



# Corporate Plan

2020-2024

27 June 2020

# Contents

1	Introduction.....	3
2	Purposes .....	3
2.1	Objectives, functions and role of Tiwi Land Council .....	3
3	Key Activities.....	3
3.1	Key activities that Tiwi Land Council will follow to achieve its purpose.....	3
	Traditional Owner Recognition.....	3
	Managing Land – Access and Land Use .....	4
	Managing Land -Sacred Sites .....	4
	Managing Land -Mining .....	4
	Education .....	4
	Communication .....	4
	Private Economy .....	5
4	Operating Context .....	5
4.1	Environment.....	5
	Accountable authority .....	5
	Land held in Trust .....	5
	Traditional owners’ roles.....	6
	Tiwi population .....	6
4.2	Capability .....	9
4.3	Risk .....	10
4.4	Cooperation .....	16
4.5	Performance .....	16
5	Performance measures .....	16
	Strategy Traditional Owner Recognition .....	16
	Strategy Managing Land - Access and Land Use.....	18
	Strategy Managing Land – IPA.....	18
	Strategy Managing Land -Sacred Sites.....	19
	Strategy Managing Land -Mining.....	19
	Strategy - Education.....	21
	Strategy – Communication .....	23

Strategy – Private Economy.....	24
5.1 Financial Projections .....	26
5.2 Schedule of planned evaluations .....	27

## 1 Introduction

We, as the accountable authority of Tiwi Land Council, present the **2020 - 2021** Tiwi Land Council Corporate Plan, which covers the periods of 2020-2024, 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

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 proactive in the services it offers to Tiwi people.

## 3 Key Activities

### 3.1 Key activities that Tiwi Land Council will follow to achieve its purpose

Land Councils have important functions in relation to Aboriginal land.

We are committed to ensure that the Tiwi Land Council acts 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.

Traditional Owner Recognition

Tiwi Land Council has engaged an anthropologist to assist in identifying clan estate ownership and clan membership.

#### Managing Land – Access and Land Use

The Tiwi Land Council will continue to review and improve administrative processes to manage land access and land use in accordance with the *Aboriginal Land Rights (Northern Territory) Act 1976*.

#### Managing Land -Sacred Sites

Tiwi Land Council will continue their assistance in the protection of sacred sites and areas of significance both on land and in the sea.

#### Managing Land -Mining

Traditional owners will be sought to express their wishes, in accordance with the *Aboriginal Land Rights (Northern Territory) Act 1976* pertaining to the issuance or otherwise of exploration leases on Tiwi Aboriginal Land Trust land.

#### 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 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.

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

The Executive Management Committee of the Tiwi Land Council undertakes development on Land Council governance matters.

#### Communication

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

### Private Economy

With the Tiwi private economy developing into independent 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 Tiwis in the development and the total Tiwi population.

## 4 Operating Context

### 4.1 Environment

#### Accountable authority

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

Chair, Mr Gibson Farmer Illortaminni, 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, Andrew Tipungwuti was successfully appointed for a three-year term on the 2<sup>nd</sup> August 2018.

The Minister has provided for a position of General Manager to assist and capacity-build Mr. Andrew Tipungwuti to the position of CEO. This position has been included in the budget estimate for the following 3 years.

#### Accountable Authority

	2020-2021	2021-2022	2022-2023	2023-2024
Chair	Election year			
CEO				

#### Land held in Trust

The Tiwi Aboriginal Land Trust has grown 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 Islands has an Exploration permit application EP295.

### Traditional owners' roles

By virtue of section 23(3) of the *Aboriginal Land Rights (Northern Territory) Act 1976*, a Land Council is obliged, in carrying out its functions with respect to any Aboriginal land in its area, to have regard to the interests of, and consult with the traditional Aboriginal owners of the land and any other Aboriginals interested in the land. Furthermore, the Land Council is prohibited from taking any action in any matter in connection to land held by a Land Trust, including the giving of consent or the withholding of consent, unless the Land Council is satisfied that:

- (a) the traditional Aboriginal owners of the land understand the nature and purpose of the proposed action and as a group, consent to it; and
- (b) any Aboriginal community or group that may be affected by the proposed action has been consulted and has had adequate opportunity to express its view to the Land Council.

