During the financial period, a total of six loans were advanced at a total value of \$920,128. During the financial year, four clients paid out their loans.

As at 30 June 2009, a total of 23 BFS loans remained active and a total of \$321,025.88 in repayments was returned this financial year into the TSRA General Account.

While the majority of the loans remain within the fishing industry, the BFS continues to support businesses in a diverse range of local industries. In 2008-2009, loans were financed in the following areas: landscaping; butchery; retail and property.

Industry Sector	No. Loans	Disbursed Value(\$)
Commercial Fishing	1	24,840
Butcher	1	164,000
Carpentry	1	13,415
Retail	1	33,228
Lawn Mowing Services	1	12,000
Commercial Property Investor	1	662,850
Total	6	910,333





Indigenous BFS Industry and Loan Amount Data 2008 - 2009

Community Economic Business Forums

Regular Community Economic Business Forums held within island cluster groups provide an opportunity for community members to explore general business development principles. The forums stimulate discussion of community business aspirations and assist with the identification of potential local economic opportunities as well as the basic requirements of starting and running a business.

The quarterly forums are held over three days on each island cluster with a focus on business success factors, identifying Indigenous business success stories, and exploring potential business opportunities as well as avenues for accessing support. The forums are supported by case studies of successful Indigenous businesses and Indigenous entrepreneurs attend to share their success stories.

Business ideas generated from the forum are assessed for potential viability. If an applicant meets the basic criteria they are offered a place in the Small Business Training Program to develop a business plan for final assessment.

The first forum was held at St Pauls Community on Moa Island from 3-6 March 2008, and received excellent feedback from the participants. The TSRA then hosted the second Community Business Forum on Erub Island and feedback indicated that participants found the forum very informative and were appreciative of the opportunity.

Small Business Training

Eligible applicants with a commercially viable business idea are offered the opportunity to participate in a Small Business Training Program. The training is practically focused on creating a business plan with specific action steps to help facilitate success.



The Small Business Training program developed between TAFE, community members and the TSRA has undergone further changes to ensure the needs of TSRA clients continue to be met. The most notable change was the introduction of Certificate III in Micro Business Management, which focuses on business specific hands-on skills and problem solving. The additional benefit of the Certificate III is that the elective modules may be replaced with industry specific outcomes, thereby increasing participants' industry skills.

ACHIEVEMENTS

The Economic Development Team concluded a partnership arrangement with the Master Builders Association to offer the Business Management Training for Trades People. This enabled Torres Strait Islander tradespeople to meet the licensing requirements of the Queensland Building Services Authority. Nine participants completed their Business Management Training on Thursday Island with a further 12 scheduled to undertake similar training on the outer islands later in 2009. By obtaining this licence, Torres Strait Islander tradespeople will be legally able to undertake sub-contracts in the construction industry within Queensland. This opportunity represents huge potential for licence holders to become business operators and respond to local sub-contract offers within the construction industry in the region. The TSRA funded tuition for this training, and the Master Builders Association provided expert facilitators and industry support.

The TSRA's Small Business Development Framework, which is linked to the Business Funding Scheme (BFS), is being implemented through a series of regional island community workshops. These are designed to generate Indigenous small businesses with vocational educational accredited training and business support mentoring. The TSRA is working closely with the Torres Strait Island Regional Council (TSIRC) to assess the viability of community enterprises that utilise the Community Development Employment Projects (CDEP) program across the region. This includes building the internal capacity of community organisations to better enable them to operate commercially sustainable businesses in the regional economy.

The BFS remains a successful financial mechanism for Indigenous people of the region as they take on the challenge of private enterprise in a varied range of commercial activities, with further support and assistance now available under the Small Business Development Framework. The TSRA is pleased to progress the Islander Entrepreneur Partnership program throughout the region in cooperation with the National Australia Bank (NAB). Torres Strait Islanders can now access commercial funds, under special conditions with NAB, and receive training support from the TSRA.



CASE STUDY: BUSINESS FUNDING SCHEME

TITLE OF PROJECT: THURSDAY ISLAND BUTCHER

ISLAND/COMMUNITY: THURSDAY ISLAND

APPLICANT: MR TOSHIO NAKATA

Project Description

In 2008, Toshio Nakata was presented with the chance to purchase Thursday Island Bulk Meats. An opportunity too good to pass up, Mr Nakata recognised this would not only be an exciting new challenge, but had long believed that more businesses in the Torres Strait should be owned by Torres Strait Islanders.

TSRA Assistance

The TSRA recognised the merit of the project and the obvious demand for the Island's bulk meat supplier to continue and as such, assisted Mr Nakata to purchase the business.

Having never previously acquired or managed a business, Mr Nakata participated in and completed the small business training offered by the TSRA and TAFE. He acknowledges the support provided and described the program's assistance as extremely helpful.

Outlook

With his business thriving and employing three Torres Strait Islanders, Mr Nakata is now starting to expand his product line to better service the needs of his customers and in doing so hopes to employ more staff.



Above: Mr Toshio Nakata in front of Thursday Island bulk meats



SUSTAINABLE TOURISM DEVELOPMENT

Sustainable Tourism Development has been given strong impetus by the TSRA. This year efforts to advance regional tourism development have been guided by the Cape York Peninsula and Torres Strait Tourism Development Action Plan 2008-2011 in particular.

A Regional Accommodation Audit report on tourism accommodation facilities in the region was endorsed by the TSRA Board. Other tourism-related reports currently in progress include Cultural Protocols for Bamaga and Seisia, Conservation Plans and remedial work for Green Hill Fort (Thursday Island), and World War II sites on Horn Island.

The TSRA and the Stepping Stones for Tourism Program conducted a workshop on Poruma and as a result prepared draft tourism development plans for Poruma and Masig Islands. The Stepping Stones for Tourism program was developed in the Northern Territory for Indigenous communities.

The TSRA also attracted travel and tourism industry writers to the region and Qantas Airlines featured the Torres Strait region in an edition of its In-flight magazine. Other activities included:

- ➦ A Networking Forum in the Northern Peninsula Area for tourism operators;
- ➦ Convening a Torres Shire Tourism Steering Committee meeting; and
- ➦ Consultation with Tourism Queensland regarding tourism industry developments, especially in relation to the Australian Tourism Exchange, Centralised Booking Service and Trade opportunities.

SUB-PROGRAM: HOME OWNERSHIP

OBJECTIVE

To provide home ownership for the Indigenous residents of the Torres Strait region through home loans, thereby improving their economic status and social wellbeing.

DESCRIPTION

The Home Ownership Scheme provides home or land loans at concessionary interest rates to Torres Strait Islander and Aboriginal people living in the Torres Strait region who would not normally be able to obtain assistance from conventional lending institutions. The scheme is targeted at low income first-home buyers according to a points system based on family size and rental circumstances. The scheme is self-funding.



ACHIEVEMENTS

This year a total of \$779,285 was released to three housing loan clients for either the purchase of new homes or to re-finance existing loans.

A total of \$609,072.19 in repayments has been returned to TSRA Housing Account during the financial year. Two housing loans have been paid out leaving the total housing loan portfolio at 30.

SUB-PROGRAM: COMMUNITY ECONOMIC INITIATIVES SCHEME (CEIS)

OBJECTIVE

To contribute directly to the economic growth of communities by supporting the development of income generating projects with social, cultural and economic benefits.

DESCRIPTION

Through this component grants were provided to Torres Strait Islander and Aboriginal organisations for the establishment and/or expansion of commercial income generating ventures.

ACHIEVEMENTS

Several projects are underway or being appraised under this scheme:

- ➔ Mer Island Fuel Bowser;
- ➔ Ugar Island Fuel Bowser;
- ➔ Ugar Island IBIS store;
- ➔ Masig Island Sponge Farm (two-year pilot program funding); and
- ➔ Pearl Farm Joint Venture(s).



CEIS GRANTS

Grantee	Project	\$ Amount	Note
Kailag Enterprises Ltd	Yorke Island Sponge Farm	305,000	1
Northern Peninsula Area Regional Council	Enterprise Divestment	110,000	2
Seisia Torres Strait Islander Corporation Inc.	Enterprise Capacity Building	50,000	2
Torres Strait Island Regional Council (TSIRC)	Enterprise Divestment	490,000	2
Torres Strait Island Regional Council (TSIRC)	Enterprise Capacity Building	500,000	2
TSIRC Division 10 -Warraber	Warraber Resort	121,773	3
TSIRC Division 11 - Poruma	Poruma Resort Boat	12,610	4
TSIRC Division 13 - Ugar	New IBIS Store	150,000	5
TSIRC Division 13 - Ugar	Community Fuel Bowser	158,009	4
TSIRC Division 15 - Mer	Community Fuel Bowser	146,009	4
Total:		2,043,401	

Notes:

1. 2 Year project 2008-2009 to 2009-2010
2. Rolled over in full to 2009-2010
3. 2007-2008 roll-over – Project now complete
4. 2007-2008 roll-over to complete project
5. 2007-2008 roll-over for project not commenced.



OUTPUT TWO – COMMUNITY DEVELOPMENT, EMPLOYMENT AND TRAINING

The Community Development, Employment and Training Output is comprised of two programs:

1. Community Development Employment Projects (CDEP) Program.
2. Community Training Program (CTP).

PROGRAM – COMMUNITY DEVELOPMENT EMPLOYMENT PROJECTS PROGRAM

OBJECTIVE

To provide Torres Strait Islanders and Aboriginal people living in the region with the opportunity to voluntarily work in community managed activities that contribute to economic, social and community development and cultural maintenance.

DESCRIPTION

The TSRA currently manages a CDEP program for participants across 19 Torres Strait Island communities, including Bamaga and Seisia in the Northern Peninsula Area. It enables unemployed Torres Strait Islander and Aboriginal people to undertake work activities chosen by the community or an organisation and is an alternative to unemployment benefits. There were three service providers who delivered CDEP on behalf of the TSRA: the Torres Strait Island Regional Council (TSIRC), Northern Peninsula Area Regional Council (NPARC) and Community Enterprises Australia Ltd (CEA).

CEA is the provider for the inner islands, TSIRC covers the 15 outer island communities and the NPARC is the Provider for the Northern Peninsula Area.

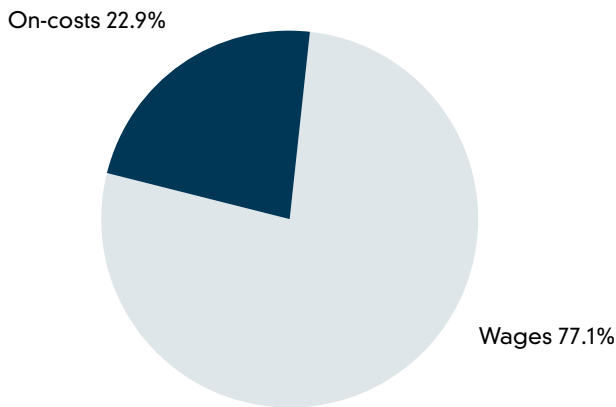
For 2009-2010, it was endorsed at the TSRA Board Meeting in April 2009, that both the inner and outer island CDEP's will stay the same in 2008-2009 during a transition year, with the National CDEP Reforms starting from 1 July 2010 for those communities.



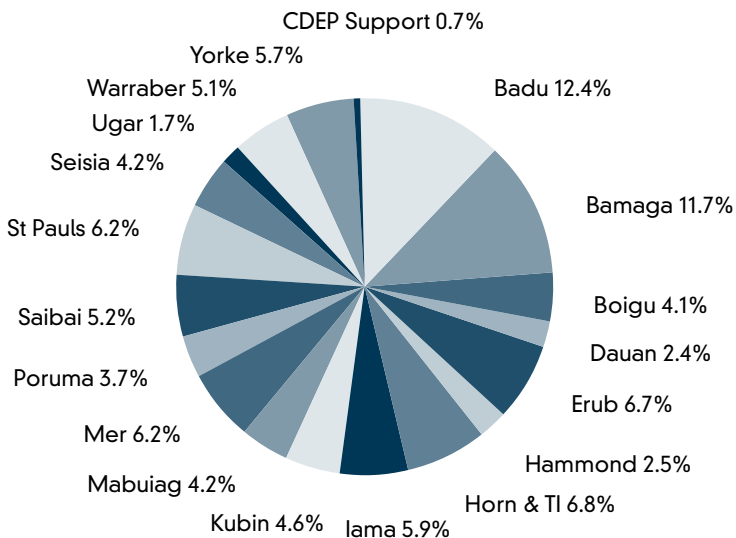
FUNDING

In 2008-2009, the TSRA was allocated \$33,585,457 for CDEP and committed \$29,682,911 of these funds to projects in the Torres Strait region. As at 30 June 2009, there were 1,643 active participants in 18 CDEP schemes, covering 19 communities. Expenditure for the year was \$25,276,983 comprising CDEP wages totalling \$19,491,673 and recurrent/capital funds totalling \$5,785,310.

1. CDEP Program community allocations and the total running costs and capital requirements



2. Wages and on-costs by community





ACHIEVEMENTS

The TSRA further implemented CDEP reform measures throughout the year including the following measures:

- Maintained the number of CDEP service providers across the region;
- Integrated the Bamaga and Seisia CDEP's into the National CDEP Reform Process in partnership with the Indigenous Coordination Centre Cairns;
- Investigated the number of Local, State and Commonwealth Government agency positions currently being subsidised by CDEP;
- Worked with the newly formed Regional Councils to streamline CDEP across the region;
- Managed the Community Training Program (CTP) to include only CDEP organisations with structured training programs for participants; and
- Increased the number of CDEP participants transitioned to full time employment.

Projects this year included: Council and CDEP administration; fuel depots; public transport; landscaping; land-care and environment management programs fostered by the TSRA's Land & Sea Management Unit; recycling; contract cleaning; hydroponics; cemetery maintenance; road and drainage construction and maintenance; nursery projects; livestock management; an abattoir; stevedoring; mechanical workshops; tourism and hospitality; community policing; women, youth, culture and church projects; work experience as teachers' aides and health care assistants; fishing, seafood processing and marketing; take-away enterprises; a supermarket and other retail outlets; construction and maintenance of buildings; a quarry; sea walls; levee banks; screen-printing, art and crafts; child care; and broadcasting.

CASE STUDY

TITLE OF THE PROJECT: COMMUNITY DEVELOPMENT, EMPLOYMENT PLAN

ISLAND COMMUNITY: HORN AND THURSDAY ISLANDS

APPLICANT: COMMUNITY ENTERPRISES AUSTRALIA (CEA)

Project Description

New national CDEP Guidelines emphasise case management of individual CDEP participants by additional monitoring, skills development and preparation for full time employment. The undertaking of vocational education and industry based training is a key component of these changes. The ability for an individual to obtain skills suitable for the local employment market while working in a related area makes the individual participant more valuable to the employer, based on their skill levels and developed work ethic.

TSRA Assistance

TSRA has continued to work closely with Community Enterprises Australia (CEA) to ensure the most appropriate outcomes for individual participants.

Achievements

CEA placed 35 CDEP participants in full-time employment and removed them from the CDEP cycle. Outcomes from 1 October 2007 to 30 June 2008 were:

- ➔ Number of Participants transitioned to full time employment – 35;
- ➔ Number of participants engaged in Work Experience – 13;
- ➔ Accredited Training Participation – 45; and
- ➔ Strong working relationships with Federal, State and Local Government Agencies and Community Based Organisations have been established.

Torres Shire Council approved CEA to build gazebos - two at Sadies Beach, two at Rosehill and two on Horn Island. The Gazebos were built by CDEP participants undertaking Certificate 1 Basic Construction Course delivered by Thursday Island TAFE. The completion of this 15 week course saw six participants commence fulltime employment with local contractors doing multiple construction jobs across the region.

Outlook

The increase in full time jobs and host employment arrangements for participants on both Thursday and Horn Islands has supported the growing industries of tourism, construction and administration. These areas will continue to develop with the ongoing commitment to both individual and community capacity building.

Arts and crafts, fishing and the marine industry have also benefited from the increase in skills being offered by the CDEP participants.

PROGRAM – COMMUNITY TRAINING PROGRAM (CTP)

OBJECTIVE

To improve individual and community skill levels to enable communities and individuals to improve self-management and become more competitive in the mainstream labour markets.

DESCRIPTION

This component provides community organisations with the opportunity to apply for funds to upgrade skills in administration and financial management in service industries and trades, as well as training for environmental issues, health, heritage, culture and land management. This training can take the form of formal courses, on-the-job training, a mixture of both, or the employment of tradesmen assuming responsibility for apprenticeships.

Through this component, financial assistance may also be provided to a staff member from a sponsoring organisation to undertake a full-time accredited course at a recognised tertiary educational institution.



FUNDING

In 2008-2009, the TSRA allocated and committed \$1,005,657 for Community Training Program projects across all Torres Strait Islander communities and organisations to support CDEP training projects.

ACHIEVEMENTS

During the year, the TSRA approved a wide range of Community Training Program projects from CDEP organisations including the Torres Strait Island Regional Council, Northern Peninsula Area Regional Council and Community Enterprises Australia. The approved Community Training projects included plumbing, carpentry, welding, electrical, painting, mechanics, and butchery, involving both apprentices and trainees. Other training included plant operation, dangerous goods handling, chainsaw operation, screen and lino printing, horticulture, management and hospitality.



OUTPUT THREE – NATIVE TITLE

OBJECTIVE

To be recognised as an organisation providing high quality and culturally appropriate professional services to Native Title holders and claimants through consulting with, and effectively assisting and representing, Traditional Owners in the Torres Strait region in the performance of the TSRA's functions under the *Native Title Act 1993 (Cth)*.

DESCRIPTION

This component facilitates the securing of legal recognition of Native Title to land and waters in the Torres Strait, providing assistance for protection of Native Title rights in relation to all matters affecting Torres Strait land and waters and to assist Prescribed Bodies Corporate (PBCs) and Native Title Holders with support and capacity initiatives.

PART A – OVERVIEW OF TSRA AS A NATIVE TITLE REPRESENTATIVE BODY

This output refers to the TSRA's functions as a Native Title Representative Body (NTRB) under the *Native Title Act 1993 (Cth)*. NTRBs are primarily responsible for providing Native Title and related assistance to constituents in their prescribed regions effectively and equitably. Constituents are those persons who hold or may hold Native Title in the region where the NTRB performs its functions. On that basis, one of the guiding principles for the operations of NTRBs is their responsibility to act in the best interests of their constituents.

LEGISLATION GOVERNING TSRA'S NATIVE TITLE FUNCTIONS

The TSRA through its Native Title Office (NTO) performs the NTRB functions for the Torres Strait region. The TSRA was initially appointed as a recognised NTRB under the *Native Title Act (Cth) 1993* in 1996. The 1998 amendments to the Act required NTRBs to re-apply for recognition and, following an independent examination, the TSRA was reinstated as the NTRB for the Torres Strait. In 2007, the Commonwealth announced reforms to the Native Title system including the need to re-recognise all NTRBs. The TSRA was invited to re-apply for recognition and was subsequently advised that it would be recognised as the Torres Strait NTRB for a further six years.

The performance of the NTO functions is also consistent with the overall TSRA operational planning framework. The NTO also developed an Operational Plan for the 2008-2009 reporting period, which included the strategies required to progress each of the key output areas; the key activities proposed to undertake the strategies; proposed performance measures; allocation of staff resources for each project; and estimates of activity costs.



LEGISLATIVE FUNCTIONS OF THE TSRA AS A NTRB

As a NTRB, the TSRA through the Native Title Office (NTO) performs specific functions under the *Native Title Act 1993 (Cth)*. These include:

- Facilitating the researching, preparation and making of claims by groups of Aboriginal peoples or Torres Strait Islanders, for determinations of Native Title and for compensation for acts affecting their Native Title;
- Assisting in the resolution of disputes within groups about the making of such claims;
- Assisting groups by representing them, if requested to do so, in negotiations and proceedings relating to the doing of acts affecting Native Title, the provision of compensation in relation to such acts and any other matter relevant to the operation of the Act; and
- Facilitating support and assistance to PBCs.

The legislative functions of NTRBs are set out in section 203B of the *Native Title Act 1993 (Cth)* which states as follows:

- (1) A representative body has the following functions:
- (a) The facilitation and assistance functions referred to in section 203BB;
 - (b) The certification functions referred to in section 203BE;
 - (c) The dispute resolution functions referred to in section 203BF;
 - (d) The notification functions referred to in section 203BG;
 - (e) The agreement making function referred to in section 203BH;
 - (f) The internal review functions referred to in section 203BI; and
 - (g) The functions referred to in section 203BJ and such other functions as are conferred on representative bodies by this Act.

A representative body may only perform its facilitation and assistance functions if requested to do so.

ORGANISATIONAL STRUCTURE AND CORPORATE GOVERNANCE POLICIES

As a section of the TSRA, NTO staff are included in the organisational structure reproduced in Appendix 4. Similarly, NTO staff are bound by the same corporate governance policies that apply to the TSRA generally.

STAFF STRUCTURE

The NTO staff structure consists of six employees all of whom live in the region: a Principal Legal Officer, two Legal Officers, one Paralegal, one Administration Officer and one Administration Assistant. Since 2005, through the Aurora Project the NTO has had eight law students undertake legal internships. One student has also undertaken Practical Legal Training.



CONSULTANTS

The NTO also uses external legal counsel and external consultants to meet its strategic objectives and Operational Plan requirements. The NTO engaged a total of 15 consultants during the reporting period. A list of NTO consultants is included in appendix 5 of this report.

PART B – REPORT ON PERFORMANCE

Output 3 of TSRA's Performance Against Outputs table reproduced on page 40 of this report relates to the TSRA's Native Title functions. As shown in that table, performance targets have been met.

The NTO has significant experience in providing legal representation and related services to Native Title Holders and claimants in the region. The NTO has provided legal advice and representation and otherwise assisted Native Title Holders and claimants in various proceedings under the *Native Title Act 1993 (Cth)* and in relation to finalising Native Title claims, Future Acts, Indigenous Land Use Agreements (ILUAs) and other matters relating to Native Title. The TSRA has provided legal representation and assistance to its constituents, enabling them to obtain 19 of the 26 determinations of Native Title that have been made to date over land and waters in the Torres Strait region, 25 of which have been obtained by consent. The TSRA is currently providing legal representation and assistance to Torres Strait Islanders in respect of the four remaining claimant applications in the Torres Strait region. Three claims are over a number of uninhabited islands as well as a combined Torres Strait Regional Sea Claim. The TSRA anticipates that the majority of the remaining land claim applications will be resolved through consent determinations of Native Title.

There are presently 34 ILUAs listed on the Register of ILUAs in relation to land and waters in the Torres Strait region. Twenty-five of these are Area Agreements and the remaining nine are Body Corporate Agreements. The vast majority of these ILUAs were entered into by Native Title claimants to facilitate the making of consent determinations of Native Title.

The principal functions of the NTO will focus on finalising the three remaining land claims, progressing the Torres Strait Regional Sea Claim through the court process, mediating two separate yet overlapping sea claims recently filed by the Kaurareg and the Gudang/Yadakenu People, and working with PBCs in facilitating capacity building and providing support. While resolving the remaining land claims, progressing the Regional Sea Claim and mediating the overlapping sea claims are priority matters, the NTO will also remain focused on its agreement making functions and its commitment to assist PBCs to build capacity, so that they can undertake native title and land management matters themselves. The NTO recognises the importance of supporting PBCs to assist Native Title Holders to manage Native Title land, as well as to come to terms with the recognition of Native Title over their communities, their subsequent obligations and responsibilities under the *Native Title Act 1993 (Cth)*, and associated regulations and relevant State and Commonwealth legislation. In light of the large number of determinations and the relatively large number of PBCs, the TSRA will continue its efforts towards developing capacity and the provision of ongoing support for PBCs.



It is anticipated that by 2010-2011, all Native Title claims over land in the Torres Strait will be finalised. At the time of writing this report, it is uncertain as to when the Regional Sea Claim will be determined, however closing oral arguments were listed to be heard over two weeks in July 2009. Mediation of the two overlapping sea claims will commence once the Regional Sea Claim has been finally determined.

1. LAND CLAIMS

Due to NTO commitments to comply with court orders and the priority given to progressing the Regional Sea Claim through the litigation process, the three remaining land claims were not high priority matters during the reporting period. It is anticipated that the three remaining claims will be resolved by mediation.

Naghir

This claim remains in mediation and the TSRA has formally withdrawn as the Solicitor on the Record due to a conflict of interest. The NTO continues to facilitate meetings between the Indigenous parties and their lawyers and keep a watching brief on the matter.

Kulkaigal#2 (Zuizin)

The claim was registered in August 2007, and the NTO is working towards finalising anthropological material in support of the claim. This material will be forwarded to the State as part of the mediation of the claim. It is anticipated that, subject to the State accepting the connection materials and Court schedules, the claim should be determined in early 2010.

Warral and Ului

The claim over Warral and Ului will be progressed concurrently with the Kaurareg overlapping sea claim when the Regional Sea Claim has been finally determined.

2. TORRES STRAIT REGIONAL SEA CLAIM

The Regional Sea Claim was filed in the Federal Court in November 2001, and is brought on behalf of the Native Title holders of Badu, Dauan, Erub, Ugar, Masig, Warraber, Poruma, Naghir, Iama, Mabuiag, Mer, Boigu, Mua and Saibai Islands and covers approximately 42,000 square kilometres of sea in the Torres Strait region. Both the Federal Court and the TSRA have identified the Regional Sea Claim as a priority claim. The Kaurareg People have chosen not to be part of the Regional Sea Claim Applicant group and have joined the claim as respondents. They are represented in the matter by private lawyers due to the NTO having a conflict of interest. In September 2008, the Kaurareg filed an overlapping claim over the southern boundary of the claim area. The Gudang/Yadakenu Peoples also filed an overlapping claim over a large area of the eastern boundary. Subsequently, the Federal Court made orders that the overlapping sea claims are to be split and known as Part B and are to be dealt with separately from the Regional Sea Claim. The remaining Regional Sea Claim area is known as Part A.



The Regional Sea Claim incorporates the sea estates of 14 groups of Native Title holders into one combined regional claim. Due to its legal and anthropological complexities, as well as the logistical challenges associated with the area covered and number of claimants and respondents involved, preparing and case managing the claim for trial has proven to be an expensive, resource intensive and time consuming exercise. The costs however, should not detract from pursuing the goals and rightful interests of the claimants. To date, the TSRA has invested significant finances and resources into progressing the Regional Sea Claim.

In September 2008, the Federal Court and four respondent parties travelled to Poruma Island to hear the evidence of seven Traditional Owner witnesses from the Central Islands over five days. In October 2008, the Federal Court sat in Cairns to hear the evidence of a further 12 Torres Strait Traditional Owners over a two week period. In February and March 2009, (over two and a half weeks) the Federal Court in Brisbane heard expert evidence, the evidence of five PNG Nationals and non-expert evidence. To date the Federal Court has heard evidence from:

- ➡ 26 traditional owners;
- ➡ Three of the Applicant's expert witnesses;
- ➡ Five witnesses from the Western Province of Papua New Guinea (PNG) who gave evidence regarding customary rights of access to the claim area;
- ➡ An expert from the State;
- ➡ A marine engineer called by the Commonwealth who gave evidence about navigation aids located in the Regional Sea Claim area; and
- ➡ A lay witness called by the Commonwealth who gave evidence about customary marine tenure in the Regional Sea Claim area.

The Federal Court also made programming orders for the filing and serving of documentary evidence and for three rounds of final submissions. The Applicant filed seven volumes and one supplementary volume of documentary evidence that it intends to rely on. The State filed 11 volumes of documentary evidence and a supplementary set of documentary evidence. The Commonwealth has filed two volumes of documentary evidence.

The Court made orders for three rounds of final submissions. Round one submissions require the Applicant to file final written submissions on the existence of Native Title and for the Respondents to file final written submissions on the extinguishment of Native Title. Round two submissions require all parties to file responses to the round one submissions and the Applicant also has a final written right of reply. Round three submissions involves the hearing of final oral arguments. At the time of writing this report the NTO filed on behalf of the Applicant round one and round two submissions. Round three submissions will be heard over a two week period commencing 20 July 2009. The State and the Commonwealth together have also filed a total of seven extinguishment affidavits.

In 2008, the Commonwealth made two open and without prejudice offers to settle the Torres Strait Regional Sea Claim. Initial instructions were taken from representatives of the claim group and the offers, which fell well short of what is being claimed, were rejected. A counter offer was



sent to the Commonwealth for consideration and the Commonwealth through its lawyers advised that they were not inclined to “increase” the offer.

As with any litigation it is difficult to predict the final outcome of the Regional Sea Claim. While it is impossible to guarantee success in any legal case, some of the complex factual and legal issues that have arisen have not been tested under Australian law. This makes the Regional Sea Claim legally and socially important, but also more complex to predict the result of the claim. While it is easy to anticipate that the result will see Native Title recognised in some areas of the sea of the Torres Strait, it is more difficult to predict whether all of the rights claimed will be recognised over the whole of the claim area in favour of the whole of the claimant group.

3. FUTURE ACTS, AGREEMENTS AND OTHER LAND MATTERS

In the 2008-2009 reporting period, the NTO assisted Native Title Holders and various project proponents to reach satisfactory Native Title agreements.

