



# **TIWI LAND COUNCIL**

**2011 / 2012**

*Thirty-Third Annual Report*

# ANNUAL REPORT

2011 - 2012



*Pursuant to Section 48 of the Commonwealth Authorities and Companies Act 1997, the Finance Minister has provided certain orders for the reporting of operations of Commonwealth Authorities in relation to financial years ending on or after June 1999.*

## ENABLING LEGISLATION

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The Aboriginal Land Rights (Northern Territory) Act 1976 provides at Section 12AAA a grant to the Tiwi Land Trust, and is the enabling legislation of the Tiwi Land Council established by Special Gazette No.S162 of 18 August 1978.

## RESPONSIBLE MINISTER

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The Honourable Jenny Macklin MP. Minister for Families, Community Services and Indigenous Affairs has been our responsible Minister throughout the reporting period.

**Managers:**

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Pirlangimpi: (08) 8978 3788

Milikapiti: (08) 8970 9152

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*The Tiwi Land Council is the Statutory Authority of Owners of the Tiwi Islands*

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The Honourable Jenny Macklin MP

Minister for Families, Community Services and Indigenous Affairs.

Parliament House

CANBERRA ACT 2600.

*Dear Minister,*

**THIRTY-THIRD ANNUAL REPORT**

*In accordance with clause 1 of schedule 1 of the Commonwealth Authorities and Companies Act 1997, I am pleased to present to you the thirty-third annual report of the Tiwi Land Council for the period 1 July 2011 to 30 June 2012. The report includes a copy of our audited financial statements forwarded to you by the Australian National Audit Office.*

*Yours sincerely,*

**Gibson Farmer Illortaminni**

Chairman

Tiwi Land Council

24th October 2012

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## A STATEMENT OF OUR PAST

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***“The aboriginals of Bathurst and Melville islands remained a unified entity repelling any unwanted effects of alien contact, embracing others, and generally enjoying authority over their own lives and customs for a period of two centuries.”***

(Krstins,V. “The Tiwi: A Culture Contact History of the Australian Aborigines on Bathurst and Melville Islands 1705-1942.” BA Hons thesis, ANU: 1972.)

## A STATEMENT OF PRESENT PURPOSE

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***“We believe the Tiwi Land Council provides a continuation of those processes now affirmed in legislation; recognising our one language and common and distinct customs; our constant contact with each other and shared hunting grounds and ceremonies; our established practice of calling meetings and seeking the advice of our elders that have served our people for thousands of years, and is a recognised and respected authority for the management, protection and development of our interests.”***

(Matthew Wonaeamirri, Eric Brooks, Hycinth Tungutalum, Raphael Aputumi, Cyril Rioli – A Special Meeting of Clan Leaders at Pularumpi, 1 June 1977.)

## OUR VISION FOR THE FUTURE

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***“Our vision is of an independent and resilient Tiwi society built on the orderly and well managed utilization of our natural and human resources through reliance upon our own management, maintenance and protection of unique cultural and natural resource values for the enjoyment and benefit of future generations of Tiwi.”***

(Tiwi Land Council Meetings and Workshops developing the strategies and responsibilities leading to publication and ratification of the Tiwi Islands Regional Natural Resource Management Strategy, 29th. September 2003.)



## CHAIRMAN'S REPORT

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Awana Mamanta

Welcome to the 33rd Edition of the Tiwi Land Council's Annual Report for 2011/12.

Once again we pay tribute to the cherished members of our Tiwi family that have left us this past year. Our lives are richer for having known you. You remain an unforgettable part of the Tiwi story as we continue to strive for the wellbeing and success of our people. May you Rest in Peace.

There will always be such sadness in our lives and we recognise that happiness and success can never be taken for granted. That is why we should be thankful that 2011/12 has been one of the most promising and exciting years for the Tiwi people in recent memory.

Most notably, the townships of Milikapiti and Ranku signed Township Leases with the Australian Government in November 2011, finally allowing the owners of that land to gain many of the substantial benefits of land ownership that other Australians take for granted. The rental payments to which our landowners are now entitled in those communities and in Wurrumiyanga will help our people in their quest to stand on their own two feet and thrive as an independent, economically-viable community, free from the shackles of welfare dependency.

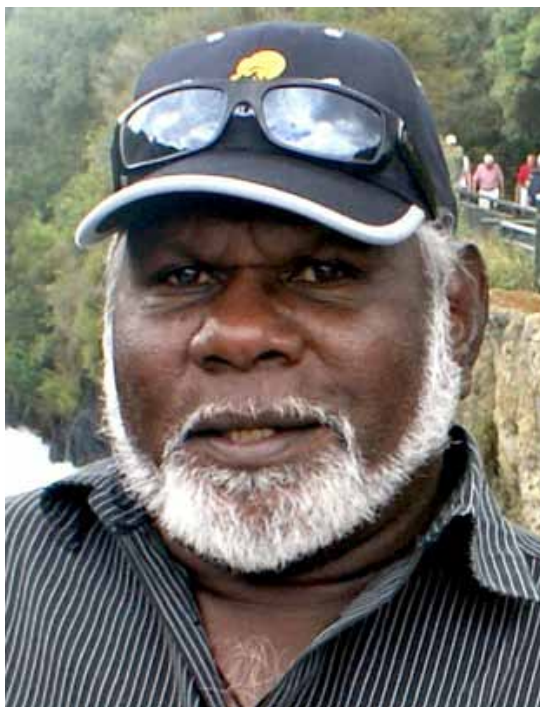
That goal drew even closer to fruition when Tiwi Islands Adventures Inc. was formed to purchase Melville Island Lodge from its owner Mike Baxter in April 2012. Melville Island Lodge is now wholly-owned by the Tiwi people and, with Mr Baxter's continued mentoring presence, we are confident that Tiwi Islands Adventures will be a shining example of the Tiwi's ability to own, manage and develop successful business interests for the benefit of the Tiwi people.

This proof could not have come at a more opportune moment. For many years people have doubted our ability to succeed in business. They have told us to aim low and think small. Yet we have persevered in the face of these doubts.

Our forestry plantations, with which I have been associated for many years, will soon be ready for harvest. I attended a meeting in Singapore to ensure that we will have the corporate partners we need to ensure that we gain as much long-term benefit as possible from our plantations. The success of these plantations will be a testament to the determination of the Tiwi to succeed in the face of great adversity.

Our children are attending school in greater numbers than we have seen in many decades. Our very own Tiwi College has thrived under the stewardship of the Tiwi Education Board and the College's dedicated staff. Over 70 students are now living and learning at the Pickertaramoor campus each week, with many more waiting in the wings as soon as we have room to accommodate them!

With the crucial assistance of Tiwi Islands Adventures, Plantation Management Partners and Tiwi Enterprises, Tiwi College now has a dedicated Vocational Education Program that will provide our children with the training and preparation necessary to thrive as members of the developing Tiwi workforce.



*Chairman Gibson Farmer*

And last, but by no means least, we are the Premiers!

After five years of heartbreaking near misses, the Tiwi Bombers fulfilled the promise of a generation, winning the NTFL Premiership in a nail-biting Grand Final against the Nightcliff Tigers. As mobs of Tiwi rushed onto the field to celebrate after the final siren that night, they brought with them the memories of many family and friends who had not lived to see this moment, but had worked so hard to make it a reality.

If that night, that Premiership, proved one thing, it proved that Tiwi people are capable of anything when we aim high and work together.

I would like to acknowledge the strong leadership of my predecessor Mr Robert Tipungwuti whose six year tenure as Chairman ended this year. His tireless service to the Tiwi Land Council will not be forgotten.

It has been an honour to begin my term as Chairman of the Tiwi Land Council with so many exciting developments taking place. I look forward to facing the challenges that lie ahead and leading our proud people on to the great prospects that await us.



**Gibson Farmer Illortaminni**

Chairman

Tiwi Land Council

20th September 2012



# ANNUAL REPORTING REQUIREMENTS

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## BASIS

Section 9 of the Commonwealth Authorities and Companies Act 1997 requires preparation of an Annual Report in accordance with Schedule 1 of that Act.

## FINANCIAL STATEMENTS

This report contains our prepared financial statements, including the Auditor-General’s report on those financial statements.

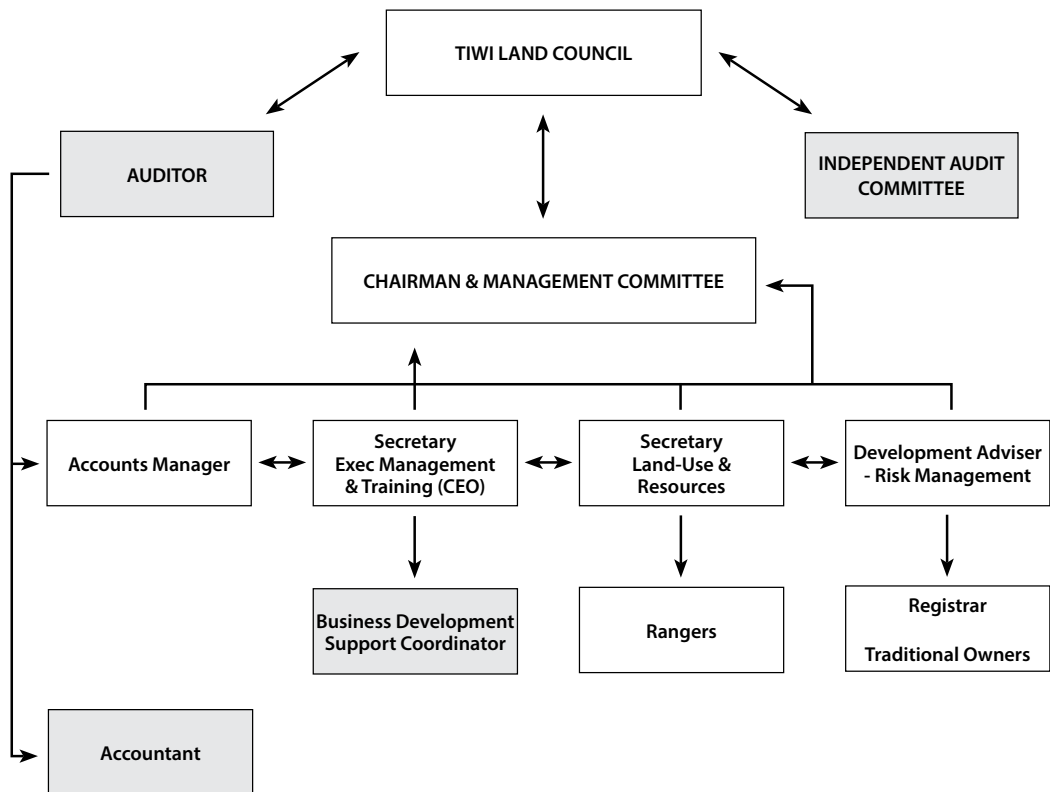
## REPORT OF OPERATIONS

Commonwealth Authorities (Annual Reporting) Orders 2011, as amended, provides detailed requirements for information about operations and activities. This report contains that detail required.

# OUTLINE OF ORGANISATIONAL STRUCTURE

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*Shading represents external positions*

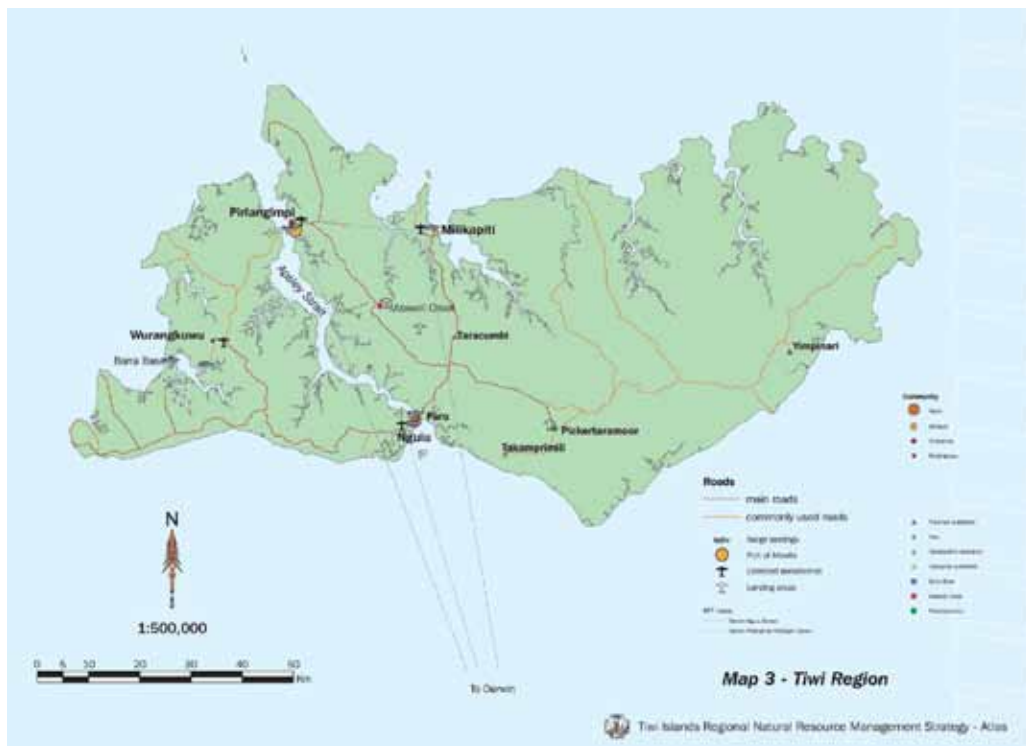




## LOCATION OF ACTIVITIES AND FACILITIES

The map provided locates facilities developed by the Land Council for the conduct of required major activities. These include:

- Headquarters office, meeting hall and ceremonial grounds at Pickataramoor adjacent to the Tiwi College. This facility is the centre for most meetings of the Land Council and the Executive and is so situated to draw upon students from the College, including members of the Junior Land Council, to participate at meetings and develop an understanding of the leadership challenges facing Tiwi society.
- Offices at all three Townships where Managers and members of the Executive also reside.
- Secretariat (leased) office in Darwin that monitors legal and financial compliance and provides support to our staff on the Islands.