Another relevant provision of the *Aboriginal Land Rights (Northern Territory) Act 1976* is Section 29, which deals with membership of a Land Council. It provides that members of a Land Council shall be Aboriginals living in an area of the Land Council or whose names are set out in a register maintained by the Council in accordance with section 24, who are chosen by Aboriginals living in the area of the Land Council in accordance with such methods as approved from the Minister, section 29(1).

The significance of these provisions lies in the fact that the *Aboriginal Land Rights (Northern Territory) Act 1976* makes clear that only Aboriginal people are entitled to be members of a Land Council. Moreover, the *Aboriginal Land Rights (Northern Territory) Act 1976* enfranchises Aboriginal people in the process of electing members of a Land Council.

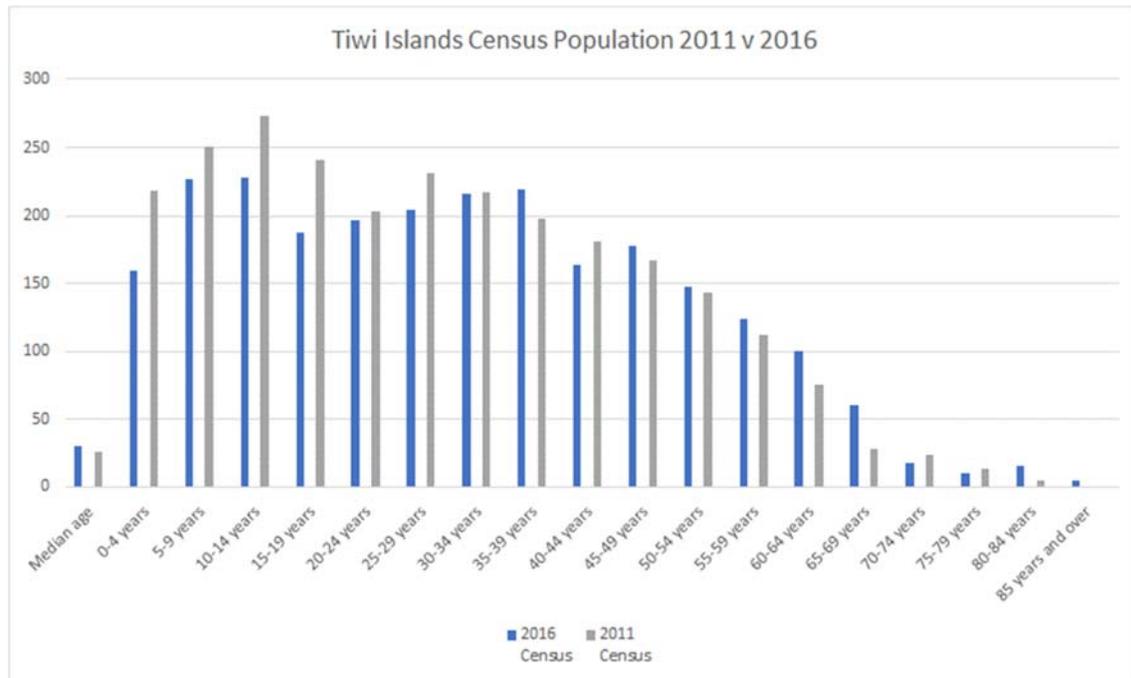
### Tiwi population

The Tiwi Islands of Bathurst and Melville Island consist of approximately 7,000 square kilometres with 3,000 people; 2011 and 2016 ABS Census data provide a slightly lower figure than this. Differences are accounted for with children being educated in Darwin and interstate, Tiwis away from Island, undertaking employment training and development and those visiting family and friends predominately in Darwin. Historically the death rate had averaged 40 people per year; 2019-2020 saw a below than average rate.

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

There is a significant interest in people returning to their homelands. ABA homeland funding project provides a one-off infrastructure investment in selected homelands to improve living conditions.

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 Tiwis.

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. As the umbrella of responsibility grows for the administration and economic development of the Land Council so too will the access to more human resources.

In the world of 'Local Decision making' there will be more emphasis on capitalising on capability growth of Land Council members by empowering them to follow through on implementing strategic opportunities developed within which will ultimately benefit all Tiwi.