Agreements

Infrastructure ILUA

The Infrastructure ILUA was not given priority status due to a range of other priority commitments. These included the priority status allocated to the Regional Sea Claim and the continued preparation of the claim for trial, the amalgamation of all the Torres Strait Island Councils and the proposed amendments to the *Torres Strait Islander Land Act (TSILA)*. The Infrastructure Indigenous Land Use Agreement (ILUA) is designed, among other things, to provide a future act regime for the construction of major infrastructure projects on the community islands where Native Title has been determined to exist. Subject to amendments to the TSILA, the NTO will commence community consultations and briefings on how the ILUA is proposed to operate in early 2010.

IBIS Leases

The Islanders Board of Industry and Service (IBIS), the regional food retailer, operates retail stores on most communities in the Torres Strait. IBIS is seeking to renew existing or enter into new leases on Masig, Dauan, Mabuiag, Ugar and Mer Islands. Native Title consent is required before leases can be granted to IBIS. Native Title consents are being progressed and it is anticipated that an ILUA will be negotiated with the relevant PBCs and the land owners.

Under the ILUA, each PBC is seeking to negotiate benefits appropriate for their community in exchange for Native Title consent to the leases. It is expected that the first of the five ILUAs will be settled early next financial year.

Badu Pre-Primary School

The NTO is currently assisting in negotiations for the construction of a new pre-primary school facility on Badu Island. Subject to negotiations and upon a successful application made under



the Queensland Gritty Arts Grant, the old facility is likely to be developed into an arts centre comprising of a studio and workshop.

Saibai Tip Bund Agreement

A Native Title Authorisation Agreement was executed late in December 2008. This provides among other things, Native Title consent for the construction of the Saibai Tip Bund in the area.

Telstra Leases

Consent for a “test” trustee lease for Boigu Island has been received and the lease registered. Native Title consents have been provided through an ILUA and the TSIRC is now in the process of reviewing and executing trustee leases for the remaining community islands (except Mer).

Torres Pilots Lease Agreement

The NTO is assisting the Porumalgal PBC in negotiations with Torres Pilots regarding accommodation facilities and an office on Poruma Island.

Ergon Energy PowerStation Lease and Powerline Extension, Kubin

The NTO is assisting the Mualgal PBC in negotiations with Ergon Energy for a lease over an existing power station and easements for new powerlines to be constructed at the Kubin community.

Ergon Energy Payments to PBCs

The NTO has been assisting a number of PBCs in following up outstanding payments from Ergon Energy due to them under ILUAs dating back as far as 2002. The islands where Native Title holders require Ergon Energy through the TSIRC to make the payment to the PBC (on behalf of traditional owners) are:

- ➔ Badu Island
- ➔ Boigu Island
- ➔ Dauan Island
- ➔ Iama Island
- ➔ Mabuiag Island
- ➔ Poruma Island
- ➔ Ugar Island
- ➔ Warraber Island





Future Act Notices

A total of 196 future act notices were received at the NTO and all notices were sent to the relevant PBC. Most future acts were in relation to activities over the sea. Of those future act notices a total of 84 objections were lodged. All objections were dismissed and licences and permits were granted. The NTO also puts grantees on notice that most of the Torres Strait Islands have exclusive possession Native Title, and that permission from the relevant PBC should be sought prior to entering those islands.

4. PBC SUPPORT

A total of 21 PBCs have been incorporated and registered on the National Native Title Register following the making of the approved determinations of Native Title in the Torres Strait region. The NTO has assisted with the incorporation and registration of the majority of these PBCs and continues to provide ongoing assistance, legal advice and representation for PBCs in relation to consultations, mediations and negotiations concerning matters relating to their respective approved Native Title determinations. The Native Title focus for the region is now moving to assisting PBCs with support, governance and capacity building.

The TSRA through the NTO and the Land and Sea Management Unit (LSMU) committed significant resources to rolling out the PBC Support Project during the reporting period. A full-time PBC Support Officer was employed and situated within the LSMU to undertake many and varied tasks such as:

- Managing the PBC Capacity Development Project;
- Coordinating and facilitating PBC Annual General Meetings;
- Liaising with other units of the TSRA, government agencies and community organisations and providing information across the range of programs, activities or services; and
- Acting as a direct point of contact for PBCs and Native Title Holders seeking assistance and direction in relation to various matters including assisting with grant funding submissions and governance.

The allocated budget for the PBC Support Program during the reporting period was \$200,000. The following tasks were undertaken in performing the PBC Support Project:

- January 2009 – Assisted with funding and facilitating CATSI Act governance training workshop between PBCs and the Office of the Register of Indigenous Corporations (ORIC);
- March 2009 – Assisted with funding and arranged for three PBC delegates to attend a workshop in Brisbane that related to the review of the *Torres Strait Islander Cultural Heritage Act*;
- March 2009 – PBCs, assisted by the PBC Support Officer, commenced holding or advertising AGMs for CATSI Act compliance;
- April 2009 – Third regional PBC workshop with all Torres Strait PBCs held at Badu;
- April 2009 – A delegation of four PBC representatives met with the TSRA Board to discuss PBC and Native Title issues in the Torres Strait;

- ➡ June 2009 – Seventeen PBC Directors attended the AIATSIS annual Native Title conference held in Melbourne; and
- ➡ June 2009 – Fourth regional PBC workshop with all Torres Strait PBCs held at Thursday Island together with a meeting of PBC Directors and the TSRA Board to discuss PBC and Native Title issues in the region.

With four Native Title claims remaining in the region, the possibility of two further PBCs being incorporated to hold Native Title over land, and the likelihood of a Sea Claim PBC being incorporated in the next financial year, this will increase to 24 the number of Registered Native Title Bodies Corporate in the Torres Strait. Together with the requirements of the new *Corporations (Aboriginal and Torres Strait Islander Act) 2006 (CATSI Act)*, this will increase the requirement for corporate, legal and administrative support to PBCs and will compound the resourcing issues already experienced by the NTO and the LSMU.

Given the significant number of PBCs in the Torres Strait region, the capacity of TSRA and the PBCs to adequately perform their statutory functions and meet regulatory compliance obligations, is heavily dependent on financial and other resources received from the Commonwealth Government and, to a lesser extent, the State Government (and its various departments and agencies).

Torres Strait PBCs are heavily reliant on the TSRA, through the NTO and the LSMU, to access necessary support and assistance. While the TSRA has made a significant effort to assist PBCs in this respect, it does not have sufficient funding and the resources needed to provide adequate or individual support to all PBCs, other than to offer legal advice and assistance. The Australian Government's funding regime for PBCs provides only limited assistance to existing PBCs and in the case of the Torres Strait, all funding must be provided out of the TSRA's existing budget.

Part of the uniqueness of the Torres Strait region is that there are unlikely to be significant community benefits arising from Native Title agreements or ILUA negotiations related to major mining, resource or infrastructure projects. This is because the vast majority of proponents are government departments and agencies to whom the provision of essential services and infrastructure to communities is usually linked to the giving of Native Title consents under agreements and ILUAs.

The TSRA will remain committed to supporting Torres Strait PBCs to effectively manage their own affairs subject to available funding and resources. The possible winding up of PBCs for non-compliance with the CATSI Act obviously puts at risk both the protection and management of Native Title, and the certainty required by land and resources stakeholders in terms of their negotiations with PBCs and Native Title Holders. Further, the CATSI Act enables penalties to be imposed on Directors of PBCs for non-compliance with its reporting requirements and other obligations.

It is also important to ensure that there are appropriate and effective programs in place giving PBCs greater access to financial resources, administrative support and governance training. This support will assist PBCs to perform their important statutory functions, meet regulatory compliance obligations and build capacity to manage their own affairs.



5. MOVEMENT TO A POST DETERMINATION ENVIRONMENT

In the Torres Strait region, the emphasis has been on the resolution of claimant applications through mediation, with only one application, the Regional Sea Claim, proceeding to a contested hearing since the *Native Title Act* (NTA) commenced in 1994.

The Torres Strait region is entering a post-Native Title determination environment. This means the functions and organisational structure of the NTRB for the region would shift to assisting and supporting PBCs and Native Title Holders in relation to future acts, ILUAs, rights of access and other matters relating to Native Title or the operation of the NTA, and ensure that PBCs are supported to manage their own affairs and meet their regulatory compliance obligations under the CATSI Act.

The TSRA is in the third year of its six year NTRB recognition period. In June 2009, PBC Directors and the TSRA Board met for the first time to discuss a range of Native Title matters including the TSRA's current status as the NTRB in the Torres Strait region and the concept of a regional PBC peak body to concentrate on assisting all PBCs to perform their Native Title functions. The TSRA Board will further consider this matter and liaise with PBC Chairpersons in the near future.

6. OTHER RELEVANT MATTERS

Torres Strait Islander Land Act

Queensland's *Torres Strait Islander Land Act 1991* is under review until the end of 2009. A number of amendments were made under the *Aboriginal and Torres Strait Islander Land Amendment Bill 2008 (the 2008 Amendments)*, which was passed on 13 May 2008, and proclaimed on 17 July 2008. Prior to this, the NTO had been working to address many of the concerns that prompted the 2008 Amendments. For example, it had been negotiating agreements with Local Government for essential infrastructure that avoided significant impacts on Native Title rights and interests, distinct from those contained in the 2008 Amendments. The Department of Natural Resources and Water (DNRW) did not engage with communities or the NTO about the 2008 Amendments, as such the alternative measures were not considered.

The NTO made submissions to the Minister of the DNRW to express its deep concerns regarding the changes to the TSILA, and the TSRA issued a media release with respect to these concerns in late June 2008. The NTO received a formal response from the Minister, which did not address the concerns raised, therefore the NTO is considering further options in this regard.

The Department of Environment and Resource Management (DERM – previously the Department of Natural Resources and Water) is proposing further amendments to the TSILA in 2009-2010 (particularly in regard to the process of transferring trusteeship of DOGIT and Reserve land). The Department agreed to further consultations regarding the proposed amendments, and as such, have consulted Torres Strait Islanders on the mainland and all island communities. The NTO provided a representative at a number of the community consultation meetings and will be liaising further with communities on the proposed amendments. The NTO will also continue to liaise with the DERM as the proposed amendments are developed.



At the PBC workshop held at Badu in March – April 2008, PBCs resolved to request the DERM to transfer trusteeship of each community DOGIT (and in the case of Mer, the Reservation) to the PBC for the relevant community unless the PBC declines to become the trustee. Currently, the DERM are suggesting that the Minister will consider transferring the trusteeship to the PBC or any other corporation that applies to be granted the trusteeship. The NTO has begun advising PBCs in this regard.

Pro Bono Assistance

The NTO continues to have an arrangement with Deacons Lawyers in Melbourne who have agreed to provide pro bono assistance for PBCs. The brief to Deacons is to mainly provide advice and assistance for PBCs on compliance with the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*, and appropriate corporate structures which can hold assets.

Staff Training and Professional Development

Staff training and professional development opportunities are an important matter for the NTO. Legal staff undertake compulsory Continuing Professional Development (CPD) courses as a requirement of the Queensland Law Society. All NTO staff undertake in-house training as required and professional staff have attended Native Title and related conferences and workshops. Ongoing staff training allows for, among other things, an efficient and effective delivery of services to constituents in the region.

AIATSIS Native Title Conference

Seventeen PBC representatives and four NTO staff attended the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) Native Title conference held in Melbourne in June 2009. A delegation of PBC Directors was involved in a panel discussion on Native Title in the Torres Strait, which was well received by the audience. Two Legal Officers presented papers on topical issues related to Native Title in the Torres Strait and the Principal Legal Officer together with a number of PBC Directors delivered a presentation. The NTO also arranged a Mer Island dance team to perform at the opening on the last day of the conference.

7. STATISTICAL DATA

The following table provides statistical data in relation to the roles and functions of the TSRA in its NTRB capacity:

FACILITATION AND ASSISTANCE	REPORT ON NUMBER ONLY
Claimant Applications	4
Filed this year	Nil
Number current	4
Number registered with NNTT	4
Non claimant applications	Nil



Agreements	
- Indigenous land use agreements finalised	Nil
- Indigenous land use agreements finalised but not yet executed	Nil
Leases	
- Determination Deeds finalised but not yet executed	Nil
Other Agreements	Nil
Total	
Compensation claims	Nil
Future Act Notices received	196
Responses to Future Acts	196
Objections to Future Acts	84
Determinations of Native Title	Nil
ILUAs registered	Nil
Disputes relating to Native Title applications	18
Disputes relating to ILUAs, rights of access and other matters	Nil
Number of ILUAs effected	Nil
Number of reviews pending	Nil
Number of reviews completed	Nil
Number of PBCs established	Nil
Number of PBCs assisted	21
Number of claims certified	Nil
Number of ILUAs certified	Nil

STATEMENTS FOR THE PURPOSE OF THE NATIVE TITLE ACT

The Torres Strait Regional Authority is a recognised Native Title Representative Body and has legislative functions pursuant to section 203B of the *Native title Act 1993 (NTA)*. The Native Title Output as reported in the 2008-2009 TSRA Annual Report is also the NTRB annual report as required by the NTA.

FINANCIAL PERFORMANCE OF THE TSRA IN NTRB CAPACITY

For the 2008-2009 financial year the TSRA was funded an amount of \$4.03m for the ongoing operation of the Native Title Office.



The financial performance of the TSRA in its NTRB capacity is outlined in the following expenditure report:

Outcome 1	Output Group 3	
	2008-2009	2007-2008
	\$'000	\$'000
Departmental Expenses		
Employees	718	542
Suppliers	3,267	2,339
Grants	-	7
Depreciation	36	32
Writedown and Impairment of Assets	9	7
Total departmental expenses	4,030	2,927

Funded by:		
Revenues from Govt.	1,817	1,392
Sale of Goods and Services	-	37
Interest	84	101
Reversal of previous Asset writedowns	57	6
Other	45	19
Total departmental revenues	2,003	1,555

PART C - EXTERNAL SCRUTINY

As a section of the TSRA, the Native Title Office has been audited in accordance with the audit reports set out in this report.

PART D - MANAGEMENT OF HUMAN RESOURCES

As a section of the TSRA, Native Title Office staff members participated in training and development undertaken by all TSRA staff and are subject to the TSRA collective Workplace Agreement 2006-2009 outlined in this report.



LIST OF NTO CONSULTANCIES FOR THE 2008-2009 REPORTING PERIOD

Legal

Robert Blowes SC – Senior counsel for the Sea Claim

Tom Keely – Junior counsel for the Sea Claim

Annie Keely – Counsel assisting with preparation of Sea Claim witness statements

David Yarrow – Counsel assisting with Sea Claim extinguishment submissions

Tina Jowett – Counsel assisting with compensation test case and TSILA amendments

HWL Ebsworth – advice and opinions on various matters including ILUAs

Anthropological

Prof. Jeremy Beckett – Sea Claim expert evidence

Prof. Colin Scott – Sea Claim expert evidence

Kevin Murphy – Sea Claim expert evidence

Dr John Burton – Sea Claim expert advice

Dr Garrick Hitchcock – Sea Claim anthropological advice and Zuizin anthropological research

Dr Kingsley Palmer – Naghir anthropological advice

Other

Dr Steve Mullins – Sea Claim expert evidence (History Report)

Dr Ian McNiven – Sea Claim expert evidence (Archaeology Report)

Nicola Piper – Sea Claim expert (Language Report)

Alexander Dodd – preparation of NTO Operational Plan



OUTPUT FOUR – HOUSING AND ENVIRONMENTAL HEALTH INFRASTRUCTURE

PROGRAM – HOUSING AND ENVIRONMENTAL HEALTH

The output of Housing and Environmental Health Infrastructure aims to increase the number of Indigenous people in the Torres Strait region who have access to adequate housing, infrastructure facilities, and essential municipal services that are consistent with, and appropriate to, their needs. This output also aims to improve environmental health standards by providing appropriate and sustainable infrastructure and ensuring that adequate environmental health programs are implemented.

This output has one program, Housing and Environmental Health, and is comprised of two sub-programs:

1. Environmental Health
 - Major Infrastructure Program
 - Water Supply and Sewerage Infrastructure
 - Airstrip and Marine
2. Community Housing
 - Indigenous Home Ownership
 - Asian Tiger Mosquito Control Project

1. SUB-PROGRAM: ENVIRONMENTAL HEALTH

MAJOR INFRASTRUCTURE PROGRAM (MIP)

OBJECTIVE

Through the MIP, which delivers environmental health infrastructure into Torres Strait communities, the TSRA aims to improve the health and general well-being of Indigenous people living in the region. The MIP delivers infrastructure such as clean water, reticulation sewerage systems, and serviced sub-divisions.





DESCRIPTION

The Major Infrastructure Program (MIP) works to deliver essential, appropriate and sustainable environmental health infrastructure to the 15 Torres Strait communities and the two Northern Peninsula Area communities of Bamaga and Seisia. As such, the MIP is of vital importance to the Indigenous people of the region and directly links to the Council of Australian Government's (COAG) Closing the Gap in Indigenous Disadvantage, Building Blocks - Safe Communities; Healthy Homes; and Economic Participation. The MIP also links directly with the Torres Strait and Northern Peninsula Area Regional Plan (the Regional Plan) goals for Communities; Public Health; and Economic Development.

The MIP is jointly funded by the Australian and Queensland Governments and is administered by a MIP Management Committee comprising of representatives from the TSRA, the Department of Infrastructure and Planning (DIP), the Torres Strait Island Regional Council (TSIRC), the Northern Peninsula Area Regional Council (NPARC) and the MIP Program Manager (Cairns-based consultant engineers, Black and Moore).

The first 11 years of the MIP (1998 - 2009) has delivered 70 major infrastructure projects and a further 10 projects are currently in construction or design phases. Those completed and work in progress projects include:

- ➔ 23 sewerage and waste water projects completed;
- ➔ 3 reticulated sewerage schemes in construction phase;
- ➔ 1 reticulated sewerage scheme in design phase;
- ➔ 19 water supply upgrades/augmentation completed;
- ➔ 2 water supply upgrades in construction phase;
- ➔ 13 internal road and stormwater drainage upgrades completed;
- ➔ 3 internal road and stormwater drainage projects in design phase;
- ➔ 12 sub-division projects completed;
- ➔ 3 solid waste projects completed;
- ➔ 1 regional solid waste project in progress; and
- ➔ Several infrastructure sustainability projects in planning and design phase.

These initiatives have had substantial and tangible impacts on the health, quality of life and overall community sustainability in the Torres Strait region, and reflect the success of the whole-of-government partnership guiding the MIP.

The positive impact of these initiatives is demonstrated by official health data that establishes a clear association between substantial reductions in the incidence of communicable diseases and MIP delivered environmental health infrastructure. For example, water and hygiene associated diseases like Shigellosis, Salmonella and Hepatitis A, decreased in the region during the period between 1996 and 2006 (the MIP commenced in 1998). According to data from the Queensland

Notifiable Conditions Database (NOCS) for the region, incidences of these environmental health related diseases have halved, falling from close to 40 cases per year in 1996, down to under 20 cases reported in 2006.

Over the 11 year MIP period, the Australian and Queensland Governments have jointly provided in excess of \$153 million in funding. A further \$56 million has been committed by the two governments for the next two years of MIP4B (2009-2010 and 2010-2011).

MIP STAGE 4 FUNDING

In September 2006, parallel submissions (in the TSRA's case a New Policy Proposal or NPP) were put to the Australian and Queensland Governments by the TSRA and the Queensland Department of Infrastructure and Planning (DIP) seeking to extend the MIP for a further four years. This involved a total contribution of \$56 million from each Government over the four-year period 2007-2008 to 2010-2011. In response, the Australian Government approved \$14 million per year for the first two years (\$28 million total) and the Queensland Government approved \$14 million per year for the full four years (\$56 million total). Australian Government funding for the final two years of the four year period was made subject to review and submission of a second NPP. The subsequent NPP was submitted to the Australian Government in September 2008, and was announced by the Hon. Jenny Macklin MP, Minister for Families, Housing, Community Services and Indigenous Affairs, during her visit to the Torres Strait in May 2009. This approval allowed MIP4B (2009-2010 and 2010-2011) to proceed.

ACHIEVEMENTS

MIP 4A

In accordance with the MIP3/MIP4 Implementation Plan, the following MIP4A projects were completed during 2008-09:

- Masig Island Reticulated Sewerage and Treatment Plant;
- The Hammond Island Roads and Drainage Project (a joint MIP, Heavy Equipment Management and Training Program (HEMTP), and Transport Infrastructure Development Scheme (TIDS) Project);
- The Seisia Land Servicing Project;
- The St Pauls Island Roads and Drainage Project;
- Mabuiag Island Sewerage Project (Separable Portion A, Reticulation); and
- Warraber and Mabuiag Islands Sewerage Project (Separable Portion A, Reticulation).

In accordance with the MIP3/MIP4 Implementation Plan, construction continued or commenced on the following MIP4A projects:

- Warraber Island Reticulated Sewerage and Treatment Plant (STP) (Separable Portion B, STP);
- Mabuiag Island Reticulated Sewerage and Treatment Plant (Separable Portion B, STP);



- Mabuiag, Warraber and Poruma Islands Water Cover Upgrades;
- Saibai Island Waste Management Facility Access Road; and
- Mabuiag Island Roads and Drainage.

In accordance with the MIP3/MIP4 Implementation Plan, the following MIP4A projects are now in the planning design or documentation stage:

- Hammond Island Reticulated Sewerage and Treatment Plant;
- Kubin Island Drainage; and
- Regional Asset Replacement Project.

MIP 3

In accordance with the MIP3/MIP4 Implementation Plan, the following MIP3 projects were completed during 2008-2009:

- St Pauls and Kubin (Moa Island) Reticulated Sewerage and Treatment Plants; and
- Regional Water Metering Projects at Mer and Hammond Islands.

There is only one MIP3 project uncompleted:

- Regional Waste Management Strategy: The Warraber Island Waste Management Pilot Project is well underway (75% complete) and due for implementation on site in July 2009. A feasibility study for comprehensive regional solid waste management in the region is currently planned for 2009-2010 under MIP4B. The delivery of the Pilot Project will be monitored over the next 12 months.

MIP 1 and MIP 2

The following MIP1 and MIP2 projects were completed during 2008-2009:

- Mer Island Serviced Housing Sub-Division; and
- Regional Bulk Waste Removal and Tip Upgrades (the Saibai and Boigu Bund Walls Projects are to be constructed under the MIP4A Saibai Island Access Road Project).

There is only one MIP1/MIP2 project uncompleted:

- The Seisia Reticulated Sewerage and Treatment Plant Project is 90% completed but remains on hold due to a complex Indigenous land issue. The project is currently awaiting approval from the Northern Peninsula Area Regional Council (NPARC) to lay the remaining sewerage pipeline. The NPARC reported in May 2009, that the land issue had been settled and that an Indigenous Land Use Agreement (ILUA) would be put in place to enable the project to proceed.



A summary of the status of MIP 1-2 projects as at 30 June 2009, is as follows:

MIP1 and MIP2 PROJECT LIST: (as per Implementation Plan at 30 June 2009)

Location	Project	Complete
Badu	Sewerage - Full Sewer (70% Existing)	Yes
Badu	Serviced Housing Subdivision	
Bamaga	Serviced Housing Subdivision (Stage 1)	Yes
Boigu	Flood Mitigation	Yes
Boigu	Serviced Housing Subdivision	
Saibai	Serviced Housing Subdivision	
Saibai	Water - Upgrade elevated water storage	Yes
Dauan	Roads and Drainage	
Dauan	Water - Reticulation	Yes
Erub	Sewerage - Full Sewer	Yes
Erub	Power Extension	Yes
Hammond	Serviced Housing Subdivision	
Hammond	Roads Sealing & Drainage	Yes
Horn	Sewerage - Full Reticulation and Lagoons	Yes
Iama	Serviced Housing Subdivision	Yes
Kubin	Serviced Housing Subdivision	
Kubin	Water - Reservoir Cover	Yes
St Pauls	Water - Reservoir Cover	
Mabuiag	Water - Reservoir Upgrade & Reticulation	Yes
Mer	Serviced Housing Subdivision	
Mer	Additional CEP Work	Yes
Poruma	Elevated Water Tanks	
Warraber	Elevated Water Tanks	Yes
Region	Waste Management Strategy	Yes
Region	Land Servicing Strategy	Yes



Region	Mapping	Yes
Region	Tip Upgrades - Interim Works	Yes
	Bulk Waste Removal	Yes
Thursday Island	Rosehill Boat Ramp	Yes
Region	STP Upgrade Works (MIP3 Budget)	Yes

A summary of the status of MIP 3 Projects as at 30 June 2009, is as follows:

MIP3 PROJECT LIST: (as per Implementation Plan at 30 June 2009)

Location	Project	Complete or % Complete
Year 1		
Regional	Regional Mobile Desalination Plant	Yes
Regional	Regional Metering, Hammond and Mer Water	Yes
Regional	Waste Management Strategy	75%
Badu	Badu Roads and Water Main	Yes
Year 2		
Masig	Masig Bores and Sewerage (Design and Documentation)	Yes
Moa	St Pauls and Kubin Sewerage	Yes
St Pauls	St Pauls Drainage	Yes
Year 3		
Mabuiag	Mabuiag Sewerage and Water Storage Cover (Design and Documentation)	Yes
Warraber	Warraber Sewerage (Design and Documentation)	Yes
Ugar	Ugar Roads	Yes
Bamaga	Bamaga Subdivision	Yes



A summary of the status of MIP 4 projects as at 30 June 2009 is as follows:

MIP4 Phase A PROJECT LIST: (as at 30 June 2009)

Location	Project	Complete or % Complete
Masig	Masig Island: Reticulated Sewerage and Treatment	Yes
Warraber	Warraber Island: Reticulated Sewerage and Treatment	Yes
Hammond	Hammond Island: Reticulated Sewerage and Treatment (Design Only)	15%
Hammond	Hammond Island: Roads and Drainage (with DMR/HEMTP)	Yes
Mabuiag	Mabuiag Island: Reticulated Sewerage	Yes
	Rectification and Covering of the Water Supply to Increase Water Storage (including Warraber and Poruma covers)	80%
Saibai	Saibai Island: Access Road to Solid Waste Management Facility (with DMR/HEMTP)	70%
Seisia	Seisia: Land Servicing	Yes
Regional	Community Planning	20%
Regional	Sustainability: Asset Renewal	5%
Mabuiag	Mabuiag: Roads and Drainage (with DMR/HEMTP).	10%
St Pauls	St Pauls: Roads and Drainage (with DMR/HEMTP).	Yes
Kubin	Kubin: Drainage (with DMR/HEMTP).	5%

MIP OUTLOOK

It is anticipated that the confirmed projects for MIP4B will commence or continue in 2009-2010. As funding for MIP4B was only advanced in May 2009, the 2009-2010 implementation program has yet to be finalised.



WATER SUPPLY AND SEWERAGE INFRASTRUCTURE

OBJECTIVE

The objective of this program is to achieve improved health, economic and social outcomes for communities, to assist in the operation and maintenance of water supply and sewerage services.

This objective is achieved through the TSRA funding and participating in the Major Infrastructure Program (see MIP above), and through funding of the Torres Strait Island Regional Council's Engineering Services (TSIRC ES).

DESCRIPTION

- The TSIRC ES was originally established as the Infrastructure Support Unit of the former Island Coordinating Council (ICCISU) to provide management of water services, operations and maintenance of related infrastructure in 15 Torres Strait Island communities. The ICCISU became the TSIRC ES with the establishment of the TSIRC on 15 March 2008. The TSRA has contributed at least \$1.5 million per year towards operating costs for the above unit since its establishment in the 2004-2005 financial year. In 2008-2009 the TSRA's contribution was \$1.7 million.
- The TSIRC ES activities directly align with the COAG Closing the Gap in Indigenous Disadvantage Building Blocks - Safe Communities; and Healthy Homes, and with the Regional Plan's goals for Communities; and Public Health.
- The current program of water services and operations/maintenance attempts to maintain and manage this extensive investment in environmental health infrastructure.

ACHIEVEMENTS

The role of the TSIRC ES has been crucial in maintaining essential and high standard water services to outer island communities over recent years. This has been particularly important during periods of drought when a continuous supply of emergency drinking water was needed by several island communities.

The TSRA's financial support for the TSIRC ES in 2008-2009 was \$1.7 million.

OUTLOOK

It is anticipated that for 2009-2010, the TSRA will continue to assist the TSIRC ES at the current level of \$1.7 million per annum, as a contribution towards operation and maintenance of water supplies and sewerage services in island communities.



AIRSTRIP AND MARINE

OBJECTIVE

This program's objective is to achieve improved health, economic and social outcomes for communities, to assist communities in the upgrade of community roads, airstrips and marine facilities, and to strengthen community capacity to manage and participate in such upgrade projects.

This objective is promoted by the TSRA's annual contribution through this sub-program to the Queensland Governments Transport Infrastructure Development Scheme (TIDS).

DESCRIPTION

The TIDS delivers upgrades of roads, airstrips and marine facilities on remote island communities in order to improve access and transport safety. The program directly links to the COAG Closing the Gap in Indigenous Disadvantage Building Blocks - Safe Communities, and with relevant parts of the Torres Strait and Northern Peninsula Area Regional Plan goals for Communities.

ACHIEVEMENTS

In 2008-2009, the TSRA contributed \$1 million towards a total TIDS budget for the Torres Strait of \$3.1 million.

