



# Corporate Plan

2018-2022

21<sup>st</sup> June 2018

## Contents

1 Introduction .....	2
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2 Purposes .....	2
2.1 Objectives, functions and role of Tiwi Land Council .....	2
2.2 Strategies and policies that Tiwi Land Council will follow to achieve its purpose.....	3
Strategy Acquiring Land -Sacred Sites.....	3
Strategy Managing Land -Sacred Sites.....	4
Strategy - Education .....	4
Strategy – Communication .....	5
Strategy – Private Economy.....	6
3 Environment.....	7
3.1 Accountable authority .....	7
3.2 Land held in Trust.....	7
3.3 Tiwi population.....	7
4 Performance .....	9
4.1 Measures of performance .....	9
4.2 Financial Projections .....	10
4.3 Schedule of planned evaluations .....	11
5 Strategic Assessment of the Operating Environment .....	12
6 Risk Oversight and Management .....	14

## 1 Introduction

We, as the accountable authority of Tiwi Land Council, present the **2018 - 2019** Tiwi Land Council corporate plan, which covers the periods of 2018-2022, as required under paragraph 35(1)(b)/95(1)(b) of the *Public Governance, Performance and Accountability Act 2013*.

## 2 Purposes

### 2.1 Objectives, functions and role of Tiwi Land Council

We believe the Tiwi Land Council's purpose is to enable the Tiwi to acquire and manage land and promote economic and community development. Tiwi Land Council will take a more pro-active approach to the services it offers to Tiwi people.

## 2.2 Strategies and policies that Tiwi Land Council will follow to achieve its purpose

Tiwi Land Councils have important functions in relation to Aboriginal land.

We are committed to ensure that Land Council act on the advice and with the consent of the traditional owners so that primary control over Aboriginal land lies with the traditional owners.

This process may lead to enhancements of the following strategies and policies.

### Strategy Acquiring Land -Sacred Sites



Indigenous Affairs Minister Nigel Scullion delivered the deed of grant to traditional owners, recognising the enduring connection of the Mantiyupwi Tiwi people to the Vernon Islands.

It brings to a close Australia's second longest-running land claim.

*"Today we mark an end of a long journey of recognition for the Vernon Islands land claim and celebrate a start of an exciting new chapter in the lives of the Mantiyupwi Tiwi people,"* Minister Scullion said.

*"We're giving back land that was always yours in any event."*

## Strategy Managing Land -Sacred Sites

Tiwi Land Council will continue in their assistance in the protection of sacred sites and areas of significance both on land and in the sea. A majority of land under title of the Tiwi Aboriginal Land Trust is subject to mining exploration applications, with the entire area under title subject to a petroleum exploration permit application, continuing determination and consultations with traditional owners pertaining to sacred sites and significant areas will be undertaken. As mapping technologies improve and become operationally viable better use of them will be made.

Traditional owners will be sought to express their wishes, in accordance with the *Aboriginal Lands Rights (Northern Territory) Act* pertaining to the issuance or otherwise of exploration leases on Tiwi Aboriginal Land Trust land.

## Strategy - Education

### ***Public Governance, Performance and Accountability Act 2013***

The Accountable Authority of Tiwi Land Council is stated as the Chair and the CEO. The Tiwi Land Council through the Chair and the previous CEO and prior to the commencement of the *Public Governance, Performance and Accountability Act 2013*, (PGPA Act) expressed a view that the Accountable Authority of the Tiwi Land Council would consist of the Chair, Deputy Chair and eight other members of the Land Council, known as a committee, Executive Management Committee, of the Tiwi Land Council. Going forward this concept will be articulated further.

The Tiwi Land Council has received training funds under the current year budget and meeting fees allowing for an increase in number of meetings than was undertaken prior to the introduction of the PGPA Act.

In hopeful anticipation of recognition of the Executive Management Committee, the ten members including the Chair, Deputy CEO, and the CEO are developing an appreciation of the duties of an accountable authority and the manner which an accountable authority is to operate.