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>



It is also envisaged there will be an opportunity for personal development for Executive members through the implementation of a yet to be developed 'performance review' type platform which will identify strengths and weaknesses of members to assist in building individual/collective capacity.

### **4.3 Risk**

#### Underlying Philosophy

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.



Type of risk	Description	Identified Risk	Risk Level	Analysing Risk	Monitoring Risk	Residual Risk After Monitoring
				<p>decision made by the clan group.</p> <p>This then is put forwards to the Minister for Indigenous Affairs – who will appoint the trustees.</p>	<p>Revisits of responsibilities and accountabilities</p> <p>Discuss the future leadership opportunities and mentors?</p>	
2.2		Members	Low	Following acceptance of the Tiwi Land Owners Membership Methodology	Traditional Land Owners register to be verified- by meeting with clan groups	Low
2.3		Executives	Low	Nominated and elected by the clan group	Procedures and Policies in place and is reviewed every 12 months	Low
2.4		Staff	Low	Staff performance appraisals	HR system Critical Staff Monitor staff wellness	Low
<b>3 Financial and systems</b>	Risks associated with financial controls and systems.		Low	Overriding of standard operating procedures	Analytical verification of system generated information	Low
<b>3 Security/Privacy</b>	Risks to Tiwi land Council security and privacy of information resources maintained by the Tiwi land Council.	Records not stored securely.	Medium	Information and documentation flow	IT service provider, cloud storage and digitisation of existing records paper files	Low
<b>4 Technical</b>	Risks associated with managing assets.	Office equipment Motor vehicles Office	Medium	Environmental factor	A Motor Vehicle Policy is in place – record of maintenance is monitored.	Low
<b>5 Compliance /Legislation</b>	Risks associated with meeting legal and regulatory obligations.	Tradition Land Owner Register not been Updated.	Medium	Verifying the family tree history for authenticity of Traditional Ownership s24 ALR Act	Meeting with clan groups to validate and verify and update – Births and Deaths	Low

Type of risk	Description	Identified Risk	Risk Level	Analysing Risk	Monitoring Risk	Residual Risk After Monitoring
	The Land Council is responsible in receiving the funds from use of land and resources from the land and need to distribute these funds within six months of receipt.	Land use Funds	Medium	Assess Land use Fund bank account	Prepare monthly detail reconciliation of inflows and outflow of funds of the Land Use fund account.  View changes to ALR Act in relation to permitted distribution and monitoring of entities receiving distributions.	Low
<b>6 Business continuity</b>	Risks to the Tiwi land Council continuing its functions in an emergency.	Unforeseen event	<b>Extreme</b>	Lack of funds in ABA, change in legislation	Appropriate level of insurance. Succession planning and human resource development and awareness	<b>Extreme</b>
<b>7 Fraud</b>	Risks associated with preventing or detecting fraudulent activity.	Monetary	Low	It is important for risk assessment strategies to be reviewed and refined on an ongoing basis considering experience with continuing or emerging fraud vulnerabilities. The outcomes of fraud risk assessments can be provided to entities' audit committees for consideration in the annual audit work program	Quarterly audit and reporting to the Department of Finance requires processes and records tracking the flow of all funds through the Land Council.  All requisitions and cheques are countersigned. Financial oversight is independent of the Land Council management.  The Land council executive Committee also monitors all payments at regular meetings, and review progress against budgets. Bank Statements are certified against actuals. Full details of the income and expenditure of the Land Council is published at the regular meetings of the Management and Finance Committees.	Low