This program has provided vital infrastructure to Torres Strait Island communities, which in turn has contributed substantially towards improving the quality of life for the people of the region. The local economy has also benefited from year-round access to communities, with visitor movements enhancing business opportunities. Residents also benefit by being able to safely and efficiently commute between islands to attend family and cultural events.

Since completing the sealing of all island airstrips in the region in 2006, the program has focused on marine infrastructure and roads/drainage projects. The table below details the 2008-2009 TIDS program and indicates that the TIDS achieved a project completion rate of 90%.



Location	Project	Complete
Regional	Planning, administration and general maintenance to aviation and marine infrastructure.	Yes
Kubin Island	Airstrip reseal.	Yes
Ugar Island	Pontoon Repair (Stage 1).	Due 2009-2010
St Pauls Island		Yes
Badu Island	Dolphin Replacement:	Yes
Mabuiag Island	Construction (Stage 1).	Yes
Boigu Island		Yes
Hammond Island	Hammond Island: Stages 2 and 3: Roads and Drainage (With MIP/HEMTP/TSIRC/TSRA).	Yes
Ugar Island	Roads: Stage 2 paving (with MIP/TIDS).	Yes
St Pauls Island	Roads and Drainage (with MIP, TIDS and Roads to Recovery - R2R).	Yes

By working with other programs such as the Heavy Equipment Management and Training Program (HEMTP) and the Major Infrastructure Program (MIP), the TIDS continues to have a substantial and beneficial impact on local employment and capacity-building.

For more information regarding HEMTP please refer to page 83

HORN ISLAND AIRPORT RUNWAY EXTENSION

To enable larger and more efficient aircraft with increased capacity to operate in and out of Horn Island (the central airport for the Torres Strait region), the main runway needs to be extended and its surface strengthened. The current cost estimate for this work is approximately \$11.8 million. To date, the airport owner and operator the Torres Shire Council (TSC), has managed to secure \$2.5 million (including a TSRA contribution of \$400,000), leaving a shortfall of \$9.3 million.

In order to obtain these much needed funds, the TSC has made submissions to relevant Commonwealth and State Ministers and the TSRA has backed these submissions with letters of support.



OUTLOOK

The TIDS program and budget for 2009-2010 has yet to be finalised, but it is anticipated that the budget will be approximately the same as the current financial year, with a TSRA contribution of at least \$1 million from its Airstrip and Marine sub-program.

2. SUB-PROGRAM: COMMUNITY HOUSING

OBJECTIVE

The objective of the Community Housing sub-program is to maximise the provision of adequate and appropriate housing for Torres Strait Islander and Aboriginal people living in the Torres Strait region by monitoring agencies responsible for Indigenous housing, and coordinating planning and delivery of housing services through the Joint Torres Strait Housing and Infrastructure Committee (JTSHIC). This sub-program directly aligns with the COAG Closing the Gap in Indigenous Disadvantage Building Blocks - Safe Communities; and Healthy Homes, and with the Regional Plan's housing goal.

DESCRIPTION

Despite its expiration in late 2005, the Joint Torres Strait Housing and Infrastructure Agreement continues to provide the framework to plan, coordinate and deliver housing and infrastructure programs in the region. The original parties to the Agreement were the Australian Government, the Queensland Government, the Island Coordinating Council (ICC) and the TSRA. The ICC later became the Torres Strait Island Regional Council (TSIRC) on 15 March 2008.

Clause 9 of the Agreement provides for a Joint Torres Strait Housing and Infrastructure Committee (JTSHIC) with a membership of one Australian Government representative, two Queensland Government representatives, one TSRA representative, and one ICC (now TSIRC) representative.

The TSRA provides secretariat support for JTSHIC, and the TSRA Chairperson sits as the JTSHIC Chairperson. A more strategic coordination of housing and infrastructure delivery that is consistent with recent Indigenous Affairs and Local Government reforms is being developed through the Integrated Planning and Service Delivery framework.

ACHIEVEMENTS

Three JTSHIC meetings were held in 2008-2009, during which the committee continued its valuable work in housing and infrastructure coordination and planning. The continued success of coordinated infrastructure delivery within the region is largely due to the value added by the JTSHIC and programs such as the MIP, HEMPT, and Infrastructure Operations & Maintenance.



In May 2007, the Queensland Department of Communities (Housing and Homlessness Services) sponsored a review of housing and town planning on Thursday and Horn Islands that was carried out by Spiller Gibbins Swan (SGS) Economics and Planning. The comprehensive report was released in July 2008, and identified a number of issues and made recommendations in response. In September 2008, a housing sub-committee of JTSHIC was formed to find ways to progress the issues identified in the report. The sub-committee has met on four occasions and will report to the JTSHIC in 2009 -2010.

INDIGENOUS HOME OWNERSHIP

Another area of focus is the critical issue of Indigenous home ownership on communal title lands - mainly Deeds of Grant in Trust (DOGIT) areas in the Torres Strait. One of the major impediments is the high cost of housing and housing finance issues, which are influenced by, among other things, land availability, type of land tenure and land prices. Legislation passed by the Queensland Government in May 2008, introduced new land tenure provisions including 99-year leases for housing and commercial purposes.

The TSRA and the Torres Shire Council (TSC) have agreed to establish a joint Indigenous home-ownership project on Horn Island. The TSC has an Indigenous Land Use Agreement on 30 hectares of land on the island, which it aims to use for community housing purposes. The TSC has submitted an application to the Department of Environment and Resource Management (DERM) proposing the land be used for the affordable housing project, and further progress is now dependant on DERM's response and the cost to the TSC of the land involved.

ASIAN TIGER MOSQUITO CONTROL PROJECT

OBJECTIVE

This project is aimed at controlling the Asian Tiger Mosquito population in the region, thereby decreasing the incidence of dengue fever and other mosquito-borne diseases.

DESCRIPTION

The TSRA and the Department of Family, Housing, Community Services and Indigenous Affairs (FaHCSIA) in February 2007 funded the Asian Tiger Mosquito Control Project via a Memorandum of Understanding.

The project commenced in April 2007 and will run until 30 June 2010. It is being delivered by TSIRC working in collaboration with Queensland Health. The \$1 million project is succeeding in its aim of taking pro-active measures to control the Asian Tiger mosquito population in the region. The TSRA also assisted with this program through its MIP and the JTSHIC.



The TSIRC project managed the roll out of this initiative which was administered by a strategy document that addressed control of the Asian Tiger Mosquito in the Torres Strait. The strategy was jointly developed by stakeholding agencies including the TSRA; the Australian Quarantine Inspection Service; QBuild; the Department of Infrastructure and Planning; the Department of Communities (Aboriginal and Torres Strait Islander Partnerships and Homelessness and Housing Services).

This project is successfully increasing awareness of the Asian Tiger Mosquito threat and improving preventative measures to control outbreaks of dengue fever.

ACHIEVEMENTS

The activities from 2007-2008 were continued and included training for community council Environmental Health Workers to identify and treat mosquito breeding areas; develop community mosquito management plans; repair rainwater tanks to prevent breeding; remove damaged rainwater tanks; and develop a promotional DVD educating homeowners and tenants on mosquito control around the home. Additional activities were conducted such as mosquito collection and analysis, and the development of standardised training and information resources for outer island Environmental Health Workers. There have been no dengue fever outbreaks in the Torres Strait since this project commenced.

OUTLOOK

This program is expected to continue to benefit the community through increased awareness and on-going education about the management and eradication of the Asian Tiger Mosquito.

CASE STUDY 1:

TITLE OF PROJECT: HAMMOND ISLAND ROADS AND DRAINAGE

ISLAND/COMMUNITY: HAMMOND ISLAND

APPLICANT: TORRES STRAIT ISLAND REGIONAL COUNCIL

Background

As previously indicated, the Major Infrastructure Program (MIP) is jointly sponsored by the TSRA and the DIP. One of the key strengths of Torres Strait infrastructure delivery is the whole of government approach adopted by the stakeholders. This is illustrated by the collaboration between the MIP, the Heavy Equipment Management and Training Program (HEMTP) and the Transport Infrastructure Development Scheme (TIDS). This cooperative approach enabled optimum funding for the Hammond Island Roads and Drainage and the St Pauls Island Roads and Drainage projects (see also Case Study 2), resulting in an increased workscope and community employment.



Project Description

The aim of the Hammond Island Roads and Drainage project was to upgrade community roads, improve drainage and to reduce dust within the Hammond Island community. The project was managed and delivered jointly by the MIP and the TIDS utilizing the HEMTP. The project was funded as follows:

MIP	\$600,000
TIDS (DTMR	\$600,000
HEMTP	\$300,000
Hammond Island Council	\$100,000
TOTAL	\$1,600,000

TSRA Assistance

The TSRA's assistance in this project was as a contributor to the TIDS program, as a joint sponsor to the HEMTP program, and as a MIP co-sponsor and coordinator. For the 2008-2009 financial year, the TSRA contributed \$1 million to the TIDS, \$660,000 to the HEMTP, and over \$15 million to the MIP.

Achievements

The project's aim to upgrade access to the community by improving roads and drainage and reduce dust in the Hammond Island community township was achieved.

On completion of the project, approximately two kilometres of road were upgraded with one section of the esplanade road constructed of concrete and the remaining sections paved. Stormwater drainage was upgraded to adequately control drainage and to protect buildings and infrastructure from wet season flooding. The works were constructed by the HEMTP, which employed Indigenous people including local Hammond Island workers as trainee plant operators. Project statistics show that eight community workers were employed and a total of 1,000 hours of employment was generated for the community under this project.

Outlook

Delivery of the Hammond Island Roads and Drainage Project will serve the Hammond community on a long term basis by providing the required standard of roads and drainage, along with associated environmental health and safety benefits. Similar joint projects are planned for MIP4B (2009-2010 and 2010-2011) under the regional Community Roads and Drainage Project.

By improving environmental health and safety at Hammond Island, the project also directly aligns with the COAG Closing the Gap in Indigenous Disadvantage Building Blocks - Safe and Healthy Communities; and Economic Participation, and with relevant parts of the Regional Plan's goals for Communities.



CASE STUDY 2:

TITLE OF PROJECT: ST PAULS ROADS AND DRAINAGE

ISLAND/COMMUNITY: ST PAULS, MOA ISLAND

APPLICANT: TORRES STRAIT ISLAND REGIONAL COUNCIL

Project Description

As was the case with the Hammond Island project, the St Pauls Roads and Drainage project was managed and delivered jointly by the MIP and the TIDS utilizing the HEMTP.

The aim of this project was to improve roads and drainage as well as to reduce dust within the St Pauls community township. The works were constructed by the HEMTP, which employed Indigenous people from St Pauls community as trainee plant operators.

TSRA Assistance

The TSRA's assistance in this project was as a contributor to the TIDS program, as a joint sponsor to the HEMTP program and as a MIP co-sponsor and coordinator.

The TSRA also contributed towards this and other projects through its key roles in coordinating the MIP, and participation in the MIP and the HEMTP management and steering committees.

Achievements

The project's aim to improve roads and drainage as well as to reduce dust within the St Pauls community township was achieved. The project statistics indicate that 12 community workers were employed and over 7,000 hours of employment were generated in the community under this project.

Outlook

This and similar projects will benefit St Pauls community's environmental health and safety by providing the required standard of roads and drainage. Other projects are planned for MIP4B (2009-2010 and 2010-2011) under the regional Community Roads and Drainage Project.

This project also directly aligns with the COAG Closing the Gap in Indigenous Disadvantage Building Blocks - Safe and Healthy Communities; and Economic Participation, by improving environmental health and safety at St Pauls.



CASE STUDY 3:**TITLE OF PROJECT: MASIG RETICULATED SEWERAGE AND TREATMENT****ISLAND/COMMUNITY: MASIG****APPLICANT: TORRES STRAIT ISLAND REGIONAL COUNCIL*****Project Description***

The aim of this project was to provide a reticulated sewerage scheme for the Masig Island Community. The community was previously serviced by septic tanks (constructed during MIP Stage 1), which replaced pan toilets.

Design and documentation of the project was completed under MIP Stage 3 and construction completed under MIP Stage 4. The total cost of the project was just over \$9.6 million.

A major part of the project was construction of a Rotating Biological Contactor (RBC) Packaged Sewage Treatment Plant. This type of plant requires trained operators and the project contractor provided extensive operator-training to 11 community employees.

TSRA Assistance

The TSRA's assistance in this project was as a MIP co-sponsor and coordinator. For the financial year 2008-2009, the TSRA contributed over \$15 million to the MIP. The TSRA also contributed towards this and other MIP projects through its key roles in coordinating the MIP, and participation in the MIP Management Committee.

Achievements

The Masig Island Reticulated Sewerage and Treatment plant is now fully operational and serves the entire Masig Island community with all houses in the community now connected to the system. Project statistics indicate that over 600 hours of accredited training and nearly 12,000 hours of employment were provided to community people under this project.

Outlook

The project's completion will make a significant and long-term contribution to the improvement of environmental health standards at the Masig Island community, with benefits including improved social and health outcomes through the introduction of safe sewerage management and treatment. As indicated above, official health data establishes a clear association between substantial reductions in the incidence of communicable diseases and the MIP delivered environmental health infrastructure. These improved health outcomes directly align with the COAG Closing the Gap in Indigenous Disadvantage Building Blocks and the Regional Plan's targets for Healthy Community.



OUTPUT FIVE – SOCIAL AND CULTURAL DEVELOPMENT

Through the Social and Cultural Development Output, the TSRA aims to enable Torres Strait Islander and Aboriginal people of the Torres Strait region to lead independent and healthy lives, with full recognition of their cultural heritage and rights to land. It aims to achieve this by providing coherent and responsive programs that will improve the quality of their lives and ensure equity in their access to services and participation in the wider community.

This Output comprises eight programs as outlined below:

1. Municipal Support
2. Heavy Equipment Management and Training Program
3. Broadcasting
4. Social Justice
5. Heritage and Culture
6. Environment
7. Sports
8. Social Support (Youth, Aged and Women's Issues).

PROGRAM – MUNICIPAL SUPPORT

OBJECTIVE

To increase the number of Indigenous people of the Torres Strait region with access to, and gaining benefit from, community facilities and essential municipal services consistent with and appropriate to their needs.

DESCRIPTION

The TSRA may provide funding under this Program for:

- ➔ Replacement of vehicles and machinery considered essential for the efficient operation of Councils and organisations; and
- ➔ Funding or contributing to the funding of the construction of community amenities, buildings, essential services and temporary accommodation.

FUNDING

In 2008-2009, the TSRA committed \$1,410,821 under the Municipal Support program. Of this, \$174,480 was for independent audits of the former Island Councils, the TSIRC and the NPARC, and \$577,500 as the Australian Government contribution to the joint Australian/Queensland Government Heavy Equipment Management and Training Program (HEMTP). An additional \$658,841 was committed for the purchase of vehicles and machinery.



ACHIEVEMENTS

The TSRA again contributed to the Heavy Equipment Management and Training Program (HEMTP) by providing \$577,500 in 2008-2009 to the TSIRC. \$174,480 was allocated to complete independent audits of the former Island Councils, the TSIRC and the NPARC.

Island Councils were granted \$658,841 to allow them to purchase vehicles and machinery.

Council	Amount (\$)
Bamaga	\$60,000
Seisia	\$49,000
Boigu Island	\$65,000
Dauan Island	\$25,249
Saibai Island	\$16,500
Mabuiag Island	\$29,273
Badu Island	\$29,091
Kubin Island	\$73,182
St Pauls Island	\$120,000
Iama Island	\$52,000
Masig Island	\$36,546
Mer Island	\$103,000

HEAVY EQUIPMENT MANAGEMENT AND TRAINING PROGRAM

DESCRIPTION

The Heavy Equipment Management and Training Program (HEMTP) is a jointly funded initiative of the Department of Transport and Main Roads' (DTMR) Remote Communities Services Unit (RCSU), TSRA and the Department of Infrastructure and Planning (DIP). The Unit undertakes routine maintenance works on a two-year rolling program and provides a plant pool of heavy equipment and machinery and supervision for minor capital works projects. For the 2008-2009 financial year a total of \$2.06 million was jointly contributed by the three sponsoring agencies.

The HEMTP and the MIP coordinate projects where possible and those listed in the table below are examples of these partnerships. The HEMTP also works closely with TIDS on a number of these projects.



Projects on each island are included in the HEMTP schedule and equipment and machinery are delivered by the RCSU to islands as needed. At the end of each project the machinery and RCSU are moved to the next project. The HEMTP has provided substantial skills development, training and employment for local people throughout the Torres Strait and Northern Peninsula Area.

The HEMTP complements other infrastructure construction and maintenance projects in the region and is a substantial contributor to regional employment and training.

ACHIEVEMENTS

The following table details the 2008-2009 HEMTP and indicates that the program achieved a project completion rate of 80%.

Location	Project	Completed
Boigu Island	Maintenance	No, but commenced.
Saibai Island	Maintenance	Yes
Ugar Island	Roads (Stage 2 paving) (with MIP/TIDS)	
Poruma Barge Ramp Upgrade	TSIRC/Seaswift/Concrete road joining barge ramp to town streets (with TSIRC/Seaswift/ Queensland Transport)	
Hammond Island Streets (Stage 3)	Maintenance and Paving (with MIP/TIDS*)	
St Pauls Island	Roads and Drainage (with MIP/TIDS/R2R)	
Saibai Island (previously 2 projects)	Waste Management Facility Road (road part of project completed) includes bund around Boigu & Saibai waste disposal areas (not completed) (MIP)	No, but commenced



Saibai Island	School Sports Field Upgrade (with Queensland Education)	Yes
Erub Island	Maintenance	
Warraber Island	Maintenance	
Poruma Island	Maintenance	
Masig Island	Maintenance	
Iama Island	Maintenance	
Mer Island	Maintenance	No, but commenced
Mabuiag Island	Mabuiag Roads and Drainage (MIP/TIDS)	

*The Hammond Island Roads Upgrade and Town Streets Project was jointly funded by the Hammond Island Council (now TSIRC) - \$100,000, MIP - \$600,000, DTMR/TIDS - \$600,000 and the HEMTP - \$300,000. (See Case Study 1).

OUTLOOK

It is anticipated that the TSRA will continue with a contribution of \$660,000 to the HEMTP for the financial year 2009-2010.

A number of HEMTP projects (including the Saibai Island project not completed in 2008-2009) are due for completion during the first six-month period of 2009-2010. The program for the second half of the same period has yet to be finalised.

PROGRAM – BROADCASTING

OBJECTIVES

To provide Torres Strait Islanders and Aboriginal people of the Torres Strait region access to a range of broadcasting and communication services comparable to those provided to mainstream Australia.

To develop and extend the broadcasting and communications network of Indigenous residents of the Torres Strait in order to reinforce and promote their cultural identity and to foster general community awareness of their culture and priorities.

DESCRIPTION

This Program gives Indigenous residents of the Torres Strait control of their own broadcasting and television services. Through the Remote Indigenous Broadcasting Service (RIBS), remote communities are provided with assistance to gain access to, and control of, television and radio services. It encourages the production of programs with local and cultural input for distribution within the Torres Strait region and the rest of Australia. It also supports the operations and development of the Torres Strait Islanders' Media Association (TSIMA).



FUNDING

Broadcasting funds of \$676,478 were allocated to the Torres Strait Islander Media Association (TSIMA), of which \$620,478 was for operating costs and \$56,000 for improvements to facilities.

ACHIEVEMENTS

Through its 24-hour broadcasting licence, TSIMA is providing a local service of news, music, current affairs and items of interest, which continued throughout 2008-2009.

The RIBS facilities are utilised based on individual islands. Some communities use the scheme for local productions revolving around local language and culture. RIBS facilities also relay four television channels to the communities.

PROGRAM – SOCIAL JUSTICE

OBJECTIVE

To ensure that the human and legal rights of the Indigenous people of the Torres Strait region are enforced at international, national, state and local levels.

DESCRIPTION

The TSRA is providing financial assistance towards the provision of culturally appropriate Indigenous legal aid services. It also supports advocacy services representing the interests of Indigenous people in contact with the juvenile and criminal justice system.

FUNDING

The TSRA provided \$504,350 to the Aboriginal and Torres Strait Islander Community Legal Services (ATSICLS) during 2008-2009 for the provision of a legal service to Torres Strait Islander and Aboriginal people living in the region.

ACHIEVEMENTS

The principal achievement of this program was the provision of legal service for Torres Strait Islander and Aboriginal people living in the region.

In addition to the Magistrate Courts at Thursday Island, Bamaga and Badu Islands, the circuit of the Magistrates Court hearings was expanded to Boigu, Erub, Moa, Mer, Saibai, Warraber, Iama and Masig Islands during the reporting period.





In 2008-2009 the TSRA funded services that gave preliminary legal advice, consultations, legal support and representation to 1,249 clients in the region defending close to 3,000 charges.

PROGRAM – HERITAGE, CULTURE AND ENVIRONMENT

OBJECTIVE

To assist the Indigenous people of the Torres Strait region in preserving, protecting and developing their cultural heritage and to promote their involvement in environmental issues affecting them.

DESCRIPTION

This program provides funds designed to support projects seeking to preserve and protect the environment, heritage, culture and languages of the Indigenous people of the Torres Strait region; to promote and maximise their involvement in the management of their land, seas and sacred sites; and to ensure that they regain ownership and control of the areas and objects of cultural significance to them.

In addition, this Program provides funds to promote, develop and support the Torres Strait region's Indigenous people in their involvement with traditional and modern artistic and cultural activities as well as to promote awareness of the contribution made by the region's art, culture and history to the wider Australian and global community.

The TSRA contributed \$246,721 under this program and allocated the funds in the following way:

\$20,000 to Australia Council for Torres Strait artists to perform at Festival of Pacific Arts (American Samoa)

\$5,000 to Sacred Heart Primary School for Cultural Exchange program

\$9,138 to TSIRC for Saibai Dance Team to travel to Gulf Festival

\$4,480 to TSIRC for Opnor Kab Le dance group to travel from Mer to Erub Island

\$1,078 to TSIRC for "Dancing on Water" documentary film maker's travel to Saibai

\$3,645 to TSIRC for Abai Sagulau Buai (Badu) dance team

\$1,000 to TSIRC for "Sagaulau Tonar" cultural workshop on Poruma

\$35,000 to Queensland Music Festival for "Hidden Republic" workshops, travel and Thursday Island performance

\$43,220 to Badu Island Foundation for Kala Lagaw Ya language program

\$29,160 to TSIRC for Kalaulagauya language project on Iama Island

\$21,000 to Tagai College for Meriam Mir language project on Mer Island

\$40,000 to Torres Shire Council for Ariw Poenipan dance group to travel to Hawaii to perform at East West Centre
\$12,000 to AIATSIS for Betty Tekahika's dance group to perform at the National Native Title Conference in Melbourne
\$6,800 to TSIRC for Mabo Week activities on Mer Island
\$4,500 to TSIRC for August 23 first Torres Strait Council meeting anniversary on Masig Island
\$3,700 to TSIMA for Mabo Day activities on Thursday Island
\$2,000 to TSIRC for Dowar handover day anniversary on Mer Island
\$5,000 to TSIRC for July 1 Coming of the Light celebrations on Erub Island (including revival of model yacht racing)

THE GAB TITUI CULTURAL CENTRE

Established in 2004, Gab Titui Cultural Centre (GTCC) is the Torres Strait's first keeping place for historical artefacts and contemporary Indigenous art. The GTCC aims to contribute to the maintenance, revitalisation and preservation of Torres Strait culture, by servicing 20 island communities and supports more than 70 artists across the Torres Strait and Northern Peninsula Area of Australia in the development of their practice and careers.

The GTCC's Main Gallery, the Ephraim Bani Gallery, has a changing program of exhibitions displaying local Indigenous artwork. It has an annual cultural maintenance exhibition that presents themes and issues of importance to the cultural identity of the Torres Strait and its people, with the aim of preserving local culture, history and heritage. In the 2008-2009 period, Gab Titui has welcomed approximately 12,500 visitors.

FUNDING

In 2008-2009, the TSRA committed \$400,000 for the operations of the GTCC.

ACHIEVEMENTS

Throughout the 2008-2009 reporting period, the GTCC has undertaken a wide range of projects. They are as follows:

- ➦ Weave the Web: Cultural weaving exchange and exhibition with Hopevale weavers - Aboriginal women weavers from the Cape York joined with Torres Strait weavers from Erub and Thursday Islands as part of a touring project to exchange skills and methods of weaving and to maintain this cultural practice.



- Island Community Music and Dance CD and DVD project - The dance and music of the island communities of Mabuiag, Masig, Iama and Warraber, were recorded by film and audio for sale through outlets on the mainland and at the GTCC. The products represent documentary recordings of the heritage and culture of the Torres Strait.
- Darwin Aboriginal Art Fair in 2008 – GTCC represented 14 Torres Strait artists' work and was the only Queensland Indigenous arts and cultural organisation at the art fair.
- In Repose: A site specific performance project where Japanese/Australia artists and dancers undertook an act of ceremonial prayer or offering to respect, honour, and calm the spirits of the deceased Japanese pearl divers. The community was invited to attend the performance and participate in ceremonial prayers.
- Meg Agoragor: Erub Erwer Meta Inaugural exhibition and commission of Thursday Island public artwork. Partners: Erub Erwer Meta, (Erub Art Centre) Artists' Collective. (See case study below.)
- Gab Titui Indigenous Art Award 2009 – A prestigious regional award featuring 55 artworks from 15 different island communities of various styles and mediums. Partners: 15 island communities and guest Judge, Tina Baum – Indigenous Curator, Australian National Gallery. (See full report below.)
- Zamiyakal: Torres Strait Costume, Headdress and Dance Machines (Cultural Maintenance Exhibition 2009) - An exhibition which displays the history, heritage, story and apparatus of Torres Strait dance. Seventeen island communities contributed by loaning their artefacts, photos and objects. The exhibition was documented through photography, film and a planned catalogue with essays and interviews. Partners: 17 Island communities from the Torres Strait; National Sound and Film Archive; the National Museum of Australia. (See case study)
- Bipotaim: Stories from the Torres Strait - Photographic portraits with accompanying publication and video (Cultural Maintenance Exhibition 2008). This exhibition will be touring to other sites in 2010. Partners: David Callow, Photographer; the Queensland State Library; and the National Museum Australia.
- Torres Strait Art Skills Development – As part of Arts Development Gab Titui has partnered with the Far North Queensland Tagai TAFE to deliver skills workshops throughout the Torres Strait through funding fromBacking Indigenous Arts, Arts Queensland, and the cooperation of the Far North Queensland Tagai TAFE. Partners: Arts Qld and TAFE, Qld.



CASE STUDY 1

TITLE OF PROJECT: MEG AGORAGOR: A COLLECTION OF NEW WORKS FROM ERUB ERWER META. MARCH – APRIL 2009

ISLAND/COMMUNITY: ERUB AND THURSDAY ISLANDS

APPLICANT: GAB TITUI CULTURAL CENTRE

Project Description

This exhibition showcased nine artists' work which is made up of two and three dimensional works, including etching and lino prints as well as a trilogy of ceramic sculptures which were unwrapped in the garden of GTCC as part of the opening night celebrations.

The title of the exhibition 'Meg Agoragor' Ailan Pos, is the story of the three ceramic posts representing the connection of Erub people to the sea. 'Meg Agoragor' (Meriam Mir, traditional Eastern Island language) is about the never ending tidal work of the sea moving sand, driftwood and shells, to and fro, shaping the shore and sand bars in its own natural way.

"The three 'pos' represent the deep sea 'Karem', the reefs 'Gair Nor' and the sand cays 'Weh Kaur'. The Island Man who has been fishing has his head down and eyes closed reflecting on past traditions while the Island Woman who has been gathering shells on the reef has her head up



Erub Erwer Meta artists at the opening of their exhibition Meg Agoragor.(L-R) Franklin Mye, Di Lui(Centre Manager), Sarah Gaidan, Sedey Stephen, Racy Pitt, Ella Savage, Jimmy Thaiday. Photography: George Dann, Gab Titui Cultural Centre



and eyes open looking to the future, based on her knowledge of past traditions. The young bird in its nest on the sand cay represents the present time and the importance of looking after the seas for our young people.”

This exhibition also presented new artistic development of the art centre into the area of etching and collagraphs. The artists participated in workshops to learn new skills in intaglio printing late last year, resulting in these innovative artworks.

Erub Artists involved in making the ‘Meg Agoragor’ Ailan Pos were: Ella Savage, Racy Pitt, Florence Gutchen, Robert Mye and Jimmy Thaiday.

TSRA Assistance

The TSRA funds the GTCC operations which involves exhibitions and public programs.

Achievement

- ➔ First exhibition Erub Erwer Meta has undertaken;
- ➔ Most works were sold including to the National Museum of Australia; and
- ➔ Over 3000 visitors viewed the exhibition.

Outlook

GTCC will continue to work with and promote Erub artists and their practice.

CASE STUDY 2

TITLE OF PROJECT: THE SECOND GAB TITUI INDIGENOUS ART AWARD – JUNE 2009

ISLAND/COMMUNITY: TORRES STRAIT COMMUNITY

APPLICANT: GAB TITUI CULTURAL CENTRE

Project Description

The Gab Titui Indigenous Art Award has become a flagship event that encourages and celebrates Torres Strait art and culture. The Centre hosted the art award in June 2009 for the second year running, and with 55 artists participating from 15 island communities, it was equal in success to its inaugural year.

