



**SECTION
THREE**

Operations

WHERE WE OPERATE

GEOGRAPHY AND LOGISTICS

The Torres Strait is located in Australia and is part of the north-eastern state, Queensland. The area is approximately 150 kilometres wide at its narrowest point and is situated between the tip of Queensland's Cape York Peninsula and Papua New Guinea. The region consists of over 270 islands and reefs.

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

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

The TSRA delivers services across the entire Torres Strait region, including 17 inhabited islands and the communities of Bamaga and Seisia in the Northern Peninsula Area of mainland Australia. Due to the area's remote location, the TSRA relies on air and sea links and limited phone, facsimile and internet communications between communities for the delivery of its services. Most travel within the region is restricted to small watercraft, helicopters and light aircraft. The main gateway to the Torres Strait is Ngarupai Airport located on Horn Island, a 20-minute ferry ride from the Australian Government, Queensland Government and two local government administration hubs located on Thursday Island.

FIGURE 3-1
THE TORRES STRAIT



The bulk of goods and materials required by the region are shipped by container vessel from Cairns and redistributed by barge from transhipment points on Thursday Island and Horn Island.

CULTURE

The picturesque Torres Strait region is predominantly inhabited by Torres Strait Islanders and Kaurareg Aboriginal people. The Australian Bureau of Statistics reports that as of 30 June 2016 the total population of the region was 9,519, of whom 7,437 (78.13 per cent) were Torres Strait Islander or Aboriginal people.

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

HISTORY

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

NATIVE TITLE

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

Native Title has been granted for 13 inhabited islands in the Torres Strait region and most of the uninhabited islands. In addition, the Kaurareg Aboriginal people have achieved recognition of their Native Title rights over seven inner islands: Ngarupai (Horn Island), Muralag (Prince of Wales Island), Zuna (Entrance Island), Yeta (Port Lihou Island), Mipa (Turtle Island), Tarilag (Packe Island) and Damaralag. In total, 22 Native Title determinations have been made in the Torres Strait. No new determinations were made in 2017-2018.

Native Title claims are being pursued over three land claims and two sea claims. In 2018, the Native Title Office commissioned research into the remaining unclaimed islands and seas. It is proposed that the remaining claims will be completed in the near future.

PROGRESS TOWARDS CLOSING THE GAP

Closing the Gap is a commitment by the Australian Government and state and territory governments to improve the lives of Torres Strait Islander and Aboriginal Australians and, in particular, to provide a better future for Torres Strait Islander and Aboriginal children.

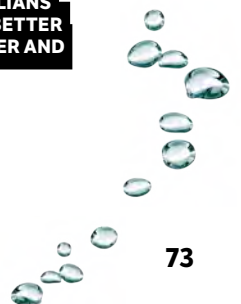
A national integrated Closing the Gap strategy has been agreed by the Council of Australian Governments (COAG), the peak intergovernmental forum in Australia. COAG brings together the Prime Minister, state premiers, territory chief ministers and the President of the Australian Local Government Association.

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

In 2014-2015, the Australian Government introduced the Indigenous Advancement Strategy, which grouped over 150 Indigenous programmes into five programme streams. These are:

- ◆ Jobs, Land and Economy
- ◆ Children and Schooling
- ◆ Safety and Wellbeing
- ◆ Culture and Capability
- ◆ Remote Australia Strategies.

CLOSING THE GAP IS A COMMITMENT BY THE AUSTRALIAN GOVERNMENT AND STATE AND TERRITORY GOVERNMENTS TO IMPROVE THE LIVES OF TORRES STRAIT ISLANDER AND ABORIGINAL AUSTRALIANS AND, IN PARTICULAR, TO PROVIDE A BETTER FUTURE FOR TORRES STRAIT ISLANDER AND ABORIGINAL CHILDREN.



The TSRA has aligned its programme outcomes to these streams while continuing to deliver against the COAG targets:

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

COAG BUILDING BLOCKS

The TSRA's programme structure is based on the six COAG Building Blocks for closing the gap in disadvantage between Indigenous and non-Indigenous Australians. The building blocks are also used as the framework for the TSRA's Integrated Service Delivery (ISD) project.

In 2008-2009, the TSRA completed community consultations as part of the development of the *Torres Strait and Northern Peninsula Area Regional Plan 2009-2029*. The TSRA's contribution towards the targeted outcomes of the *Torres Strait and Northern Peninsula Area Regional Plan 2009-2029* are noted in the *Torres Strait Development Plan 2014-2018*, which details the TSRA's programmes and how they contribute to regional outcomes, the Australian Government's Indigenous Advancement Strategy and the United Nations Articles on the Rights of Indigenous Peoples.

In 2009-2010, the ISD project identified 1,613 gaps in service delivery across 20 communities. Detail of the service gaps is contained in the Torres Strait Regional Plan ISD Community Booklets. A booklet for each community can be accessed via the TSRA website (www.tsra.gov.au).