Type of risk	Description	Identified Risk	Risk Level	Analysing Risk	Monitoring Risk	Residual Risk After Monitoring
<b>8 Items/Technical</b>	<p>The Land Council currently owns a relatively small total of physical assets in its own name.</p> <p>The Land Trust has significant assets and the Land Council is obliged to fund cost of the trust</p>	Loss of assets through negligence, fraud and misuse	Medium		<p>Valuation cycle 3 years.</p> <p>Viewing and assessment of assets by senior staff</p> <p>Maintaining industry assets recognition policy</p>	Low
<b>9 Act Requirements</b>	s19 Dealings in land by a land trust	Lack of consultation	Medium	Review minutes and points raised during consultations	Ensure free, prior, and informed consent	Low
<b>Important Obligations</b>	s23 Functions of the land council	Limited resources to address all function	Medium	Review workflows and projects allocated to staff.	Project management.	Low
	s24 Register of traditional Aboriginal owners	Clan group pressured to include member on to register	Low	<p>Regularly present clan group listing to Trustee seeking their feed back</p> <p>See 2.2 above</p>	<p>Develop probity testing by anthropologist.</p> <p>See 2.2 above</p>	Low
	s26 Land Council to meet expenses etc of Land Trust	<p>Surrendering of lease, fixtures reverting to the Land trust</p> <p>Correct valuation of assets</p>	Medium	Seek feedback from leasee on performance of operations	<p>Database of leases accessible by various staff members</p> <p>Seek information from leasee of replacement valuations, ongoing basis</p>	Medium

Type of risk	Description	Identified Risk	Risk Level	Analysing Risk	Monitoring Risk	Residual Risk After Monitoring
<b>10 Mining &amp; Extraction</b>	S19(11) extraction	Lack of consultation, extraction used without landholder consent	Medium	Create a s19(11) register	Add to lease register reviews	Low
	Process	Preliminary exploration, Exploration, Mining	Medium	Ensure correctly identified traditional owners provide consent.  Identity will reveal royalty recipients	Anthropologist and Registrar to identify and confirm traditional owners.	Low
	Reporting	Ensure reporting, fees, and renewal dates are adhered to	Medium	Keep update with Part IV review process  Determine if fees are reasonable for holding tenement.	Tabulate key dates create reminders	Low

## 4.4 Cooperation

Tiwi Land Council will engage closely with various stakeholders in order to achieve its purposes, in a fit-for-purpose approach.

Stakeholder	Purpose
Tiwi Resources Pty Ltd	Delivery of Ranger programs.
Tiwi Resources Pty Ltd	Assist with mining tenements.
Tiwi Resources Pty Ltd	Managing clan meetings and disbursement of incomes from the land.
Tiwi Resources Pty Ltd	Facilitating clan meetings in order to receive free, prior and informed consent of land uses.
Munupi Pty Ltd	Managing clan meetings and disbursement of incomes from the land.
Munupi Pty Ltd	Assist in formation of an Aboriginal Corporation to received upfront payments and economic development funds.
Tiwi Enterprises Ltd	Delivery of funerary service on behalf of Land Council.