## STAFF RETAINED AND EMPLOYED

Limited and best use of funds has required the Land Council retain external professional staff to provide key services:

- Chief Financial Officer, Derek Mayger LL.B. CPA has provided services on an hourly rate from 2007.
- Accounts Manager, Craig Blake also provides services on an hourly rate and works to Mr. Mayger since 2011. He also is attending University for his Accounting qualifications.

- Business Development support is provided by Mr. Ray Allwright resident at Wurrumiyanga. A prior Director of Information and Communication Services with the NT Government, he has been retained on an hourly rate since 2005.

The Land Council is required to employ permanent staff. It directly employs five persons.

- Chief Executive Officer, John Hicks LLB. was retained by the Land Council in April 1986 and was provided with, and retained on, a ten year contract from 2005. In 1995 Mr. Hicks also became Secretary to the newly established Management Committee of the Land Council.
- Secretary, Land and Resource Management, Kate Hadden BSc (Hons); McKell Medallist, Accredited Environmental Auditor, was seconded from the NT Government in 2000 and remains a Land Council employee subject to tri-annual reviews of her secondment.
- Development and Risk Management Advisor Brian Clancy DipEd, is employed on a ten year contract from 2008.
- Mr. Clancy is supported by Simon Harari LLB (Hons) who has agreed to assist the Land Council through the 2012/13 year, to analyse strategic pathways and to provide advice, particularly on the integration of College graduates with the Tiwi economy.
- Registrar of Traditional Owners - Mrs. Jennifer Clancy Ullungurra Cert Teacher, is employed on a ten year contract from 2008.

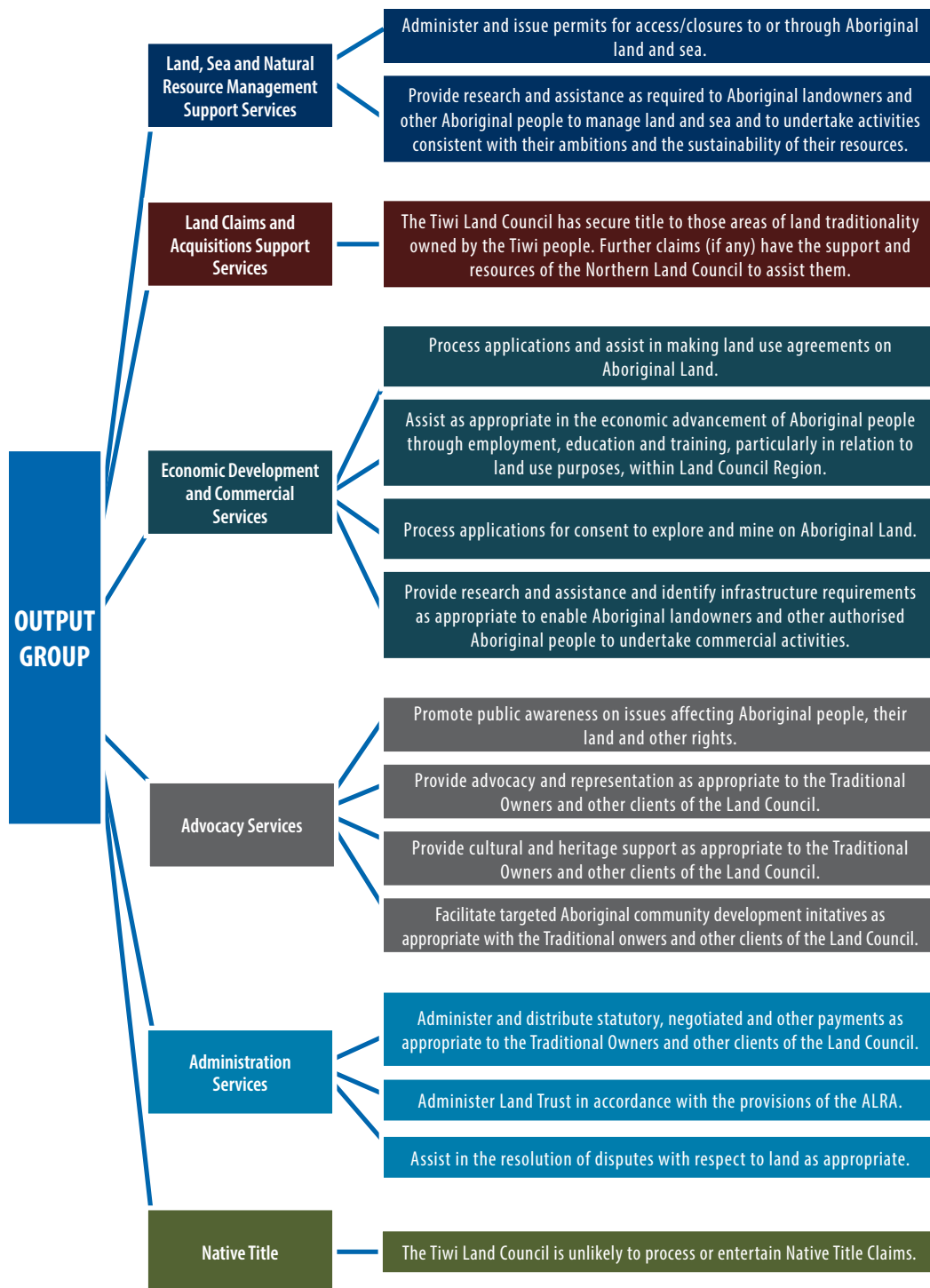
## **REVIEW OF OPERATIONS AND FUTURE PROSPECTS**

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The functions of the Land Council are described at Section 23 of the enabling legislation and refer to the good management, protection and development of land pursuant to the express wishes of those who own the land, having regard to the opinions of others who also live on that land. Timeliness, resource allocation and priority protection mandates are also provided at Section 23AA.

## 1.0 PERFORMANCE

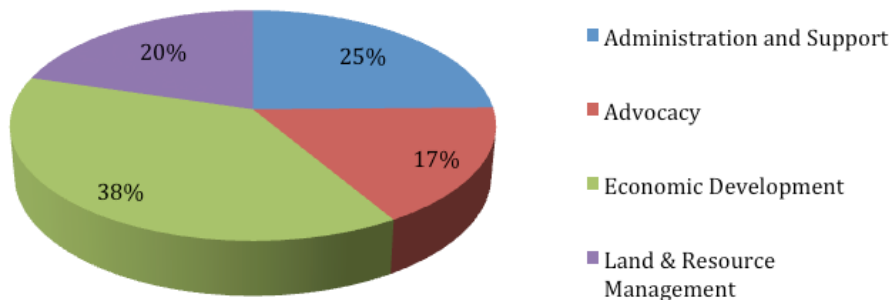
Through the past decade the Land Council as adopted key performance indicators integrated within the outcome budgeting and financial management process. The diagram below sets out those factors.



*Note* – Where appropriate a reference to Land also refers to Sea or other Waterways secured as a result of High Court determinations 2007/8. Performance is measured and monitored within these output groups.

1.1 Financial Resources and Application

Detailed audited financial statements are attached. In summary the Land Council received approximately \$1.58m from the Commonwealth. It was allocated during the financial year against the four output groups as illustrated in the chart below.



Dollar expenditure for the year can be summarized in this accompanying graphic.



In addition to these funds, the Land Council also applies for and is in receipt of grants, significantly applied for management and environmental compliance in the use of land. Grant totals are reflected in our financial statements and noted in the Principal Output Group.

2.0 PRINCIPAL OUTPUTS

2.1 Land, Sea and Natural Resource Management

Our vision is of an independent and resilient Tiwi society built on the orderly and well managed utilisation of our natural resources. Inherent in this is the maintenance and protection of our unique cultural and natural resource values for the enjoyment and benefit of future generations of Tiwi.

The 2011/12 year continued to produce solid results for land, sea and natural resource management on the Tiwi Islands. Clear focus remained on threatening processes such as weeds, feral animals and un-managed fire, and management of areas of high importance to both Tiwi and non-Tiwi interests, including coastal and wetland areas. A major outcome for the year was the finalisation of calculations for baseline greenhouse gas emissions from fire, and an estimation of abatement potential from changed fire regimes.

Highlights for the year included the development and implementation of an islands-wide fire management plan that meets the multiple objectives of asset protection, Traditional Owner burning requirements and greenhouse gas abatement. Planning sessions involved all stakeholders, and covered the full 8,000 km<sup>2</sup> of the Tiwi Islands. Aerial burning was carried out for the first time, and involved Traditional Owners dropping incendiaries from a helicopter. A community fire awareness programme was run concurrently, and included a roadshow that visited all communities on the Islands, wildfire awareness training and the establishment of a Tiwi Islands Volunteer Bushfire Brigade.

Publications and other media produced from the fire management work included:

- "Tiwi Burning: Fire Management for Greenhouse Gas Abatement on the Tiwi Islands. A report by CSIRO to the Tiwi Land Council". This booklet presents the results of 5 years of research in partnership with the Tiwi Land Council, and describes the abatement potential for a range of fire management scenarios through the Carbon Farming Initiative.
- "Tiwi Burning: fire and carbon on the Tiwi Islands"; an information booklet for Tiwi people about how fire increases the Greenhouse effect, and how reduced burning can benefit Tiwi people.
- "Tiwi Carbon Study: Fire Management for Greenhouse Gas Abatement on the Tiwi Islands"; a DVD showcasing the fire/carbon partnership between CSIRO and the Tiwi Land Council. Narrated by Willie Rioli, Tiwi Land Ranger Mentor/Supervisor

Based on results from the CSIRO/Tiwi Land Council partnership, an expression of interest was prepared and submitted to Inpex to provide savannah burning services for greenhouse gas abatement on a commercial basis.

The Land and Marine Ranger programmes continued to deliver outcomes in land and marine management. Two Land Rangers left their positions voluntarily, and recruitment is on hold due to funding uncertainties. The Marine Ranger Team was maintained at four positions, and avenues continued to be explored to expand the marine ranger programme so that a presence can be established on Bathurst Island.

Fee for service based activities continued to be sought to provide a local revenue stream, and in 2011/12 the amount invoiced was \$10,858. This was made up of AQIS fee for service quarantine monitoring, contract burning and threatened species assessment, and marine debris surveys with GhostNets Australia. It remains obvious that ad-hoc fee for service work cannot sustain ranger programmes, and there remains an urgent need for long term sustainable economic land use to support land management activities.

The Tiwi Islands Natural Resource Management Committee, formed in June 2007, did not meet during 2011/12. This is a reflection of the increased number of project based sub-committees that have been formed to manage natural resource activity. These sub-committees have been a huge success as they bring together a broader range of stakeholders, and have higher Traditional Owner representation. A full range of issues was discussed across a number of these forums, including sustainable livelihood projects, weeds, feral animals, fisheries and marine management, fresh water resource management, carbon and fire management, research and research requests. Industry interests on the islands continued to attend meetings, providing updates on operations and receiving advice. NT and Commonwealth officials continued to attend meetings at their request to consult on a number of natural resource management issues including marine parks, mining and legislative changes.

The Tiwi Islands Water Advisory Committee, made up of a NT Government Water Planner and three Tiwi Land Rangers, finalised the Tiwi Islands Water Resource Strategy, which was ratified by the full Land Council and signed off by the Minister.

Training, education and capacity building continued to be a priority across all Land Council functions. Of the six Land Rangers and their Mentor/Supervisor, 4 have completed Certificate III in Conservation and Land Management and the remaining 3 are currently completing it. In addition, Land Rangers completed refresher courses in first aid, wildfire awareness and chainsaw operation and maintenance. The Tiwi Land Ranger Mentor/Supervisor also attended a ranger co-ordinators workshop in Darwin. Of

the four Marine Rangers, three have coxswain certificates and one has nearly completed Certificate II in Conservation and Land Management. Negotiations have commenced for new and refresher coxswain training as required.

The Cadet Ranger Programme continued at Tiwi College, with 12 students studying Certificate I in Conservation and Land Management. This is also being delivered through Charles Darwin University, and Tiwi Rangers continued to work with the Cadet Rangers, supporting the vision of providing structured career pathways for Tiwi College students in natural resource management. Tiwi College students are also closely involved in the CSIRO fire/carbon studies, with one study plot being purposely set aside near the college site.

Weeds and feral animal management maintained a high profile throughout the year, and Land Rangers coordinated the annual weed planning workshop, which brings all relevant groups together to develop the Annual Weed Management Plan. Weed management was again conducted in a strategic fashion across the islands, including regular control of the single *Mimosa pigra* outbreak at Cape Gambier, which has been reduced from 2ha to several persistent plants. The buffalo herd reduction programme commenced on Melville Island, with landowners agreeing to the removal of 3,000 head of buffalo from areas where wetlands are being severely degraded. One marine ranger received training in aerial survey and platform shooting techniques, and the first of several herd reduction exercises was completed in November 2011. At an estimated herd count of 7,000 animals, herd reduction exercises are planned at regular intervals over a number of years.