Duties identified by the Executive Management Committee which must be undertaken by an accountable authority are;

1. govern the Tiwi Land Council in a way that promotes the proper use and management of public resources; the achievement of the purposes of the Land Council; and the financial stability of the Land Council, considering the effect of decisions on public resources generally;
2. maintain and establish appropriate risk oversight and management of the entity; appropriate systems of internal control; and ensure officials comply with finance law;

3. encourage officials of the entity to cooperate with others to achieve common objectives;
4. when imposing requirements on the use or management of public resources, consider the risks associated with this, and the effects of, imposing those requirements;
5. keeping the responsible Minister and the Finance Minister informed of the activities of the Land Council;
6. taking all reasonable measures to prevent, detect and deal with fraud relating to the Land Council.

Staff as officials of the Tiwi Land Council are been informed of these duties.

### ***Aboriginal Land Rights (Northern Territory) Act 1976***

The Executive Management Committee of the Tiwi Land Council undertakes development on land council governance matters;

Current attention is committed in seeking the method of choice for membership of the Tiwi Land Council been approved. The method of choice prepared by the Tiwi Land Council recognises traditional decision making of the Tiwi people.

Tiwi Land Council may delegate its functions and decision-making powers in accordance with the *Aboriginal Land Rights (Northern Territory) Act 1976*, to the Chair or another member of Council, a member of staff, a committee appointed under section 29A.

Governance arrangements include a Full Land Council and an Executive Committee which sets policy and makes decisions of its functions under the *Aboriginal Land Rights (Northern Territory) Act 1976*.

Tiwi Land Council is committed within six months of approval of the method of choice, to commence reviewing the delegations and governance arrangements of the Full Land Council and the Executive Committee.

### **Strategy – Communication**

In order that the Tiwi Land Council can prioritise and perform its functions in a timely manner it has identified communication and transparency of such in its dealings as a priority.

Communication requires that the Tiwi Land Council is actively involved in the community expressing its function and roles and seeking feedback and intentions of Traditional Owners.

The remote nature of the island and the extremely limited communication infrastructure places additional pressures on Land Council members.

A planned upgrade of electricity infrastructure of an inter and intra islands nature, is still in the planning stage with talks of a solar farm being located on Bathurst Island to support power generation. Consultants are currently engaged in relation to the solar farm. This provides an opportunity to improve and enhance internet capabilities.

**New Darwin TLC Office:** With the acquisition of 116 Reichardt Road, Winnellie, and settlement in 2018, Tiwi Land Council will have their first owned office in 40 years, outside of the Tiwi Islands.

Tiwi's have chosen this property due to its accessibility to public transport, enabling Tiwi wishing to make any inquires or avail themselves to future services to be offered in an open and safe accessible environment.

The new office property is also well located for meetings with various Government Agencies and Non-Government service providers.

It will provide a pleasant workplace for staff to perform their functions., with a new boardroom that will be a welcome relief for Executive meetings.

### Strategy – Private Economy

With the Tiwi private economy developing into independently operations, the focus of the Tiwi Land Council on these enterprises has moved from the preliminary assistance of negotiation of leases and licences, to assisting those commercial activities that will best deliver long term economic and social benefits to Tiwi's in the development and the total Tiwi population.

The structure, roles and responsibilities of these new business enterprises are introducing new corporate governance requirements, and concepts of individual responsibilities as opposed to community responsibility. To deal with these operation requirements, the Tiwi Land Council will endeavour to facilitate training and development on these matters by suitably qualified professionals

Income streams flowing from the private economy in the form of lease and royalty payments will be encouraged to be paid at times that will not lead to inference with children attendance at school, or to those that have demonstrated at least 80% school attendance of those children under their care.

Direct education is offered by the Tiwi Education Board at Tiwi College, a boarding school based at Pickartaramor offering education to year 12 level. The importance of on island education for the next generation, has seen the opening of a school at Ranku. Plans are to increase in student numbers. These centres of excellence will generate future leaders of the Land Council that a highly skilled.

### 3 Environment

#### 3.1 Accountable authority

The Accountable Authority consists of the Chair and CEO. The tenure of these positions is:

Chair was elected for a three-year term in **February 2018** so the term will conclude in **February 2021**. This is the third term of the Chair and stability of the position continues.