## 4.5 Performance

# 5 Performance measures

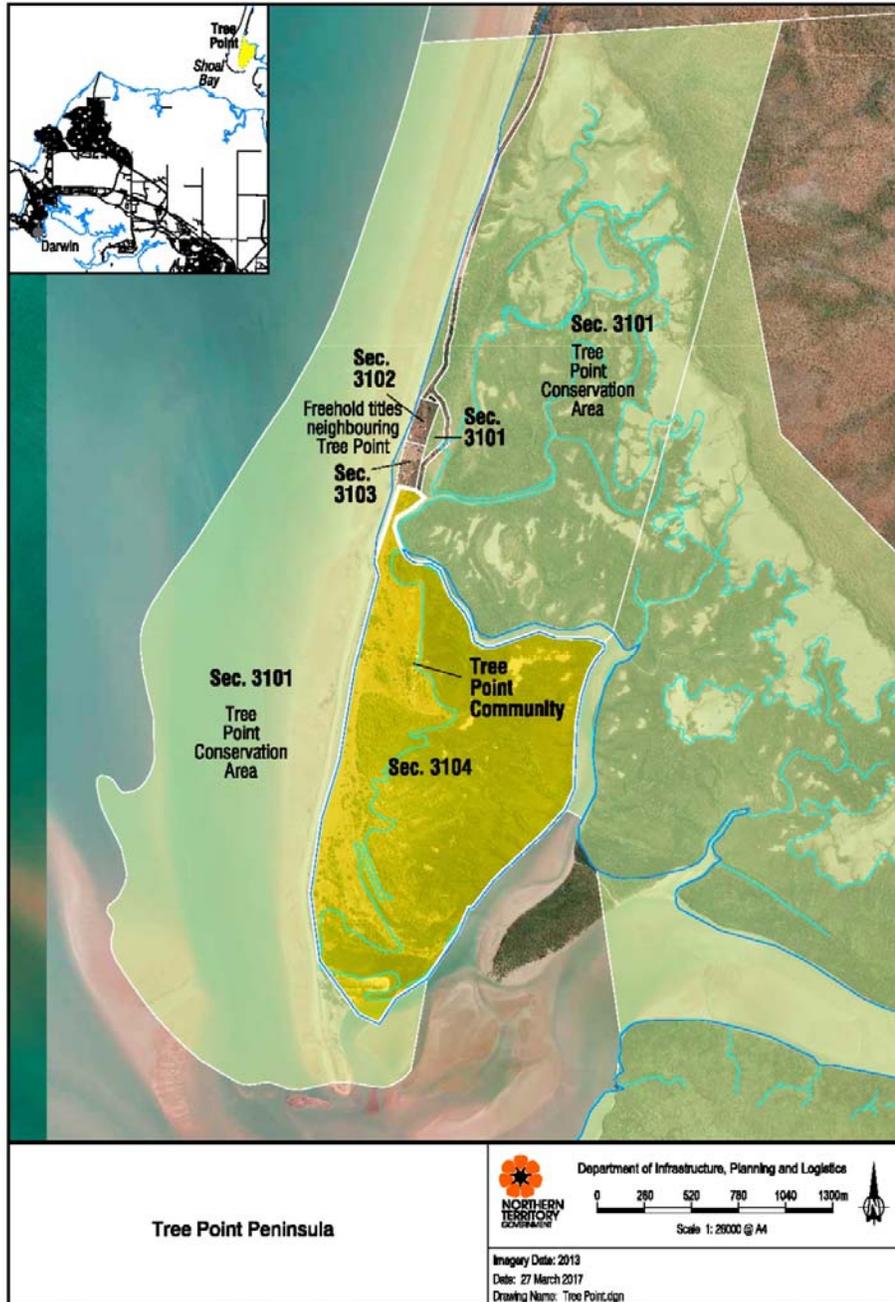
### Strategy Traditional Owner Recognition

Tiwi Land Council under its budget estimate has engaged an Anthropologist. There are several areas that an Anthropologist will assist the Tiwi.

Firstly, the Anthropologist will coordinate and undertake field research with landowners into systems of land tenure on the Tiwi Islands and areas of cultural significance to the Tiwi on the Mainland. This research will be documented for the purpose of site protection, cultural heritage management, and ensuring the appropriate landowning groups are consulted to make decisions about land use/access. Tiwi sites of cultural, social, historical and archaeological significance will be documented with the input of traditional owners.

Secondly, the Anthropologist will assist in researching and collating stories of senior Tiwi people pertaining to the role and cultural affiliation of Tiwi to areas nearby Mainland Darwin, including the Gunn Point Peninsula, Tree Point, and Mindil Beach. Tiwi people boast a strong oral history tradition and material culture affirming their connection to the region from Tree Point on to the Vernon Islands and through the Clarence Strait on to Melville and

Bathurst Islands. There are numerous sites of cultural significance on the Gunn Point Peninsula, including Tiwi and non-Tiwi burial grounds, dreaming places, and camping areas. The Anthropologist will work to document this cultural knowledge and engage with traditional owners from the Mantiyupwi clan and other stakeholders to determine how to strengthen Tiwi people's access to and engagement with these areas on the Mainland. Given that Mantiyupwi do not hold the freehold title for any parcels of land on the Gunn Point Peninsula, discussions will be required with external parties to determine the clan's options in securing a land transfer and/or a right of access to their cultural sites. The title for Tree Point Community, Sec. 3104, Hundred of Bagot (see map below) is currently held by Durduga Tree Point Aboriginal Association Incorporated.



#### Goals and Objectives:

- Manage expectations of Tiwi clan groups in regard to determining what practical outcomes are possible in negotiating access to areas on the Mainland outside of the jurisdiction of the Tiwi Land Trust;
- Ensure detailed documentation is prepared relating to the protection of Tiwi cultural sites and that the relevant statutory bodies are notified;
- Preserve cultural and traditional ecological knowledge; and
- Determine the aspirations and priorities of Tiwi traditional owners in seeking recognition and/or access to areas of land outside of the jurisdiction of the Tiwi Land Trust.