Marine threatened species management continued to focus on turtle monitoring, and in April 2012 approximately 154 successful nesting events were recorded over a 10 day period. These numbers are consistent with previous years, indicating that the nesting population is healthy. This project remains the most extensive successive-year monitoring of Olive Ridley turtles in Australia.

During 2011/12 the turtle monitoring programme was expanded to include additional life stages. Agreement was reached with Melbourne University through the Tiwi Scientific Reference Committee, and a research project commenced to assess temperature effects on hatchling sex and viability. In April 2012 in excess of 100 temperature data loggers were placed in turtle nests and along beach transects to measure temperature changes. Results from these data will be used to determine temperature dependent sex ratios and hatchling responses.

The Milikapiti Nursery continued to employ three women producing plants for amenity planting around communities, and the Farm successfully produced fruit and vegetables for sale in community stores through their five farm workers. They also provided fresh fruit at no cost for several functions held across the Islands, and continue to produce native plants for minesite rehabilitation.

#### **2.1.1      *Details of consultants engaged:***

Land and Resource Management Consultancies 2011-2012: \$162,423.

TLC Research Access Agreements are in place for all consultants identified below.

##### ***CSIRO - \$110,000***

- Development and joint implementation of a Fire/Carbon research program, including training.
- Cadet Rangers allocated \$ 1,818

##### ***Jayrow/Wildman River Contracting consortium – \$25,036***

- Development and joint implementation of a buffalo management programme on Melville Island, including training.

##### ***JSM Civils Pty Ltd - tracks and civil works – \$21,242.35***

- Tiwi Plantations Corporation - heavy equipment  
Hire - 4,326.65

### 2.1.2 Grants received

Funding Stream & Project	Project/Purpose	Amount Received 2011/12
Aboriginals Benefit Account	Land and Marine Ranger operational support	539,500
NT Fisheries	Indigenous Marine Ranger support	60,000
Australian Government Working on Country	Marine Ranger wages support	200,228

### 2.1.3 Fee for service received

AQIS quarantine monitoring	3,320
As contractors to Wildman Land Management: prescribed burning Defence facility Point Fawcett	1,840
PowerWater Corporation threatened species surveys	480
Telstra Corp threatened species surveys	528
Marine debris surveys with GhostNets Australia	4,690

### 2.1.4 Permit Administration 2011/12

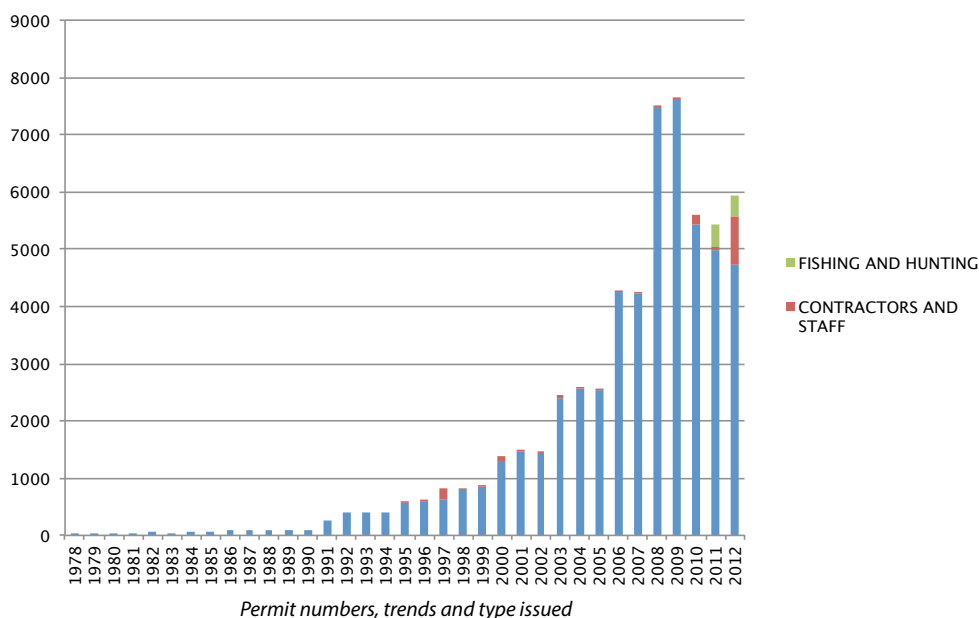
Authority to issue permits is provided under the Aboriginal Land Act 2010 (NT) amended. Tiwi require that there be an on island resident person or organization willing to undertake responsibility for the visitor and the visit. We also attach some quarantine restrictions to permits in regard to feral animals, invasive weeds and other documented and advised environmental risks. There are now five classes of visitors:

- Those attending at the request, and as guests of the Land Council, for consultation or advisory purposes.
- Visitors attending upon other Tiwi organizations or residents.
- Tourist visitors under the control of licensed and approved operators. Day tourists are under the control of Tiwi Tours, who applied for a total of 1244 permits - 739 travelling by aircraft and 505 by Ferry from the mainland. Fishing Lodge Tourists, who averaged 3.5 day packages, are under the control of Tiwi Islands Adventures who received 624 clients. A total of 1868 recognized and paying tourists visited the Islands.
- More permanent visitors being contractors and organization staff whose work requires indefinite access, usually beyond a twelve month period
- Fishing and Hunting Permits issued to recreational visitors. These permits are now issued online following approvals from landowners who require a \$100 annual fee for recreational access to Tiwi waters and hunting on the land. Landowners have decided to institute a 3-day permit at a cost of \$25 for a single short visit.

Tiwi Enterprises established an online permit application process to replace the more cumbersome process that existed in years past. All applications are now made through the Tiwi Land Council website

Permit types and trends are shown in the table below. It reflects the large number of contractors required for construction of over 100 houses during the year. The construction of these houses was facilitated by Township Leasing; landowner compliance required for fishing and hunting, and

a decreasing number of day tourists for reasons discussed last year. Impacts on tourist numbers from more cost effective and competitive tours on the mainland increased with the termination of the Ferry service to the Islands in the final six months of the year. The wholly owned Tiwi Island Adventures incorporated during the year is anticipated to increase our Fishing and Eco-Tourist numbers through 2013.



The Permission Principle underwrites Tiwi traditional governance now being more strongly asserted by the current generation of leaders and landowners. The online Permit application process has dramatically reduced the workload in administering the system and has allowed more accurate, accessible data to be compiled and retrieved.

A total of \$50,342 was received as income from permits during the year.

Costs of developing and administering the new permit system totaled \$27,860.

Landowners received a net benefit of \$22,482 from permits during the year

## 2.2 Economic Development And Commercial Services

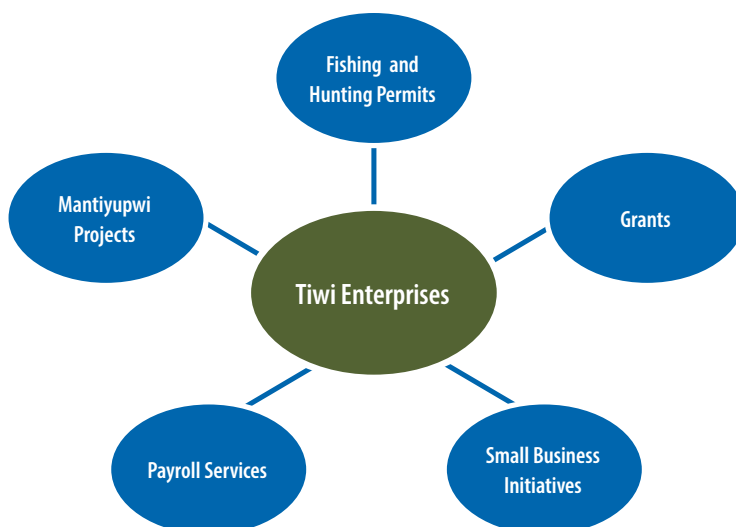
The Land Council strategy over many decades has sought to establish and facilitate a Tiwi private economy. Thirty nine percent of expenditure targets those industries and activities capable of providing jobs and a viable Tiwi economic future. The land and assets upon the land (other than land under lease) is owned and held by the Tiwi Aboriginal Land Trust. The only organisation able to direct and operate that Trust is the Tiwi Land Council. Since the 1980's Land owners, in development of their private economy, have been required to take commercial risks – something the Land Council is prevented from entertaining by law. Landowners have developed their own private trustee corporations to manage and develop their assets, including plantations, commercial sub-divisions, ports and multiplier industry and activity linked to these core industries. All corporations have a beneficial purpose.



### 2.2.1 Tiwi Enterprises

Tiwi Enterprises Pty Ltd was established in 2008 by the 8 Tiwi Land Groups to provide expertise, develop, facilitate and manage economic development opportunities, many of these The construction of these houses was facilitated by Township Leasing; at Wurrumiyanga and with their the Mantiupwi owners.

Activities of Tiwi Enterprises in 2011-12 are summarized below:



#### ***Management of Mantiupwi projects, including:***

- Government Business Centre, Wurrumiyanga - Discussions with the NT Government resulted in the NTG resolving to build the complex itself, with rental to be paid on the land to Mantiupwi
- Management of accommodation, Wurrumiyanga – Territory Alliance ceased using all 30 rooms at the end of 2011 and the rooms are now rented to visitors to Wurrumiyanga on a night by night basis
- Shopping Centre, Wurrumiyanga - Negotiations and planning have resulted in funding being sourced through a private investor, Renhe Australia, and construction is set to start in August 2012, with the complex due to open in December 2012. The complex will also have 4 retail outlets, which will house a take-away food shop, a laundromat, a games parlour and negotiations are currently being undertaken with one of the big 4 banks to open an agency.
- Tourism, Wurrumiyanga - Ongoing Tiwi management and business planning Tiwi Tours. Infrastructure development tourist cabins.
- Tai Asian Food – a food van operating in Wurrumiyanga. Once the new shopping complex is completed, Tai will move to the new shop
- ***Provision of payroll services:***
  - for Territory Alliance employees based on Tiwi Islands and other Territory Alliance sites in the NT; and
  - for TITEB employees based on Tiwi Islands
- ***Small Business initiatives***
  - Hire car service – now have a fleet of 8 cars, with 1 based at Pirlangimpi and the other 7 at Wurrumiyanga. Two of the vehicles are owned by Tiwi Landowner organisations, and managed by Tiwi Enterprises
  - Garden and maintenance service established in early 2012

### ***Management and administration of grants for the operations of***

- ILC Natural Resources Management Program – employs 15 Tiwi staff
  - ILC Milikapiti Nursery/Farm – employs 9 Tiwi staff
  - DEWHA Marine Rangers Program – employs 4 staff
- 
- ***Management and administration of the Tiwi Land Council Visitors, Fishing & Hunting Permits***
  - ***Administration of the Tiwi Island Football League***
  - ***Ongoing sponsorship of the Tiwi Bombers Football club***

### **2.2.2 Tiwi Forests:**

Plantations have been developed on Melville Island from the 1960's, initially by the Australian Government, then Territory Government then a range of private investors - Forbio, Sylvatech, and more recently Great Southern. All these commercial investments by external investors have failed.

What has not failed are the growing of plantation timber and a determined belief of Land owners that this industry holds their pathway to economic independence. Failure has been in the business models adopted. More recent Managed Investment Schemes provided huge capital injections of over \$200m in the years 2004-2009. Acacia plantations now nearing maturity vested in the Tiwi Land owners following their abandonment by Great Southern in 2009. Tiwi Plantations Corporation (TPC) has been directed by landowners to bring these 30,000ha plantations to commercial harvest with a participating Tiwi labour force.

There has been no further injection of private funds by external investors or government grants. TPC has sold assets, refined costs and maintenance operations (e.g. 2010 successful fire controls – breaks, back burning, callouts etc budgeted under previous business models at over \$4m per annum were completed for under \$750,000). There are numerous other examples. Landowners have themselves provided in excess of \$7m from their own funds for TPC operations now moving to harvest in 2013. Now employing 17 Tiwi from a group of over 30 registered for work on plantation maintenance, Tiwi Forests have refined their costs are moving to commence their first harvest in 2013. Training and Tiwi participation (intending to employ 80 to 100 workers at full harvest) remain the priority challenge, now assisted by Tiwi College and educational pathways developed by the Training and Education Boards.

Plantation viability is not a return to investors or returns for Managers of investment schemes, or their attendant consultants. It is unlikely these returns were ever there. For Tiwi, viability is jobs on their Islands; viability is sustaining both the jobs and the industry. Leases now cancelled have provided detailed survey of all plantation blocks readily identified by their family landowners. Their returns will be the same as farmers elsewhere around Australia and are based on stumpage rates for the value of the crop off their land. Owners rewards are exposed to their own caring for their assets by way of fire protection and participation in the industry. Protected blocks will return higher stumpage returns to their landowners. All stumpage is many times in excess of prior lease fees over a ten year rotation cycle. There will need to be a major investment in replanting to ensure a sustainable industry. Any surplus will be invested in more Tiwi jobs and in the education necessary to get them and hold them.

### **2.2.3 Process and assist Land Use Agreements**

The following major activities summarize the significant focus of landowners, staff and consultations at meetings through the year. These are the links between Land owner strategies to achieve employment and private industry participation, tied to the authority's principal outputs.