The aim of the Award is to grow arts development in the Torres Strait region by providing motivation and a professional development opportunity to artists and art centres. This exhibition is the only event that presents a current and authentic cross-section of what is produced by



Indigenous artists located in the Torres Strait Islands. Painting, lino-prints, artifacts, carvings, jewellery, weaving, sculpture, dhoeries, mosaics and embroidery all converge to create a significant exhibition for the Torres Strait and GTCC. The work presented explores the aesthetics, society and environment of everyday life in the Torres Strait today.

TSRA Assistance

The Art Award is fully funded by TSRA each year, including prizes, transport of the performing dance groups and the opening event.

Achievement

- 55 Artists from 15 communities participated;
- Some works were chosen for the National Gallery of Australia collection;
- A full colour catalogue was produced;
- The Indigenous Curator, National Gallery of Australia, Tina Baum, was the guest Judge; and
- The catalogues of these events are the only current documentation of Arts practice in the Torres Strait.

Outlook

Due to the success and popularity of this event over the last two years it is planned to hold it again next year. The catalogue will also be produced again next year.

CASE STUDY 3

TITLE OF PROJECT: ZAMIYAKAL: TORRES STRAIT DANCE MACHINES

ISLAND/COMMUNITY: 17 COMMUNITIES IN THE TORRES STRAIT

APPLICANT: THE GAB TITUI CULTURAL CENTRE

Project Description

Zamiyakal: Torres Strait Dance Machines - Cultural Maintenance Project April 2009 to September 2009.

As part of GTCC cultural maintenance program the annual Ephraim Bani Gallery exhibition's goal is to preserve local culture, history and heritage by highlighting what is unique to Torres Strait Culture. By maintaining the importance of dance and the strong connections with skilled craftsmanship, language and song, the Torres Strait culture will continue to be reclaimed and revitalised.

Torres Strait dance machines are designed to capture audience acclaim; they can also have origins in tribal ritual or warfare. The Zamiyakal exhibition hosts works made by Torres Strait Islanders.



From the top western island to the eastern islands it is an authentic depiction of works that have been made in the past or present and incorporated skilfully in dance. The stories are significant to the cultural history of the region, allowing generations to hand down historical cultural stories.

Traditional Torres Strait Islander dance is one of the major forms of creative expression in the Torres Strait. Zamiyakal (zam-ee-yak-al) is Kala Lagaw Ya language meaning dance apparatus or dance machines. In Meriam Mir the terminology used is Kab Teir. Zamiyakal is the term given to a mechanical moving zamiyak. These zamiyaks can be hand held mechanical moving objects or elaborate moving headdresses.

All 17 communities participated and loaned GTCC objects for the exhibition. The exhibition was documented through photography, film and a catalogue. The opening of the exhibition celebrated the centre's fifth birthday and was attended by 500 people. The Poruma Island Dance group performed, as did the internationally renowned, Ariw Peonipan Cultural Group. The National Film and Sound Archive recorded the event.

The exhibition also highlighted the professional standards of the GTCC staff, is exemplified through the handling and presentation of the artefacts.

TSRA Assistance

The TSRA committed funding for the Cultural Maintenance exhibition. The GTCC staff made the delivery of this project a significant success. The overall coordination took many months involving the loan of artefacts from various communities, and liaisons with external stakeholders, including the National Film and Sound Archive and the National Museum of Australia.

Achievements

- A Professional Cultural Maintenance exhibition showcasing Torres Strait dance machines and the importance and relevance of dance in Torres Strait Culture.
- 17 Communities participating.
- Strong external stakeholder relations with key industry agencies including the National Film and Sound Archive and the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS).
- International standard touring exhibition to the East West Centre in Hawaii.
- Over 10,000 visitors viewed the exhibition at Gab Titui with a further 30,000 expected during its international display at the East West Centre.
- Supporting emerging dance groups.

Outlook

The exhibition is touring to an international cultural institution in the United States - the East West Centre, Honolulu, Hawaii from November 2009 -January 2010. Over 30,000 people will view the exhibition which aims to promote the unique culture and heritage of the Torres Strait.



INDIGENOUS REGIONAL ARTS DEVELOPMENT FUND

The Indigenous Regional Arts Development Fund (IRADF) is an Arts Queensland program that is jointly implemented and funded between the TSRA and Arts Queensland. The program was established to build the skills and economic independence of Indigenous artists in the region. The grants are offered twice a year and are for one-off, short term projects that offer professional arts, cultural and heritage opportunities. It is also hoped the projects will help broaden the wider Australian community's awareness of Torres Strait Islander and Aboriginal arts and culture.

In 2008-2009 a total of \$115,000 was distributed through the IRADF. This amount included \$55,000 which had been rolled over from 2007-2008, and was distributed as follows:

\$12,236 to Port Kennedy Association for "Northern Xposure" musicians CD development
\$6,800 to TSIRC for Arts and Craft workshop on Iama Island
\$4,000 to TSIRC for William Akee on Mer Island to buy carving tools
\$6,550 to TSIRC for the Erub Erwer Meta arts centre participants to attend a GTCC workshop
\$25,414 to TSIRC for Cygnet Repu of Mabuag Island to record/write music

The remainder of the 2008-2009 allocation occurred through the TSRA matching a \$30,000 contribution received from Arts Queensland to create a pool of \$60,000. This table shows funding allocation for IRADF.

The funds were distributed via:

Applicant	Project	Community	Budget (\$)
Total			45,000
Mura Kosker Sorority	Zenadth Kes Zone youth drop in centre	Thursday Island	\$3,860
TSIRC for David Bosun	record local artists	Kubin Island	\$12,825
TSIRC	Poruma Dance Group for travel expenses	Poruma Island	\$17,340
Port Kennedy Association	Cultural Knowledge Preservation project	Port Kennedy, Thursday Island	\$9,680
Tagai College	Arts and craft workshop		\$2,000
Erub Erwer Meta Arts Centre	Artists travel	Erub Island	\$14,200



THE LAND AND SEA MANAGEMENT UNIT

The TSRA was invited by Australian and Queensland Government Ministers to manage the delivery of natural resource management programs in the Torres Strait in 2005. In 2006, the TSRA established a Land and Sea Management Unit (LSMU) to coordinate these functions. The LSMU is now comprised of 18 staff members and is managing the regional delivery of national environmental programs, such as the Caring for our Country program, as well as the new Environmental Management Program within the new Torres Strait Development Plan. In the past three years of operations, the LSMU has become integral to the Australian and Queensland Governments' performance of their environmental functions in the region, and has assisted all Torres Strait communities in accessing financial and technical support and information about the sustainable management of their environments.

OBJECTIVE

The objective of the LSMU is to provide support to Torres Strait Islander and Aboriginal communities in the Torres Strait region to care for their land and sea through the implementation of the Land & Sea Management Strategy for Torres Strait.

FUNDING

During the 2008-2009 financial year, the LSMU administered over \$8.96 million in funding and coordinated the delivery of a range of land and sea management initiatives funded through a combination of sources including: Caring for our Country (CfoC) program; the TSRA; the Natural Heritage Trust (NHT) and the National Landcare Program (NLP); the Major Infrastructure Program (MIP); the Working on Country (WoC) program; the Marine and Tropical Science Research Facility (MTSRF) program; the Department of the Environment, Water, Heritage and the Arts (DEWHA), and the Environmental Protection Agency (EPA). In-kind support from the Queensland Government was also negotiated.

The TSRA recently secured ongoing funding under the Caring for our Country program for 2009-2010, to be invested in a suite of projects which has enabled the continuation and expansion of successful initiatives rolled out by the LSMU to date.

An allocation of \$1.1 million towards the TSRA Environment Portfolio was approved by the TSRA Board. This allocation covers the core staffing and operational costs of the LSMU, as well as program delivery costs across a range of regional priority issues addressed by the new Environmental Management Program of the revised Torres Strait Development Plan. Further investments of external funding and technical support will also be leveraged by the LSMU to facilitate the achievement of targets and objectives under the Environmental Management Program in coming years.



LAND AND SEA MANAGEMENT INITIATIVES

The LSMU is responsible for coordinating the implementation of the Land and Sea Management Strategy for Torres Strait with funding from the Caring for our Country program, as well as other government and non-government funding sources and programs, including research programs.

The Land and Sea Management Strategy for Torres Strait is the guiding framework for the design and delivery of land and sea management programs in the region, identifying key environmental assets, priorities, issues, threats and potential initiatives to address these.

The LSMU team is responsible for planning and coordinating the delivery of on-ground, capacity building and collaborative projects at the local, regional and cross-regional levels. These projects fall under a number of key themes consistent with the Strategy, namely: land, sea and people.

The projects underway support a range of different outcomes of benefit to Torres Strait Islander and Aboriginal people living in the region. A key focus of the Unit for 2008-2009 was to support Torres Strait Islander communities to successfully address environmental priorities through the establishment of an Indigenous Land and Sea Ranger Program. The program has created employment opportunities for local Indigenous people, and is continuing to develop their capacity to deliver integrated land, sea and cultural resource management initiatives in the Torres Strait.

The Ranger Program is being implemented through a staged approach, ensuring there are established priorities and procedures in place. In this interim year, a Ranger Program support team was established within the TSRA, and partnerships were negotiated with the Torres Strait Island Regional Council (providers of administration, and operational and employment support for rangers) and Prescribed Bodies Corporate (key partners in setting the direction of ranger activities).

There are various other projects and initiatives that the LSMU has facilitated in the region, including:

- Community-based planning for the sustainable management of iconic species such as dugongs and marine turtles;
- Developing sustainable land use plans for all Torres Strait communities to assist them to identify, protect and manage their environmental assets, and deal with environmental risks and constraints;
- Building the capacity of Prescribed Bodies Corporate and Native title holders to become strong partners in land and cultural resource management, including developing their corporate governance and administrative skills;
- Supporting a coordinated, informed, whole-of-government approach to dealing with coastal management and climate change issues; and
- Horticultural training, revegetation and other on-ground land management activities.



The LSMU has worked in collaboration with a range of partner entities based within and outside the region to facilitate the delivery of other initiatives aligned with the Strategy, including Australian and Queensland Government departments, research organisations, the private sector and philanthropic groups.

The role of the LSMU to facilitate traditional inhabitant engagement in bilateral decision-making about shared marine resources is a growing area of responsibility. The LSMU's participation in engagement processes with PNG coastal villages, and representation on inter-governmental working groups, is important in terms of supporting the Australian Government to address its international environmental obligations under the Torres Strait Treaty.

ACHIEVEMENTS

Over the previous three years, the LSMU has become fully operational and well integrated within the TSRA organisational structure. The Torres Strait Development Plan now includes a dedicated Environmental Management Program, which addresses the region's environmental priorities and community aspirations for sustainable management of its lands and seas, as well as key Queensland and Australian Government policy commitments and performance indicators. The LSMU's future is now permanent within TSRA, with its core staffing and operating costs to be funded under the Environmental Management Program within the TSRA appropriation for 2009-2010 and beyond. This will ensure improved and ongoing coordination of program delivery and enable more external funding to be directed towards on-ground environmental priorities.

An Environmental Policy and Environmental Management System (EMS) is also being developed for the whole of TSRA. This process aims to improve the energy efficiency and environmental performance of the organisation itself and minimise the environmental impact of TSRA operations, and by doing so lead by example.

While there has been growing concern about environmental issues and challenges facing the Torres Strait Region, there is also increasing interest, enthusiasm and engagement on the part of regional elected leaders and communities in community-based sustainable management of islands and surrounding seas. There are also strong levels of support from partner entities based in and outside the region toward land and sea initiatives currently underway and proposed.

The LSMU has initiated several processes that are now widely supported by all levels of government and the communities participating in them. Examples include the Ranger Program on Mabuiag Island (funded under the Working on Country program), the TSRA's Coastal Management Program and the Climate Change Program.



CASE STUDY 1

TITLE OF PROJECT: IMPLEMENTING LAND AND SEA MANAGEMENT INITIATIVES ON MABUIAG (MABUYAG), TORRES STRAIT

ISLANDS: MABUIAG ISLAND

APPLICANT: GOEMULGAW (TSI) CORPORATION AND MABUIAG COMMUNITY THROUGH THE TORRES STRAIT ISLAND REGIONAL COUNCIL

Project Description

This project is supporting local Indigenous rangers to care for the land and sea country on and surrounding Mabuiag Island. During the 2008-2009 reporting period, the Mabuygiw Rangers have participated in training, carried out land and sea patrols to implement the dugong and turtle management plan, participated in the Pulu Indigenous Protected Area (IPA) consultation process, and conducted a visit to the local school.

TSRA Assistance

The LSMU supported the Mabuiag community in developing the application to the Department of the Environment, Water, Heritage and the Arts (DEWHA) for funding for an Indigenous ranger project under the Working on Country program in 2007. The application was successful and the funds were released in 2008.

The TSRA manages the funding agreement with DEWHA, and is responsible for coordinating the overall delivery of the project in partnership with the Torres Strait Island Regional Council (TSIRC) and the Goemulgaw (TSI) Corporation (the Prescribed Body Corporate or PBC). The TSRA provides technical and mentor support to rangers, while the TSIRC administers their employment arrangements and provides office space and administrative support. The PBC provides cultural guidance and advice on the community's land and sea management priorities.

Achievements

Up to \$713,700 in funding from the Working on Country program was secured for the delivery of the Mabuiag Island Ranger Program over the next four years, as part of the broader, regional Torres Strait Indigenous Ranger Program being coordinated by the TSRA.

A Memorandum of Understanding was entered into by the TSRA, the TSIRC and the PBC clarifying the roles and responsibilities of all parties in working together to implement the Mabuiag Island Ranger program.

Three full-time rangers are now employed on Mabuiag to carry out cultural and natural resource management activities.



The Mabuia community and PBC have also recently declared Pulu Islet (off Mabuia Island) as an Indigenous Protected Area (IPA) in recognition of its unique cultural and natural values. The Mabuia rangers will play a key role in implementing the Plan of Management for the Pulu Islet IPA.

Outlook

The collaborative partnership between the TSRA, TSIRC and the PBC for the delivery of the Mabuia Island Ranger Project signifies a positive step towards realising self-determination in the management of traditional land and sea country. It also promises to be a strong model for sustainable, community-based management of land, sea and cultural resources. The project is assisting to build the capacity of the Mabuia community by providing training, equipment and sustainable employment opportunities. It is also supporting the community to promote traditional knowledge and management approaches, and engage appropriate external assistance to sustainably manage and conserve the islands and sea country in the area.

The project has also helped to build the foundations for the expansion of the ranger program to Badu, Boigu, Iama, Erub, Mer and Moa Islands and the Kaiwalagal Region.

CASE STUDY 2

TITLE OF PROJECT: COASTAL MANAGEMENT AND CLIMATE CHANGE PROGRAM

ISLANDS: ALL TORRES STRAIT ISLANDS

APPLICANT: ALL TORRES STRAIT COMMUNITIES

Project Description

The Coastal Management and Climate Change Program is facilitating a strategic, coordinated, whole-of-government approach to coastal and climate change issues facing the Torres Strait.

TSRA Assistance

A Coastal Management Committee was established by the TSRA. The LSMU's Coastal Management Officer provides secretariat support to the Committee. The committee comprises representatives from Commonwealth and State agencies with responsibilities for climate and coastal issues, and planning and disaster management, as well as research organisations and those communities worst affected by coastal erosion and tidal inundation.

Achievements

Under the direction of the Committee, the TSRA has coordinated or supported various initiatives to, amongst other things:

- ➔ Assist communities to understand the long-term causes of coastal erosion and identify sustainable solutions or ways of mitigating the worst of the immediate problems caused by erosion processes;





Saibai Coastal Inundation 12 January 2009.



TSRA Chairperson MR John T Kris raising awareness on climate change in the Torres Strait at the 8th session of the United Nation Indigenous Permanent Forum



- Assess and prioritise coastal erosion and inundation prone areas on the most critically affected islands (top western and central groups); and
- Revise Torres Strait Islands' mean sea level datum and tidal predictions to attain more reliable data on tide levels and island heights.

Several related projects have also recently commenced, and these include:

- A Torres Strait wide inundation study to assess and map inundation within each Torres Strait community under current climate conditions and potential future greenhouse enhanced conditions;
- High-resolution mapping of Boigu and Saibai Islands to provide detailed terrain (height) data for inundation modeling and assessment of adaptation options; and
- A sustainable energy study to investigate sustainable energy technologies for Torres Strait communities and ways of encouraging Torres Strait Island communities to become more sustainable, thereby lowering emissions and impacts on the environment.

The LSMU has also prepared two submissions to the House of Representatives Standing Committee on Climate Change, Water, Environment and the Arts: Inquiry into climate change and environmental impacts on coastal communities, requesting funding for immediate works and a comprehensive climate change and coastal adaptation program for the Torres Strait.

The TSRA has also made considerable effort to raise awareness of the potential effects of climate change on Torres Strait communities, and in particular sea level rise, together with the need for action both on climate change mitigation and adaptation. This included speeches at the United Nations Permanent Forum on Indigenous Issues in New York and at the Queensland Coastal Conference.

Outlook

Climate change, and sea level rise in particular, pose a significant threat to the Torres Strait region, its communities, infrastructure, and the biodiversity of island and reef environments. The TSRA has played an important role in coordinating government efforts to address these issues on behalf of, and in consultation with, the region's communities.

For island communities whose cultural identity is integrally linked with their island homes, seasonal inundation events combined with projected sea level rise and climate change are cause for considerable concern. There is a critical need for a comprehensive climate change adaptation program to assess the risks to communities and evaluate potential adaptation options to enable communities to plan for the future.





Horn Island Wharf – high tide 11 January 2009.



Community meeting on Iama with Kevin Parnell from JCU discussing coastal climate change science and potential adaptation options.



PROGRAM – SPORT

OBJECTIVE

To promote the social and physical wellbeing of the Indigenous peoples of the Torres Strait region and the development of a positive self-image through increased access to and participation in, recreational and sporting activities.

DESCRIPTION

This Program provides funding for the operational costs of sporting associations. It also provides funding for holding and travelling to sporting events, as well as the construction and upgrading of sporting and community facilities and equipment.

FUNDING

The TSRA committed a total of \$508,752 under this program during the 2008-2009 reporting period.

Torres Strait Youth and Recreational Sporting Association (TSY&RSA)	\$428,102
Operating Expenses (including sports subsidies of \$225,000)	
TSY&RSA for Badu Island of Origin rugby carnival	\$4,000
TSY&RSA for Francis Loban to travel to Tahiti to play basketball	\$1,446
TSY&RSA for Foley Shield rugby carnival	\$10,000
TSIRC for improvements to Dauan sports oval	\$49,609
TSIRC for Badu's Jack Ahmat memorial rugby team to travel	\$5,000
TSIRC for Badu All Blacks rugby league carnival	\$7,500
Mura Kosker Sorority for Angus Dorante's travel for junior rugby	\$1,150
Tagai College for students' travel to Qld volleyball championship	\$1,945

ACHIEVEMENTS

A total of \$443,548 was provided in 2008-2009 to the Torres Strait Youth and Recreational Sporting Association (TSYRSA). This covered both their operating costs and the funding of 48 separate sporting projects, including competition in track and field, volleyball, basketball, touch rugby, rugby league and women's rugby, as well as the purchase of various sporting equipment and the running of coaching clinics and school holiday programs.

The completed Dauan Sports Oval had spectator seating added in 2008-2009, and the Masig Community Hall construction is set to commence soon.



PROGRAM – SOCIAL SUPPORT

OBJECTIVE

To ensure that the rights and wellbeing of Indigenous women, youth, disabled and aged are respected and are commensurate with the standard applied in the wider Australian community, and to reduce the incidence of drug abuse, domestic violence, neglect and other symptoms of social dysfunction affecting the Indigenous population of the Torres Strait.

DESCRIPTION

This Program provides funding for the operational costs of centres for women, youth, the disabled and aged care. Its funds may also be utilised toward partially, or fully meeting, costs associated with information tours and/or participation in relevant forums and conferences.

FUNDING

In 2008-2009, the TSRA committed	\$346,944 to this program.
Mura Kosker Sorority	\$151,205 for operating expenses
Mura Kosker Sorority	\$5,000 for a Torres Strait “Women in Business” conference
Mura Kosker Sorority	\$5,000 for International Women’s Day activities
Port Kennedy Association	\$157,937 for operating expenses
Tagai College	\$2,802 for travel costs of Jaman Gibuma (Global Volunteering trip)
Torres Shire Council	\$25,000 for a feasibility study into the establishment of a Youth Centre

ACHIEVEMENTS

Aimed at ensuring that the rights and wellbeing of the more vulnerable groups in society are protected, the Social Support allocation provides for the operating costs of both the Port Kennedy Association and the Mura Kosker Sorority, which have programs directed towards indigenous women, youth, aged and disabled.



The Port Kennedy Association's operations include a number of programs funded by other Australian and Queensland Government agencies, with the operating costs met by the TSRA. The Association operates a disability support service funded by Queensland Disability Services and a childcare centre funded by Department of Child Safety. They operate a community hall catering to local functions, including church groups, art and culture activities, school reunions, blue light discos, dissemination of information for government departments and other community organisations, regular community market days and not-for-profit fund raisers. A Social Worker program is operated under the Department of Child Safety and a vacation care program for school children is funded by the Australian Department of Employment, Education and Workplace Relations. Annual activities include NAIDOC, Carols by Candle Light, Australia's Biggest Morning Tea Cancer Council fundraiser and Christmas presents for the residents of the local Star of the Sea Home for the Aged.

Mura Kosker Sorority is an organisation formed to address the issues affecting Torres Strait Islander and Aboriginal women living in the Torres Strait region and, like the Port Kennedy Association, has programs funded by other Australian and Queensland Government agencies, with their operating costs coming from the TSRA. These programs include, Older Peoples Action Program (OPAP), Emergency Relief Funding (ERF), Children and Family Support Services (CAFS) and Indigenous Domestic and Family Violence Counseling program (ID&FVC). It is also a resource centre providing information and advice, and referrals to alternative services and a variety of community education and awareness activities.



OUTPUT SIX – POLICY AND INFORMATION

POLICY COORDINATION AND DEVELOPMENT

OBJECTIVES

1. To participate in the development of regional policies and the planning and coordination of initiatives undertaken by mainstream Australian and State agencies to achieve a better outcome for Torres Strait Islander and Aboriginal people living in the region.
2. To develop and maintain the Torres Strait Development Plan as required by Section 142D of the *Aboriginal and Torres Strait Islander Act 2005* and to assist in the review of the TSRA's corporate documents.

ACHIEVEMENTS

MARINE AND FISHERIES COORDINATION

The TSRA Chairperson together with the Australian and Queensland Government Ministers for Fisheries comprise the Torres Strait Protected Zone Joint Authority (PZJA), which is responsible for determining fisheries regulations for the Torres Strait.

Within the TSRA, a Fisheries Coordinator and a Fisheries Policy Officer are responsible for the coordination and support of 24 Torres Strait Community Fisher Group (CFG) representatives in their participation in the PZJA consultative structure. The Fisheries Coordinator is jointly funded by the TSRA and the Commonwealth and Queensland Governments. The TSRA Fisheries Office provides policy support and advice to the Chairperson, the General Manager, PZJA committees and to the CFG.

Some of the key achievements in 2008-2009 include the successful tender process to lease the Torres Strait finfish quota, following the full buyout of non-indigenous fishing entitlements in 2007. The income generated from leasing the finfish quota will initially be used to build the capacity of islander fishers in the communities of Erub, Masig, Mer and Ugar - the islands central to the Torres Strait Finfish Fishery. For the 2008-2009 leasing period, 90 tonnes of Torres Strait Spanish Mackerel quota and 60 tonnes of Torres Strait Coral Trout quota were made available for leasing. The first year of leasing the finfish quota ended on 30 June 2009, and resulted in approximately \$170,000 of lease revenue committed to investments in community fishing initiatives.



In March 2009, two representatives from each of the communities of Badu, Erub, Iama, Masig, Mer and Warraber Islands undertook training as research assistants in the CSIRO beche-de-mer and trochus stock assessment research that occurred in April 2009. Following the assessment, an integrated PHD research project titled 'Livelihood Benefits of Adaptive Co-Management of Hand Collectable Fisheries' commenced. This project aims to test an adaptive co-management framework approach for trochus and beche-de-mer (i.e. managed by the government and the communities) in the three Torres Strait Island communities of Erub, Masig and Warraber.

The PZJA agreed in November 2008, to the development of a five-year business plan for the Tropical Rock Lobster (TRL) Fishery. The five-year business plan aims to identify pathways on how Torres Strait Islanders can achieve their immediate aspiration of a 70 per cent holding of the TRL resource, as well as recommend practical measures to optimally utilise the Torres Strait TRL Fishery in accordance with the introduction of planned output controls.

The following table summarises performance indicators in Marine and Fisheries. Further information is provided in the AFMA Annual Report 2008-2009.



Performance Indicator	Comments
Number of fisheries managed sustainably	<p>Mackerel (Spanish) Mackerel stocks have been relatively stable over a period of several decades. Fishing pressure has decreased as a result of the finfish buyout in 2007, and the restricted number of vessels currently permitted under the leasing arrangements. However, prior to the buy-out, Begg et al. (2006) noted that the fishery was being fished near or exceeding sustainable levels, but acknowledged the inherent uncertainty of their assessment.</p>
	<p>Reefline The current status of reef fish stocks in the Torres Strait Protected Zone (TSPZ) is unknown, but it is suspected to be under-exploited at present, particularly with reduced fishing pressure following the finfish buyout in 2007, and minimal activity in the fishery.</p>
	<p>Tropical Rock Lobster (TRL) Since record catch rates of 893 tonnes of TRL in 2005, and suspected overfishing, there has been a decrease in TRL catch rates in recent years. In 2007, Islander commercial fishers caught approximately 201 tonnes of TRL, while the non-Indigenous commercial fishing sector caught 257 tonnes of TRL, giving a total of 458 tonnes. In 2008, catch rates decreased further with Islander fishers catching approximately 108 tonnes of TRL and non-Indigenous commercial fishers catching 178 tonnes, giving a total of 286 tonnes.</p>
	<p>Prawn The Torres Strait Prawn Fishery is regarded as being fully exploited at its current level of fishing.</p>
	<p>Trochus The current status of Trochus in the TSPZ is uncertain. AFMA, in collaboration with CSIRO, is currently reviewing data for the Trochus Fishery following stock assessment surveys conducted in April 2009. TSRA, AFMA and CSIRO are currently working with communities to consider developing culturally appropriate strategies to harvest their Trochus resources.</p>
	<p>Beche-De-Mer (BDM) Historically, BDM species have been prone to over-fishing. Sandfish, Black "teat" or "teath" fish and Surf redfish species have been over-exploited in the past and these over-harvested species are now closed to commercial fishing. Other BDM species however, are open to commercial fishing and have an allowable catch limit in place to help protect them. Preliminary data from AFMA suggests those species of BDM that are open to fishing are largely under-utilised. The TSRA, AFMA and CSIRO are currently working with communities to consider developing culturally appropriate strategies to harvest their beche-de-mer resources.</p>





Number of fisheries over-fished¹	Pearl The abundance of pearl shell on fishing grounds is low, although there has been occasional recruitment to shell stocks in some places.
Percentage of the catch taken by Indigenous versus non-Indigenous in each fishery (2008)	Mackerel – Traditional Inhabitant Boat Licence (TIB) 2.3% - Transferable Vessel Holder (TVH) 97.7%. Coral Trout - TIB 14% - TVH 86%. TRL - TIB 38% - TVH 62%. Beche-de-mer - TIB 100% - TVH 0%. Trochus – TIB 100% -TVH 0%. Pearl - No activity from TIB and TVH. Prawn – TIB 0% -TVH 100% (No Islander involvement).
Training courses provided to Indigenous fishers	1. CSIRO/AFMA training workshop on beche-de-mer and trochus survey techniques (March 2009); 2. James Cook University - Turtle genetic sampling and survey techniques (November-December 2008); and 3. Queensland Primary Industry and Fisheries - Seagrass monitoring techniques (July 2008).
Number of Fisheries Management Meetings attended	1 x Bilateral meeting with PNG. 8 x PZJA Standing Committee teleconference meetings. 2 x Community Fisher Group meetings. 2 x Tropical Rock Lobster Stakeholder meetings. 3 x Finfish Quota Management Committee meetings. 4 x Prawn Management Advisory Committee meetings 4 x Scientific Advisory Committee meetings. 2 x Tropical Rock Lobster Resource Assessment Group meetings. 1 x Hand Collectable Working Group meeting.
Number of Torres Strait Islander Fishing (TIB) licences/endorsements	In 2008, there were 397 TIB licence holders, some with multiple fisheries endorsements on their licence (TRL – 248, Reef Line – 154, Spanish Mackerel – 122, Trochus – 82, Pearl Shell – 62, Bêche-de-mer – 59, Crab – 96).
Number of Torres Strait Islanders involved in commercial fishing	Although the number of licensed boats is known for each of the fisheries in the Torres Strait, it is unknown how many of these licensed fishers are active, or how many of them are full-time fishers as opposed to part-time.
Number of tonnes of catch taken by Indigenous fishers in each fishery	Mackerel – 2,000 kg (2008) Coral Trout – 3,900 kg (2008) Tropical Rock Lobster – 108,000 kg (2008) Beche-de-mer – 2008 (No official figures) Trochus – 2008 (No official figures) Pearl Fishery – Catch data in 2008 remains confidential owing to the low level of participation in the fishery. Prawn Fishery – No Islander involvement.