#### Strategy Managing Land - Access and Land Use

The Tiwi Land Council conducted a comprehensive review of the administrative procedure for gaining approval to access and use land within the Tiwi Land Trust. The review highlighted that there were some areas that could be improved to streamline these processes and facilitate improved engagement with Tiwi Landowning groups.

#### Goals and Objectives:

- To consider the recommendations within the Tiwi Land Council review and facilitate improvements where appropriate;
- Make appropriate changes within the Tiwi Land Council website to support improvements; and
- Communicate any changes to key stakeholders.

#### Strategy Managing Land – IPA

Tiwi Islands Consultation IPA was executed between TLC and NIAA.

The Indigenous Protected Area grants are provided under the National Landcare Program. The program outcomes include:

- Protect and conserve Australia's biodiversity;
- Assist Indigenous Australians to deliver sustainable environmental, cultural, social and economic outcomes through the effective and sustainable management of their land and sea; and
- Build the extent and condition of Australia's National Reserve System.

The Tiwi Islands IPA Consultation core service provision activities will be guided by an external consultant, Tiwi Resources Pty Ltd, Traditional Owners and overseen by TLC Natural Resource Support Officer. The IPA consultation phase is expected to take two years.

#### Goals and Objectives

- Students engaged through school visits and IPA interpretive presentations;

- Clan representatives recruited to assist in consultations and participatory land-use planning;
- Consultations with clan groups, land and sea rangers, students, TLC Board and IPA Planning Group;
- Production of final IPA Plan of Management and MERI;
- Dedication of Tiwi Island IPA;

### Strategy Managing Land -Sacred Sites

Tiwi Land Council will continue in their assistance with cultural heritage management via the protection of sacred sites and areas of significance both on land and in the sea. Most of the 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.

The Anthropologist will assist in undertaking anthropological research to determine clan estate ownership for areas of proposed mining and/or development. This work includes assisting the Mining & Natural Resources Officer in facilitating community consultations to ensure that landowners and affected communities understand the purpose of the proposed action(s) and have consented to it as a group. Priority will be given to working with landowners to identify sacred sites and areas of social significance within existing mining leases to ensure their protection. Under the guidance of the Anthropologist, site custodians will be encouraged to apply to register these sites with the Aboriginal Areas Protection Authority (AAPA) to ensure their maximum protection under NT legislation.

### Goals/Long-term Visions:

- Ensure detailed documentation is prepared relating to the protection of Tiwi sites and that the relevant statutory bodies are notified;
- Produce detailed maps of sites of cultural, social and historical significance for TLC and Tiwi landowners to use;
- Preserve cultural and traditional ecological knowledge;
- Intergenerational knowledge transfer;
- Improve TLC's relationship with AAPA, NT Heritage Branch, and other statutory bodies, and strengthen understanding of the site registration process for landowners;
- In collaboration with Rangers and with support from relevant experts, incorporate natural resource management into the management regimes for cultural sites; and
- Design and implement a digital keeping place to incorporate and safeguard Tiwi knowledge, including cultural sites and traditional ecological knowledge.

### Strategy Managing Land -Mining

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

Concentration of attention will focus on negotiation of Exploration Licence Application 27644, the area bound in blue below. The applicant, Rio Tinto Exploration Pty, with an area under application consists of 425 blocks. Yimpinari land owning group, will consider matters under application and associated opportunities pertaining to with mining services. A pre-exploration site visit was conducted in November 2019 and the results of this activity will be presented to the Yimpinari land owning group as formal negotiations are scheduled to continue in the latter half of August 2020.



During 2019 there has been a significant increase in the number of interested parties seeking to undertake sand mining on the Tiwi Islands, with a focus on the southern coastline of Bathurst Island.

A few of the proponents have been better prepared than the majority, although difficulty is encountered when asked how the Tiwi will benefit from such sand extraction.