- Township Leases over Milikapiti and Ranku signed with Australian Government after exhaustive consultation. Discussions continuing over possible township lease at Pirlangimpi.
- Commissioning of Melbourne University town planning expert Alan March to prepare initial stages of a town plan for Pirlangimpi. This plan will provide a template for the

expansion of the town to house traditional owners of that region who currently live elsewhere but wish to return to live on their land.

- Further development of Ranger and Land Management programs
- Facilitation of opening of AFLNT School of Excellence at Tiwi College
- Assistance in establishing Tiwi Islands Adventures Inc. to purchase Melville Island Lodge.
- Developing Marine Ranger powers and Training
- Commencement of Directors' corporate training course
- Tiwi Forestry – further independent Audit.
- Coordination with medical researchers studying Tiwi susceptibility to kidney disease and other afflictions.
- Management of Exploration Licence Applications from a range of mining companies
- Port Melville discussions for repair and extended use.
- Agreement with agents for Carbon Trading projects.
- Consolidation of the Cadet Ranger program with the Tiwi College students
- Review and support for Outstation funding for essential services
- Planning disposal of asbestos on the Tiwi Islands
- ILC funded land and resource management projects
- Buffalo surveys, culls, counts and recommendations as feral animals.
- Fishing and hunting permits operational and managed through Tiwi Enterprises Pty Ltd as a result of Land Council decisions and directions of 30 April 2010 to act upon the authority provided by the High Court at July 2008.
- Construction projects and consultations in reference to landowner revenue from gravel, soil and sand extraction.
- Continuing harvest and collection of Crocodile Eggs on Bathurst and Melville Islands and payments related thereto.
- Training and support for contracted Tiwi crocodile egg collection.
- Buffalo hunting and utilization on Melville Island.
- Extension of the Olive Ridley Turtle research, tagging and protection planning on various beach locations, together with more detailed genetic and sustainable population analysis.
- Continuing assessment of various incidents of beach erosion and coastal threats.
- Continuing feral animal and Weed discovery and eradication programs.
- Continuing support and discussion with the Land Ranger program to targeting endangered species, soils, water, weeds, fire management, buffer zone compliance and fortnightly community consultations especially in the schools.
- Vernon Islands Land Claim – finalising key aspects of Tiwi ownership over Vernon Islands through discussions with Australian Government and NLC.
- Dedicated Fire Management Committee resourced and formal meeting processes undertaken at four comprehensive meetings through the year.
- Formation and incorporation of the Tiwi Volunteer Bush Fires Committee.
- Integration of Fire Management for Greenhouse Abatement with general Land Council strategies and landowner participation, assisted through CSIRO research.
- Rehabilitation nursery contracts with Matilda Zircon continuing. Further nursery refurbishment and extension to supply plants for householder landscaping.
- Support and planning with Marine Rangers in Border Security; insect monitoring; disposal of foreign vessels and pilot services at Port Melville.
- Continuing water allocation planning with researchers "Tropical Rivers and Coastal Knowledge," now formalized with CSIRO scientific oversight & establishment of the Tiwi Waters Advisory subcommittee.

#### 2.2.4 Township Leases:

Land Use Agreements referred to fall generally into two classes – those that anticipate a future economic and contemplated participatory social return (e.g. Mining Exploration); and those that by their nature embed socio-economic returns as fundamental terms of legal drafting. Township Leases warrant particular acknowledgement. Their attraction for landowners firstly finally recognizes their ownership of land whereon communities have been established. Secondly owners receive a payment, not for persuasion, but for participation to plan and engage in the economic life of their own towns. Payment monies are to be repaid. Repayment schedules encourage engagement of landowners themselves in the principles and outcomes of economic growth of their townships.

Leases of this kind are not a green field investment. Existing housing and infrastructure is often run-down. The Australian Government also negotiates community benefit packages with landowners both to value-add and to cement goodwill between the parties now engaged in a professional Lessee/Lessor relationship.

During the year Township Leases at Milikapiti and Ranku were finalized. Community benefit packages increased the housing stock and the construction of more housing. Payments of \$1.95m were made to Landowner Trust Corporations who have advised they have:

- Committed to the construction of a 4 bedroom house to be located in Wurrumiyanga, and to be rented to Mantiyupwi (Wurrumiyanga Township) for the purpose of housing the managers of the new supermarket being built. The cost will be \$330,000, with a rental return of \$600 per week.
- Approved a \$300,000 loan to Mantiyupwi (Wurrumiyanga Township) to assist them with the establishment of the new supermarket complex. Interest charged is 8%.
- Approved a \$100,000 loan to Tiwi Plantations Corporation. Interest charged is 8%.
- Approved a \$100,000 loan to Tiwi Education Board. Interest charged is 8%.
- Committed to the purchase of 5 hire vehicles to be managed by Tiwi Enterprises Vehicle Rentals. (This enterprise manages 12 hire cars and operates at a profit. Usage is majority Tiwi landowners).
- Also committed are funds for the establishment of an Education Fund within their budget, which families can apply to assist with educational expenses such as school excursions. Support has also been supplied for the Tiwi Bombers Football Club for the 2012-13 AFLNT season.

The first Township Lease (2007) at Wurrumiyanga (Nguui) provided community benefit of sporting ovals; wellbeing centre and additional housing. Advance rental of \$5m is calculated to be repaid within 10 years rather than the anticipated 15 years. The past five years have provided planning and budgeting opportunities for Landowners to establish:

- Construction of 30 x single rooms available for rent in Wurrumiyanga. This profitable accommodation is managed by Tiwi Enterprises under contract.
- Entered into a licence with Tai Asian Foods, to allow the operations of a Takeaway Food facility in the Town.
- Loaned \$50,000 at 6.7% to help establish contracting and management company Tiwi Enterprises Pty Ltd
- Purchased Tiwi Tours, and engaged AAT Kings to manage this profitable business
- Loans totalling \$1.4m to the Tiwi Education Board and to Tiwi Plantations on repayment schedules being met of 6-8%.
- Loan to Bathurst Island Housing Association (BIHA) (now repaid) to assist with the purchase of critical materials and supplies during the initial stages of the SIHIP project
- Lease of tip truck to BIHA for a period 5 years.
- Purchase of a second-hand cement truck with rental income.
- Purchase of four rental cars for management by Tiwi Enterprises.
- Provided financial support to local schools and museum

- Providing financial support for Mantiyupwi families through funerals and ceremony
- Providing financial support to the elderly and disabled through a quarterly subsidy
- Providing sponsorship for both Tiwi Bombers Football Club in the AFLNT, and for the Tuyu Football Club in the Tiwi Islands Football League.

### **Outcomes and Benefits**

Outcomes from land use agreements are the strength and self reliance being generated by Tiwi society in returning again to their own use of land and participating in its management to secure the economic use required by the 21st century Tiwi living and working on their land.

Benefits include:

- Roads constructed
- Educational infrastructure.
- Housing.
- Water conservation and planning.
- Sporting infrastructure.
- Land security (weeds, endangered species management) and protection.
- Land management expertise and land owner identification with improving use and required skills.
- General health improvements. A dramatic decline in Tiwi death rates since the late 1990's, now in published data, suggests a twenty year improvement in the Tiwi lifespan from 47 years twenty years ago to in excess of 65 years today.
- Business appraisals linked to professional advisers (Macquarie Guiding Panel).
- Attracting required Tiwi good science through the Scientific Reference Committee.
- Increasing identification of job with behaviour purposes and the skills required to attain them and participate in the Tiwi beneficial purpose.
- Income from use of Tiwi land received for the benefit of owners of that land - \$285,231.

### **2.2.5 Assist economic advancement through employment education and training.**

The Tiwi Land Council's focus on training and education is manifest in its ongoing support for the Tiwi Islands Training and Employment Board and Tiwi Education Board. Reports on the operations of these bodies are provided below.

#### **Tiwi Islands Training and Employment Board**

*"The Tiwi Islands Training and Employment Board (TITEB) delivers and coordinates training for all Tiwi and Employers on the Tiwi Islands. TITEB is a Registered Training Organisation and a Group Training Company. TITEB is owned and managed by a Tiwi Board of Directors and the CEO reports to the Board.*

*In 2011 the Board delivered 32,010 Actual Hours Contact (AHC), which was an increase of 16,686 AHC or 108% on 2010 activity. The table below outlines training activity for the past five years.*

<b>Year</b>	<b>Training Activity (AHC)</b>
2011	32,010
2010	15,324
2009	17,995
2008	17,180
2007	31,076

*The increased activity is due to an increase in delivery of Literacy and Numeracy Programs. In 2011 the Board delivered a Workplace English Language and Literacy Program (WELL), to 85 apprentices employed through the TITEB Group Training Company.*

*Also in July 2011 the Commonwealth implemented breaching penalties for people who had agreed to attend Language Literacy and Numeracy Programs, LLNP, but did not attend. This resulted in a spike in numbers but has subsequently fallen back due to enforcement of breaching penalties being relaxed towards the end of the year.*

*The Board is currently conducting a Language Literacy and Numeracy Program in two communities for unemployed people receiving income support. The aim of the program is to provide participants with foundation skills to go onto further study and employment. This program has guaranteed notional funding for 3 years. The contract expires on the 30th June 2013.*

*The potential client group for this program is 720 Tiwi receiving income support. Average student participation rates were 9 for Milikapiti and 15 for Nguiu!*

*The JSA agent on the Islands continues to refer students to LLN. In 2011, 131 students who were referred did not show up for classes.*

*The TITEB Group Training Organisation has been established for almost 10 years now. To date 216 Tiwi have completed their apprenticeships. There were 86 apprentices in training in 2011.*

*A Workplace English Language and Literacy Program funded by DEEWR commenced in 2011. This provides Literacy and Numeracy support to apprentices and is an essential component of our Group Apprenticeship Scheme. With this additional support completion rates are approximately 65 percent. It is interesting to note that once we get over the hump of welfare and get students into wage earning apprenticeships they achieve better than the majority of Indigenous apprentices in the NT with an average of 20 percent completion rate for Indigenous apprentices across the NT.*

*In September another 75 students graduated from the TITEB 7th Graduation Ceremony with full certificate courses. Students graduated from apprenticeships in Health, Retail, Education Support, Interpreting, Child Care, Land Conservation and Management, Plant Operations, Business Studies, Forestry and Information Technology. 17 students completed a Certificate IV and 2 completed a Diploma. 5 students from Tiwi College completed a Certificate I in Information Technology as a VET in schools program through a partnership between the Tiwi Education Board and the Tiwi Islands Training and Employment Board and were the first Tiwi College students to participate in a TITEB graduation.*

*A new classroom and accommodation was built at Nguiu in 2010 and has been well utilized in 2011. Training conducted in the new wing included Certificate III in Carpentry, Certificate III in Plant Operations, Certificate III in Children's Services and Literacy and Numeracy Support.*

*The TITEB Directors remain frustrated at the lack of participation, particularly from those in most need who remain on Income Support!"*

**Norm W Buchan**

CEO

Tiwi Islands Training and Employment Board.

The Land Council remains concerned to manage these risks and is encouraged at the impact of meaningful wage earning employment on training completion rates. Our Training Board is attempting to manage and train a largely illiterate and purposeless workforce. These are risks that have been visited upon many aboriginal populations. Land owners and their leaders have created the opportunities for full employment of the Tiwi workforce. These opportunities exist. The risks must be managed.

The established Tiwi Education Board is a significant strategy supported and encouraged by the Land Council to deliver apprentices for training who understand the purposes of industries upon their land and seek participation within that workforce.

## **Tiwi Education Board**

### ***“There have been great gains in Tiwi Education over the past 12 months.***

*The Tiwi College is growing from strength to strength since the Tiwi Education Board took control over management and operations. Attendance is averaging over 80%, quality Tiwi and non-Tiwi staff have been employed and with amazing support, both financially and in kind, from Tiwi-owned organisations and partners, we have been able to begin the training of our students so that they can access the many employment opportunities in Forestry, Fishing Tourism, Port Melville developments and Hospitality.*

*The Hayden Way Tiwi College Project is a shining light to what can be achieved when good people come together and strive for the development of our Tiwi youth. The Sustainable Agricultural Project is something to behold with our students training in Hospitality, Agriculture/Forestry and the garden providing ample fruit, vegetables and eggs for the Tiwi College Community. It is envisaged that as the garden expands, the students themselves will be training and establishing a business to provide fresh fruit and vegetables for our community stores.*

*The Tiwi College is only five years old and after facing some challenges in the first few years, we are finally seeing the vision for Tiwi Education that our leaders, past and present, foresaw and taking shape. It is very clear that we are now moving in the right Tiwi direction.*

*The Tiwi vision of having a governing role with all Educational providers throughout the Islands is building momentum with strengthening relationships between all Tiwi Islands schools being a real focus as we move forward.*

*Milikapiti and Pularumpi primary schools continue to provide the best possible education for our youngsters, Murrupurtiyanuwu Catholic School has made massive strides in educational outcomes and student attendance, winning major awards in both categories and the relationship between the two Islands Secondary Colleges, Xavier and Tiwi, has never been so strong.*

*The reality of a unified Tiwi educational system where all schools are working in partnership to provide the best possible education for the future leaders of the Tiwi is well on its way.*

*The Tiwi Education Board would like to send a big thankyou to our fantastic partners including Matthew Hayden, Guy Reynolds & Macquarie Bank, Tiwi Enterprises, Tiwi Plantations, Mike Baxter, Tiwi Islands Adventures, Matilda Zircon, Wulirangkuwu Pty Ltd, Mantiyupwi Pty Ltd, Morris corporation, Government agencies including Federal Health & Ageing, Aboriginal Benefits Advisory Committee, DEEWR, NT DET and Catholic Education. Your support for the future of the Tiwi Islands is simply breathtaking.*

*To our Tiwi and non-Tiwi staff in all schools throughout the islands we thank you for your commitment and passion for our children under your care.”*

### ***Marius Puruntatameri***

**Chairman**

**Tiwi Education Board**

### 2.2.6 Process Mining and Exploration applications

Matilda Zircon vacated the Andranangoo minesite and relocated to their next lease area at Lethbridge Bay. The mined area was inspected by the Tiwi Land Council environmental auditor, and found to be successfully rehabilitated with no evidence of introduced species, and a good mix of naturally occurring species. Negotiations commenced for environmental studies at Kilimiraka Bathurst Island prior to lodging environmental approval applications (anticipated in 2013).