<p>Number of foreign fishing vessels apprehended.</p>	<p>There were nine illegal foreign fishing vessels apprehended in the Torres Strait during 2008-2009 (One Indonesian and eight PNG).⁴ This is a significant decrease from previous years where the number of illegal foreign fishing vessels apprehended totalled 34 and 20 in 2006-2007 and 2007-2008 respectively.</p>
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- Notes:
- Data against performance indicators are not collected explicitly by the TSRA. Comments here are collected from a range of sources (particularly the AFMA 2008-2009 Annual Report) and in some cases are not for the year 2009, although they are the most recent available.
 - 1. The Spanish Mackerel, Reef Line (collectively making "Finfish") and the Tropical Rock Lobster fisheries are moving to quota management to ensure future sustainability.
 - 2. Data for Spanish Mackerel, Coral Trout and TRL catch is from AFMA (2008) [http://www.pzja.gov.au/notices/notices/2007/n20070607/AFMA%20Starting%20point%20\(web\).pdf](http://www.pzja.gov.au/notices/notices/2007/n20070607/AFMA%20Starting%20point%20(web).pdf)
 - 3. Data for Spanish Mackerel, Coral Trout, Trochus, Beche-de-mer and TRL catch sourced from AFMA (2009) [http://www.pzja.gov.au/notices/notices/2007/n20070607/AFMA%20Starting%20point%20\(web\).pdf](http://www.pzja.gov.au/notices/notices/2007/n20070607/AFMA%20Starting%20point%20(web).pdf)
 - 4. Data sourced from Foreign Compliance AFMA 2009.

TORRES STRAIT TREATY

The Torres Strait Treaty is a bilateral instrument established to delineate borders and jurisdictions between Australia and Papua New Guinea (PNG). Under the Treaty, both nations have established a Protected Zone which provides administrative protection to the traditional way of life and livelihood of traditional inhabitants in the Torres Strait.

The TSRA Board is a key advisory body, providing input across a broad range of cross border issues. Members of the Board participate in an annual cycle of bilateral consultative meetings with both PNG traditional inhabitants and other officials, at the National, State and Provincial level. The TSRA continues to work closely with the Australian Department of Foreign Affairs and Trade to ensure Torres Strait participation continues at meetings of Traditional Inhabitants, Treaty Liaison, the Environmental Management Committee and the Joint Advisory Council.

TORRES STRAIT HEALTH PARTNERSHIP FORUM

The Torres Strait Health Partnership Forum consists of the TSRA, the Department of Health and Ageing, Queensland Health, the Torres Strait Island Regional Council (TSIRC), the Torres Shire Council (TSC), the Northern Peninsula Area Regional Council (NPARC), the Health Community Council and the Queensland Ambulance Service (QAS).

The Health Framework Agreement that governs the Torres Strait Health Partnership (TSHP) and sets out the Partnership's strategic goals and objectives was signed and launched in July 2006. The aim of this Agreement is to improve health outcomes for the residents of the Torres Strait and Northern Peninsula Area, in particular to improve the health status of Indigenous residents to a level that is at least commensurate with that of the wider Australian community.



The TSRA confirmed the final phase of funding for the Asian Mosquito Control Project, under the Funding Agreement with the Department of Families, Housing, Community Services and Indigenous Affairs. Part of the project has involved Q-Build, who has conducted dengue prevention works on the outer island communities. This involved screening of tanks, cleaning household gutters and destruction of old water tanks. As at 30 June 2009, the project was still in the final stages. Please refer to output 4 for more details on this project.

The Torres Strait and NPA Regional Investment Strategy was developed to provide the Australian Government with direction to inform investments until the Torres Strait and NPA Regional Health Plan (the Regional Health Plan) is completed and endorsed by the TSHP. Thus far, the Regional Health Plan has not been endorsed by the TSHP, but negotiations are currently underway between the partners which may lead to endorsement of the Regional Health Plan in 2009-2010.

Plans are also underway for the TSRA and the TSHP to work closely with Queensland Health's "Connecting Health in Communities" (CHIC) program. It is anticipated that this initiative will benefit both the Health Partnership and the CHIC program by providing a more effective link between the community level and the strategic planning level in health services delivery and coordination.

PLANNING FOR INTEGRATED SERVICE DELIVERY

The TSRA, in partnership with the Department of Communities – Aboriginal and Torres Strait Islander Partnerships (ATSIP-FNQ), Torres Strait Island Regional Council (TSIRC), Torres Shire Council (TSC) and Northern Peninsula Area Regional Council (NPARC), commenced a joint planning process to progress integrated service delivery for Torres Strait and Northern Peninsula communities.

The planning process began in August 2008 when elected leaders of the TSRA, TSIRC, TSC and NPARC agreed to work together to develop a unified vision and strategic plan for the future of our region. A robust community consultation process was conducted during August-September 2008 to collect information on past, current and emerging regional issues. The raw data collected from the consultations was presented to an Elected Representatives forum in November 2008 and from the data, the Torres Strait and Northern Peninsula Area leadership developed a unified vision and goals statement which formed the basis for the development of the Torres Strait and Northern Peninsula Area Regional Plan 2009-2029. The 11 regional goals noted in the plan are:

1. Economic Development – Enhance our region's wealth, by creating sustainable industries and increasing employment opportunities for our people equivalent to the wider Australian community
2. Housing – To achieve the provision of adequate, appropriate and affordable housing
3. Governance and Leadership – Effective and transparent self government, with strong leadership
4. Environmental Management – Our natural and cultural environment is an asset that is protected, preserved and enjoyed through sustainable management.



5. Public Health – Enhance both healthy communities and our living environment
6. Communities – Safe, healthy, respectful and progressive communities, based on Ailan Kastoms and Aboriginal traditions
7. Art, Culture and Heritage – Protect, promote, revitalise and maintain Torres Strait Islander and Aboriginal traditions and cultural heritage
8. Native Title – Protect, maintain and progress Native Title Rights and recognition over the region's land and sea country
9. Schooling – Increase regional education to a national standard that is flexible and culturally appropriate, leading to a successful transition from school to jobs and a positive career path
10. Social Services – Strong families and safe and healthy communities that are guided by cultural and traditional Lore
11. Early Childhood – To nurture early learning development and socialisation opportunities that incorporate Indigenous traditional and cultural practices to build strong and resilient communities

The plan is a live document and will be reviewed each year to ensure any changes to priorities or circumstances within the region are taken into account.

Following the elected representatives forum, an initial draft plan was distributed to communities in the region for further comments/additions before being presented to a second elected representative's forum in May 2009 for final consideration. The final plan is expected to be signed off by the region's leadership in July 2009 and this will mark an important milestone in the proposed integrated planning process.

The next step in the process will be the development of a regional service delivery agreement for Torres Strait and NPA that commits the three levels of government to work towards achieving the goals and objectives specified in the plan. The TSRA will be playing a lead role in supporting our leadership in their efforts to secure the commitment of Commonwealth, State and Local Government agencies to the plan.

REVIEW OF THE TORRES STRAIT DEVELOPMENT PLAN

The TSRA is required by Section 142D of the Act to formulate and revise from time to time a Torres Strait Development Plan. The current Torres Strait Development Plan will expire in June 2009 and will be replaced by a new Torres Strait Development Plan covering the years 2009-2013. The new development plan will set out programs by which the TSRA will contribute to achieving the goals of the Torres Strait and Northern Peninsula Area Regional Plan 2009-2029, and COAG targets for overcoming indigenous disadvantage. The plan will outline the TSRA's vision and goals as well as a new program structure. The 2009-2010 financial year will be a transition year for the TSRA as it rolls out its new program structure which will take full effect in 2010-2011.





INFORMATION DELIVERY

OBJECTIVES

1. To provide information to the Minister and the TSRA Board on the TSRA's policies, goals, progress and achievements.
2. To provide information to the public on the TSRA's policies, goals, progress and achievements.

ACHIEVEMENTS

Executive Services Section

During 2008-2009, the TSRA Executive Services Section (ESS) supported the TSRA Chairperson, Board Members and the General Manager to perform their functions as outlined in the *Aboriginal and Torres Strait Islander Act 2005* and to achieve outcomes as directed by the TSRA Board.

Five Board Meetings were held during this period and five Executive Committee Meetings were held in preparation for the Board Meetings.

Throughout the year, the ESS liaised with all sections of the TSRA and external agencies to provide 113 briefing papers and reports, which resulted in the TSRA Board making 44 formal decisions. A total of 16 items of Ministerial correspondence were prepared for the Minister for Families, Housing, Community Services and Indigenous Affairs, the Hon Jenny Macklin MP.

Public Affairs

The TSRA utilised a number of mediums, including press releases, newsletters, website placements, advertising, and the production of promotional material to provide information about its programs, services, achievements and initiatives to the public.

During 2008-2009, the Public Affairs Officer coordinated and/or produced 15 media releases, 13 Chairperson's Columns published in the Torres News, 10 editions of the TSRA newsletter, eight speeches and the 2007-2008 TSRA Annual Report.

A range of promotional materials were also produced focusing on:

- The TSRA Land and Sea Management Unit (newsletters, survey, articles);
- The TSRA Business Funding Scheme (pamphlet);
- The TSRA Community Business Forums;
- TSRA branding products;

- ➡ The TSRA elections on 17 May 2008 (posters); and
- ➡ The TSRA's programs and services in general.

Public Affairs assisted with advertising and marketing of the Gab Titui Cultural Centre including drafting press releases, advertising and invitations in relation to exhibitions and workshops. Public Affairs also coordinated and managed media involvement during the GTCC's fifth birthday celebrations.

All TSRA non-campaign press advertising is conducted through the Australian Government provider HMA Blaze. No campaign advertising was conducted in 2007-2008.

Public Affairs responded to general enquiries from both the regional and mainstream media as well as 166 information requests from the public.

The TSRA website (www.tsra.gov.au) continues to offer the community an opportunity to forward queries or feedback to the TSRA regarding its programs, policies, goals and progress and the site is updated regularly.

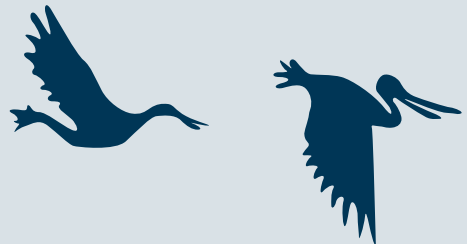
The TSRA also has a toll free telephone number (1800 079 093) and an email address (info@tsra.gov.au) to facilitate enquiries.







FINANCIAL STATEMENTS





INDEPENDENT AUDITOR'S REPORT

To the Minister for Families, Housing, Community Services and Indigenous Affairs

Scope

I have audited the accompanying financial statements of the Torres Strait Regional Authority for the year ended 30 June 2009, which comprise: a Statement by Directors and Chief Executive; Income Statement; Balance Sheet; Statement of Changes in Equity; Cash Flow Statement; Schedule of Commitments Schedule of Contingencies and Notes to and forming part of the Financial Statements, including a Summary of Significant Accounting Policies.

The Directors' Responsibility for the Financial Statements

The Directors are responsible for the preparation and fair presentation of the financial statements in accordance with the Finance Minister's Orders made under the *Commonwealth Authorities and Companies Act 1997*, including the Australian Accounting Standards (which include the Australian Accounting Interpretations). This responsibility includes establishing and maintaining internal controls relevant to the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

My responsibility is to express an opinion on the financial statements based on my audit. I conducted my audit in accordance with the Australian National Audit Office Auditing Standards, which incorporate the Australian Auditing Standards. These auditing standards require that I comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected



depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Torres Strait Regional Authority's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Torres Strait Regional Authority's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Directors, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Independence

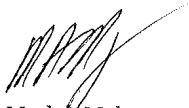
In conducting the audit, I have followed the independence requirements of the Australian National Audit Office, which incorporate the requirements of the Australian accounting profession.

Auditor's Opinion

In my opinion, the financial statements of the Torres Strait Regional Authority:

- (a) have been prepared in accordance with the Finance Minister's Orders made under the *Commonwealth Authorities and Companies Act 1997*, including the Australian Accounting Standards; and
- (b) give a true and fair view of the matters required by the Finance Minister's Orders including the Torres Strait Regional Authority's financial position as at 30 June 2009 and its financial performance and cash flows for the year then ended.

Australian National Audit Office



Mark A Moloney

Senior Director

Delegate of the Auditor-General

Canberra

21 September 2009



STATEMENT BY THE DIRECTORS AND CHIEF EXECUTIVE

In our opinion, the attached financial statements for the year ended 30 June 2009 are based on properly maintained financial records and give a true and fair view of the matters required by the Finance Minister's Orders made under the *Commonwealth Authorities and Companies Act 1997*.

In our opinion, at the date of this statement, there are reasonable grounds to believe that the Torres Strait Regional Authority will be able to pay its debts as and when they become due and payable.


This statement is made in accordance with a resolution of the directors.

Signed


Mr J T Kris
Chairperson

14 September 2009

Signed


Ms N Bin Tahal
Deputy Chairperson

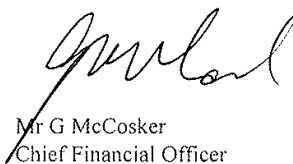
14 September 2009

Signed


Mr W See Kee
General Manager

14 September 2009

Signed


Mr G McCosker
Chief Financial Officer

14 September 2009



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TORRES STRAIT REGIONAL AUTHORITY
INCOME STATEMENT
for the period ended 30 June 2009

	Notes	2009 \$'000	2008 \$'000
INCOME			
Revenue			
Revenue from Government	3A	51,904	51,540
Sale of goods and rendering of services	3B	414	865
Interest	3C	1,650	1,777
Other revenue	3D	18,713	19,255
Total revenue		72,681	73,437
Gains			
Reversals of previous asset write-downs	3E	812	76
Gain from acquisition of land and buildings	3F	800	-
Total gains		1,612	76
Total Income		74,293	73,513
EXPENSES			
Employee benefits	4A	6,506	5,580
Suppliers	4B	11,799	25,419
Grants	4C	51,349	40,438
Depreciation and amortisation	4D	499	448
Write-down and impairment of assets	4E	481	1,032
Loss on disposal of non-financial assets	4F	11	2
Total Expenses		70,645	72,919
Surplus		3,648	594

The above statement should be read in conjunction with the accompanying notes.



TORRES STRAIT REGIONAL AUTHORITY
BALANCE SHEET
as at 30 June 2009

	Notes	2009 \$'000	2008 \$'000
ASSETS			
Financial Assets			
Cash and cash equivalents	5A	25,466	16,255
Trade and other receivables	5B	7,133	6,278
Total financial assets		32,599	22,533
Non-Financial Assets			
Land and buildings	6A	20,474	17,434
Infrastructure, plant and equipment	6B	430	355
Heritage and Cultural Assets	6B	41	41
Total non-financial assets		20,945	17,830
Total Assets		53,544	40,363
LIABILITIES			
Payables			
Suppliers	7A	515	492
Grants	7B	7,976	1,505
Other payables	7C	610	141
Total payables		9,101	2,138
Provisions			
Employee provisions	8A	1,436	1,244
Total provisions		1,436	1,244
Total Liabilities		10,537	3,382
Net Assets		43,007	36,981
EQUITY			
Contributed equity		32	32
Reserves		9,047	6,669
Retained surplus		33,928	30,280
Total Equity		43,007	36,981
Current Assets		27,533	19,029
Non-Current Assets		26,011	21,334
Current Liabilities		10,335	3,192
Non-Current Liabilities		202	190

The above statement should be read in conjunction with the accompanying notes.





TORRES STRAIT REGIONAL AUTHORITY
STATEMENT of CHANGES in EQUITY
as at 30 June 2009

Opening balance

Balance carried forward from previous period

Adjustment for errors

Adjusted opening balance

Income and expense recognised Directly in Equity

Income and expenses recognised Directly in Equity

Sub-total income and expenses recognised Directly in Equity

Surplus for the period

Total income and expenses

of which:

Attributable to the Australian Government

Closing Balance attributable to the Australian Government

The above statement should be read in conjunction with the accompanying notes.

Retained Earnings	Asset Revaluation		Contributed		Total Equity	
	2009	2008	2009	2008	2009	2008
\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
30,280	24,940	6,669	5,427	32	32	30,399
-	4,746	-	-	-	-	4,746
30,280	29,686	6,669	5,427	32	32	35,145
-	-	2,378	1,242	-	-	1,242
-	-	2,378	1,242	-	-	1,242
3,648	594	-	-	-	-	594
3,648	594	2,378	1,242	-	-	1,836
3,648	594	2,378	1,242	-	-	1,836
33,928	30,280	9,047	6,669	32	32	36,981

TORRES STRAIT REGIONAL AUTHORITY
CASH FLOW STATEMENT
for the period ended 30 June 2009

	Notes	2009 \$'000	2008 \$'000
OPERATING ACTIVITIES			
Cash received			
Goods and services		19,951	18,931
Appropriations		51,904	51,540
Interest		1,531	1,699
Net GST received		4,321	3,950
Total cash received		<u>77,707</u>	<u>76,120</u>
Cash used			
Employees		(6,315)	(5,461)
Suppliers		(11,387)	(25,953)
Loan payments		(284)	(87)
Grants		(49,366)	(46,016)
Total cash used		<u>(67,352)</u>	<u>(77,517)</u>
Net cash flows from (used by) operating activities	10	<u>10,355</u>	<u>(1,397)</u>
INVESTING ACTIVITIES			
Cash received			
Loan receipts		899	1,039
Proceeds from sales of property, plant and equipment		-	1
Total cash received		<u>899</u>	<u>1,040</u>
Cash used			
Loan payments		(1,607)	(363)
Purchase of property, plant and equipment		(436)	(221)
Total cash used		<u>(2,043)</u>	<u>(584)</u>
Net cash flows from (used by) investing activities		<u>(1,144)</u>	<u>456</u>
Net increase or (decrease) in cash held		<u>9,211</u>	<u>(941)</u>
Cash and cash equivalents at the beginning of the reporting period		16,255	17,196
Cash and cash equivalents at the end of the reporting period	5A	<u>25,466</u>	<u>16,255</u>

The above statement should be read in conjunction with the accompanying notes.



TORRES STRAIT REGIONAL AUTHORITY
SCHEDULE OF COMMITMENTS
as at 30 June 2009

	2,009	2,008
	\$'000	\$'000
BY TYPE		
Commitments receivable		
Sublease rental income	(1,507)	(853)
GST recoverable on commitments	(29)	(30)
Total commitments receivable	(1,536)	(883)
Operating lease commitments payable		
Operating leases	735	572
Project commitments	1,158	-
Total other commitments	1,893	572
Net commitments by type	357	(311)
BY MATURITY		
Commitments receivable		
Operating lease income		
One year or less	(291)	(171)
From one to five years	(1,216)	(682)
Total operating lease income	(1,507)	(853)
Other commitments receivable		
One year or less	(29)	(30)
Total other commitments receivable	(29)	(30)
Operating lease commitments payable		
One year or less	384	245
From one to five years	351	327
Total operating lease commitments payable	735	572
Other Commitments		
One year or less	1,158	-
Total other commitments	1,158	-
Net Commitments by Maturity	357	(311)

Operating leases included are effectively non-cancellable and comprise:

Commitments Receivable

The Torres Strait Regional Authority (TSRA) receives rental income from the provision of staff housing. This is a necessary activity given the geographic location and housing availability in the Torres Strait.

Lease for office and residential accommodation

Lease payments exist for office accommodation. The lease increases at CPI each year and is for a period of 4 years with an option to extend for 1 additional year.

The TSRA currently leases 8 houses for staff accommodation. Lease terms range from 1 year to 2 years with varying expiry dates. Two of these leases have the option to extend for 1 further year.

Agreement for the provision of motor vehicles

One vehicle is leased for senior executive officer use. Four vehicles are leased for operating activities of the TSRA. There are no contingent rentals and no renewal or purchase options are available to the TSRA.

Leases for information and communication technology equipment

Leases are in place for telephone systems and standard office equipment for operating activities of the TSRA. Rates are fixed for the term of all leases with no purchase options available. Two telephone system leases began in June 2007 and one in October 2008 for a 5 year term and two multi-function device leases began in December 2008 for a 4 year term. There are no options for extension on these lease arrangements.

The above statement should be read in conjunction with the accompanying notes.

Project Commitments

TSRA has committed to projects for furthering the Yorke Sponge Farm and enterprise divestment and associated capacity building in the Torres Strait region following the Local Government amalgamations in Queensland in 2008. These projects are at various stages of progression and payment of grant funds will be made upon satisfactory achievement of the applicable milestones.



TORRES STRAIT REGIONAL AUTHORITY
SCHEDULE OF CONTINGENCIES
as at 30 June 2009

Contingent assets	Guarantees		Land and Buildings		TOTAL	
	2009	2008	2009	2008	2009	2008
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Balance from previous period	-	-	-	-	-	-
New	-	-	-	800	-	800
Re-measurement	-	-	-	-	-	-
Assets crystallised	-	-	-	-	-	-
Expired	-	-	-	-	-	-
Total Contingent Assets	-	-	-	800	-	800
Contingent liabilities	Guarantees		Land and Buildings		TOTAL	
	2009	2008	2009	2008	2009	2008
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Balance from previous period	116	116	-	-	116	116
New	-	-	-	-	-	-
Re-measurement	-	-	-	-	-	-
Liabilities crystallised	-	-	-	-	-	-
Obligations expired	-	-	-	-	-	-
Total Contingent Liabilities	116	116	-	-	116	116
Net Contingent Assets (Liabilities)					(116)	684

Details of each class of contingent liabilities and contingent assets, including those not included above because they cannot be quantified, are disclosed in Note 11: Contingent Liabilities and Assets.

The above schedule should be read in conjunction with the accompanying notes.



TORRES STRAIT REGIONAL AUTHORITY
Notes to and forming part of the financial statements
for the year ended 30 June 2009

Note 1: Summary of Significant Accounting Policies

1.1 Basis of Preparation of the Financial Report

The financial statements and notes are required by clause 1(b) of Schedule 1 to the *Commonwealth Authorities and Companies Act 1997* and are a general purpose financial report.

The continued existence of the Torres Strait Regional Authority (TSRA) in its present form and with its present program is dependent on Government policy and on continuing appropriations by Parliament for the TSRA's administration and programs.

The financial statements and notes have been prepared in accordance with:

- Finance Minister's Orders (FMO) for reporting periods ending on or after 1 July 2008; and
- Australian Accounting Standards and Interpretations issued by the Australian Accounting Standards Board (AASB) that apply for the reporting period.

The financial report has been prepared on an accrual basis and is in accordance with historical cost convention, except for certain assets at fair value. Except where stated, no allowance is made for the effect of changing prices on the results or the financial position.

The financial report is presented in Australian dollars and values are rounded to the nearest thousand dollars unless otherwise specified.

Unless an alternative treatment is specifically required by an accounting standard or the FMO, assets and liabilities are recognised in the balance sheet when and only when it is probable that future economic benefits will flow to the TSRA and the amounts of the assets or liabilities can be reliably measured. However, assets and liabilities arising under agreements equally proportionately unperformed are not recognised unless required by an accounting standard.

Unless alternative treatment is specifically required by an accounting standard, revenues and expenses are recognised in the income statement when and only when the flow, consumption or loss of economic benefits has occurred and can be reliably measured.

1.2 Significant Accounting Judgements and Estimates

In the process of applying the accounting policies listed in this note, the TSRA has made the following judgements that have the most significant impact on the amounts recorded in the financial statements:

- The fair value of land and buildings has been taken to be the market value of similar properties as determined by an independent valuer as detailed in Note 1.15.
- The initial fair value of concessional loans is taken to be the present value of all future cash receipts, discounted using the prevailing market rate of interest for instruments of a similar structure (currency, term, type of interest rate, credit risk etc). Subsequently the value of the loan is derived by applying the amortised cost using the effective interest method, with the initial market rate as the effective rate, and anticipated cash flows based on contracted repayment terms, resulting in the amortisation of the discount over the anticipated life of the loan.

1.3 New Accounting Standards

Adoption of New Australian Accounting Standard Requirements

No accounting standard has been adopted earlier than the application date as stated in the standard. The following standards and amendments to standards are applicable to the current reporting period:

AASB 2007-9 Amendments to Australian Accounting Standards arising from the Review of AASs 27, 29 and 31 relocated a number of paragraphs from AASs 27, 29 and 31 substantively unamended into the following existing standards AASB 3, 5, 8, 101, 114, 116, 127 and 137.

AASB 1004 Contributions also received a number of substantively unamended paragraphs from AASs 27, 29 and following their withdrawal.

AASB 1050 Administered items and AASB 1052 Disaggregated Disclosures were created and received a number substantively unamended paragraphs from AASs 27 and 29.



It is not expected that the relocation of AASs 27, 29 and 31 will have a material financial impact but may affect the disclosure presented in future financial reports.

AASB 1051 Land Under Roads was created and takes over from AASs 27, 29 and 31 in respect of land under roads. The new standard allows entities to recognise or not to recognise as an asset, land under roads acquired before the end of the first reporting period ending on or after 31 December 2007. The standard also clarifies that the principles in other Standards (including AASB 116 Property, Plant and Equipment) apply to land under roads, except to the extent that AASB 1051 requires or permits otherwise, including the requirement that land under roads acquired after the end of the first reporting period ending on or after 31 December 2007 is accounted for in accordance with AASB 116. The change is not expected to affect the TSRA.

AASB 123: Borrowing Costs and AASB 2007-6: Amendments to Australian Accounting Standards arising from AASB 123 (AASB 1, AASB 101, AASB 107, AASB 111, AASB 116 and AASB 138 and Interpretations 1 and 12) (applicable for annual reporting periods commencing from 1 January 2009). The revised AASB 123 has removed option to expense all borrowing costs and will therefore require the capitalisation of all borrowing costs directly attributable to the acquisition, construction or production of a qualifying asset. It is not expected that any changes will have a material effect on future financial statements.

AASB 2008-5: Amendments to Australian Accounting Standards arising from the Annual Improvements Project (July 2008) and AASB 2008-6: Further Amendments to Australian Accounting Standards arising from the Annual Improvements Project (July 2008) detail numerous non-urgent but necessary changes to accounting standards arising from the IASB's annual improvement project. No changes are expected to materially affect the TSRA.

Future Australian Accounting Standard Requirements

AASB 3: Business Combinations, AASB 127: Consolidated and Separate Financial Statements, AASB 2008-3: Amendments to Australian Accounting Standards arising from AASB 3 and AASB 127 (AASB Standards, 1, 2, 4, 7, 101, 107, 112, 114, 116, 121, 128, 131, 132, 133, 134, 136, 137, 138 and 139 and Interpretations 9 and 107) (applicable for annual reporting periods commencing from 1 July 2009) and AASB 2008-7: Amendments to Australian Accounting Standards - Cost of an Investment in a Subsidiary, Jointly Controlled Entity or Associate (AASB 1, AASB 118, AASB 121, AASB 127 and AASB 136) (applicable for annual reporting periods commencing from 1 January 2009). These Standards are applicable prospectively and so will only affect relevant transactions and consolidations occurring from the date of application. Neither of these Standards are currently applicable to the TSRA.

AASB 101: Presentation of Financial Statements, AASB 2007-8: Amendments to Australian Accounting Standards arising from AASB 101, and AASB 2007-10: Further Amendments to Australian Accounting Standards arising from AASB 101 (all applicable to annual reporting periods commencing from 1 January 2009). The revised AASB 101 and amendments supersede the previous AASB 101 and redefine the composition of financial statements including inclusion of a statement of comprehensive income. There will be no measurement or recognition impact on the TSRA.

1.4 Revenue

Revenue from the sale of goods is recognised when:

- The risks and rewards of ownership have been transferred to the buyer;
- The seller retains no managerial involvement nor effective control over the goods;
- The revenue and transaction costs incurred can be reliably measured; and
- It is probable that the economic benefits associated with the transaction will flow to the TSRA.

Revenue from rendering of services is recognised by reference to the stage of completion of contracts at the reporting date. The revenue is recognised when:

- The amount of revenue, stage of completion and transaction costs incurred can be reliably measured; and
- The probable economic benefits associated with the transaction will flow to the TSRA.

The stage of completion of contracts at the reporting date is determined by reference to the proportion that costs incurred to date bear to the estimated total costs of the transaction.

Receivables for goods and services, which have 30 day terms, are recognised at the nominal amounts due less any impairment allowance account. Collectability of debts is reviewed at balance date. Allowances are made when collectability of the debt is no longer probable.



Interest revenue is recognised using the effective interest method as set out in AASB 139

Financial Instruments: Recognition and Measurement.

Revenues from Government

Funding received or receivable from agencies (appropriated to the agency as a CAC Act body payment item for payment to TSRA) is recognised as Revenue from Government unless they are in the nature of an equity injection.

1.5 Gains

Other Resources Received Free of Charge

Contributions of assets at no cost of acquisition or for nominal consideration are recognised as gains at their fair value when the asset qualifies for recognition, unless received from another Government agency or authority as a consequence of a restructuring of administrative arrangements.