MZI Resources Limited appointed, on the 16th April 2019, McGarthNicol Restructuring as Voluntary Administrators. Thus, the following Exploration and Mineral Licences were held by MZI Resources Ltd (100%), Agent McGarthNicol Partnership;

1. EL24329, highlighted with blue boundary below, consisting of 28 blocks.
2. EL24851, highlighted with green boundary below, consisting of 12 blocks.
3. EL23862, highlighted with red boundary below, consisting of 39 blocks.
4. ML24510, highlighted yellow consisting of 821.7 hectares
5. ML24511, highlighted yellow consisting of 909.4 hectares

The associated purpose of the exploration licences and mineral licences is of mineral sands, rather than of sand mining.

In January 2020 the Tiwi land Council successfully negotiated the transfer of exploration licences formerly held by MZI to Tiwi Resource Pty Ltd on behalf of clan owning groups for the purpose for owning their exploration licences and potential mining associated with this opportunity. Assessment of potential mining opportunities will be ongoing.



### Goals and Objectives

- To meet all reporting, renewal and lease requirements of the NT Government;
- Assess all licence areas held by Tiwi for mining potential;
- Consult with appropriate clan groups to discuss future direction for titles;
- Consolidate licence areas that have potential for mining;
- Reduce or relinquish titles that have little or no potential, significant cultural or environmental value;
- Consult with clan groups, where potential exists, to discuss positive and negative impacts of mining and how this may be managed;
- Facilitate discussions with external parties as requested by Tiwi Landowners to explore options for future mining; and
- Support Tiwi through consultation for any future exploration title applications.

### 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.

<b>Performance Measure</b>	<b>Unit</b>
Formalise delegations to Executive Management Committee	6
Formalise delegations to staff	1
Formalise delegations permit system	15

### 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 islands and the extremely limited communication infrastructure places additional pressure on Land Council members.

Darwin Tiwi Land Council Office, 116 Reichardt Road, Winnellie was officially open by the Minister for Indigenous Affairs on the 10<sup>th</sup> May 2019.

Tiwis 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 accessibility 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.

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;

- Advisor to the Accountable Authority position to be replaced with a Policy Officer
- Executive Officer

- ABA Grant Application Officer
- Natural Resource Support Officer

August 2018 saw the launch of an enhanced website, with a fully integrated permit system. The site contains a wealth of information and is a useful resource for those seeking background information on the Tiwi Island and Culture.

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.

<b>Performance Measure</b>	<b>Unit</b>
Clan group meeting - 3 for each land owing group	24
Executive Management Committee meeting	12
Land Council meeting	6
Tiwi News editions	6

#### Strategy – Private Economy

With the Tiwi private economy developing into independent 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 introduction of a Policy Officer should complement the commencement of the Grants Officer in working with Tiwi proponents to workshop, develop and prioritise economic opportunities on the Tiwi Islands.

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 and appropriate qualified advisors.

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.

Tiwi clan group that made investments in support of the Tiwi Plantations Corporation, are positioned to receive interest on their corpus in the coming years. Commonwealth government budget announcements include the allocation of \$60m for seal roads on the Tiwi Islands, with the forestry operations to benefit from this process.

Tiwi Resources, Tiwi Resources Pty Ltd as Trustee for the Tiwi Resources Trust, have recently entered an arrangement know as, Tiwi Islands Savanna Burning for Greenhouse Gas Abatement, with the Indigenous Land Corporation for creating Kyoto Australian Carbon Credit Units through burning of the Tiwi's land. This commercialisation of land and ranger

interaction with the land, has seen a proposal made by the ranger program to sit entirely outside the Tiwi Land Council

<b>Performance Measure</b>	<b>Unit</b>
ABA grant applications submitted	20
Distribution of funds received from land within six months of receipt	30
Facilitate road and infrastructure meeting	6

#### 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 majority vote of members present and voting, and
- circumstances when the presiding member has a casting vote.