The Tiwi Land Council has received Exploration Licence Applications from Rio Tinto, Kalbar Resources, Tennant Creek Gold and MBS Oil. The total area subject to these applications constitutes over 90% of the Tiwi Islands, as well as the majority of the coastline of both Bathurst and Melville Islands.

The ELAs were discussed at length during meetings throughout the year. The Land Council considers that Tiwi Forestry, Maritime Services and Shipping and the Fishing and Tourism businesses that are currently building momentum do promise to yield excellent participatory and working benefits for Tiwi people. There is no evidence we have that mining attracts the same participation of our workforce or the sustainable rewards sought by Tiwi leadership. Prospects of risking up to 90% of our land for "digging up purposes" are an option currently being resisted by a majority of landowners. The Tiwi Land subject to current ELAs is set out below.



*Applications lodged 2011-2012 for mining exploration across the tiwi islands*

### 2.2.7 Provide research and assistance for Infrastructure needs:

Several studies by the Northern Territory Government in recent years have substantiated and engineered roading infrastructure costs for the Tiwi Islands at over \$34m required to be spent over five years. Tiwi Shire financial statements (2010) record annual income for this purpose at \$721,009.

Road closures remain a certainty every wet season. The Ranku area was particularly hard-hit by road closures during this year's wet season, with some roads impassable for weeks.

Lack of safe, all weather roads are also a major issue for the Tiwi College who rely on suitable roading conditions to transport their students to and from communities on a weekly basis.



The previous NT Governments Growth Towns Program with hub and spoke modeling linking communities did little to alleviate these problems. We await with interest the policies of the new Northern Territory Government in this regard.

The newly-established Science Reference Committee (SRC) chaired by the Dean of Science Professor Robert Saint with six leading University academics across a range of disciplines has already provided valuable guidance in its first year of operation. The SRC this year considered a variety of environmental and scientific issues facing the Tiwi, including:

- the possible effects of climate change on Tiwi turtle populations;
- post doctoral research associated with growth rates, tree breeding and environmental compliance of Tiwi plantations.
- the rising numbers of feral buffalo and pigs and the impact of those rising numbers on current land conservation practices.
- urban and township planning specifically related to Pirlangimpi and impacts of returning landowners and sea level rises affected that Township.
- Research ethics and further genetic investigation particularly related to kidney disease and impacts.
- the need and structuring for basic scientific methods to be taught to high school students on the Islands.
- Conservation park design and management regimes and options.

Biodiversity, marine research and infrastructure planning are also under consideration by our Science Reference Committee.

***Economic and Commercial Services Consultancies 2011/12: \$267,465.23***

Tiwi Plantations Corporation - Business support College and Tiwi contractors	- \$12,175.91
K. Stewart Contracting - Asset assessment repair and maintenance	- \$7,000.00
Piper Alderman - Legal; Mining; Land management and Township Leases	- \$207,163.03
Drake Australia Pty Ltd - Recruitment and employment services	- \$6,326.00
Simon Harari - Training and Education pathways – strategic planning	- \$9,800.23
Lex Silvester – Barrister – Legal opinion and services	- \$25,000.00

## 2.3 Advocacy Services

### 2.3.1 Promote Public Awareness

The outcomes of public awareness enhance the general outcomes sought by the Land Council of enhancing social, political and economic participation and equity for Tiwi people.

The output tools to achieve these outcomes are:

- The publication of “The Tiwi” a newsletter published every second month by the Tiwi Land Council to advise our landowners of the key activities undertaken by the Land Council throughout the year. The Tiwi contains a range of historically and environmentally relevant articles designed to ensure that our people receive accurate information about the history and traditions of Tiwi people and are able to make those connections of land use and beneficial purpose in the modern era. It is posted online to our web site as well as 1000 copies distributed among our people.
- Land Council quarantine and environmental policy brochures distributed at all airline, shipping and all tourism and private organizations and business dealing with and on the Tiwi Islands. 1,000 copies distributed each year.
- Publications and booklets of our people, our land and of the Land Council on sale and through distribution retail outlets.
- Booklets and flyers detailing Forestry work opportunities and the new Tiwi College were also produced and distributed to Tiwi constituents.

- Press and media releases and commentaries on general Land Council activity during the year in television; print media and various web pages.
- Annual Report itself. 600 copies.
- Tiwi Land Council web site - [www.tiwilandcouncil.com](http://www.tiwilandcouncil.com) with links to other partners and organizations. Web management and additional segments were added during the year following redesign and changed more cost effective website hosts. The website averaged over 500 visits per month over the course of the year.

### **2.3.2 *Provide Advocacy and representation***

Promoting, protecting and advancing the rights and interests of Tiwi people through advocacy and representation continues to enhance the outcomes sought by the Land Council.

Direct and minuted consultations at 60 meetings through the year suggest a decline from the 77 meetings recorded last year. This decline is attributable to the increasing number of Tiwi-owned and operated businesses that now lay claim to the attentions of Traditional Owners and are unrelated to Land Council functions. The Office of Township Leasing and Township Landowners engage in their own meetings. In addition, the Land Council Executive is required to operate a small budget and must balance the frequency of meetings with available funds. It does this on the basis that such a reduction does not result in a reduction of the Land Council's ability to represent Tiwi people.

Consultations provide the foundation of Land Council decision-making across all output groups. The execution of Township Leases over Milikapiti and Ranku was the culmination of a lengthy consultation process with all affected Traditional Owners.

Exhaustive Advocacy and representation is increasingly provided through various strategic committees and workshops initiated by the Land Council covering particular issues including coastal and fisheries management, weed management, threatened species management and natural resource management, monitoring and evaluation. Additionally education, health, governance and other forums extend the range of representation and the interests of members determined to secure their future on their land.

### **2.3.3 *Cultural and Heritage Support:***

Support was provided during the year for:

- Film and audio recording of interviews with elders recording their experiences including ceremonial and dance preparation and routines.
- Kalama and Pukamani Ceremony funding and support; as well as the recording of important meetings and decisions.
- Funding of funeral and final Ceremony related to death and group respect.
- Funding to Art Centres for interaction with primary school children and teaching by Artists.
- Funding of Art Centre planning of exhibitions and travel and attendance.
- Land Ranger survey of Sites of Significance in areas that may be affected by various land use proposals and developments.
- Hosting detailed meetings of landowners to discuss genealogies, inheritance patterns and considerations by landowners for their management of risks related to land ownership and use of land.

### **2.3.4 *Facilitate Community Development Initiatives:***

Promotion and advancement of rights and interests continues to achieve the outcomes of social, political and economic participation and equity for Tiwi landowners.

The Land Council continued to respond to community requests for landscaping and regular monitoring of sea erosion; weed infestation and training and awareness workshops. Land

Management Officers` attended upon all schools in awareness discussions of environmental risks and constraints and the requirements of good land management practices. The enthusiasm of school children is evident and the integration of the cadet ranger program at the Tiwi College along with CSIRO is particularly necessary to further these interests into adulthood.

The Land Council increased its extended support to landowners at Wurrumiyanga in economic development within their community including motel, Government Business Centre, Shopping Complex, take away restaurant, vehicle hire and other accommodation projects. This also includes support for their Consultative Forum, now a key plank in Lease arrangements and development of the Wurrumiyanga Township.

Township Leasing agreements for two other communities – Milikapiti and Ranku- were concluded in November 2011 between the respective Traditional Owners and the Australian Government.

***Advocacy Services Consultancies 2011/12: \$7,806.62***

Plantation Management Partners	- \$ 1,808.86
Sol Media – web site management	- 5,038.52
Simon Harari – Junior Land Council development	- 959.24

## **2.4 Administration and Support Services**

### ***2.4.1 Administer and Distribute Payments:***

Outcomes remain consistent with our endorsed framework. Outputs include the administration of payments to landowners and to Land Council clients.

Grants for Funeral and Ceremonial purposes require detailed applications and approval processes in both the access and distribution of these payments. Funds from the ABA have been applied for these purposes.

Land use payments that include lease payments, payments under Mining agreements, payments under permit and fishing agreements accrue to specific landowner accounts now exceeding 70 family groups. These accounts are managed and audited through private accountants retained by the landowners for this purpose. Fund Managers are able to certify expenditure through these accounts following group policies detailed at Group Meetings. Monthly income and expenditure statements are tabled at group meetings and also through the Audit Committee. These accounts are also available through security codes on-line.

### ***2.4.2 Administer the Land Trust***

The legal structure of the Land Council within which it can achieve the outcomes sought by members is primarily the establishment of a Land Trust to hold title to land. The Tiwi Aboriginal Land Trust was established under sub-section 4.1 of the Aboriginal Land Rights (Northern Territory) Act 1976, by notice published in the Gazette (No S138) o 21 July 1978.

The only body with authority and capacity to direct and administer this Trust is the Tiwi Land Council.

Administration of the Trust also includes work to maintain traditional owner registers and respond to queries and certification of aboriginality and/or Tiwi recognition. The Land Council traditional registers are assisted by data now sourced from the Institute of Aboriginal and Torres Strait Islander Studies.

### ***2.4.3 Assist in resolution of land disputes***

Tiwi land ownership is a dynamic entitlement with various alliances and structures changing boundaries over time. The advantage of there being only one title to Tiwi land requires continuing Tiwi consensus over various internal clan or “country” disputes. Traditional processes continue to

demand consensus over these issues and effectively prevent these matters becoming disputes.

The Northern Territory Government and the Tiwi Land Council are in the process of finalizing the agreement for the Tiwi people to assume control over the Vernon Islands.

Administration and Support Service Consultancies 2011/12: \$63,886.49

Piper Alderman Lawyers – Land Trust advice and consultations,  
ownership and Delegations. \$ 1,469.50

4U2 Infotech Services - Computer Audits – FaHCSIA Prescribed Areas 1,544.84

Plantation Management Partners – Management Systems, design and Implementation – 1200  
document filing systems and audit. 60,872.15

## 2.5 Judicial Decisions, Ministerial Directions and Legislation Impact

In the inquiry into ownership of the Vernon Islands, The Aboriginal Land Commissioner this year ordered parties to come to an extra-curial agreement. The Tiwi claim to ownership of the Vernon Islands has been accepted by all relevant parties in those negotiations and final details of the transfer of ownership are now being concluded with the Australian Government.

The High Court decisions in ‘Blue Mud Bay’ (2007/8) continue to provide significant strength to our Landowners who are refining their management and authority over these resources of the streams, creeks and estuaries consistent with Permission and Resource Management Principles developed through generations of tradition.

The Minister made no directions to us during the year. Consultations with the Minister and her office are regular and provide thoughtful advice and comment to the Land Council across a range of portfolio issues – Township Leasing; Trust and Land Management; Rights and Entitlements; Health and Disability; Education; Economic and Social issues and Income Management.

The Land Council has reviewed and discussed Bills, Amendments and Draft Legislation notified at various meetings. New (Commonwealth and Territory) legislation introduced in draft or enacted during the year that directly affected Tiwi people and the Land Council includes:

- Continuing review of the Environmental Protection Biodiversity and Conservation Act and related issues – proposed Commonwealth Marine Reserves and Marine Bioregional planning; review of Threatened Species status (NT) and Threat Abatement and Impact of listed grasses/weeds. Under Section 514V of the EPBC Act, the Tiwi Land Council must give particulars of directions given by the Minister under 514D(1) of the EPBC Act. No such directions have been given this year.
- Review of the Regulatory Powers Bill 2012
- Review of Part IV of the Aboriginal Land Rights Act 1976 (Cth) to which the Land Council intends to make further submissions in addition to those already made.
- Amendments to the Cost Recovery Guidelines for FMA Act and CAC Act bodies.
- Work Health and Safety Act 2011, in conjunction with the Work Health and Safety audit of Tiwi Land Council systems that was commissioned by the Australian Government in June 2012.
- Commonwealth Authorities (Annual Reporting) Orders 2011

## CERTIFICATION

*This report of operations and related activity is made in accordance with a resolution of the Directors and Executive Committee of the Tiwi Land Council at meeting 333 held at DARWIN on the twenty seventh day of September 2012, acknowledging the responsibility of the Directors of the Land Council under Section 9 of the Commonwealth Authorities and Companies Act 1997, for the preparation and content of this Report of Operations in accordance with Finance Minister's Orders.*



**Gibson Farmer Illortaminni**  
Chairman/Director.

24th October 2012.