The CEO was successfully recruited in December 2015 commencing 1<sup>st</sup> January 2016. Unfortunately, the CEO has been away from work for extended periods of time due to illness. He is currently still on sick leave and will retire his position in July 2018.

A Deputy CEO (Andrew Tipungwuti) was appointed on the 29<sup>th</sup> September 2016.

Andrew Tipungwuti has been covering for the CEO for some time and has recently taken on the position of Acting CEO.

The Minister has provided for a position of General Manager to assist Andrew and Capacity build him to the position of CEO. This position is for an interim period of 3 months from 3<sup>rd</sup> May 2018 to 3<sup>rd</sup> August 2018. A review will be conducted at the end of this period.

Accountable Authority

	2018-2019	2019-2020	2020-2021	2021-2022
Chair			Election year	
CEO	Appointment		Appointment	

#### 3.2 Land held in Trust

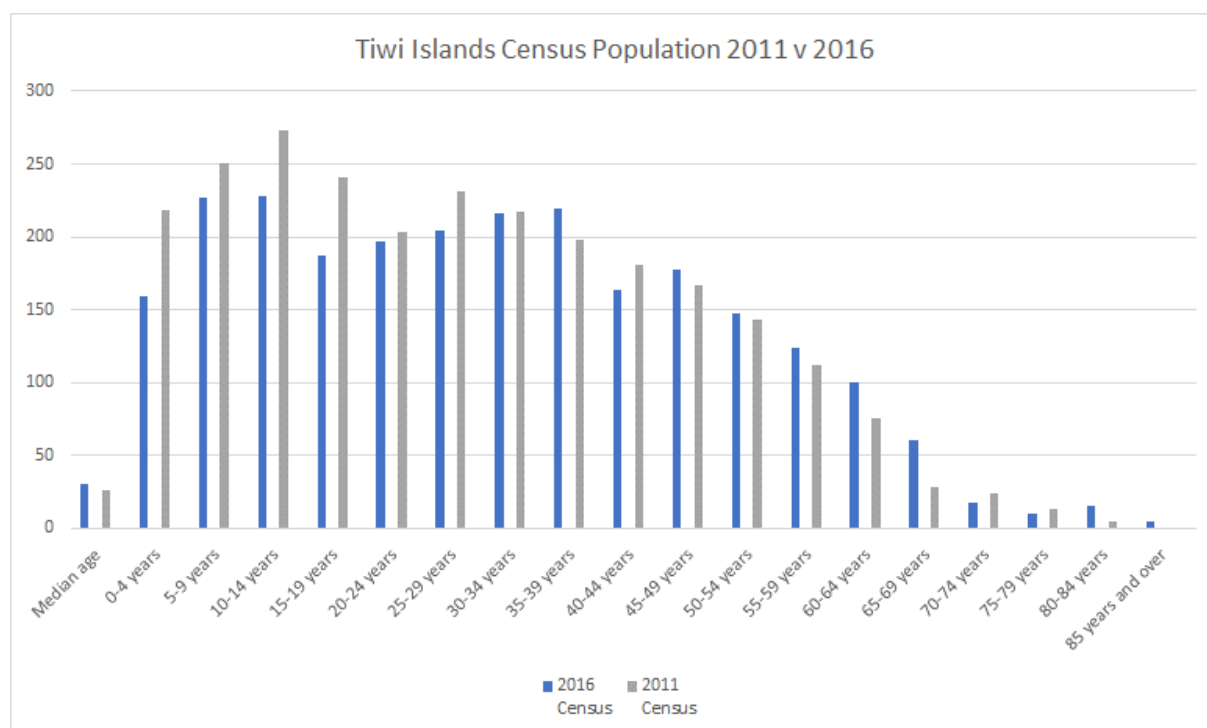
The Tiwi Aboriginal Land Trust has grown in size with an additional area known as the Vernon Islands to be included in schedule 1 of the *Aboriginal Land Rights (Northern Territory) Act 1976*. The Vernon Island has an Exploration permit application EP295

#### 3.3 Tiwi population

The Tiwi Islands of Bathurst and Melville Island consists of approximately 7,000 square kilometres with 3000 people, 2011 and 2016 ABS Census data provide a slightly lower figure than this limit. Differences are accounted for with children been educated in Darwin and interstate, Tiwi's away from Island, undertaking employment training and development and those visiting family and friends predominately in Darwin. Historically the death rate had averaged at 40 people per year, 2017-2017 saw an average rate.