In 2017-2018, the ISD initiative was limited to operational activities and re-establishing the ISD governance framework. Since the local government, TSRA, Queensland Government and Australian Government elections were held in 2016, there have been changes of personnel in the governance framework that have had an effect on the progress of ISD in the region.

The TSRA will conduct a review of the ISD project in 2018-2019, with a focus on re-establishing the governance framework and strengthening the project at the operational level. The TSRA will also continue to lobby relevant Queensland Government and Australian Government ministers to secure commitment for the ISD project.

REGIONAL STATISTICS

The latest data available at the time of writing this report was from the Australian Bureau of Statistics (ABS). The TSRA has used this data to benchmark the progress of the TSRA's programmes against Closing the Gap targets. The data used throughout this section was taken from the ABS QuickStats website and was current at 30 June 2018.

The figures are for the Torres Strait and the two communities in the Northern Peninsula Area (Bamaga and Seisia) which are included in the TSRA's area of responsibility.

Population

The comparison of population changes across the Torres Strait and Northern Peninsula Area (Bamaga and Seisia) is shown in tables 3-1 to 3-4.

**TABLE 3-1
TOTAL POPULATION OF THE TORRES STRAIT INCLUDING BAMAGA AND SEISIA**

Torres Shire Local Government Area		Torres Strait Island Regional Council Local Government Area		Bamaga		Seisia		Region (Total)	
2011	2016	2011	2016	2011	2016	2011	2016	2011	2016
3,256	3,610	4,248	4,514	1,046	1,164	203	260	8,753	9,548

**TABLE 3-2
TORRES STRAIT ISLANDER AND ABORIGINAL POPULATION OF THE TORRES STRAIT
INCLUDING BAMAGA AND SEISIA**

Torres Shire Local Government Area		Torres Strait Island Regional Council Local Government Area		Bamaga		Seisia		Region (Total)	
2011	2016	2011	2016	2011	2016	2011	2016	2011	2016
2,063	2,482	3,856	4,144	845	957	135	201	6,899	7,784

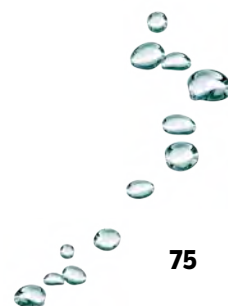
In 2016, the Torres Strait Islander and Aboriginal population of the Torres Shire Local Government Area represented 68.6 per cent of the total population. For the Torres Strait Island Regional Council Local Government Area, the Torres Strait Islander and Aboriginal population represented 91.8 per cent of the

total population. This shows a slight increase in the proportion of Torres Strait Islander and Aboriginal people in those two areas compared to 2011. The Torres Strait Islander and Aboriginal population represented 74.4 per cent of the total population in Seisia and 82.4 per cent in Bamaga.

**TABLE 3-3
GENDER BALANCE OF THE TORRES STRAIT INCLUDING BAMAGA AND SEISIA**

	Torres Shire Local Government Area		Torres Strait Island Regional Council Local Government Area		Bamaga		Seisia		Region (Average)	
	2011	2016	2011	2016	2011	2016	2011	2016	2011	2016
Male	49.8%	49.5%	51.3%	50.8%	49.4%	47.9%	49.1%	51.1%	49.5%	50.1%
Female	50.2%	50.5%	48.7%	49.2%	50.6%	52.1%	50.9%	48.9%	50.5%	49.9%

The gender balance average compared to 2011 shows an increase of males by 1.2 per cent.



**TABLE 3-4
AVERAGE AGE OF POPULATION OF THE TORRES STRAIT INCLUDING BAMAGA AND SEISIA**

Torres Shire Local Government Area		Torres Strait Island Regional Council Local Government Area		Bamaga		Seisia		Region (Average)	
2011	2016	2011	2016	2011	2016	2011	2016	2011	2016
28	28	23	24	23	24	31	25	23	25

Apart from Seisia, where there has been a decrease in the average age of the population, the population age across the region remained more or less consistent between 2011 and 2016. The age profile in Seisia is believed to be skewed by the number of non-resident visitors in the community at the time of the 2011 Census.

Employment

In Table 3-5, the employment data for the Torres Strait relates only to Torres Strait Islander and Aboriginal people, while the figures for Bamaga and Seisia include Indigenous and non-Indigenous employees.

**TABLE 3-5
EMPLOYMENT IN THE TORRES STRAIT INCLUDING BAMAGA AND SEISIA**

Employment type	Torres Strait		Bamaga		Seisia		Region (Total)	
	2011	2016	2011	2016	2011	2016	2011	2016
Full time	1,039	915	277	311	76	65	1,392	1,291
Part time	837	547	84	93	17	12	938	652
Away from work	226	159	14	20	6	3	246	182
Unemployed	173	287	29	42	0	15	202	344
Total labour	2,275	1,908	404	466	99	95	2,778	2,469

Education

The number of people undertaking some form of education in 2016-2017 was 3,641. The education categories are shown in Table 3-6.