## 3.0 CORPORATE GOVERNANCE

The Land Council discarded a line-management structure 17 years ago in favour of more traditional responsibility and decision making processes through an Executive Committee. The Management Committee was approved by the Minister pursuant to section 29A of the Land Rights Act on 21 March 1995.

### 3.1 Director Profiles

#### CHAIRMAN

***Gibson Farmer Illortaminni*** was born on 23 June 1958 at Milikapiti on Melville Island and educated at schools in Darwin and Mackay. He returned to the Tiwi Islands to take up apprentice forester employment in the plantations being developed on Melville Island during the 1970s.

Mr Illortaminni is a senior elder of the Mantiyupwi people and was an early supporter of the formation of the Tiwi Land Council in 1978. He has represented their interests on the Land Council for the past decade. During that time Mr Illortaminni has been a strong advocate for education and training and the creation and security of Tiwi jobs.

Since being elected to the Chairmanship in February 2012, Mr Illortaminni has been tireless in promoting Tiwi interests on the Tiwi Islands, on the mainland and overseas. He recently embarked on a trip to Singapore and secured a crucial commitment from listed Singaporean company Ezion to assist in the construction of Port Melville.

Mr Illortaminni leads by example in all facets of his life and has recently celebrated his 28th wedding anniversary with his wife Linda, with whom he lives in Milikapiti. They have two children and eleven grandchildren.

#### MANAGERS

##### ***Cyril Kalippa OAM.***

Born on Munupi land, Melville Island 7 July 1934, Mr. Kalippa was the founding Chairman of the Land Council in 1978. He has continued an active and influential interest in all Tiwi affairs throughout his life. He is an experienced and respected businessman with interests in retail, tourism, transport, aquaculture, horticulture and forestry. His wise counsel has been invaluable to the Land Council over thirty years and at over 1000 formal meetings. He serves his people on the Tiwi Education Board, Tiwi Islands Adventures Board, and Coastal Waters, Forestry and Land Management Committees, and Chairs the Biological Reference Group of environmental scientists monitoring forestry impacts. He also holds directorships with community and Tiwi regional enterprises. Mr. Kalippa is a foundation Board Member and current Deputy Chairman of the Tiwi Bombers and has represented his people as a speaker in reconciliation and enterprise development forums. He was recognized in the Australia Day Honours 26 January 2008 for a lifetime of service to his people. He is resident at Pirlangimpi on Melville Island.

### ***Walter Kerinaia.***

Mr. Kerinaia continues to assist the Management Committee as a non-executive director despite a heart attack he suffered in 2005. The Land Council has welcomed his unpaid assistance as an ex-officio member of the Management Committee.

Born on Mantiyupwi land, Bathurst Island 17 August 1947, Mr Kerinaia joined the Land Council as a founding member in 1978. His traditional authority extends throughout the Tiwi region. He was elected Chairman of the Land Council 1991-94. His knowledge and grasp of issues is invaluable to the Management Committee. Of his many achievements, Mr. Kerinaia's stewardship of his people through Township Leasing consultations stands alone as perhaps his greatest service to his people. Despite his ill-health, he continues to pursue his dream of an ever-increasing standard of living for his people, assisting in the planning of a new supermarket for Wurrumiyanga. He is resident at Wurrumiyanga, Bathurst Island.

### ***Danny Munkara***

Daniel John Munkara was born on 14 June 1957 at Wurrumiyanga, Bathurst Island and joined the Land Council on 14 April 1994 as a representative of his Tikilaru people.

Mr Munkara was educated at St Theresa and Xavier Catholic College Bathurst Island. He later attended Downlands College in Toowoomba, completing Year 11 and returning to Wurrumiyanga to complete Year 12.

Mr Munkara is an accomplished Artist, Screen Printer and business manager, as evidenced by his work with Tiwi Designs over 25 years, including 10 as President. He then moved to a position as a community liaison officer, managing the Exploring Together Program for six years, a program aimed at aiding the development of children and families in Wurrumiyanga, Pirlangimpi and Milikapiti.

Mr Munkara is a Heath Advisory Officer, and spends many hours working at the Wurrumiyanga Clinic and Wellbeing Centre. He is the Chairman of the Aboriginal Land Trust, a member of the Tiwi Education Board and a member of the Closing the Gap Committee established by the Minister for Families, Community and Indigenous Affairs, the Hon Jenny Macklin MP.

Mr Munkara is a strong, caring and well-respected community leader whose people look to him for advice on all manner of issues that arise.

### ***Andrew Tipungwuti.***

Born in Darwin 10 February 1974, Mr. Tipungwuti joined the Land Council as a representative of the Wuranguwu group in 1999. He was educated at the Slade School in Queensland and graduated through the Defence Industry Study Course in 2001. He is a certified international coxswain and was also appointed to the position of Tiwi Marine Ranger in 2003. Mr. Tipungwuti was elected as one of three Tiwi representatives to the ATSIC Regional Council in 2002. He is Chairman of Tiwi Islands Adventures, the Tiwi Land Council's delegate to the Aboriginal Benefits Account Committee, a member of Tiwi Local Government Council and Tiwi Barge Services and Port Melville. During 2007 Mr. Tipungwuti was also appointed as a member of the FRDC (Fisheries Research and Development Council) Indigenous Advisory Group. While juggling the myriad of responsibilities he has assumed on behalf of his people, he still spends every Sunday afternoon fishing by the beach with his wife and two children with whom he resides at Milikapiti on Melville Island.

### ***Leslie Tungatulum***

Mr Leslie James Tungatulum was born 7 January 1976 at Royal Darwin Hospital. His early years were spent at Wurrumiyanga, Snake Bay and Garden Point. He completed primary schooling years at St Theresa School, Nguui and School of the Air before enrolling at St John's College where he completed Year 11.

Mr Tungatulum recently completed a business and corporate governance training course run by FAHCSIA in order to develop his leadership and business skills. Prior to that, he obtained qualifications to become a Sport and Recreation Officer and completed a six month course in technical aspects of media and radio, which he applied in his time as a traveling journalist at Broadcasting in Remote Aboriginal Communities.

Mr Tungatulum is a key member of a range of Boards and Committees, including the Health Advisory Committee, the Tiwi Education Board, Tiwi Plantations, the Bathurst Island Housing Association and the Nguu Ullintjinni Association.

He is one of the Tiwi's most promising young leaders and shows great dedication to the continued development of the Tiwi people

### 3.2 Meetings of Directors

All correspondence is tabled at meetings of the Executive Management Committee who also co-opt other members to attend upon their meetings as required. 24 were required during the year to manage the business of the Land Council.

DATE	MEETING NUMBER	EXECUTIVE DIRECTORS ATTENDING	NON EXECUTIVE DIRECTORS AND OTHER MEMBERS ATTENDING	ABSENT
5 July 2011	305	Robert Tipungwuti, Cyril Kalippa, Andrew Tipungwuti, Danny Munkara, Leslie Tungatulum		
27 July 2011	306	Robert Tipungwuti, Cyril Kalippa, Andrew Tipungwuti, Danny Munkara, Leslie Tungatulum	Walter Kerinaiaua, Bernard Tipiloura	
4 August 2011	307	Robert Tipungwuti, Cyril Kalippa, Andrew Tipungwuti, Danny Munkara, Leslie Tungatulum	Jennifer Clancy, Marius Puruntatameri	
26 August 2011	308	Robert Tipungwuti, Cyril Kalippa, Andrew Tipungwuti, Danny Munkara, Leslie Tungatulum	Walter Kerinaiaua, Peter Kantilla, Brian Austral, Gibson Farmer,	
7 September 2011	309	Cyril Kalippa, Andrew Tipungwuti, Danny Munkara, Leslie Tungatulum		Robert Tipungwuti,
22 September 2011	310	Robert Tipungwuti, Cyril Kalippa, Andrew Tipungwuti, Danny Munkara, Leslie Tungatulum		
4 October 2011	311	Robert Tipungwuti, Cyril Kalippa, Andrew Tipungwuti, Danny Munkara, Leslie Tungatulum	Walter Kerinaiaua, Maralumpuwi Kupuruwu, John Wilson, Connell Tipiloura, Ivan Fernando, Marius Puruntatameri, Jennifer Clancy	
7 October 2011	312	Robert Tipungwuti, Cyril Kalippa, Andrew Tipungwuti, Danny Munkara, Leslie Tungatulum	Gibson Farmer	



21 October 2011	313	Robert Tipungwuti, Cyril Kalippa, Andrew Tipungwuti, Danny Munkara, Leslie Tungatulum	Gibson Farmer, Ivan Fernando, Wally Kerinaiaua Jr, Maralumpuwi Kupuruwu	
11 November 2011	314	Robert Tipungwuti, Cyril Kalippa, Andrew Tipungwuti, Danny Munkara, Leslie Tungatulum	Ivan Fernando, Maralumpuwi Kupuruwu, Marius Puruntatameri, Walter Kerinaiaua	
21 November 2011	315	Robert Tipungwuti, Cyril Kalippa, Andrew Tipungwuti, Danny Munkara, Leslie Tungatulum	Marius Puruntatameri, Walter Kerinaiaua, Wally Kerinaiaua Jr	
23 November 2011	316	Robert Tipungwuti, Cyril Kalippa, Andrew Tipungwuti, Danny Munkara, Leslie Tungatulum	Jack Long, Dennis Tipakalippa, Brian Austral Snr, Brian Tipungwuti, Wally Kerinaiaua Jr, Ivan Fernando,	
7 December 2011	317	Robert Tipungwuti, Cyril Kalippa, Andrew Tipungwuti, Danny Munkara, Leslie Tungatulum	Walter Kerinaiaua, Mannyi Kerinaiaua,	
13 December 2011	318	Robert Tipungwuti, Cyril Kalippa, Leslie Tungatulum	Cyprian Ullungara, Walter Kerinaiaua, Wally Kerinaiaua JR. Brian Ullungara, Bonaventure Timepatua, Eric Tipiloura, Bruno Wilson, Wesley Kerinaiaua, Cameron Kerinaiaua, Wesley Kerinaiaua, Karen Tipiloura, Brian Tipungwuti, Billy Poantimilui, Leah Kerinaiaua, Mary Moreen, John Boy Tipiloura, Gabriel Wommantakimmi, Frederick Mungatopi, Connell Tipiloura, Sally Ullungara, Lana Ullungara, Laurie Tipiloura	Andrew Tipungwuti, Danny Munkara
16 January 2012	319	Robert Tipungwuti, Cyril Kalippa, Danny Munkara, Leslie Tungatulum	Gibson Farmer	Andrew Tipungwuti
8 February 2012	320	Robert Tipungwuti, Cyril Kalippa, Andrew Tipungwuti, Danny Munkara, Leslie Tungatulum	Maralumpuwi Kupuruwu, Brian Tipungwuti, Bernard Tipiloura, Ivan Fernando, Jennifer Clancy,	
17 February 2012	321	Robert Tipungwuti, Cyril Kalippa, Andrew Tipungwuti, Danny Munkara, Leslie Tungatulum		
27 February 2012	322	Gibson Farmer Cyril Kalippa, Andrew Tipungwuti, Danny Munkara, Leslie Tungatulum	Walter Kerinaiaua	

17 February 2012	321	Robert Tipungwuti, Cyril Kalippa, Andrew Tipungwuti, Danny Munkara, Leslie Tungatulum		
27 February 2012	322	Gibson Farmer Cyril Kalippa, Andrew Tipungwuti, Danny Munkara, Leslie Tungatulum	Walter Kerinaiaua	
7 March 2012	323	Gibson Farmer Cyril, Kalippa, Andrew Tipungwuti, Danny Munkara, Leslie Tungatulum	Maralumpuwi Kupuruwu	
16 March 2012	324	Gibson Farmer Cyril Kalippa, Andrew Tipungwuti, Danny Munkara, Leslie Tungatulum		
17 April 2012	325	Gibson Farmer Cyril Kalippa, Andrew Tipungwuti, Danny Munkara, Leslie Tungatulum		
17 May 2012	326	Gibson Farmer Cyril Kalippa, Andrew Tipungwuti, Danny Munkara, Leslie Tungatulum	Wally Kerinaiaua Jr, Walter Kerinaiaua	
7 June 2012	327	Gibson Farmer Cyril Kalippa, Andrew Tipungwuti, Danny Munkara, Leslie Tungatulum	Walter Kerinaiaua, Jennifer Clancy, Joseph Puantulura	
25 June 2012	328	Gibson Farmer Cyril Kalippa, Andrew Tipungwuti, Danny Munkara, Leslie Tungatulum	Jennifer Clancy	

The Executive Management Committee is required to meet regularly to:

- Monitor the Budget and control the expenditure of the Land Council, as an internal Finance Committee, reporting to the Land Council and seeking advice from the Independent Audit Committee.
- Assess and advise upon various development and land use proposals, and referring matters requiring decisions to the Land Council.
- Monitor environmental and other development impact upon land and land use
- Monitor the Budget and control the expenditure of the Land Council, as a Finance Committee.

- Develop those strategies to ensure financial controls are adequate and consistent with Government regulations, and provide advice and respond to the independent Audit Committee.
- Attend upon the Natural Resource Management Committee of the Land Council and monitor environmental impact upon land and land use and develop strategies for effective land management for the consideration of the Land Council.
- Assess and monitor community responses to the impact of development and to develop strategies to further the harmonious development of Tiwi society.
- Assess the impact and make such recommendations to the Land Council in regard to Commonwealth and State legislation and policy affecting the Tiwi people.
- Coordinate and monitor the opinions and policies of various Boards, Corporations and Committees established by the Tiwi people for assessment by the Land Council in undertaking its functions.
- Assess and respond to those requirements of visitors seeking discussions with the Land Council and owners of Tiwi land.