Resources received free of charge are recorded as either revenue or gains depending on their nature.

Sale of Assets

Gains from disposal of non-financial assets are recognised when control of the asset has passed to the buyer.

1.6 Transactions with the Government as Owner

Equity Injections

Amounts that are designated as equity injections for a year are recognised directly in contributed equity in that year.

Restructuring of Administrative Arrangements

Net assets received from or relinquished to another Australian Government agency or authority under a restructuring of administrative arrangements are adjusted at their book value directly against contributed equity.

Other Distributions to Owners

The FMO require that distributions to owners be debited to contributed equity unless in the nature of a dividend.

1.7 Employee Benefits

Liabilities for services rendered by employees are recognised at the reporting date to the extent that they have not been settled.

Liabilities for short-term employee benefits (as defined in AASB 119) and termination benefits due within twelve months of balance date are measured at their nominal amounts.

The nominal amount is calculated with regard to the rates expected to be paid on settlement of the liability.

All other employee benefit liabilities are measured at the present value of the estimated future cash outflows to be made in respect of services provided by employees up to the reporting date.

Leave

The liability for employee benefits includes provision for annual leave and long service leave. No provision has been made for sick leave as all sick leave is non-vesting and the average sick leave taken in future years by employees of the TSRA is estimated to be less than the annual entitlement for sick leave.

The leave liabilities are calculated on the basis of employees' remuneration at the estimated salary rates that applied at the time the leave is taken, including the TSRA's employer superannuation contribution rates to the extent that the leave is likely to be taken during service rather than paid out on termination.

The liability for long service leave has been determined by reference to the work of an actuary as at 30 June 2009. The estimate of the present value of the liability takes into account attrition rates and pay increases through promotion and inflation.

Separation and Redundancy

Provision is made for separation and redundancy benefit payments. The TSRA recognises a provision for termination when it has developed a detailed formal plan for the terminations and has informed those employees affected that it will carry out the terminations.

Superannuation

Staff of the TSRA are members of the Commonwealth Superannuation Scheme (CSS), the Public Sector Superannuation Scheme (PSS) or the PSS accumulation plan (PSSap).



The CSS and PSS are defined benefit schemes for the Australian Government. The PSSap is a defined contribution scheme.

The liability for defined benefits is recognised in the financial statements of the Australian Government and is settled by the Australian Government in due course. This liability is reported by the Department of Finance and Deregulation as an administered item.

The TSRA makes employer contributions to the employee superannuation schemes at rates determined by an actuary to be sufficient to meet the cost to the Government of the superannuation entitlements of the TSRA's employees. The TSRA accounts for the contributions as if they were contributions to defined contribution plans.

The liability for superannuation recognised as at 30 June represents outstanding contributions for the final fortnight of the year.

1.8 Leases

A distinction is made between finance leases and operating leases. Finance leases effectively transfer from the lessor to the lessee substantially all the risks and rewards incidental to ownership of leased non-current assets. An operating lease is a lease that is not a finance lease. In operating leases, the lessor effectively retains substantially all such risks and benefits.

The TSRA does not have any finance leases.

Operating lease payments are expensed on a straight line basis which is representative of the pattern of benefits derived from the leased assets. In 2008-09, the TSRA leased eight vehicles, office accommodation and equipment, commercial and residential property for the operation of the organisation.

1.9 Grants

Most grant agreements require the grantee to perform services, provide facilities, or to meet eligibility criteria. In these cases, the TSRA recognises grant liabilities only to the extent that the services required have been performed or the eligibility criteria have been satisfied by the grantee.

In cases where grant agreements are made without conditions to be monitored, liabilities are recognised on signing of the agreement.

1.10 Cash

Cash and cash equivalents includes notes and coins held and any deposits in bank accounts with an original maturity of 3 months or less that are readily convertible to known amounts of cash and subject to insignificant risk of changes in value. Cash is recognised at its nominal amount.

1.11 Financial Assets

The TSRA classifies its financial assets in the following categories:

- at fair value through profit or loss;
- held-to-maturity investments;
- available-for-sale; and
- loans and receivables.

The classification depends on the nature and purpose of the financial assets and is determined at the time of initial recognition.

Financial assets are recognised and derecognised upon trade date.

Effective Interest Method

The effective interest method is a method of calculating the amortised cost of a financial asset and of allocating interest income over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash receipts through the expected life of the financial asset, or, where appropriate, a shorter period.

Income is recognised on an effective interest rate basis except for financial assets at fair value through profit or loss.

Financial Assets at Fair Value Through Profit or Loss

Financial assets are classified as financial assets at fair value through profit or loss where the financial assets:

- have been acquired principally for the purpose of selling in the near future;
- are a part of an identified portfolio of financial instruments that the TSRA manages together and has a recent actual pattern of short-term profit-taking; or
- are derivatives that are not designated and effective as a hedging instrument.

Assets in this category are classified as current assets.



Financial assets at fair value through profit or loss are stated at fair value, with any resultant gain or loss recognised in profit or loss. The net gain or loss recognised in profit or loss incorporates any interest earned on the financial asset.

Available-for-sale Financial Assets

Available-for-sale financial assets are non-derivatives that are either designated in this category or not classified in any of the other categories. They are included in non-current assets unless management intends to dispose of the asset within 12 months of the balance sheet date.

Available-for-sale financial assets are recorded at fair value. Gains and losses arising from changes in fair value are recognised directly in the reserves (equity) with the exception of impairment losses. Interest is calculated using the effective interest method and foreign exchange gains and losses on monetary assets are recognised directly in profit or loss. Where the asset is disposed of or is determined to be impaired, part (or all) of the cumulative gain or loss previously recognised in the reserve is included in profit for the period.

Where a reliable fair value can not be established for unlisted investments in equity instruments cost is used. The TSRA has no such instruments.

Held-to-Maturity Investments

Non-derivative financial assets with fixed or determinable payments and fixed maturity dates that the group has the positive intent and ability to hold to maturity are classified as held-to-maturity investments. Held-to-maturity investments are recorded at amortised cost using the effective interest method less impairment, with revenue recognised on an effective yield basis.

Loans and Receivables

Trade receivables, loans and other receivables that have fixed or determinable payments that are not quoted in an active market are classified as loans and receivables. They are included in current assets, except for maturities greater than 12 months after the balance sheet date. These are classified as non current assets. Loans and receivables are measured at amortised cost using the effective interest method less impairment. Interest is recognised by applying the effective interest rate.

Impairment of Financial Assets

Financial assets are assessed for impairment at each balance date.

- Financial assets held at amortised cost - if there is objective evidence that an impairment loss has been incurred for loans and receivables or held to maturity investments held at amortised cost, the amount of the loss is measured as the difference between the asset's carrying amount and the present value of estimated future cash flows discounted at the asset's original effective interest rate. The carrying amount is reduced by way of an allowance account. The loss is recognised in the income statement.

- Available for sale financial assets - if there is objective evidence that an impairment loss on an available-for-sale financial asset has been incurred, the amount of the difference between its cost, less principal repayments and amortisation, and its current fair value, less any impairment loss previously recognised in expenses, is transferred from equity to the income statement.

- Available for sale financial assets (held at cost) - if there is objective evidence that an impairment loss has been incurred the amount of the impairment loss is the difference between the carrying amount of the asset and the present value of the estimated future cash flows discounted at the current market rate for similar assets.

1.12 Financial Liabilities

Financial liabilities are classified as either financial liabilities at fair value through profit or loss or other financial liabilities.

Financial liabilities are recognised and derecognised upon trade date.

Financial Liabilities at Fair Value Through Profit or Loss

Financial liabilities at fair value through profit or loss are initially measured at fair value. Subsequent fair value adjustments are recognised in profit or loss. The net gain or loss recognised in profit or loss incorporates any interest paid on the financial liability.

Other Financial Liabilities

Other financial liabilities, including borrowings, are initially measured at fair value, net of transaction costs.

Other financial liabilities are subsequently measured at amortised cost using the effective interest method, with interest expense recognised on an effective yield basis.



The effective interest method is a method of calculating the amortised cost of a financial liability and of allocating interest expense over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash payments through the expected life of the financial liability, or, where appropriate, a shorter period.

Supplier and other payables are recognised at amortised cost. Liabilities are recognised to the extent that the goods or services have been received (and irrespective of having been invoiced).

1.13 Contingent Liabilities and Contingent Assets

Contingent liabilities and contingent assets are not recognised in the balance sheet but are reported in the relevant schedules and notes. They may arise from uncertainty as to the existence of a liability or asset or represent an asset or liability in respect of which the amount cannot be reliably measured. Contingent assets are disclosed when settlement is probable but not virtually certain and contingent liabilities are disclosed when settlement is greater than remote.

1.14 Acquisition of Assets

Assets are recorded at cost on acquisition except as stated below. The cost of acquisition includes the fair value of assets transferred in exchange and liabilities undertaken. Financial assets are initially measured at their fair value plus transaction costs where appropriate.

Assets acquired at no cost, or for nominal consideration, are initially recognised as assets and income at their fair value at the date of acquisition, unless acquired as a consequence of restructuring of administrative arrangements. In the latter case, assets are initially recognised as contributions by owners at the amounts at which they were recognised in the transferor Authority's accounts immediately prior to the restructuring.

1.15 Property, Plant and Equipment

Asset Recognition Threshold

Purchases of property, plant and equipment are recognised initially at cost in the balance sheet, except for purchases costing less than \$1,000, which are expensed in the year of acquisition (other than where they form part of a group of similar items which are significant in total).

Revaluations

Fair values for each class of asset are determined as shown below:

<i>Asset class</i>	<i>Fair value measured at:</i>
Land	Market selling price
Buildings exc. Leasehold improvements	Market selling price
Plant & equipment	Market Selling Price
Heritage and cultural assets	Market Selling Price

Following initial recognition at cost, property plant and equipment are carried at fair value less subsequent accumulated depreciation and accumulated impairment losses. Valuations are conducted with sufficient frequency to ensure that the carrying amounts of assets do not differ materially from the assets' fair values as at the reporting date. The regularity of independent valuations depends upon the volatility of movements in market values for the relevant assets.

Revaluation adjustments are made on a class basis. Any revaluation increment is credited to equity under the heading of asset revaluation reserve except to the extent that it reverses a previous revaluation decrement of the same asset class that was previously recognised through operating result. Revaluation decrements for a class of assets are recognised directly through operating result except to the extent that they reverse a previous revaluation increment for that class.

Any accumulated depreciation as at the revaluation date is eliminated against the gross carrying amount of the asset and the asset restated to the revalued amount.

Depreciation

Depreciable property plant and equipment assets are written-off to their estimated residual values over their estimated useful lives to the TSRA using, in all cases, the straight-line method of depreciation.

Depreciation rates (useful lives), residual values and methods are reviewed at each reporting date and necessary adjustments are recognised in the current, or current and future reporting periods, as appropriate.

Depreciation rates applying to each class of depreciable asset are based on the following useful lives:



	<u>2008</u>	<u>2007</u>
Buildings on freehold land	40 years	40 years
Plant and Equipment	3 to 5 years	3 to 5 years

Heritage and cultural assets are assessed as having a useful life greater than 100 years. Depreciation amounts are immaterial at 30 June 2009.

Impairment

All assets were assessed for impairment at 30 June 2009. Where indications of impairment exist, the asset's recoverable amount is estimated and an impairment adjustment made if the asset's recoverable amount is less than its carrying amount.

The recoverable amount of an asset is the higher of its fair value less costs to sell and its value in use. Value in use is the present value of the future cash flows expected to be derived from the asset. Where the future economic benefit of an asset is not primarily dependent on the asset's ability to generate future cash flows, and the asset would be replaced if the TSRA were deprived of the asset, its value in use is taken to be its depreciated replacement cost.

1.16 Taxation / competitive neutrality

The TSRA is exempt from all forms of taxation except fringe benefits tax (FBT) and the goods and services tax (GST).

Revenues, expenses and assets are recognised net of GST except:

- where the amount of GST incurred is not recoverable from the Australian Taxation Office; and
- for receivables and payables.



TORRES STRAIT REGIONAL AUTHORITY

**Notes to and forming part of the financial statements
for the year ended 30 June 2009**

Note 2: Events after the Balance Sheet Date

There has been no event that has occurred after the reporting date that would significantly affect the ongoing structure and financial activities of the TSRA.



TORRES STRAIT REGIONAL AUTHORITY
Notes to and forming part of the financial statements
for the year ended 30 June 2009

Note 3: Income

	2009	2008
	\$'000	\$'000

Revenue

Note 3A: Revenue from Government

Department of Families, Housing, Community Services and Indigenous Affairs

CAC Act body payment item	51,904	51,540
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Total revenue from Government	51,904	51,540
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Note 3B: Sale of Goods and Rendering of Services

Provision of goods - external parties	233	173
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Rendering of services - external parties	181	692
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Total sale of goods and rendering of services	414	865
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Note 3C: Interest

Loans	413	368
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Deposits	1,237	1,409
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Total interest	1,650	1,777
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Note 3D: Other Revenue

Rent	258	197
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Other Government contributions	18,455	19,058
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Total other revenue	18,713	19,255
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Gains

Note 3E: Reversals of Previous Asset Write-Downs

Reversal of losses from remeasuring financial instruments held at fair value

	812	76
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Total reversals of previous asset write-downs	812	76
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Note 3F: Other Gains

Gain from acquisition of land and buildings	800	-
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Total gain from acquisition of commercial property	800	-
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TORRES STRAIT REGIONAL AUTHORITY
Notes to and forming part of the financial statements
for the year ended 30 June 2009

Note 4: Expenses

	2009 \$'000	2008 \$'000
<u>Note 4A: Employee Benefits</u>		
Wages and salaries	5,544	4,826
Superannuation		
Defined contribution plans	769	635
Leave and other entitlements	193	119
<i>Total employee benefits</i>	6,506	5,580

<u>Note 4B: Suppliers</u>		
Provision of goods – external parties	768	619
Rendering of services – external parties	10,666	24,585
Operating lease rentals:		
Minimum lease payments	303	151
Workers compensation premiums	62	64
<i>Total supplier expenses</i>	11,799	25,419

<u>Note 4C: Grants</u>		
Private sector:		
Non-profit organisations	51,349	40,438
<i>Total grants</i>	51,349	40,438

<u>Note 4D: Depreciation</u>		
Depreciation:		
Buildings	343	333
Plant and equipment	156	115
<i>Total depreciation</i>	499	448

<u>Note 4E: Write-Down and Impairment of Assets</u>		
Asset writedowns from		
Loans provided for as doubtful debts	119	90
Write down of loans to net present value	362	942
<i>Total write-down and impairment of assets</i>	481	1,032

<u>Note 4F: Loss on disposal of non-financial assets</u>		
Proceeds from sale	-	(1)
Carrying value of assets disposed	11	3
<i>Total loss on disposal of non-financial assets</i>	11	2



TORRES STRAIT REGIONAL AUTHORITY
Notes to and forming part of the financial statements
for the year ended 30 June 2009

Note 5: Financial Assets

	2009	2008
	\$'000	\$'000

Note 5A: Cash and Cash Equivalents

Cash at bank	25,465	16,254
Cash on hand	1	1
Total cash and cash equivalents	25,466	16,255

Note 5B: Trade and Other Receivables

Goods and services - external parties	499	1,323
GST receivable from the Australian Taxation Office	1,568	1,451
Loans	5,714	4,064
Total trade and other receivables (gross)	7,781	6,838

Less impairment allowance account:

Loans	(648)	(560)
Total trade and other receivables (net)	7,133	6,278

Receivables are represented by:

Current	2,067	2,774
Non-current	5,066	3,504
Total trade and other receivables (net)	7,133	6,278

Receivables are aged as follows:

Not overdue	6,910	6,136
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Overdue by:

Less than 30 days	-	29
30 to 60 days	3	18
61 to 90 days	33	18
More than 90 days	835	637
Total receivables (gross)	7,781	6,838

The impairment allowance account is aged as follows:

Overdue by:

Less than 30 days	-	-
30 to 60 days	-	(11)
61 to 90 days	-	(11)
More than 90 days	(648)	(538)
Total impairment allowance account	(648)	(560)

TSRA holds a portfolio of concessional loans that are provided for business development and home ownership programs.

The values of these loans as at 30 June 2009 are as follows:

Concessional loans - nominal value	6,421	5,339
Less: unexpired discount	(707)	(1,275)
Concessional loans - carrying value	5,714	4,064

Reconciliation of the impairment allowance account:

Movements in relation to 2009

	Goods and services	Loans	Total
	2009	2009	2009
	\$'000	\$'000	\$'000
Opening balance	-	(560)	(560)
Amounts written off	-	27	27
Amounts recovered and reversed	-	-	-
Increase/decrease recognised in net surplus	-	(115)	(115)
Closing balance	-	(648)	(648)

Movements in relation to 2008

	Goods and services	Loans	Total
	2008	2008	2008
	\$'000	\$'000	\$'000
Opening balance	-	(479)	(479)
Amounts written off	-	9	9
Amounts recovered and reversed	-	-	-
Increase/decrease recognised in net surplus	-	(90)	(90)
Closing balance	-	(560)	(560)



TORRES STRAIT REGIONAL AUTHORITY
Notes to and forming part of the financial statements
for the year ended 30 June 2009

Note 6: Non-Financial Assets

	2009 \$'000	2008 \$'000
<u>Note 6A: Land and Buildings</u>		
Freehold land at gross carrying value (at fair value)	7,365	6,024
Buildings on freehold land:		
Work in progress	140	-
Fair value	12,969	11,410
Accumulated depreciation	-	-
Total land and buildings	<u>20,474</u>	<u>17,434</u>

No indicators of impairment were found for land and buildings.

Note 6B: Infrastructure, Plant and Equipment

Infrastructure, plant and equipment:		
Gross carrying value (at fair value)	855	652
Accumulated depreciation	(425)	(297)
Total infrastructure, plant and equipment	<u>430</u>	<u>355</u>
Heritage and cultural:		
Artifacts and artworks – at fair value	41	41
Total heritage and cultural	<u>41</u>	<u>41</u>
Total infrastructure, plant and equipment (non-current)	<u><u>471</u></u>	<u><u>396</u></u>



TORRES STRAIT REGIONAL AUTHORITY
Notes to and forming part of the financial statements
for the year ended 30 June 2009

Note 6: Non-Financial Assets

Note 6C: Analysis of Property, Plant and Equipment

TABLE A – Reconciliation of the opening and closing balances of property, plant and equipment (2008-09)

	Land \$'000	Buildings \$'000	Plant & Equipment \$'000	Heritage and Cultural \$'000	Total \$'000
As at 1 July 2008					
Gross book value	6,024	11,410	652	41	18,127
Accumulated depreciation/amortisation and impairment	-	-	(297)	-	(297)
Net book value 1 July 2008	6,024	11,410	355	41	17,830
Additions:					
by purchase	-	204	243	-	447
from acquisition of land and buildings	395	405	-	-	800
Revaluations and impairments through equity	946	1,432	-	-	2,378
Depreciation/amortisation expense	-	(343)	(156)	-	(499)
Disposals:					
Other disposals	-	-	(11)	-	(11)
Net book value 30 June 2009	7,365	13,108	431	41	20,945
Net book value as of 30 June 2009 represented by:					
Gross book value	7,365	13,108	856	41	21,370
Accumulated depreciation/amortisation and impairment	-	-	(425)	-	(425)
	7,365	13,108	431	41	20,945

TABLE B – Reconciliation of the opening and closing balances of property, plant and equipment (2007-08)

Item	Land \$'000	Buildings \$'000	Plant & Equipment \$'000	Heritage and Cultural \$'000	Total \$'000
As at 1 July 2007					
Gross book value	5,255	11,224	532	41	17,052
Accumulated depreciation/amortisation and impairment	-	-	(238)	-	(238)
Net book value 1 July 2007	5,255	11,224	294	41	16,814
Additions:					
by purchase	-	46	189	-	235
Revaluations and impairments through equity	769	473	-	-	1,242
Depreciation/amortisation expense	-	(333)	(115)	-	(448)
Disposals:					
Other disposals	-	-	(13)	-	(13)
Net book value 30 June 2008	6,024	11,410	355	41	17,830
Gross book value	6,024	11,410	652	41	18,127
Accumulated depreciation/amortisation and impairment	-	-	(297)	-	(297)
	6,024	11,410	355	41	17,830



TORRES STRAIT REGIONAL AUTHORITY

**Notes to and forming part of the financial statements
for the year ended 30 June 2009**

Note 7: Payables

	2009	2008
	\$'000	\$'000
<u>Note7A: Suppliers</u>		
Trade creditors	515	492
<i>Total supplier payables</i>	515	492
Supplier payables are represented by:		
Current	515	492
<i>Total supplier payables</i>	515	492

Settlement is usually made net 30 days.

Note7B: Grants

Private sector:

Non-profit organisations	7,976	1,505
<i>Total grant payables</i>	7,976	1,505
Grants payable are represented by:		
Current	7,976	1,505
<i>Total grant payables</i>	7,976	1,505

Note 7C: Other Payables

Salaries and wages	133	88
Accrued expenses	477	53
<i>Total other payables</i>	610	141

All other payables are current liabilities.



TORRES STRAIT REGIONAL AUTHORITY
Notes to and forming part of the financial statements
for the year ended 30 June 2009

Note 8: Provisions

	2009	2008
	\$'000	\$'000
<u>Note 8A: Employee provisions</u>		
Long Service Leave	517	482
Annual Leave	839	651
Personal Leave	80	111
<i>Total employee provisions</i>	<u>1,436</u>	<u>1,244</u>
Employee provisions are represented by:		
Current	1,234	1,054
Non-current	202	190
<i>Total employee provisions</i>	<u>1,436</u>	<u>1,244</u>

The classification of current includes amounts for which there is not an unconditional right to defer settlement by one year, hence in the case of employee provisions the above classification does not equal the amount expected to be settled within one year of reporting date. Employee provisions expected to be settled in one year \$582,314 (2008: \$413,000), in excess of one year \$987,686 (2008: \$919,000)



TORRES STRAIT REGIONAL AUTHORITY
Notes to and forming part of the financial statements
for the year ended 30 June 2009

Note 9: Impact of Error in Treatment of Income Received in Advance

During the 2009 financial year the application of the revised accounting standard AASB 1004 identified that the accounting for unexpended non-reciprocal grants had previously been accounted for incorrectly. The error arose from unexpended non-reciprocal grants from government bodies being recognised as a liability at the end of the financial year, when in fact the full amount of the grant should have been recognised as a revenue in the year received.

In the 2008/2009 financial year, the error in the accounting treatment has been identified and the effect of the restatement is shown below

Reconciliation of the retained surplus as at 1 July 2007 as presented under previous accounting policy.

	2008
	\$ '000
Total retained surplus under previous treatment of income received in advance	30,399
Total retained surplus under revised treatment of income received in advance	35,145
<i>Difference resulting from the correction of the error</i>	<u>4,746</u>

Reconciliation of change in operating result for the 2008 financial year due to the change in treatment of income received in advance

Operating result under previous treatment of income received in advance	1,987
Operating result under revised treatment of income received in advance	594
<i>Difference resulting from the correction of the error</i>	<u>(1,393)</u>

Impact on 2008 comparative notes to the Financial Statements

Note 3D: Other Revenue

Balance per 2008 audited financial statements	20,648
Movement resulting from the correction of the error	(1,393)
Balance per 2009 audited financial statements	<u>19,255</u>

Note 7D: Income Received in Advance

Balance per 2008 audited financial statements	3,353
Movement resulting from the correction of the error	(3,353)
Balance per 2009 audited financial statements	<u>-</u>



TORRES STRAIT REGIONAL AUTHORITY
Notes to and forming part of the financial statements
for the year ended 30 June 2009

Note 10: Cash flow reconciliation

	2009	2008
	\$'000	\$'000
Reconciliation of cash and cash equivalents as per Balance Sheet to cash flow statement		
Report cash and cash equivalents as per:		
Cash flow statement	25,466	16,255
Balance Sheet	25,466	16,255
Reconciliation of operating result to net cash from operating activities:		
Operating result	3,648	594
Depreciation /amortisation	499	448
Net writedown of non-financial assets	373	944
Bad and Doubtful Debts	119	90
Gain on acquisition of assets	(800)	-
Interest	(119)	(78)
Concessional component of Loans funded	(413)	(87)
Reversal of previous loan writedowns	(812)	(76)
(Increase) / decrease in receivables from Goods and Services	824	(1,189)
(Increase) / decrease in GST receivable	(117)	(1,109)
Increase / (decrease) in employee provisions	192	119
Increase / (decrease) in supplier payables	23	371
Increase / (decrease) in Unexpended Grants	6,468	(1,396)
Increase / (decrease) in Other Payables	470	(28)
Net cash from / (used by) operating activities	10,355	(1,397)



TORRES STRAIT REGIONAL AUTHORITY

Notes to and forming part of the financial statements for the year ended 30 June 2009

Note 11: Contingent Liabilities and Assets

Quantifiable Contingencies

The schedule of contingencies reports no contingent assets. (2007-08 : \$800,000)

The schedule reports a contingent liability as at 30 June 2009 in respect of a bank guarantee in favour of the Torres Shire Council. As a result the TSRA has recognised the contingent liability of \$116,000 as at 30 June 2009 (2007-08 : \$116,000). There are no unquantifiable or remote contingencies (2007-08 : Nil).



TORRES STRAIT REGIONAL AUTHORITY
Notes to and forming part of the financial statements
for the year ended 30 June 2009

Note 12: Directors Remuneration

	2009	2008
The number of directors of the TSRA included in these figures are shown below in the relevant remuneration bands:		
\$Nil - \$14,999	15	30
\$15,000 - \$29,999	4	1
\$30,000 - \$44,999	-	-
\$165,000 - \$179,999	-	1
\$180,000 - \$194,999	-	-
\$195,000 - \$209,999	1	-
Total number of directors of the Authority	20	32
Total remuneration received or due and receivable by directors of the TSRA:		
	394,788	262,910

The TSRA's board consists of twenty director positions. Seventeen hold office by virtue of their election to regional councils last held in March 2008 under the *Local Government Act 1993* (Qld). The other three are elected in accordance with the *Aboriginal and Torres Strait Islander Act 2005* (Cth) (formerly the *Aboriginal and Torres Strait Islander Commission Act 1989*). The directors other than the chairperson receive sitting fees when undertaking business of the TSRA.



TORRES STRAIT REGIONAL AUTHORITY
Notes to and forming part of the financial statements
for the year ended 30 June 2009

Note 13A: Related Party Disclosures

Loans to Directors and Director-related Entities

Loans were made or held by the following directors and director-related entities. They were approved under normal terms and conditions applying to the TSRA's loan schemes. The directors involved took no part in the relevant decisions of the TSRA.

<u>TSRA Director Name</u>	<u>Council Relationships</u>
Mr Wayne Guivarra	Torres Strait Island Regional Councillor
Mr Donald Banu	Torres Strait Island Regional Councillor
Mr Philemon Mosby	Torres Strait Island Regional Councillor
Mr Kenny Bedford	Torres Strait Island Regional Councillor
Mr Raymond (Mario) Soki	Torres Strait Island Regional Councillor
Mrs Nancy Pearson	Torres Strait Island Regional Councillor
Mr David Bosun	Torres Strait Island Regional Councillor
Mr Keith Fell	Torres Strait Island Regional Councillor
Mr Ron Day	Torres Strait Island Regional Councillor
Mr Ron Enosa	Torres Strait Island Regional Councillor
Mrs Florianna Bero	Torres Strait Island Regional Councillor
Mr John Toshie Kris	Torres Strait Island Regional Councillor
Mr Willie Lui	Torres Strait Island Regional Councillor
Mr Walter Mackie	Torres Strait Island Regional Councillor
Mr John Mosby	Torres Strait Island Regional Councillor
Mr Reginald Williams	Northern Peninsula Area Regional Councillor
Mr Jeffrey Aniba	Northern Peninsula Area Regional Councillor
Ms Napcia Bin Tahal	Torres Shire Councillor
Mr John Abednego	Torres Shire Councillor

One director, Mr Philip Mills, is not a councillor of any of the councils to which TSRA has provided grants in the 2009 financial Year.

The table below outlines the loan holder/s and the TSRA director with whom a related party connection exists.

Loans

Anthony Titasey
- Mr Keith Fell and Mr Philip Mills - TSRA Board Members
Ruth Doolah
- Mr Keith Fell and Mr Philip Mills - TSRA Board Members
James Mills
- Mr Keith Fell and Mr Philip Mills - TSRA Board Members
Robert Sagigi
- Mr John Abednego - TSRA Board Member
Reginald Williams
- TSRA Board Member
Triple A Family Values
- Mr Philip Mills - TSRA Board Member
Bamaga Enterprises
- Mr Reginald Williams - TSRA Board Member
Mosby Enterprises
- Mr John Mosby - TSRA Board Member
Poruma Island Pty Ltd
- Torres Strait Island Regional Councillors
Northern Peninsula Area Regional Council
- Northern Peninsula Area Regional Councillors
Elthies Alion Bowie
- Mr John Kris - TSRA Board Member

	2009	2008
	\$	\$
Loans to current Directors outstanding at year-end:	7,339	11,072
Loan repayments during the year:	4,386	9,263
Loans to current Director-related Entities outstanding at year-end:	1,466,058	643,849
Loans to current Director-related Entities during the year:	382,560	-
Loan repayments during the year:	278,222	160,550
Interest revenue included in operating result from loans to current Directors/Director-	117,658	32,919
Related party loans for current Directors provided for as doubtful debts:	7,339	22,443
Related party loans written off:	-	-

The TSRA has adopted *AASB 139 Financial Instruments - Recognition and Measurement*, and treated loans outstanding at year as Loans and Receivables valued at amortised cost using the effective interest rate method.