**TABLE 3-6
EDUCATION IN THE TORRES STRAIT INCLUDING BAMAGA AND SEISIA**

Education level	Torres Shire Local Government Area		Torres Strait Island Regional Council Local Government Area		Bamaga		Seisia		Region (Total)	
	2011	2016	2011	2016	2011	2016	2011	2016	2011	2016
Pre-school	68	85	91	89	14	25	0	3	173	202
Primary	333	378	780	783	175	198	22	29	1,310	1,388
Secondary	253	318	176	221	89	92	8	20	526	651
Technical or further	43	59	97	72	24	19	3	5	167	155
University	71	74	25	20	10	11	3	4	109	109
Other	11	8	47	17	7	11	0	6	65	42
Not stated	504	594	247	412	54	60	17	28	822	1,094
Total	1,283	1,516	1,463	1,614	373	416	53	95	3,172	3,641

The Tagai State College average school attendance in 2016, across years 1 to 12, was 89 per cent. This figure is slightly below the whole-of-Queensland attendance rate average of 90 per cent.

Income

The 2016 Census data indicates an improvement in the average household incomes of Torres Strait Islander and Aboriginal people. This is reflected in Table 3-7.

**TABLE 3-7
MEDIAN WEALTH IN THE TORRES STRAIT INCLUDING BAMAGA AND SEISIA (\$/WEEK)**

Income type	Torres Shire Local Government Area		Torres Strait Island Regional Council Local Government Area		Bamaga		Seisia		Region (Average)	
	2011	2016	2011	2016	2011	2016	2011	2016	2011	2016
Personal	682	740	314	373	577	568	506	592	411	484
Household	1,579	1,837	849	929	1,117	1,402	785	1,261	971	1,357

The Queensland averages for personal and household income were \$660 and \$1,402 per week. The Australian averages were \$662 and \$1,438.



Housing Tenure

The 2016 Census reported that there were 2,267 dwellings; the tenure arrangements are shown in Table 3-8.

**TABLE 3-8
TENURE OF PRIVATE DWELLINGS IN THE TORRES STRAIT INCLUDING BAMAGA AND SEISIA**

Tenure type	Torres Shire Local Government Area		Torres Strait Island Regional Council Local Government Area		Bamaga		Seisia		Region (Total)	
	2011	2016	2011	2016	2011	2016	2011	2016	2011	2016
Owned	65	76	49	31	0	3	5	5	119	115
Mortgaged	48	35	0	0	0	0	4	0	52	35
Rented	632	646	856	907	245	273	53	59	1,786	1,885
Other	17	6	9	18	3	0	0	0	29	24
Not stated	53	147	28	33	8	18	0	10	89	208
Total	815	910	942	989	256	294	62	74	2,075	2,267

The figures in Table 3-8 indicate a decrease in the number of houses owned in the region between 2011 and 2016. There was a significant increase in the number of properties being rented. Complex land tenure arrangements in the region and a lack of freehold land and long-tenure leasehold land remain challenges to increasing home ownership.

Health

A synthesis of data obtained at 30 June 2018 from the ABS Australian Aboriginal and Torres Strait Islander Health Survey 2012-2013 (updated) shows:

- ◆ Torres Strait Islander and Aboriginal people were more than three times as likely as non-Indigenous people to have diabetes.
- ◆ Torres Strait Islander and Aboriginal people were twice as likely as non-Indigenous people to have signs of chronic kidney disease.
- ◆ Obesity rates for Torres Strait Islander and Aboriginal females and males were higher than the comparable rates for non-Indigenous people in every age group.

- ◆ Torres Strait Islander and Aboriginal people's rates of heart disease were significantly higher than the comparable rates for non-Indigenous people in all age groups from 15 to 54 years.

The mortality rates for Torres Strait Islander and Aboriginal males in the 35-44 age group were over four times higher than rates for non-Indigenous males. The mortality rates for Torres Strait Islander and Aboriginal females in the 25-29 age group and the 35-39 age group were five times higher than rates for non-Indigenous females.

HOW WE OPERATE

FORMATION

The TSRA was established on 1 July 1994 under the *Aboriginal and Torres Strait Islander Commission Act 1989* (Cth), and is currently enabled by the *Aboriginal and Torres Strait Islander Act 2005* (Cth).

The TSRA is a corporate Commonwealth entity under the *Public Governance, Performance and Accountability Act 2013* (Cth), and falls under the legislative requirements of that Act in its use and management of public resources. The *Public Governance, Performance and Accountability Act 2013* (Cth) requires the TSRA to develop a corporate plan each year, outlining its operations. A copy of the current TSRA corporate plan can be accessed on the TSRA website (www.tsra.gov.au/the-tsra/corporate-information).