Populating the Vernon Islands is not planned, leaving the townships on Bathurst and Melville Island the major population centres.

Age	2016		2011	
	Census	%	Census	%
Median age	30		26	
0-4 years	159	6.5	218	8.5
5-9 years	227	9.2	250	9.7
10-14 years	228	9.3	273	10.6
15-19 years	187	7.6	241	9.3
20-24 years	197	8.0	203	7.9
25-29 years	204	8.3	231	9.0
30-34 years	216	8.8	217	8.4
35-39 years	219	8.9	198	7.7
40-44 years	164	6.7	181	7.0
45-49 years	178	7.2	167	6.5
50-54 years	147	6.0	143	5.5
55-59 years	124	5.0	112	4.3
60-64 years	100	4.1	75	2.9
65-69 years	60	2.4	28	1.1
70-74 years	17	0.7	24	0.9
75-79 years	10	0.4	13	0.5
80-84 years	15	0.6	5	0.2
85 years and over	4	0.2	0	0.0
<b>Total</b>	<b>2,456</b>		<b>2,579</b>	





As the Tiwi private economy grows, the number of non-Tiwi in the form of fly in fly out workers has increased. The private economy service enterprises have the capacity to accommodate these additional works, without encroaching on the housing stock or diminishing infrastructure assets available for the Tiwi's.

## **4 Performance**

### **4.1 Measures of performance**

#### Communication

For the Land Council to articulate and express the needs, objectives, and traditional decision-making techniques of the traditional owners, its principle form of communication will be by direct personal communication.

Communication will take the form of formal land council and committee meetings, these meetings will effectively measure the level, breadth, and content of consultative and information gather meetings.

Information gathering, undertaken within consultative meetings framework, will predominately focus on the traditional decision-making techniques of the Tiwi.

Enhanced communication is expected to be developed with the introduction of the following positions, which have been identified by the Tiwi as value adding and consistent to their approach of land management;

- General Manager
- Receptionist Administration Officer
- Mapping / Anthropologist Officer
- Assistant - Resources and Environmental Officer
- Principal Legal Officer
- CFO
- Administrative Officer
- Fleet, Asset Management and Travel Officer
- Facilitator

August 2018 will see the launch of an enhanced website, with a fully integrated permit system.

The bi-monthly publication of 'Tiwi News' (also to be available on the website) will continue to assist the land council to communicate back to the wider community on Tiwi events that the land council has assisted in. It is anticipated a commemorative edition will be published to celebrate the 40-year anniversary of the Tiwi Land Council in 2018.

## Education

The method of choice is a mechanism in the appointment of trustee of the land trust and land council members. The Tiwi's unique and consistent, with traditional decision-making techniques, method of selecting representatives to talk authoritatively about the land, is well documented. Therefore, it will be the Land Council's responsibility to clearly articulate its method of choice to interested parties.

Land council members are continuously seeking compliance with legislation, principles of good corporate governance, and are actively developing a decision register. Furthermore, in the coming financial year, review the written rules of convening and conduct of meetings and seeking approved by the Minister.

Land Council members are familiar meeting processes and communicate these to the other Tiwi in order that an appreciation of the processes is understood;

- processes on convening meetings,
- defining what is a quorum of a meeting;
- confirm that a question is to be settled by a majority of votes of members present and voting; and
- circumstances when the presiding member has a casting vote;

## **4.2 Financial Projections**

The Tiwi Land Council is funded from the Aboriginals Benefit Account (ABA). Budget estimates are prepared annually for administrative expenses and upon approval of the Minister for Indigenous Affairs are release quarterly to the Tiwi Land Council.