### **3.3 Governance Practices:**

Tiwi traditional governance and risk management sustained their people through 6-8,000 years upon the Tiwi Islands. Processes and decisions were developed containing strict codes to manage resources, relationships and uncertainty. Governance itself required the presentation of arguments, debate and verdicts that validated claims and enforced compliance. This experience continues to influence Land Council governance for 21st century Tiwi, now seeking the sustainable purpose of modern governance requirements.

The Land Council must not only demonstrate its` own compliance but provide convincing participatory opportunities to its` members and landowners of the purpose now required to demonstrate their own. This work has been the focus of leadership through the life of the Land Council – a Tiwi purpose and convictions to sustainably manage them. Participation in a private economy is now illustrating a purpose. It requires gathering accurate information and testing that information for sustainable decision making. This work is assisted and informed by Committee structures developed by the Land Council.

As a Statutory Authority, the Land Council aims to promote and manage the efficient and effective use of the financial and human resources of the Land Council in undertaking the directions and policy of the Land Council and to monitor that use consistent with the commitment of the Land Council to responsible development and the ambitions of the Tiwi people. Committees assist to achieve these aspirations:

- An Internal Finance Committee which operates in conjunction with the Independent Audit Committee to control the expenditure of the Land Council, reporting to the Land Council. Its members are the Land Council Executive and also include the CEO; Land Council Accounts Manager and external Accountant. The Finance Committee monitors progress against the budget at regular meetings and makes recommendations to the Independent Audit Committee. It was decided this year that the Internal Finance Committee would discuss relevant matters during Land Council Executive meetings and forward to the Independent Audit Committee any issues that required further detailed consideration. The Executive is yet to decide whether this will continue or it will revert to holding separate meetings for the year 2012/13.
- Independent Audit Committee (IAC). The IAC is obliged to review its charter each year and has done so during 2010/11. The Land Council appointed its own Independent Audit Committee in 2008. The Independent Audit Committee comprises Mr. Hugh Bradley (Chief Magistrate retired), Mr. Mike Baxter (Businessman), Mr. Deven Patel (Auditor and Accountant). The Land Council CEO, Accounts Manager and External Accountant are ex-officio members and attend meetings as required. The committee`s responsibilities

and rights are outlined in its charter that has been adopted and contained herein as amended. The IAC monitors financial progress and systems of the Land Council but has a much broader role in identifying risk and advising on management and processes to better manage those risks. Permission was granted to the IAC by the Executive to hold only three meetings this year, a situation that arose due to several scheduling conflicts.

- Natural Resource Management Committee and Rangers. These committees met 5 times during the year and include Land and Marine Rangers employed together with co-opted members in areas of relevant science and task requirements.
- Science Reference Committee met twice during the year. This committee has been established at the direction of the Land Council for better and more scientific detail and information to assist Tiwi decisions. Current work of this committee as been detailed earlier in this report and includes assessments of maritime infrastructure, impact and risk; plantation forest and various economic and technical studies; maritime protection areas and Marine biosphere studies in collaboration with CSIRO.
- Strategic Economic Planning Group met once during the year, although members did meet separately to assist various Corporations and Organisations not managed by the Land Council. Membership includes Mr. Ray Allwright, CEO of Tiwi Enterprises, Mr. Roger Smith, CEO of Tiwi Plantations Corporation, Mr. Craig Phillips, Director of Plantation Management partners, Mr. Mike Baxter, owner operator of Melville Lodge Fishing Resort, Mr. Guy Reynolds, Executive Director, Macquarie Bank and Mr. Brian Clancy, Secretariat. The objectives and strategy of this Committee have been quickly adopted by a number of the 17 private corporations on the Islands.

## Meetings of Committees

COMMITTEE	DATE	MEETING NUMBER	MEMBERS ATTENDING	EX-OFFICIO ATTENDANCE	ABSENT
Tiwi Land Rangers	9 August 2011		Willie Rioli, Kim Brooks, Willie Roberts, Des Bruppacher	Kate Hadden	Bathurst Island Crew
Independent Audit Committee	12 October 2011	15	Hugh Bradley, Mike Baxter	John Hicks, Prima Alexander, Derek Mayger	Deven Patel
Strategic Economic Planning Group	18 October 2011	4	Cyril Kalippa, Gibson Farmer, Ray Allwright, Roger Smith, Mike Baxter, Guy Reynolds, Brian Clancy		Norm Buchan, Craig Phillips
Tiwi Land Rangers	21 October 2011		Willie Rioli, Colin Kerinaiaua, Vivian Kerinaiaua, Leon Puruntatameri, Kim Brooks, Willy Roberts, Des Bruppacher,	Kate Hadden	
Science Reference Committee	31 October to 6th November	3.	Prof G. Bossinger. Dr. Peter Vesk. Dr. Tim Dempster. Dr. Chris Weston	Dr. Peter Ades. Glen Samsa Kate Hadden	Prof C. Pearson. Dean R. Saint
Tiwi Islands Fire and Weed Management Committee Meeting	24 November 2011	10	Gibson Farmer, Willie Rioli, Vivian Kerinaiaua, Kim Brooks, Dennis Tipakalippa, Curtis Tipiloura, Adrian Mungatopi, Ian Smith, Adrian Sibert, Martin Waddington, Trevor Harris, Quinten Pope, Bruce Holland, Jodie Milsom, Craig Armstrong, Carl Stucker, Steve Sutton, Kate Hadden	Robert Tipungwuti Jack Long, Colin Kerinaiaua, Wayne Wren, Michael Carter	
Strategic Economic Planning Group	25 November 2011		Belinda Wright, Robert McRobbie, Andrew Webster, Brian Clancy, Jennifer Clancy, John Hicks, Glen Samsa, Craig Phillips, Mike Baxter, Simon Harari, Roger Smith, Kate Hadden		Guy Reynolds
Science Reference Committee	28 March 2012	4.	Rob Saint, Peter Vesk, Gerd Bossinger, Chris Weston, Cyril Kalippa, Andrew Tipungwuti, Leslie Tungatulum, Gibson Farmer, Danny Munkara, Tiwi Rangers,	John Hicks, Jennifer Clancy, Brian Clancy, Kate Hadden	
Independent Audit Committee	30 March 2012	16	Hugh Bradley, Deven Patel, Mike Baxter,	John Hicks, Simon Harari, Craig Blake, Derek Mayger	

Tiwi Islands Fire and Weed Management Committee	2 April 2012	11	Gibson Farmer, Willie Rioli, Vivian Kerinaiaua, Kim Brooks, Dennis Tipakalippa, Bruce Holland, Jodie Milsom, Craig Armstrong, Craig Phillips, Kate Hadden, David Guy, Brian Tipungwuti, Theodore Tipiloura, Christopher Molaminni, Alan Andersen, Kelly Scheepers, Giuseppe Mungatopi, Pedro Wonaeamirri, Jack Long, Jose Puruntatameri, Willy Roberts		Martin Waddington
Strategic Economic Planning Group	19 April 2012		Belinda Wright, Robert McRobbie, Andrew Webster, Brian Clancy, Jennifer Clancy, John Hicks, Glen Samsa, Craig Phillips, Mike Baxter, Roger Smith, Kate Hadden		
Independent Audit Committee	27 April 2012	17	Hugh Bradley, Deven Patel, Mike Baxter,	John Hicks, Derek Mayger, Simon Harari, Craig Blake, Kate Hadden	
Tiwi Fire and Weed Management Committee Meeting	31 May 2012	12	Willie Rioli, Vivian Kerinaiaua, Dennis Tipakalippa, Colin Kerinaiaua, Des Bruppacher, Jose Puruntatameri, Quinten Pope, Bruce Holland, Craig Armstrong, Kate Hadden, Giuseppe Mungatopi, Pedro Wonaeamirri, Connell Tipiloura, Theodore Tipiloura		

### 3.4 Risk Management Register

The IAC requested revised and comprehensive Risk Management Register that was completed during the year. This Register is used by the Land Council Executive Committee to guide its decision-making priorities and is constantly updated.

Current significant risks identified include:

- Tiwi Participation rates in training and employment.
- Land Council succession planning.
- Landowner identity processes.
- Ongoing corporate governance and compliance training.
- Education risks.

This Register continues to be one of the Land Council's most useful tools in prioritising allocation of funds and in managing and monitoring risk.

### **3.5 Other Statutory Requirements**

Indemnities and insurance premiums for officers:

Pursuant to clause 19 of the Commonwealth Authorities (Annual Reporting) Orders 2011, the Land Council, the Land Council is obliged to report upon any indemnity given for a current or former officer, or any premium paid for insurance against legal liabilities. None have been given. However in 2004 the Land Council was obliged to adopt Comcover as insurer. Policy Terms and Conditions do include Directors' and Officers' Liability and cover a range of indemnities that are not specifically prevented under the CAC Act and corresponding legislation. The limit of liability is \$100m. A premium of \$1700 is paid for this cover for the 2011-12 year and a certificate of currency has been issued for 2011/12.

## **ASSET VALUE:**

A revaluation of our assets is required every three years. Valuation was undertaken 30 June 2010 and is again required at 30 June 2013.

## **APPROVED ABA BUDGET**

Our approved budget at 1st July 2011 was again varied during the year to recover various legal, drafting, compliance and operational costs incurred as a result of negotiations for a Township Lease at Milikapiti and Ranku and referred to under Performance Reporting. Expenditure was within the guidelines set by legislation.

## **CORPORATE GOVERNANCE AND PLANNING**

Compliance with Commonwealth Authorities (Annual Reporting) Orders 2011 is referred to throughout the Report, particularly in Committee Sections as well as Performance Outcomes reported.

Basic Corporate Governance training for Tiwi members began in March of this year. A Tiwi-specific corporate governance training programme is now being formulated with a view to making the material as accessible as possible. As part of this process, a board evaluation and performance review protocol has been formulated and will be implemented in the coming months.

## **SECTION 35 PAYMENTS**

Income received and payments made pursuant to Section 35 are all contained under sub-section (4) and refer to the receipt of monies in respect to land. Funds have been received for rents in accordance with the Northern Territory National Emergency Response Act 2007. In addition payments have also been made by the Australian Government in relation to the Township Lease over Milikapiti and Ranku, concluded in November 2011. A total of \$1,950,000 has been received. A total of \$1,950,000 has been paid to the relevant traditional aboriginal owners. The traditional owner Trustee Corporations are audited and have supplied financial detail to the satisfaction of the Land Council who paid these monies within the required six months of having received them.

## **FRAUD CONTROL**

The Land Council has completed the Commonwealth Fraud Control 2012 report for the Attorney General and is satisfied that it has in place appropriate fraud control mechanisms to meet the needs and integrity of the Land Council. There were no detected or reported incidents during the year. The Land Council has adopted a Code of Conduct and Terms and Conditions that are supported by the Members. Introduction of a Pecuniary Interests Register during 2010 is formally confirmed each year and members obliged to formally declare interest at every meeting.

## **PECUNIARY INTERESTS REGISTERS**

The Land Council has adopted the advice of the Minister and maintains Pecuniary Interest Registers for all members from January 2010. All Land Council members updated their details in the Pecuniary Interests Register at the Land Council Meeting on 14 August 2012.

Of our 246 suppliers, there are ten in which one or more of our members are directors.

All members have signed a Related Parties register to enable the Land Council to guard against potential conflicts of interest beyond conflicts of pecuniary interest.

All members declare any relevant pecuniary interests before each meeting.

## **ENERGY EFFICIENCY IN GOVERNMENT OPERATIONS:**

Performance and targets for energy efficiency in office buildings to be met by 2011 have been a reporting requirement for Commonwealth Authorities and Companies Act (CAC bodies) since 2006. The Tiwi Land Council has not reported in the past and has been provided an exemption from reporting requirements at this time. Recent meetings (7th September 2011) with the Power Water Authority of the Northern Territory have discussed these issue and matters will be referred to the Science Reference Committee meeting in late October 2011.

## **COMPLIANCE REPORT - FINANCE:**

In addition to both Management and Solicitor representation letters required by the Australian National Audit Office as part of audit procedures, the Finance Minister requires a report of compliance against costs and forecasts of government revenue managed and applied by the Tiwi Land Council. The compliance report for the financial year 2011/2012 has been completed.

## **PROTECTIVE SECURITY POLICY FRAMEWORK.**

Transition to the new Protective Security Policy Framework (PSPF) required our auditors enquire of security clearances applicable to contract personnel retained for the audit of the Tiwi Land Council. Access arrangements under Sub-Section 56(2) of the Archives Act 1983 were supported by the Land Council Audit Committee for the purposes of field work and testing required by our external auditors.

## **COMPLIANCE REPORT – LEGAL:**

The Attorney General requires a statement each year of legal expenses incurred by the authority including in-house legal costs and fees. This report has been completed for the 2012 financial year.

Compliance with Legal Service Directions 2005 require Legal Service Expenditure Reports to the Office of Legal Services Coordination by 29 August 2012. The Tiwi Land Council has completed and forwarded this Report.