<b>Performance Measure</b>	<b>Unit</b>
Create rules for conducting Executive Management Committee meetings	1
Appoint 24 members to Land council in December 2020 – hold 8 clan meetings	8

## 5.1 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 2019-2020.

Forward projections are based on the premises;

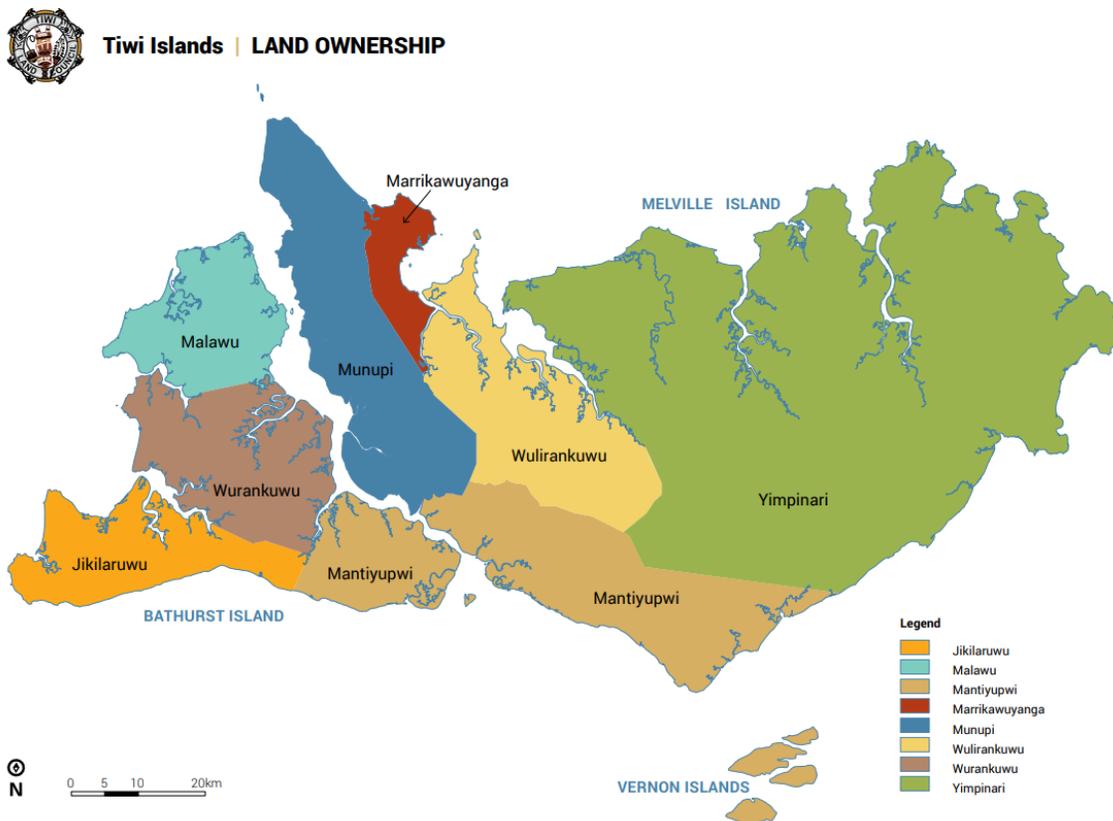
- o inflation rate Darwin CPI 1%;
- o 10-year Australian bond yield range of 1%; and
- o ongoing funds source of ABA;

	2020-2021	2021-2022	2022-2023	2023-2024
	Estimate	Estimate	Estimate	Estimate
<b>S64(1)</b>				
S64(1)	\$5,898,507	\$4,973,891	\$5,074,805	\$4,984,351
Other Income	\$1,200	\$1,200	\$1,200	\$1,000
<b>Sub total</b>	<b>\$5,899,707</b>	<b>\$4,975,091</b>	<b>\$5,076,005</b>	<b>\$4,985,351</b>
Other Grants	2020-2021	2021-2022	2022-2023	2023-2024
	Estimate	Estimate	Estimate	Estimate
Settlement Deed (Blue Mud Bay)	\$138,625	\$138,625	\$138,625	\$138,625
<b>Sub total</b>	<b>\$138,625</b>	<b>\$138,625</b>	<b>\$138,625</b>	<b>\$138,625</b>
<b>Total</b>	<b>\$6,038,332</b>	<b>\$5,113,716</b>	<b>\$5,214,630</b>	<b>\$5,123,976</b>

## 5.2 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 2019-2020. 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.



The island headquarters are based at Pickerataramoor, which are currently receiving additional infrastructure upgrades, 4G hub and dedicated bore facilities.

Digitisation of hard records and the use of Sharepoint, a cloud-based solution, have allowed access to appropriate records to Executive Management Committee and staff members on demand.