Tiwi Land Council has received other grants relating to activities within the land and sea management output group. These are for specific projects, some running across multiple years and generally delivered by external contractors and consultants.

The Tiwi Land Council shall not carry out any commercial activity quarantining itself from incurring any financial liability or enabling it to receive financial benefit.

The charging of fees for service, although permitted under regulations of the enabling legislation, is underutilised by the Tiwi Land Council. The Department of Finance has implemented the Australian Government Charging Framework, the schedule of portfolio charging reviews of the Prime Minister and Cabinet is in 2018 – 2019.

Forward projections are based on the premises; ○

ongoing funds source of ABA;

- inflation rate Darwin CPI 2%
- 10-year Australian bond yield range of 2%.

	2018-2019	2019-2020	2020-2021	2021-2022
	Estimate	Estimate	Estimate	Estimate
<b>S64(1)</b>				
S64(1)	\$4,663,892	\$4,892,851	\$5,366,409	\$5,473,737
Other Income	\$10,000	\$10,000	\$10,000	\$10,000
<b>Sub total</b>	<b>\$4,673,892</b>	<b>\$4,902,851</b>	<b>\$5,376,409</b>	<b>\$5,483,737</b>
Other Grants	2018-2019	2019-2020	2020-2021	2021-2022
	Actual	Estimate	Estimate	Estimate
NTG Aboriginal Ranger Grant Program (Land Management and Conservation Fund)	\$151,670			
Cultural Mentoring	\$117,000			
Funeral fund	\$200,000			
Settlement Deed (Blue Mud Bay)	\$135,250	\$135,250	\$135,250	\$135,250
<b>Sub total</b>	<b>\$603,920</b>	<b>\$135,250</b>	<b>\$135,250</b>	<b>\$135,250</b>
<b>Total</b>	<b>\$5,277,812</b>	<b>\$5,038,101</b>	<b>\$5,511,659</b>	<b>\$5,618,987</b>

### 4.3 Schedule of planned evaluations

Collation of performance progress data is a continuous process that will allow for the easy assimilation of data annually to be produced in a timely manner that is accurate and reliable. Evaluation will be included in the annual report commenced in 2017-2018. Comparative figures will form part of the annual presentation.

Results will be numerically represented in reports, with sufficient analytical interpretation provided to ensure that where there are any changes to the purpose, activities or capability of the Tiwi Land Council or the environment which it operates in, sufficient information will be presented drawing the reader's attention to these and the impacts and the implication of these matters moving forward.

## 5 Strategic Assessment of the Operating Environment

Tiwi Land Council will need to meet these increasing expectations and deliver its outputs in a resource - constrained environment. Over the next four financial years, the Land Council's budget is expected to increase in line with Consumer Price Index factor of Darwin. In this context, the department will need to continue to find efficiencies. Workforce decisions made during this period will have a critical impact on the Land Council's capability and capacity in future years.

It is important to maintain current capabilities and to build new capabilities. Increased capability contributes to preserving overall organisational capacity.

Any reduction to budgets may also impact on the availability of training and development. As a result, there are risks for the Land Council's overall capability.

Our capabilities	Sustaining and developing our capabilities
<p><b>Deep understanding</b> Understanding the economic and policy environment, and the views of the Tiwi's.</p>	<ul style="list-style-type: none"> <li>• Building a thorough and shared understanding of our identity, mission, value-adding role, priorities, and frameworks.</li> <li>• Applying a whole of Tiwi economy approach to our advice and analysis.</li> <li>• Understanding our policy environment and the viewpoints of traditional owners and stakeholders.</li> <li>• Comprehending what policies are set out to do, their alternatives, their impacts and their implementation.</li> <li>• Establishing, maintaining, and using internal and external networks.</li> <li>• Building economic, legal, accounting, and other technical expertise and capacity.</li> <li>• Developing and maintaining corporate memory through developing procedural manuals and effectively using knowledge and information management systems.</li> </ul>
<p><b>Collaboration</b> Collaborating with internal and external stakeholders to develop effective policy.</p>	<ul style="list-style-type: none"> <li>• Establishing and participating in forums to support and drive creativity and innovation.</li> </ul>