TORRES STRAIT REGIONAL AUTHORITY
Notes to and forming part of the financial statements
for the year ended 30 June 2009

Note 13B: Related Party Disclosures

Other Transactions with Directors or Director-related Entities

Grants were made to the following director-related Entities. They were approved under normal terms and conditions applying to the TSRA's grant programs. The directors involved took no part in the relevant decisions of the TSRA.

Directors	Name	Council	Grants Received	Grants Received
			2009	2008
			\$	\$
*	Torres Shire Council		92,500	7,500
*	Torres Strait Island Regional Council		38,897,358	32,473,375 ^
*	Northern Peninsula Area Regional Council		4,299,067	4,505,253 ^^
J Abednego	Tagai College		28,747	3,500
J Mosby	Kailag Enterprises Ltd		115,000	-
K Fell & W Guivarra	Torres Strait Youth & Recreational Sporting Assn.		443,548	439,708
J Abednego	Torres Strait Islanders Media Assn.		680,178	662,311

*Please refer to Note 13A for information regarding Director relationships with these entities.

^Torres Strait Island Regional Council is the amalgamation of Badu Island Community Council, Warraber Island Community Council, Mer Island Community Council, Boigu Island Community Council, Erub Island Community Council, Hammond Island Community Council, St Pauls Community Council, Iama Island Community Council, Dauan Island Community Council, Yorke Island Community Council, Poruma Island Community Council, Kubin Community Council, Ugar Island Council, Saibai Island Community Council, Mabuiag Island Community Council, Island Coordinating Council and Torres Strait Island Regional Council for comparative purposes.

^^Northern Peninsula Area Regional Council is the amalgamation of Seisia Island Community Council, Bamaga Island Community Council and Northern Peninsula Area Regional Council for comparative purposes.



TORRES STRAIT REGIONAL AUTHORITY
Notes to and forming part of the financial statements
for the year ended 30 June 2009

Note 14: Executive Remuneration

	2009	2008
The number of senior executives who received or were due to receive total remuneration of \$130,000 or more:		
\$130 000 to \$144 999	3	-
\$145 000 to \$159 999	3	1
\$160 000 to \$174 999	-	2
\$175 000 to \$189 999	-	1
\$190 000 to \$204 999	-	-
\$205 000 to \$219 999	2	-
Total	8	4
The aggregate amount of total remuneration of executives shown above.	1,294,384	667,248
The aggregate amount of separation and redundancy/termination benefit payments during the year to executives shown above.	69,349	-



TORRES STRAIT REGIONAL AUTHORITY
Notes to and forming part of the financial statements
for the year ended 30 June 2009

Note 15: Remuneration of Auditors

	2009	2008
	\$'000	\$'000
The cost of the financial statement audit services to the TSRA.	43	40
No other services were provided by the Auditor-General.		



TORRES STRAIT REGIONAL AUTHORITY
Notes to and forming part of the financial statements
for the year ended 30 June 2009

Note 16: Financial Instruments

	2009	2008
	\$'000	\$'000
<u>Note 16A: Categories of Financial Instruments</u>		
Financial Assets		
Loans and receivables		
Cash and cash equivalents	25,466	16,255
Receivables for goods and services	499	1,323
Loans	5,714	4,064
Carrying amount of financial assets	<u>31,679</u>	<u>21,642</u>
Financial Liabilities		
Other financial liabilities		
Trade creditors	515	492
Grant liabilities	7,976	1,505
Carrying amount of financial liabilities	<u>8,491</u>	<u>1,997</u>
	2009	2008
	\$'000	\$'000

Note 16B: Net Income and Expense from Financial Assets

Loans and receivables		
Interest revenue (see note 3C)	1,650	1,777
Allowance for Impairment (see note 4E)	(119)	(90)
Write down of loans to Net Present Value (see note 4E)	(362)	(942)
Net gain/(loss) loans and receivables	<u>1,169</u>	<u>745</u>
Net gain/(loss) from financial assets	<u>1,169</u>	<u>745</u>



TORRES STRAIT REGIONAL AUTHORITY
Notes to and forming part of the financial statements
for the year ended 30 June 2009

Note 16C: Fair Values of Financial Instruments

	Notes	Carrying Amount 2009 \$'000	Fair Value 2009 \$'000	Carrying Amount 2008 \$'000	Fair Value 2008 \$'000
Financial Assets					
Cash and cash equivalents	5A	25,466	25,466	16,255	16,255
Receivables for goods and services	5B	499	499	1,323	1,323
Loans	5B	5,714	5,066	4,064	3,504
Total Financial Assets		31,679	31,031	21,642	21,082
Financial Liabilities					
Trade creditors	7A	515	515	492	492
Grant liabilities	7B	7,976	7,976	1,505	1,505
Total Financial Liabilities		8,491	8,491	1,997	1,997



TORRES STRAIT REGIONAL AUTHORITY**Notes to and forming part of the financial statements
for the year ended 30 June 2009****Note 16D: Credit risk**

TSRA is exposed to minimal credit risk as the majority of loans and receivables are cash or high quality trade receivables. TSRA also holds a portfolio of concessional loans that are provided for business development and home ownership programs. The maximum exposure to credit risk is the risk that arises from potential default of a trade debtor or a concessional loan holder. This amount is equal to the total amount of trade and loan receivables (2009: \$6,113,000 and 2008: \$5,387,000).

In relation to housing loans, TSRA holds mortgages as sole mortgagor over the houses for which the loans are provided. TSRA receives market advice from a qualified valuer or market expert on the value of a property prior to the loan being approved. In relation to Business Funding Scheme loans, from 2007-08 TSRA has required that inexperienced business owner(s) successfully complete an approved business course and submit a business plan prior to the loan being approved. These policies mitigate against credit risk for the TSRA loans portfolio.

Credit risk of financial instruments not past due or individually determined as impaired:

	Not Past Due Nor Impaired 2009 \$'000	Not Past Due Nor Impaired 2008 \$'000	Past due or impaired 2009 \$'000	Past due or impaired 2008 \$'000
Cash and cash equivalents	25,466	16,255	-	-
Receivables for goods and services	463	1,181	36	142
Loans	4,879	3,504	835	560
Total	30,808	20,940	871	702

Ageing of financial assets that are past due but not impaired for 2009

	0 to 30 days \$'000	31 to 60 days \$'000	61 to 90 days \$'000	90+ days \$'000	Total \$'000
Receivables for goods and services	-	3	33	-	36
Loans	-	-	-	155	155
Total	0	3	33	155	191

Ageing of financial assets that are past due but not impaired for 2008

	0 to 30 days \$'000	31 to 60 days \$'000	61 to 90 days \$'000	90+ days \$'000	Total \$'000
Receivables for goods and services	29	7	7	99	142
Loans	-	-	-	-	-
Total	29	7	7	99	142

TSRA has assessed the risk of the default on payment and has allocated \$648,000 in 2009 (2008: \$560,000) to an allowance for impairment. Security underpinning this impairment include a 5 bedroom house, 2001 Toyota Camry taxi, 2 boats and motors with an estimated total value of \$516,341.



Note 16E: Liquidity Risk

TSRA's financial liabilities are trade creditors and grant liabilities. The exposure to liquidity risk is based on the notion that TSRA will encounter difficulty in meeting its obligations associated with financial liabilities. This is highly unlikely due to appropriation funding available to TSRA and internal policies and procedures put in place to ensure there are appropriate resources to meet its financial obligations.

The following tables illustrates the maturities for financial liabilities:

	On demand 2009 \$'000	within 1 year 2009 \$'000	1 to 5 years 2009 \$'000	> 5 years 2009 \$'000	Total 2009 \$'000
Trade creditors	-	515	-	-	515
Grant liabilities	-	7,976	-	-	7,976
Total	-	8,491	-	-	8,491

	On demand 2008 \$'000	within 1 year 2008 \$'000	1 to 5 years 2008 \$'000	> 5 years 2008 \$'000	Total 2008 \$'000
Trade creditors	-	492	-	-	492
Grant liabilities	-	1,505	-	-	1,505
Total	-	1,997	-	-	1,997

TSRA is appropriated funding from the Australian Government. TSRA manages its budgeted funds to ensure it has adequate funds to meet payments as they fall due. In addition, the TSRA has policies in place to ensure timely payments are made when due and has no past experience of default.

Note 16F: Market Risk

TSRA holds basic financial instruments that do not expose TSRA to certain market risks. The TSRA is not exposed to 'currency risk' or 'other price risk'.

Interest Rate Risk

The only interest-bearing items on the balance sheet are the cash at bank and loans. Interest earned on cash at bank may be effected by changes in market interest rates. The following table represents the effect to the income statement (and corresponding effect to the cash value in the balance sheet) when the current market interest rate is varied by 0.75%. 0.75% is anticipated to be a reasonable estimate of the maximum movement in market interest rates in financial year 2009-10.

	Value \$'000	Effect on Income Statement Income (Expense) \$'000
Anticipated interest earned for 2009-10 financial year at current market interest rate	404	
Increase of 0.75% in market interest rate	595	191
Decrease of 0.75% in market interest rate	213	(191)



The value of concessional loans is derived by applying the amortised cost using the effective interest method. Because the loan portfolio is valued at net present value using market interest rates, movements in market interest rates will impact on the value of the loan portfolio and the income statement. The following table represents the effect to the income statement (and corresponding effect to the loan portfolio value in the balance sheet) when the current market interest rate is varied by .75%. .75% is anticipated to be a reasonable estimate of the maximum movement in market interest rates in financial year 2008-09.

	Value \$'000	Effect on Income Statement Income (Expense) \$'000
Net Present Value of Loans 30 June 2009	5,714	
Increase of 0.75% in market interest rate	5,453	(261)
Decrease of 0.75% in market interest rate	6,000	286

Assets past due and impaired are represented by loans individually assessed to be at high risk of default.



TORRES STRAIT REGIONAL AUTHORITY**Notes to and forming part of the financial statements
for the year ended 30 June 2009****Note 17: Assets Held in Trust**

Following the Australian Government 100% buyout of commercial finfish entitlements in favour of the Torres Strait Islanders, a decision of the representative Torres Strait Community Fisher Group (CFG) has vested responsibility for administration of the asset in support of the CFG to the TSRA. Activities will include leasing of a percentage of unused fishing entitlements back to the commercial sector to provide additional benefits and opportunities to traditional inhabitants to increase their fishing capacity. The TSRA holds cash and receivables in a trust for the beneficiaries.

	2009	2008
	\$'000	\$'000
Receipts from sale of finfish licenses		
Opening balance	-	-
Cash receipts	98	-
Interest	326	
Receivables	55	
Closing	<u>479</u>	<u>-</u>
Total	<u><u>479</u></u>	<u><u>-</u></u>

The values above are estimated fair values at the time when acquired.



TORRES STRAIT REGIONAL AUTHORITY
Notes to and forming part of the financial statements
for the year ended 30 June 2009

Note 18: Reporting of Outcomes

The TSRA is structured to meet one outcome, being to achieve a better quality of life and develop an economic base for Torres Strait Islander and Aboriginal persons living in the Torres Strait. The following output groups have been identified in achieving this outcome:

Output Group 1	Economic Development
Output Group 2	Community Development Employment and Training
Output Group 3	Native Title
Output Group 4	Housing and Environment, Health and Infrastructure
Output Group 5	Social, Cultural and Development
Output Group 6	Policy and Information

Note 18A: Net Cost of Outcome Delivery

	Outcome 1		Total	
	2009	2008	2009	2008
	\$'000	\$'000	\$'000	\$'000
Expenses				
Departmental	70,645	72,919	70,645	72,919
Total expenses	70,645	72,919	70,645	72,919
Costs recovered from provision of goods and services to the non government sector				
Departmental	-	-	-	-
Total costs recovered	-	-	-	-
Other external revenues				
Sales of goods and services to external entities	414	865	414	865
Interest	1,650	1,777	1,650	1,777
Reversal of previous asset writedowns	812	76	812	76
Other external revenues	18,713	19,255	18,713	19,255
Net Gain from Acquisition of Assets	800	-	800	-
Total other external revenues	22,389	21,973	22,389	21,973
Net cost/(contribution) of outcome	48,256	50,946	48,256	50,946





TORRES STRAIT REGIONAL AUTHORITY
Notes to and forming part of the financial statements
for the year ended 30 June 2009

Note 18B: Major Classes of Departmental Revenues and Expenses by Output Groups and Outputs

Outcome 1	Output Group 1		Output Group 2		Output Group 3		Output Group 4		Output Group 5		Output Group 6		Outcome 1 Total	
	2009	2008	2009	2008	2009	2008	2009	2008	2009	2008	2009	2008	2009	2008
	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000
Departmental expenses														
Employees	902	873	945	537	718	542	234	255	1,673	1,907	2,035	1,466	6,507	5,580
Suppliers	1,319	746	516	375	3,267	2,339	193	14,291	4,602	3,511	1,901	4,157	11,798	25,419
Grants	202	712	28,669	31,418	-	7	18,579	2,870	3,899	5,431	-	-	51,349	40,438
Depreciation	84	75	46	42	36	32	23	20	191	172	119	107	499	448
Write-down and Impairment of Assets	386	955	12	9	9	7	6	4	49	36	30	23	492	1,034
Total departmental expenses	2,893	3,361	30,188	32,381	4,030	2,927	19,035	17,440	10,414	11,057	4,085	5,753	70,645	72,919
Funded by:														
Revenues from Govt.	2,962	2,233	35,014	34,970	1,817	1,392	2,940	3,069	6,723	7,998	2,448	1,878	51,904	51,540
Sale of Goods and Services	165	87	-	(48)	-	37	-	23	249	703	-	63	414	865
Interest	677	606	109	131	84	101	53	64	448	540	279	335	1,650	1,777
Reversal of previous Asset writedowns	949	11	74	7	57	6	36	4	307	30	190	18	1,613	76
Other	97	45	68	46	45	19	14,564	14,589	3,694	1,588	244	2,968	18,712	19,255
Total departmental revenues	4,850	2,982	35,265	35,106	2,003	1,555	17,593	17,749	11,421	10,859	3,161	5,262	74,293	73,513

The TSRA's outcome and outputs are described at Note 18A.

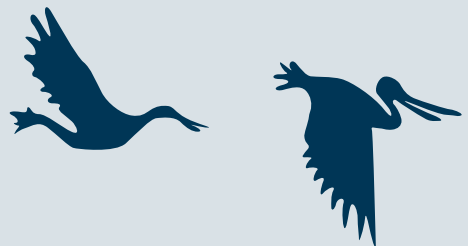
Note 18C: Major Classes of Departmental Assets and Liabilities by Outcomes

	Outcome 1		Total	
	2009	2008	2009	2008
	\$ '000	\$ '000	\$ '000	\$ '000
Departmental Assets				
Cash and cash equivalents	25,466	16,255	25,466	16,255
Trade and other receivables	7,133	6,278	7,133	6,278
Land and buildings	20,474	17,434	20,474	17,434
Infrastructure, plant and equipment	430	355	430	355
Heritage and Cultural Assets	41	41	41	41
Total Departmental Assets	53,544	40,363	53,544	40,363
Departmental liabilities				
Suppliers	515	492	515	492
Grants	7,976	1,505	7,976	1,505
Other payables	610	141	610	141
Employee provisions	1,436	1,244	1,436	1,244
Total departmental liabilities	10,537	3,382	10,537	3,382





APPENDICES



APPENDICES

APPENDIX 1: TSRA GRANTS

RECIPIENT	PURPOSE	AMOUNTS
AIATSIS	Betty Tekahika's dance group's travel to Melbourne	\$12,000
Aboriginal and Torres Strait Islander Community Legal Services (NQ)	Operating Expenses	\$504,350
Australia Council	Artists' Support – 2008 Festival of Pacific Arts	\$20,000
Community Enterprises Australia Ltd.	Thursday & Horn Islands CDEP Wages	\$712,316
Community Enterprises Australia Ltd.	Thursday & Horn Islands CDEP Operations	\$999,950
Community Enterprises Australia Ltd.	Community Training Program	\$40,000
Erub Erwer Meta Torres Strait Islander Corporation	IRADF project - Travel to Gab Titui craft workshops	\$14,200
Horn Island Aboriginal Corporation Inc.	Turtle & Dugong Project Officer	\$23,408
Horn Island Aboriginal Corporation Inc.	Indigenous Volunteers Australia consultant	\$700
Kailag Enterprises Ltd	Yorke Island Sponge Farm	\$115,000
Mura Kosker Sorority Inc.	Operating Expenses	\$151,205
Mura Kosker Sorority Inc.	Torres Strait Women in business conference	\$5,000
Mura Kosker Sorority Inc.	International Women's Day	\$5,000
Mura Kosker Sorority Inc.	Zenadth Kez Zone	\$3,860
Mura Kosker Sorority Inc.	Angus Dorante Rugby travel	\$1,150
Northern Peninsula Area Regional Council - Bamaga	CDEP Wages	\$2,242,194
Northern Peninsula Area Regional Council - Bamaga	CDEP Operations	\$726,822
Northern Peninsula Area Regional Council - Bamaga	Community Training Program	\$135,000
Northern Peninsula Area Regional Council - Bamaga	Machinery	\$60,000
Northern Peninsula Area Regional Council - Seisia	CDEP Wages	\$773,398
Northern Peninsula Area Regional Council - Seisia	CDEP Operations	\$282,653



Northern Peninsula Area Regional Council - Seisia	Community Training Program	\$30,000
Northern Peninsula Area Regional Council - Seisia	Machinery	\$49,000
Our Lady of the Sacred Heart Primary School	Cultural Exchange Program	\$5,000
Port Kennedy Association Inc.	Operating Expenses	\$157,937
Port Kennedy Association Inc.	Northern Xposure local musicians	\$12,236
Port Kennedy Association Inc.	Retemoi Cook training grant	\$4,657
Port Kennedy Association Inc.	IRADF project – Cultural Knowledge Preservation	\$9,680
Tagai State College	IRADF project	\$2,000
Tagai State College	Migi Miss Dragsters Model Car Project	\$1,000
Tagai State College	Jaman Gibuma Global Volunteering	\$2,802
Tagai State College	Qld Volleyball Championships	\$1,945
Tagai State College	Meriam Mir Language Program	\$21,000
Takaland Pty Ltd	Travel to Port Moresby with DAFF Ministerial Delegation	\$2,500
The Queensland Music Festival Pty Ltd	Workshops and Elders travel	\$10,000
The Queensland Music Festival Pty Ltd	QMF Hidden Republic project	\$25,000
Torres Shire Council	Ariu Panipan Dance Group Travel to Hawaii East/West Centre	\$40,000
Torres Shire Council	Tourism Development Plan	\$27,500
Torres Shire Council	Youth Centre Feasibility	\$25,000
Torres Strait Islanders Media Association Inc.	Operating Expenses	\$620,478
Torres Strait Islanders Media Association Inc.	Air-conditioning	\$56,000
Torres Strait Islanders Media Association Inc.	2009 Mabo Day activities	\$3,700
Torres Strait Island Regional Council	CDEP Workshop	\$40,000
Torres Strait Island Regional Council	Infrastructure Management Support	\$1,700,000
Torres Strait Island Regional Council	Major Infrastructure Program	\$15,279,000
Torres Strait Island Regional Council	Transport Infrastructure Development Scheme	\$1,000,000
Torres Strait Island Regional Council	Heavy Equipment Management and Training Program	\$577,500
Torres Strait Island Regional Council	Enterprise Divestment Process	\$72,170
Torres Strait Island Regional Council - Division 1 - Boigu	CDEP Wages	\$884,134





Torres Strait Island Regional Council - Division 1 - Boigu	CDEP Operations	\$161,022
Torres Strait Island Regional Council - Division 1 - Boigu	Medium Machinery	\$65,000
Torres Strait Island Regional Council - Division 1 - Boigu	Turtle & Dugong Officer - Boigu	\$11,704
Torres Strait Island Regional Council - Division 2 - Dauan	CDEP Wages	\$469,639
Torres Strait Island Regional Council - Division 2 - Dauan	CDEP Operations	\$132,922
Torres Strait Island Regional Council - Division 2 - Dauan	Dauan Sports Oval	\$49,609
Torres Strait Island Regional Council - Division 2 - Dauan	Medium Machinery	\$25,249
Torres Strait Island Regional Council - Division 3 - Saibai	CDEP Wages	\$1,059,843
Torres Strait Island Regional Council - Division 3 - Saibai	CDEP Operations	\$249,404
Torres Strait Island Regional Council - Division 3 - Saibai	Dance Team Mornington Island travel	\$9,138
Torres Strait Island Regional Council - Division 3 - Saibai	Dancing on Water Documentary Travel	\$1,078
Torres Strait Island Regional Council - Division 3 - Saibai	Medium Machinery	\$16,500
Torres Strait Island Regional Council - Division 4 - Mabuiag	CDEP Wages	\$861,233
Torres Strait Island Regional Council - Division 4 - Mabuiag	CDEP Operations	\$195,322
Torres Strait Island Regional Council - Division 4 - Mabuiag	Machinery	\$29,273
Torres Strait Island Regional Council - Division 4 - Mabuiag	IRADF project – Cygnet Repu	\$25,414
Torres Strait Island Regional Council - Division 4 - Mabuiag	Turtle & Dugong Project officer	\$6,800
Torres Strait Island Regional Council - Division 4 - Mabuiag	Community Training Program	\$6,000
Torres Strait Island Regional Council - Division 5 - Badu	CDEP Wages	\$2,622,781
Torres Strait Island Regional Council - Division 5 - Badu	CDEP Operations	\$515,246
Torres Strait Island Regional Council - Division 5 - Badu	Jack Ahmat Memorial Team	\$5,000

Torres Strait Island Regional Council - Division 5 - Badu	Turtle & Dugong Officer - Badu	\$11,704
Torres Strait Island Regional Council - Division 5 - Badu	All Blacks Carnival	\$7,500
Torres Strait Island Regional Council - Division 5 - Badu	Abai Sagulau Buai Dance Team	\$3,645
Torres Strait Island Regional Council - Division 5 - Badu	Medium Machinery	\$29,091
Torres Strait Island Regional Council - Division 6 - Kubin	CDEP Wages	\$959,063
Torres Strait Island Regional Council - Division 6 - Kubin	CDEP Operations	\$215,888
Torres Strait Island Regional Council - Division 6 - Kubin	Medium Machinery	\$73,182
Torres Strait Island Regional Council - Division 7 - St Pauls	CDEP Wages	\$1,300,439
Torres Strait Island Regional Council - Division 7 - St Pauls	CDEP Operations	\$261,565
Torres Strait Island Regional Council - Division 7 - St Pauls	Medium Machinery	\$120,000
Torres Strait Island Regional Council - Division 7 - St Pauls	Turtle & Dugong Officer - St Pauls	\$11,704
Torres Strait Island Regional Council - Division 8 - Hammond	CDEP Wages	\$501,586
Torres Strait Island Regional Council - Division 8 - Hammond	CDEP Operations	\$133,717
Torres Strait Island Regional Council - Division 9 - Iama	CDEP Wages	\$1,241,502
Torres Strait Island Regional Council - Division 9 - Iama	CDEP Operations	\$257,645
Torres Strait Island Regional Council - Division 9 - Iama	Medium Machinery	\$52,000
Torres Strait Island Regional Council - Division 9 - Iama	Turtle & Dugong Officer - Iama	\$11,704
Torres Strait Island Regional Council - Division 9 - Iama	IRADF project – Art & Craft Workshop	\$6,800
Torres Strait Island Regional Council - Division 10 - Warraber	CDEP Wages	\$1,124,480
Torres Strait Island Regional Council - Division 10 - Warraber	CDEP Operations	\$158,233
Torres Strait Island Regional Council - Division 10 - Warraber	Warraber Resort	\$121,773



Torres Strait Island Regional Council - Division 11 - Poruma	CDEP Wages	\$727,469
Torres Strait Island Regional Council - Division 11 - Poruma	CDEP Operations	\$197,857
Torres Strait Island Regional Council - Division 11 - Poruma	Poruma Sagaulau Tonar	\$1,000
Torres Strait Island Regional Council - Division 12 - Yorke	CDEP Wages	\$1,094,107
Torres Strait Island Regional Council - Division 12 - Yorke	CDEP Operations	\$339,184
Torres Strait Island Regional Council - Division 12 - Yorke	Medium Machinery	\$36,546
Torres Strait Island Regional Council - Division 13 - Ugar	CDEP Wages	\$289,787
Torres Strait Island Regional Council - Division 13 - Ugar	CDEP Operations	\$138,092
Torres Strait Island Regional Council - Division 14 - Erub	CDEP Wages	\$1,318,956
Torres Strait Island Regional Council - Division 14 - Erub	CDEP Operations	\$381,582
Torres Strait Island Regional Council - Division 14 - Erub	Turtle & Dugong Project Officer	\$11,704
Torres Strait Island Regional Council - Division 15 - Mer	CDEP Wages	\$1,308,746
Torres Strait Island Regional Council - Division 15 - Mer	CDEP Operations	\$254,942
Torres Strait Island Regional Council - Division 15 - Mer	Medium Machinery	\$103,000
Torres Strait Island Regional Council - Division 15 - Mer	IRADF project - William Akee Carving Tools	\$4,000
Torres Strait Island Regional Council - Division 15 - Mer	Turtle & Dugong Project Officer	\$11,704
Torres Strait Island Regional Council - Division 15 - Mer	Opnor Kab Le Dance Group travel	\$4,480
Torres Strait Youth & Recreational Sporting Association Inc.	Operating Expenses	\$428,102
Torres Strait Youth & Recreational Sporting Association Inc.	2008 Island of Origin – Badu	\$4,000
Torres Strait Youth & Recreational Sporting Association Inc.	Francis Loban – Tahiti Nui Basketball Tournament	\$1,446
Torres Strait Youth & Recreational Sporting Association Inc.	2009 Foley Shield rugby	\$10,000



APPENDIX 2: FREEDOM OF INFORMATION

SECTION 8 STATEMENT

Torres Strait Regional Authority structure under Section 8 of the *Freedom of Information Act 1982*.

This statement is correct to 30 June 2009.

ESTABLISHMENT

The Torres Strait Regional Authority (TSRA) was established under the *Aboriginal and Torres Strait Islander Commission Act 1989 (ATSIC Act)* on 1 July 1994. TSRA is now constituted under the *Aboriginal and Torres Strait Islander Act 2005 (ATSI Act)*.

FUNCTIONS

As stated in Section 142A of the ATSI Act the functions of the TSRA are to:

- (a) recognise and maintain the special and unique Ailan Kastom of Torres Strait Islanders living in the Torres Strait area;
- (b) formulate and implement programs for Torres Strait Islanders and Aboriginal persons, living in the Torres Strait area;
- (c) monitor the effectiveness of programs for Torres Strait Islanders, and Aboriginal persons, living in the Torres Strait area, including programs conducted by other bodies;
- (d) develop policy proposals to meet national, State and regional needs and priorities of Torres Strait Islanders and Aboriginal persons, living in the Torres Strait area;
- (e) assist, advise and co-operate with Torres Strait Islander and Aboriginal communities, organisations and individuals at national, State, Territory and regional levels;
- (f) advise the Minister on:
 - (i) matters relating to Torres Strait Islander affairs, and Aboriginal affairs, in the Torres Strait area, including the administration of legislation;
 - (ii) the co-ordination of the activities of other Commonwealth bodies that affect Torres Strait Islanders, or Aboriginal persons, living in the Torres Strait area;
- (g) when requested by the Minister, to provide information or advice to the Minister on any matter specified by the Minister;
- (h) take such reasonable action as it considers necessary to protect Torres Strait Islander and Aboriginal cultural material and information relating to the Torres Strait area if the material or information is considered sacred or otherwise significant by Torres Strait Islanders or Aboriginal persons;
- (i) at the request of, or with the agreement of, the Australian Bureau of Statistics but not



otherwise, to collect and publish statistical information relating to Torres Strait Islanders and Aboriginal persons, living in the Torres Strait area;

(j) such other functions as are conferred on the TSRA by this Act or any other Act;

(k) such other functions as are expressly conferred on the TSRA by a law of a State or of an internal Territory and in respect of which there is in force written approval by the Minister under section 142B;

(l) undertake such research as is necessary to enable the TSRA to perform any of its other functions;

(m) do anything else that is incidental or conducive to the performance of any of the preceding functions.

STRUCTURE OF THE TSRA

The TSRA is a Commonwealth Statutory Authority constituted under the *Aboriginal and Torres Strait Islander Act 2005*. It consists of an elected arm and an administrative arm. The elected arm is made up of a Chairperson, Deputy Chairperson, Alternate Deputy Chairperson, and Members, who are elected to office by Torres Strait Islander and Aboriginal people in their respective communities (see the 'TSRA Board' section for more details). The administrative arm is the responsibility of the General Manager.