THE ELECTED REPRESENTATIVES ARE TORRES STRAIT ISLANDER AND ABORIGINAL PEOPLE WHO LIVE AND WORK IN THE REGION.

The TSRA is the leading Commonwealth representative body for Torres Strait Islander and Aboriginal people living in the Torres Strait, including two communities (Bamaga and Seisia) in the Northern Peninsula Area. The TSRA comprises 20 elected representatives (the Board) and Australian Public Service administrative staff. The elected representatives are Torres Strait Islander and Aboriginal people who live and work in the region. The TSRA Board elects a Chairperson, a Deputy Chairperson and an Alternate Deputy Chairperson. A Chief Executive Officer is responsible for the TSRA's administration and staffing.

The TSRA performs separate functions under the *Native Title Act 1993* (Cth) as the Native Title Representative Body (NTRB) for the Torres Strait region. In 2018, the Minister for Indigenous Affairs renewed the TSRA's NTRB status until 30 June 2019.

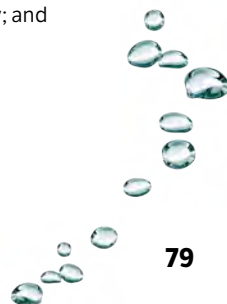
Under section 142D of the *Aboriginal and Torres Strait Islander Act 2005* (Cth) the TSRA is required to formulate and implement a plan to guide the progress of the Torres Strait region. This document, known as the Torres Strait Development Plan, is updated every four years, a period consistent with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

The *Torres Strait Development Plan 2014-2018* is the fifth development plan since the establishment of the TSRA. The plan outlines eight TSRA programme components: Economic Development; Fisheries; Culture, Art and Heritage; Native Title; Environmental Management; Governance and Leadership; Healthy Communities; and Safe Communities.

ENABLING LEGISLATION

The TSRA's enabling legislation is the *Aboriginal and Torres Strait Islander Act 2005* (Cth). Part 3A, Division 1, section 142 of the Act states:

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



FUNCTIONS

The functions of the TSRA, as outlined in Section 142A of the *Aboriginal and Torres Strait Islander Act 2005* (Cth), 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 programmes for Torres Strait Islanders, and Aboriginal persons, living in the Torres Strait area;
- (c) to monitor the effectiveness of programmes for Torres Strait Islanders, and Aboriginal persons, living in the Torres Strait area, including programmes 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 are outlined in section 142C of the *Aboriginal and Torres Strait Islander Act 2005* (Cth), which states:

- (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);
 - (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.

RESPONSIBLE MINISTER

During 2017-2018 the TSRA was a corporate Commonwealth entity within the Prime Minister and Cabinet portfolio. The responsible Minister for the TSRA was the Minister for Indigenous Affairs, Senator the Hon. Nigel Scullion.

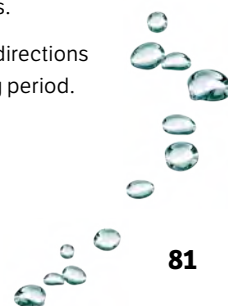
MINISTERIAL DIRECTIONS

Under section 142E of the *Aboriginal and Torres Strait Islander Act 2005* (Cth), the Minister has powers of direction in relation to the TSRA.

Section 142E of the Act 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 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.

The TSRA did not receive any formal directions from the Minister during the reporting period.



STATEMENT OF EXPECTATIONS AND STATEMENT OF INTENT

In 2016, the Minister for Indigenous Affairs provided a Statement of Expectations to the TSRA concerning the operation and performance of the TSRA. In response, the TSRA provided a Statement of Intent to the Minister.

BRIEFINGS AND INFORMATION

Throughout the reporting period the TSRA provided ministerial minutes and briefings to the Minister for Indigenous Affairs, including quarterly reports detailing the TSRA's operations and service delivery.

MINISTERIAL APPOINTMENTS

The Minister for Indigenous Affairs made three Acting Chief Executive Officer appointments under Section 144L(a) of the *Aboriginal and Torres Strait Islander Act 2005* (Cth) between 1 July 2017 and 30 June 2018.

Mr Charlie Kaddy and Mr John Ramsay were appointed as the Acting Chief Executive Officer of the TSRA for the periods outlined below. Mr Ramsay was appointed concurrently with Mr Kaddy while Mr Kaddy was attending a meeting for the TSRA in Papua New Guinea.

Appointed: Mr Charlie Kaddy
Duration: 15 January to 9 February 2018

Appointed: Mr John Ramsay
Duration: 4 February to 8 February 2018

Appointed: Mr Charlie Kaddy
Duration: 18 June to 6 July 2018