Our capabilities	Sustaining and developing our capabilities
	<ul style="list-style-type: none"> <li>• Appropriately sharing knowledge and information across Tiwi organisations.</li> <li>• Responding to stakeholder input.</li> <li>• Building effective relationships with external stakeholders to influence policy directions.</li> </ul>
<p><b>Efficiency and productivity</b> Managing costs, allocating resources and enabling efficiencies.</p>	<ul style="list-style-type: none"> <li>• Improving output quality and system streamlining, including through managing knowledge, being flexible in the use of expertise, building skills and simplifying processes.</li> <li>• Investing in data, systems, and technology to improve quantitative analysis across the Tiwi Land Council.</li> <li>• Ensuring resource allocations are well informed, consistent with the Land Council's mission and responsive to changing priorities, including risk management.</li> </ul>

## 6 Risk Oversight and Management

### Underlying Philosophy

The Tiwi traditional leaders have a strong collective determination to ensure the future wellbeing of their people based on the following principles:

Excellence in Education is the key for Tiwi to maximise economic sustainability and the social wellbeing of the Tiwi people.

The preservation of Tiwi culture and culturally respectful decision-making processes.

The sound commercial development and use of Tiwi major assets: the land, the surrounding seas, and the Tiwi workforce.

Indicator	Risk	Description of Risk
1.	Succession Planning	The leadership of the Land Council currently consists predominantly of men with a good number being over the age of 60.  There are some Tiwi leaders in the next generation with sufficient education and knowledge of the laws and practices (Traditional and Western) to allow them to lead the Land Council in the future.
2.	Governance	External compliance with authorised Tiwi governance structures and threats to secure tenure of land and sea.  Internal threats to compliance with authorised Tiwi governance and emerging economic organisations.
3.	Undertaking financial obligations	The Land Council cannot legally take on commercial risks, including risks that could create related entities.
4.	Transparency of financial distribution	Communication risks of client ignorance of financial management and lack of understanding and accurate, detailed knowledge of how money received by the Land Council is distributed. Resentments and unrest in the community that can be exploited by those who wish to undermine the authority of the Land Council.
5.	Participation:	The TLC has identified that lack of participation across all Tiwi drivers of political, social, and economic development is a major risk to the future and wellbeing Tiwi society. The disproportionately large cohort of Tiwi people aged 25 and under is a growing concern.

Indicator	Risk	Description of Risk
		<p>Lack of upcoming leaders and leaders being unaware of their roles and responsibilities.</p> <p>Parenting:</p> <p>Parents unsure of roles and responsibilities in being effective parents.</p>
6.	Tiwi Plantations	<p>Standalone major industry risk.</p> <p>Environmental risks real and imagined.</p> <p>Political risks of doing business and non-compliance with aboriginal industry and program norms.</p> <p>100% Tiwi owned risks without external investment.</p>
7.	Traditional Land Ownership:	<p>Large numbers of people, currently in excess of 160, applying to be included in the Tiwi Register of Traditional Owners leading to confusion, resentment and unhealthy pressure on actual Traditional owners.</p> <p>As the income of Tiwi land value increases so too does the demand from people applying to access that income.</p>
8.	Land Use Funds	<p>The Land Council is responsible to calculate and receive all funds from use of land and resources from the land. These funds generally require distribution from the Land Council within six months of receipt.</p> <p>Amendment of the Land Rights Act now requires funds only be given to an organisation that can produce a set of financial accounts. In addition, the Land Council is obliged not to give money to organisations that it reasonably suspects are misusing that money.</p> <p>Risk 1: The Land Use Funds must be taken and distributed in a timely fashion.</p> <p>Risk 2: Land Use Funds must be allocated in accordance with legislative obligations.</p>
9.	Asset control	<p>There is a risk of loss of assets through negligence, fraud and misuse</p>
10.	Monetary Fraud	<p>The Tiwi Land Council has an annual budget of \$5,277,000. There is a risk of loss of monies through fraud.</p>