PROVISION OF FUNDING

The TSRA is required to prepare estimates of receipts and expenditure for each financial year for submission to the Minister for Aboriginal and Torres Strait Islander Affairs under the Australian Government financial management framework of accrual accounting.

The TSRA operates a number of programs and sub-programs for the allocation of funds within the region including:

- Loans and grants for enterprises;
- Housing loans;
- Economic, social and cultural grants to organisations and individuals;
- The administrative and elected arm operating costs;
- Funding for programs to be conducted by the State; and
- Funding for programs to be conducted by Community Councils up to 15 March 2008 and then by Local Regional Councils after that date.

The actual allocation of money to the various programs is guided by the policies and strategies set by the TSRA elected arm. The administration also ensures that grants and loans are used in accordance with the purposes for which they are provided, and that grants and loans are appropriately acquitted.



CATEGORIES OF DOCUMENTS

The Corporate Services Section maintains paper and electronic files on TSRA budget expenditure; financial records; wages; client accounts; financial procedures; asset register; property management records; workplace agreement; recruitment, personnel files of TSRA officers; and Grants and Personnel Policy documents including instructions from the Australian Public Service Commissioner; Department of Employment and Workplace Relations and the Remuneration Tribunal and Comcare. The Corporate Services Section is also responsible for files containing: engagement of consultants; Occupational Health and Safety; Equal Employment Opportunities; Industrial Democracy; responses to the Office of the Federal Privacy Commissioner; statistics for the Australian Bureau of Statistics; statistics for the Australian Quarantine Inspection Service; survey for the Australian National Audit Office; statistics for the Australian Public Service; statistics and information for the Remuneration Tribunal and responses to Freedom of Information activities.

The Executive Services Section continues to maintain copies of the submissions that have been presented to the TSRA meetings; minutes of the TSRA meetings; TSRA Decision Sheets; and financial records relating to payment of TSRA members and meetings, as well as providing administrative support services to the office of the Chairperson. The Executive Service Section also maintains the Register for Ministerial Briefings and Responses to the Ombudsman.

The Field Operations section maintains files relating to grants and community profiles and community development.

A number of manuals and guidelines are used in the TSRA's decision-making policies and guidelines, including the TSRA Decision Making Principles, Finance Procedures manual, and the Program, Administration and Personnel Delegation manuals.

APPENDIX 3: ADVERTISING AND MARKET RESEARCH

The TSRA advertises all ongoing and non-ongoing (those exceeding 12 months) vacancies using the Online APS Jobs and SEEK websites, as well as other selected national advertising. For national advertising, TSRA uses the Government's preferred supplier, HMA Blaze, for non-campaign advertising. The TSRA also uses the local print media for advertising job vacancies, publishing media releases and for the distribution of TSRA newsletters under the Commonwealth Financial Guidelines.

No market research or polling and direct mailing of organisations was undertaken by the TSRA.



APPENDIX 4: STAFFING OVERVIEW

A) STAFF CLASSIFICATION BREAKDOWN AT 30 JUNE 2009 (NON-ONGOING STAFF) - NOT INCLUDING CHAIRMAN, GM OR CADET

	TSI & Aboriginal			Non TSI & Aboriginal		
Classification	Male	Female	Total	Male	Female	Total
Executive Level 2	0	0	0	1	0	1
Executive Level 1	0	0	0	0	4	4
APS Level 6	2	0	2	6	3	9
APS Level 5	3	2	5	0	2	2
APS Level 4	0	2	2	0	1	1
APS Level 3	0	2	2	0	0	0
APS Level 2	1	1	2	0	1	1
APS Level 1	0	1	1	0	0	0
Trainee	1	2	3	0	0	0
Total	7	10	17	7	11	18

B) NOMINAL TOTAL STAFF AT 30 JUNE 2009 - NOT INCLUDING CHAIRMAN OR CADET

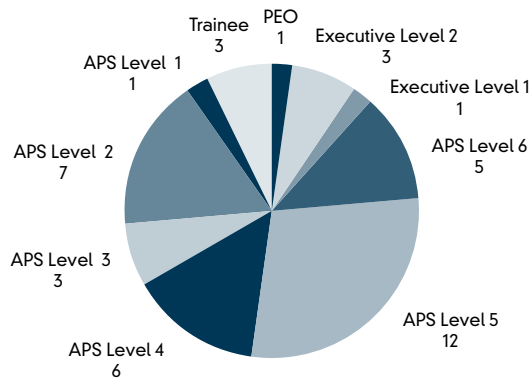
	TSI & Aboriginal			Non TSI & Aboriginal		
Classification	Male	Female	Total	Male	Female	Total
PEO	1	0	1	0	0	0
Executive Level 2	3	0	3	3	0	3
Executive Level 1	0	1	1	3	6	9
APS Level 6	4	1	5	6	4	10
APS Level 5	5	7	12	1	5	6
APS Level 4	1	5	6	0	1	1
APS Level 3	1	2	3	0	0	0
APS Level 2	1	6	7	0	1	1
APS Level 1	0	1	1	0	0	0
Trainee	1	2	3	0	0	0
Total	17	25	42	13	17	30



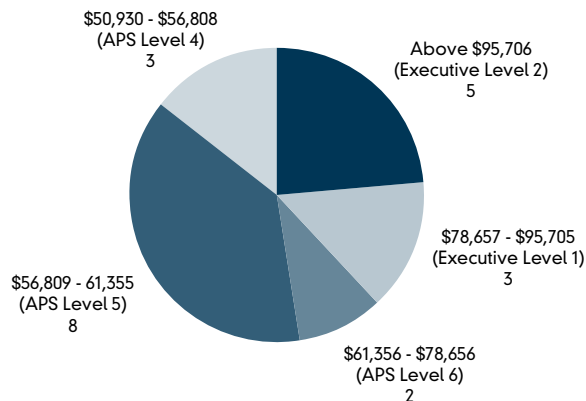
C) REPRESENTATION OF EEO GROUPS WITHIN SALARY LEVEL AT 30 JUNE 2009 (ONGOING STAFF)

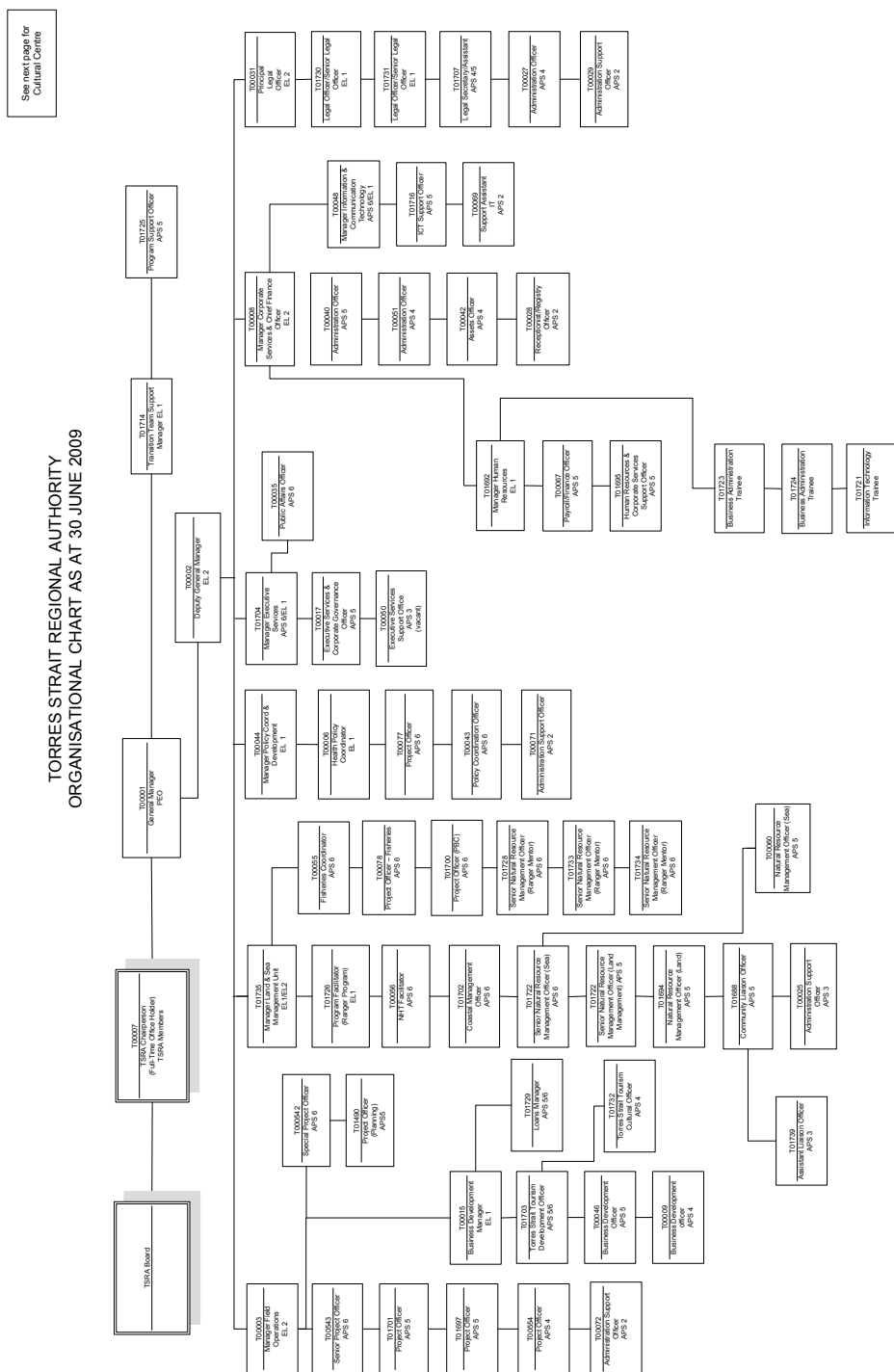
Salary	Women	TSI&A	NESB	PWD
Above \$95,706 (Executive Level 2)		1	0	0
\$78,657 - \$95,705 (Executive Level 1)	3	2		
\$61,356 - \$78,656 (APS Level 6)	2	3		1
\$56,809 - \$61,355 (APS Level 5)	8	7		
\$50,930 - \$56,808 (APS Level 4)	3	4		
\$45,696 - \$50,929 (APS Level 3)		1		
\$40,123 - \$45,695 (APS Level 2)	5	5		
\$21,271 - \$40,122 (APS Level 1)	1	1		
Below \$21,270 (Trainees)				
Total	22	24	0	1

Indigenous Staff (all Staff)

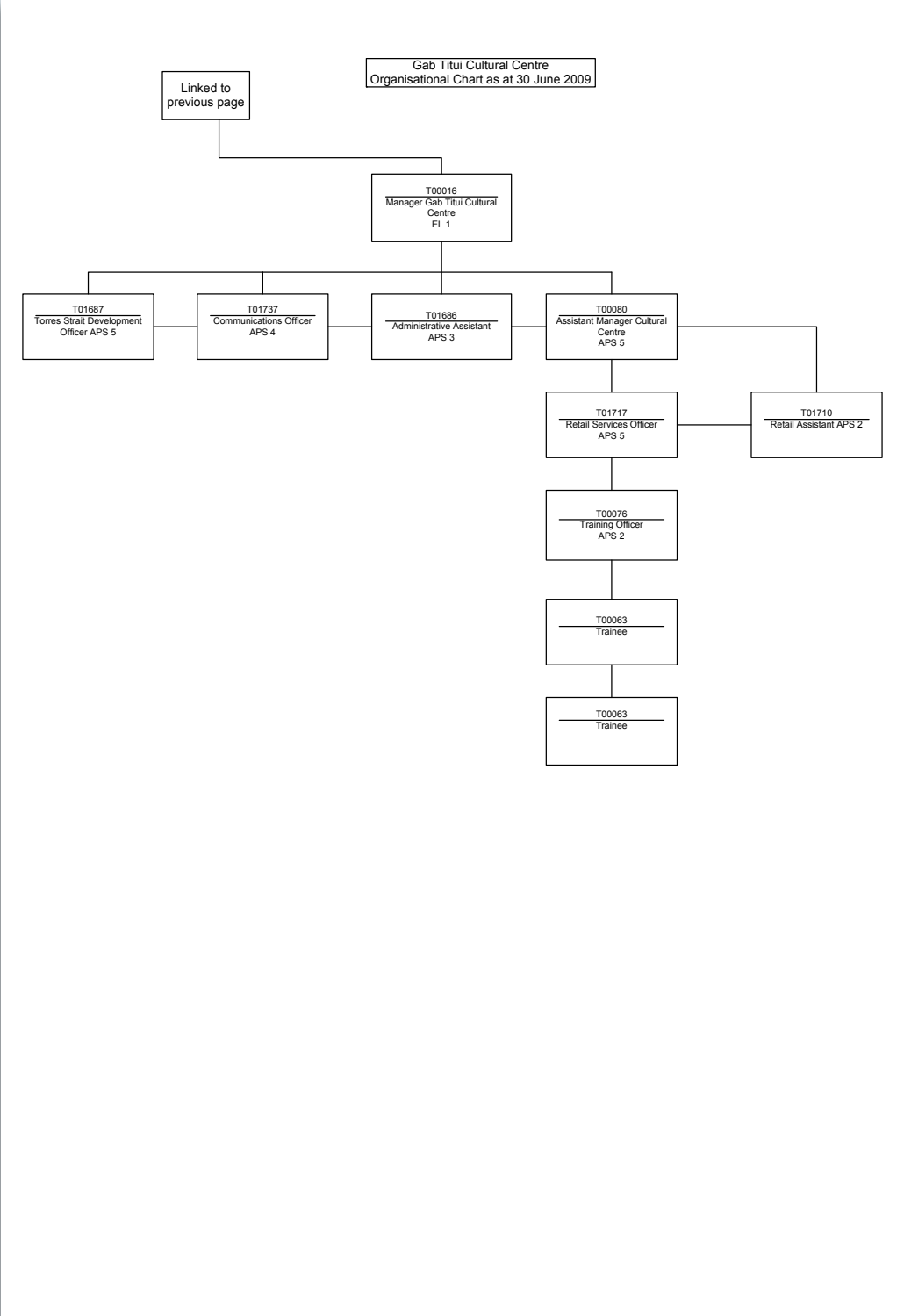


Women (on-going staff)



TORRES STRAIT REGIONAL AUTHORITY
ORGANISATIONAL CHART AS AT 30 JUNE 2009

Gab Titui Cultural Centre Organisational Chart as at 30 June 2009



APPENDIX 5: CONSULTANCIES

Consultant	Detail of Consultancy	Amount (\$)
3D Environmental Vegetation Assessment & Mapping Specialists	Ecosystem mapping	70,000
Alexander Dodds & Associates	Operational Planning Services	1,260
Amarna Pty Ltd	Sports Feasibility Study	7,500
Answerz IT Consulting	IT Support	45,032
ANU Enterprise Pty Ltd	Torres Strait Regional Sea Claim	54,500
Appleby Consulting Pty Ltd	Native Title Claim Support	29,935
Arafura Consulting	Anthropological Services	170,731
Arenelle Pty Ltd	Program & Planning Review	85,943
Ariu Poenipan Cultural Group	Traditional dance	1,636
Axcess Consulting Group Pty Ltd	Software enhancements	5,000
Dr Jeremy Beckett	Torres Strait Regional Sea Claim	51,399
Joseph Billy	Sponge monitoring - Masig Island	109
Robert Blowes Barrister	Torres Strait Regional Sea Claim	532,834
Jim Brooks	Native Title Mediation	3,031
Centre For Appropriate Technology Inc	Sustainable energy study	49,960
Clariti Pty Ltd T/A S Central Pty Ltd	IT Support	34,870
Conics (Cairns) Pty Ltd	Sustainable land use plan	623,320
Converge Heritage + Community	Horn Island WW2 Site Project	21,820
Michael Corden	Creole Interpreting Services	7,214
Curtain University of Technology	Native Title	580
Charles David	Sassi Island Turtle Monitoring	5,600
Davidson Workplace Solutions Pty Ltd	Human Resource Services	32,361
Deloitte Touche Tohmatsu	Economic Development Project	43,000
Deltapoint Pty Ltd	Human Resource Services	23,900
DELV Pty Ltd	IT Support	63,753
Department of Main Roads (Bris)	NPA Consultations	8,362
Department of Primary Industries and Fisheries	Marine Debris Project	7,500
Department of Primary Industries and Fisheries	Seagrass Monitoring	140,000
Department of Primary Industries and Fisheries	Mud Crab Survey	38,695
Ebsworth & Ebsworth Lawyers	Native Title Services	696



Consultant	Detail of Consultancy	Amount (\$)
Executive Talent Management Australia Pty Ltd	Human Resouce Services	21,990
Marcus Finn	Prawn Mangement Plan	567
FNQ NRM Ltd	Transitional Support - LSMU	9,322
Frontier Software Pty Ltd	Payroll System Support	7,560
Future Solutions Australia Pty Ltd	Small Business Support	15,800
Graham A Brown & Associates	Environmental Management System Action Planning	30,601
Keith Halpin & Co	Accounting Services	1,400
Hoad Business Development	Retail Software Support	4,002
RJ Howells Pty Ltd	TS Regional Sea Claim	196,200
HWL Ebsworth Lawyers	Native Title Services	2,460
Icemedial	IT Support	86,776
Icognition	Software installation & licences	23,469
Indigenous Business Australia	Economic Study	5,252
Tina Jowett	Native Title Services	21,065
Tom Keely	Torres Strait Regional Sea Claim	233,153
Rodney John Kennedy	Torres Strait Regional Sea Claim	6,821
Kidson - DFK	Gab Titui Business Planning	15,088
KPMG	Project Accounting services	8,797
Ms Wakako Kuhara	In Repose Project	2,727
Longley Stapleton	Accounting and system support	323,556
Samson A Lowatta	Sea Sponge Project	3,182
Marsden Jacob Associates	Fisheries Project Support	11,509
Master Builders	Small Business Training	12,429
Andrew McEwan	In Repose Project	3,286
GJ McNaught Pty Ltd	Torres Strait Regional Sea Claim	8,849
J G Menham	Fisheries Support	8,500
John Morris	Sea Sponge Project	3,182
Kevin Murphy	Anthropological Services	76,678
Next Digital	LSMU website development	18,710
NOETIC Solutions Pty Ltd	IT Strategic Plan	25,500
Ms Satsuki Odamura	In Repose Project	1,364
Pacifica Chartered Accountants	Project Accounting services	3,500
PDM Consultancy	Internal Audit	25,988
Pegasus Studios	Music & Dance Audit	24,091





Consultant	Detail of Consultancy	Amount (\$)
P & E Law	Native Title Claim Support	4,648
Nicola Piper	Torres Strait Regional Sea Claim	15,362
Terwiel-Powell Associates	Native Title Claim Support	6,000
Preston Law	Fisheries Project Support	385
Purely Marketing	Vision & Opportunities For Communities	720
Sammy B Design	Concept Design, Layout and Printing	8,800
Dr Colin Scott	Torres Strait Regional Sea Claim	95,016
Sea Systems Engineering Australia Pty Ltd	Assess Extreme Ocean Water Levels	196,000
Shearwater Consulting Pty Ltd	Poruma Island Project	4,854
Stepwise Heritage and Tourism	Stepping Stones Tourism Workshop	18,120
Sustainable Aquaculture Solutions	Sustainable Aquaculture	23,326
Lachlan Sutherland	Dugong and Marine Turtle Project Support	4,091
TAFE Queensland	Small business training	49,926
Taylor Byrne Pty Ltd	Property Valuations	7,000
Terranean Mapping Technologies	LiDar and aerial photography survey of Boigu and Saibai	142,000
TSG Electrical	Upgrade/remedial work Green Hill Fort	8,818
Tim Acker Photography	Budu and Kubin Island Art Groups	30,000
Tropical North Queensland Institute of TAFE	Small Business Training	22,564
Total Safety Services	Workplace Health and Safety inspection/assessment	1,480
Torres Shire Council	Country Week Expo	1,992
Torres Shire Council	Preliminary Excavation HI WW2 sites and Green Hill Fort Site	4,517
Torres Strait Island Regional Council	Maubiag Ranger Project	206,163
Torres Strait Island Regional Council	Dugong and Marine Turtle Project Support	190,274
Joseph Wasaga	GTCC 5th Birthday and In Repose Project	95
Department of Education Training & The Arts	Small Business Training	684
Ms Mayu Kanamori	In Repose Project	3,615

APPENDIX 6 ADDITIONAL NOTES TO BUDGET TOTAL PRICE OF OUTCOME TABLE

The TSRA actively manages its finances and where savings are identified in one Output area throughout the financial year, reallocations occur to priority projects and activities in other Output areas in order to deliver effective outcomes for the Torres Strait region. This process is overseen by the TSRA Board and Audit Committee.

The TSRA's business model encourages additional revenue sources to supplement the appropriation received from Government for delivery of priority programs and projects throughout the Torres Strait. In 2008-2009, TSRA was recipient of \$16.74m of other revenue for projects not initially expected when forecasting its budget.

Material variances are outlined below. The difference between the values listed and the total variance is explained by minor variances against budget, which are a result of negotiated arrangements either costing slightly less or slightly more than anticipated in the normal course of operations.

OUTPUT 1

Underspend of \$0.60m in the Enterprise Capacity Building Project being progressed through Regional Councils within the Torres Strait region resulting from Council capacity constraints following the Queensland Government Local Government amalgamations. An additional \$0.07m was expended on progressing the Tourism and Innovation project by the TSRA.

OUTPUT 2

Underspend resulted from TSRA's work in transitioning CDEP participants to non-CDEP employment equating to \$4.35m
(NB. The total includes: \$1.69m CDEP Wages, \$1.13m CDEP Capital and \$1.54m CDEP On-costs with one grant recipient. Some funds were not released in 2008-09 as a result of grant conditions not being met as at the reporting date and are expected to be released in 2009-10.)

Underspend of \$0.33m in the Community Training Program, resulting from reduced activity whilst Local Government bodies progressed through the Queensland Government Council amalgamation process.

OUTPUT 3

In 2008-2009, given developments in the Federal Court, the TSRA prioritised progression of the Torres Strait Regional Sea Claim which resulted in a total of \$1.97m in additional costs. These additional costs included engaging barristers to complete specialist components of the Claim.

A further \$0.15m was allocated to engage external lawyers to progress Claim activity where the NTO was deemed to be in conflict and unable to manage the matters directly.





OUTPUT 4

In 2008-2009 TSRA was funded \$14.28m for the Major Infrastructure Program, enhancing environmental health outcomes for the Torres Strait region. At inception, the Program was not considered to form part of the ordinary annual services of the TSRA, was not funded via Annual Appropriation Bill No.1, and was not included in the TSRA's 2008-2009 budgeted Total Price of Outcome. The Program was funded directly by the TSRA's Portfolio Department (FaHCSIA) via a New Policy Proposal and a Program Funding Agreement. The TSRA allocated an additional \$1.3m to the Program, bringing the Actual Total Price of the Program to \$15.58m. The additional funds were allocated to the Program from elsewhere within the TSRA's total budget, on approval by the TSRA Board. This was an example of the TSRA actively managing its finances, allocating savings in one area to programs in other areas.

The TSRA has subsequently classified the Major Infrastructure Program as part of the ordinary annual services of the TSRA. As a consequence the Program now forms part of the budgeted Total Price of Outcome for the years 2010 to 2012, and will be funded through Appropriation Bill No.1. The TSRA does not anticipate any further budget variations in the future for this Program.

A further \$0.40m was allocated to the Warraber Waste Pilot Project throughout 2008-2009.

OUTPUT 5

The TSRA was instrumental in driving the Torres Strait Indigenous Ranger Program, which resulted in an additional \$2.81m in funding for 2008-2009. Funding bids were also successful for Multi-year Tripartite Funding from Arts Queensland and the Australia Council, as well as a range of other environmental management programs which were funded and expended throughout the financial year. Please refer to page 87 of this report for more information.

\$0.05m was allocated to Sustainable Energy Technology research, \$0.20m to Storm Surge research and \$0.14m LiDar and aerial photography survey of Boigu and Saibai which will enable future inundation modelling and identification of adaptation options.

OUTPUT 6

The TSRA Board increased its activity in 2008-2009 to increase the profile of the region in regards to matters relating to the critical issue of Climate Change impacting the Torres Strait region and also in progressing an Integrated Service Delivery approach. The creation of the integrated service delivery framework aims to achieve strong and positive outcomes for the region consistent with the national approach to whole-of government delivery. An additional \$0.87m was allocated to these activities throughout 2008-2009.

\$0.09m was allocated to the finalisation and closure of Torres Strait Cooperative Research Centre and communication of results to communities.

\$0.06m was expended on finalisation of the TSRA's contribution to the Fisheries licence buy-back process, \$0.18m reallocated to critical environmental management projects and \$0.04m reallocated to TSRA's Heritage Culture and Environmental Grants Program throughout 2008-2009.

GLOSSARY

ABS	Australian Bureau of Statistics
ACT	Australian Capital Territory
AFMA	Australian Fisheries Management Authority
AGM	Annual General Meeting
AIATSIS	Australian Institute of Aboriginal and Torres Strait Islander Studies
Ailan Kastom	Island Custom
ANAO	Australian National Audit Office
APSC	Australian Public Service Commission
ATSI	Aboriginal and Torres Strait Islander
ATSIC	Aboriginal and Torres Strait Islander Commission
ATSICLS	Aboriginal and Torres Strait Islander Community Legal Services
ATSIP	Aboriginal and Torres Strait Islander Partnerships
AWA	Australian Workplace Agreements
BFS	Business Funding Scheme
CAC	Commonwealth Authorities and Companies Act 1997
CATSI	Act Corporations Aboriginal and Torres Strait Islander Act 2006
CDEP	Community Development Employment Project Program
CEA	Community Enterprise Australia
CEIS	Community Economic Initiatives Scheme
CFG	Communities Fishers Group
COAG	Council of Australian Government
CSIRO	Commonwealth Scientific and Industrial Research Organisation
CTP	Community Training Program
DEEWR	Department of Education, Employment and Workplace Relations
DERM	Department of Environment and Resource Management (previously known as DNRW)
DEWHA	Department of the Environment, Water, Heritage and the Arts
DFAT	Department of Foreign Affairs and Trade
DIP	Department Infrastructure and Planning
DLGSR	Department of Local Government, Sport and Recreation
DMR	Department of Main Roads
DNRW	Department of Natural Resources and Water (now known as DERM)
DOGIT	Deeds of Grant in Trust
DoTARS	Department of Training and Regional Services
DTMR	Department of Transport and Main Roads





EEO	Equal Employment Opportunity
EMS	Environmental Management System
EPS	Environmental Protection Agency
Erub	Also known as Darnley Island
FaHCSIA	Dept of Families, Housing, Community Services & Indigenous Affairs
FMA	Financial management and responsibility
FOI	Freedom of Information
FNQ	Far North Queensland
FY	Financial Year
GTCC	Gab Titui Cultural Centre
HEMTP	Heavy Equipment and Management Training Program
Hon.	Honourable
Iama	Also known as Yam Island
IBIS	Islander Board of Industry and Service
ICC	Island Coordinating Council
ILUA	Indigenous Land Use Agreement
IPA	Indigenous Protected Area
IRADF	Indigenous Regional Arts Development Fund
JTSHIC	Joint Torres Strait Housing and Infrastructure Committee
LSMU	Land and Sea Management Unit
Masig	Also known as Yorke Island
Mer	Also known as Murray Island
MIP	Major Infrastructure Program
MOU	Memorandum of Understanding
MP	Member of Parliament
Mura Kosker	Mura Kosker Sorority Incorporated
NESB	Non-English speaking background
NFA	PNG National Fisheries Authority
NHT	Natural Heritage Trust
NNTT	National Native Title Tribunal
NPA	Northern Peninsula Area
NPARC	Northern Peninsula Area Regional Council
NPP	New Policy Proposal
NTA	Native Title Act
NTO	Native Title Office
NTRB	Native Title Representative Body

OEA	Office of Evaluation and Audit
OH&S	Occupational Health and Safety
ORIC	Office of the Register of Indigenous Corporations
PBC	Prescribed Bodies Corporate
PKA	Port Kennedy Association
PNG	Papua New Guinea
Poruma	Also known as Coconut Island
PWD	People with a disability
PZJA	Protected Zone Joint Authority
QDPI	Queensland Department of Primary Industries
QLD	Queensland
RCSU	Remote Communities Services Unit (part of DTMR)
RIBS	Remote Indigenous Broadcasting Service
SES	Senior Executive Service
TIDS	Transport Infrastructure Development Scheme
TRAUQ	Tamwoy, Rosehill, Aplin, Waiben and Quarantine
TRL	Tropical Rock Lobster
TSC	Torres Shire Council
TSHP	Torres Strait Health Partnerships
TSILA	Torres Strait Islander Land Act
TSIMA	Torres Strait Islander Media Association
TSIRC	Torres Strait Island Regional Council
TSIREC	Torres Strait Islander Regional Education Council
TSIRCES	Torres Strait Islands Regional Council Engineering Services
TSLACC	Torres Strait Local Agencies Coordination Committee
TSNP	Torres Strait and Northern Peninsula Legal Service
TSRA	Torres Strait Regional Authority
TSPZ	Torres Strait Protected Zone
TSYSRA	Torres Strait Youth, Sport and Recreation Association
Ugar	Also known as Stephen Island
Warraber	Also known as Sue Island





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