## **LEGAL SERVICE MULTI USE LIST:**

The Legal Services Amendment Direction 2012 (No.1) was made 31st May 2012 and commenced at 1 June 2012, effectively requiring the Land Council utilize only approved providers of legal services endorsed by the Commonwealth. Transitional arrangements extend the mandatory nature of this direction to 1 July 2013. The Tiwi Land Council has endorsed the listing of our major law firm Piper Alderman for continuing legal services.



## AUSTRALIAN NATIONAL ARCHIVES:

The Land Council information and records management framework has been upgraded and extended during the year. Audit against National Archives (ANA) standards were the subject of two Benchmark assessments during the year. The Tiwi Land Council falls within the 60 agencies Benchmarked by ANA under the CAC Act. The average rating was 3.76. The Tiwi Land Council rating was slightly above average at 4. Transition to digital records is a challenge for the Land Council which was downgraded through lack of digital sophistication. Our consultative obligations and meeting processes require manual paper trails rather than electronic and digital references. For these reasons it is likely both paper and digital records will be required for many years ahead.

## COMMONWEALTH DISABILITY STRATEGY:

Changes to disability reporting in annual reports

Since 1994, Commonwealth departments and agencies have reported on their performance as policy adviser, purchaser, employer, regulator and provider under the Commonwealth Disability Strategy. In 2007-08, reporting on the employer role was transferred to the Australian Public Service Commission's State of the Service Report and the APS Statistical Bulletin. These reports are available at [www.apsc.gov.au](http://www.apsc.gov.au). From 2010-11, departments and agencies have no longer been required to report on these functions.

The Commonwealth Disability Strategy has been overtaken by a new National Disability Strategy which sets out a ten year national policy framework for improving life for Australians with disability, their families and carers. A high level report to track progress for people with disability at a national level will be produced by the Standing Council on Community, Housing and Disability Services to the Council of Australian Governments and will be available at [www.fahcsia.gov.au](http://www.fahcsia.gov.au). The Social Inclusion Measurement and Reporting Strategy agreed by the Government in December 2009 will also include some reporting on disability matters in its regular How Australia is Faring report and, if appropriate, in strategic change indicators in agency Annual Reports. More detail on social inclusion matters can be found at [www.socialinclusion.gov.au](http://www.socialinclusion.gov.au).

## ECOLOGICALLY SUSTAINABLE DEVELOPMENT:

A major milestone in the Tiwi Land Council's decision making process in relation to ecologically sustainable development was the analysis of environmental risk relating to activities initiated by other organisations operating on the Tiwi Islands. The Tiwi Land Council Land Use Request Process & Procedures are now firmly embedded and most organisations understand their obligations i.e. to seek formal approval through the Land Use Request process for relevant activities

The Tiwi Land Council has an accredited internal environmental auditor on staff who conducts annual internal environmental audits for Plantation Management Partners, the managers of the Tiwi plantation estate. The 2010/11 audit was carried out in August 2011, and led to a successful independent (external) audit for 2011, resulting in the Tiwi Forestry Project maintaining ISO14001 accreditation.

## ENVIRONMENTAL PERFORMANCE:

### Energy efficiency

The Land Council Secretariat maintains small (190 sq meter) leased premises in Darwin. Operations and offices of the Land Council (5) are maintained on the Tiwi Islands reducing the need for air flights and charters. Members have investigated the use of tidal; wind and solar power, and undertaken detailed studies since 1999. The Land Council HQ Office at Pickataramoor is planning a small hydro and supporting solar energy generation with current design work and costing under review.

To further these aims, Tiwi-owned corporations commissioned and paid for a study of options for increasing electricity efficiency on the Tiwi Islands. As a result of that study, Power and Water NT are now considering installing a 4ha solar panel farm to improve electricity efficiency and sustainability.

## **Waste**

Tiwi Land Council has required the Shire to progress licensing of Wurrumiyanga tip in accordance with environmental legislation, and supported their efforts to apply the same management standards to all tips across the Tiwi Islands (although this is currently not a legislative requirement).

## **Water**

The Tiwi Islands Water Advisory Committee, made up of a NT Government Water Planner and three Tiwi Land Rangers, developed a draft Water Resource Strategy for the Tiwi Islands, and is awaiting Ministerial approval before presenting it to the full Land Council. The Water Resource Strategy identifies the freshwater resource on the Tiwi Islands, and sets out a framework for its sustainable management. Results to date clearly show that the freshwater resource is being used well within sustainable limits. Comprehensive Tiwi Island Water studies were also completed in 2001.

## **Occupational Health and Safety:**

Information is required to be reported pursuant to Schedule 2 of the Work Health and Safety Act 2011. This report is required to comment upon:

- The health and safety management arrangements of the Tiwi Land Council.
  - The Land Council adopts audited standard for ISO 14001 complied with by our Forest Corporation in as much as they are relevant to employees of the Tiwi Land Council. Our Land and Marine Rangers are required to comply with Risk and Obligations Registers maintained by Tiwi Plantations Corporation. Detail that is relevant for other staff and Land Council facilities includes:
    - Australian Workplace Safety Standards Act 2005 incident reporting procedures.
    - Transport Safety Investigations Act 2003 incident reporting procedures
    - Work Health and Safety Act 2011 incident reporting procedures
    - Dangerous Goods and Transport Regulations Precautions and incident reporting procedures
    - Poisonous and Dangerous Drugs Act and Regulations. Storage and fumigation procedures.
    - Coroners Act 1993 incident reporting procedures
    - Fire and Emergency Act and Regulations
- Initiatives taken during the year to ensure the health, safety and welfare at work of employees and contractors of the Entity or authority.
  - Construction of sheltered walkway and handrails at Land Council Office Pickertaramoor to safeguard against injury from falls or storms.
- Health and safety outcomes (including the impact on injury rates of employees and contractors of the Entity or authority) achieved as a result of initiatives mentioned under paragraph (d) or previous initiatives.
  - No reported injuries at any Land Council locations.
- Statistics of any accidents or dangerous occurrences during the year that arose out of the conduct of undertakings by the Entity or authority and that required the giving of notice under section 68;
  - No accidents or dangerous occurrences.
- Any investigations conducted during the year that relate to undertakings carried on by the employer, including details of all notices given to the employer under section 29, 46 or 47 during the year;
  - No investigations

- Such other matters as are required by guidelines approved on behalf of the Parliament by the Joint Committee of Public Accounts and Audit.
    - None
  - Where an annual report of the activities of the Commonwealth authority is not required, under the Act or other law by or in accordance with which the authority is established or incorporated, to be prepared with a view to its being laid before each House of the Parliament, a report concerning details, in relation to the authority in relation to a particular financial year, of the matters referred to in subsection (1), must be attached.
    - Not applicable.
  - if a controlling interest in the Commonwealth authority is held, either directly or indirectly, by another Commonwealth authority in respect of the activities of which an annual report is so required to be prepared—to that annual report;
    - Not applicable
- or
- if a controlling interest in the Commonwealth authority is not so held—to the annual report of the Entity or an Entity, administered by the responsible Minister for the first mentioned authority.
    - Not applicable

FaHCSIA commissioned an audit of Land Council WHS practices this year. A draft discussion paper was provided to us in June 2012. We look forward to discussing the recommendations therein and working towards implementation of practicable strategies that arise from those discussions.

## TIWI LAND COUNCIL AUDIT COMMITTEE CHARTER

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The Executive Committee has established the Audit Committee in compliance with section 32 of the Commonwealth Authorities and Companies Act 1997 (CAC Act).

This charter sets out the audit committee's objectives, authority, composition and tenure, roles and responsibilities, reporting and administrative arrangements.

### OBJECTIVE

The objective of the committee is to provide independent assurance and assistance to the Board on the Tiwi Land Council's risk, control and compliance framework, and its external accountability responsibilities.

### AUTHORITY

The Board authorises the committee, within the scope of its role and responsibilities, to:

- obtain any information it needs from any employee and/or external party (subject to their legal obligation to protect information);
- discuss any matters with the external auditor, or other external parties (subject to confidentiality considerations);
- request the attendance of any employee, including directors, at committee meetings; and
- obtain external legal or other professional advice, as considered necessary to meet its responsibilities, at Tiwi Land Council expense.

### COMPOSITION AND TENURE

The Board is responsible for the appointment of committee members. The committee will consist of at least three and not more than five members.

The Board will appoint a non-executive member as Chair of the committee.

Members will be appointed for an initial period not exceeding three years after which they will be eligible for extension or re-appointment, after a formal review of their performance.

The Chief Executive Officer, Chief Finance Officer and the Head of internal audit will not be members of the committee, but may attend meetings as observers as determined by the Chair.

The members, taken collectively, will have a broad range of skills and experience relevant to the operations of the Tiwi Land Council. At least one member of the committee should have accounting or related financial management experience with an understanding of accounting and auditing standards in a public sector environment.

## **ROLES AND RESPONSIBILITIES**

The committee has no executive powers, unless delegated to it by the Board.

The committee is directly responsible and accountable to the Board for the exercise of its responsibilities. In carrying out its responsibilities, the committee must at all times recognise that primary responsibility for management of the Tiwi Land Council rests with the Chief Executive Officer.

The responsibilities of the committee may be revised or expanded in consultation with, or as requested by, the Board from time to time.

The committee's responsibilities are:

### **Risk management**

- review whether management has in place a current and comprehensive risk management framework, and associated procedures for effective identification and management of the Tiwi Land Council's financial and business risks, including fraud;
- review whether a sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings;
- review the impact of the Tiwi Land Council's risk management framework on its control environment and insurance arrangements;
- review whether a sound and effective approach has been followed in establishing Tiwi Land Council's business continuity planning arrangements, including whether disaster recovery plans have been tested periodically; and
- review the Tiwi Land Council's fraud control plan and satisfy itself the Tiwi Land Council has appropriate processes and systems in place to capture and effectively investigate fraud related information.

### **Control framework**

- review whether management's approach to maintaining an effective internal control framework, including over external parties such as contractors and advisors, is sound and effective.
- review whether management has in place relevant policies and procedures, including Chief Executive Instructions or their equivalent, and that these are periodically reviewed and updated;
- determine whether the appropriate processes are in place to assess, at least once a year, whether policies and procedures are complied with;
- review whether appropriate policies and procedures are in place for the management and exercise of delegations;
- consider how management identifies any required changes to the design or implementation of internal controls; and

- review whether management has taken steps to embed a culture which is committed to ethical and lawful behaviour.

### **External accountability**

- review the financial statements and provide advice to the Board (including whether appropriate action has been taken in response to audit recommendations and adjustments), and recommend their signing by the Chair of the Board;
- satisfy itself that the financial statements are supported by appropriate management signoff on the statements and on the adequacy of the systems of internal controls;
- review the processes in place designed to ensure that financial information included in the Tiwi Land Council annual report is consistent with the signed financial statements;
- satisfy itself that the Tiwi Land Council has appropriate mechanisms in place to review and implement, where appropriate, relevant Parliamentary Committee reports and recommendations; and
- satisfy itself that the Tiwi Land Council has a performance management framework that is linked to organisational objectives and outcomes.

### **Legislative compliance**

- determine whether management has appropriately considered legal and compliance risks as part of the Tiwi Land Council's risk assessment and management arrangements; and
- review the effectiveness of the system for monitoring Tiwi Land Council's compliance with relevant laws, regulations and associated government policies.

### **Internal audit**

- act as a forum for communication between the Board, senior management and internal and external audit;<sup>7</sup>
- review the internal audit coverage and annual work plan, ensure the plan is based on the Tiwi Land Council's risk management plan, and recommend approval of the plan by the Board;
- advise the Board on the adequacy of internal audit resources to carry out its responsibilities, including completion of the approved internal audit plan;
- oversee the coordination of audit programs conducted by internal and external audit and other review functions;
- review all audit reports and provide advice to the Board on significant issues identified in audit reports and action taken on issues raised, including identification and dissemination of good practice;
- monitor management's implementation of internal audit recommendations;
- review the internal audit charter to ensure appropriate organisational structures, authority, access and reporting arrangements are in place;
- periodically review the performance of internal audit; and
- provide advice to the Board on the internal audit arrangements (in the case of an in-house internal audit function), or recommend to the Board the appointment of the internal auditor.

### **External audit**

- act as a forum for communication between the Board, senior management and internal and external audit;
- provide input and feedback on the financial statement and performance audit coverage proposed by external audit (if any) and provide feedback on the audit services provided;
- review all external plans and reports<sup>9</sup> in respect of planned or completed audits and monitor management's implementation of audit recommendations; and
- provide advice to the Board on action taken on significant issues raised in relevant external audit reports and better practice guides.

## **Responsibilities of members**

Members of the committee are expected to understand and observe the legal requirements of the CAC Act. Members are also expected to:

- contribute the time needed to study and understand the papers provided;
- apply good analytical skills, objectivity and good judgement; and
- express opinions frankly, ask questions that go to the fundamental core of the issue and pursue independent lines of enquiry.

## **Reporting**

- The committee will regularly, but at least once a year, report to the Board on its operation and activities during the year. The report should include:
- a summary of the work the committee performed to fully discharge its responsibilities during the preceding year;
- a summary of the Tiwi Land Council's progress in addressing the findings and recommendations made in internal, external and Parliamentary Committee reports;
- an overall assessment of the Tiwi Land Council's risk, control and compliance framework, including details of any significant emerging risks or legislative changes impacting the Tiwi Land Council and
- details of meetings, including the number of meetings held during the relevant period, and the number of meetings each member attended.
- The committee may, at any time, report to the Board any other matter it deems of sufficient importance to do so. In addition, at any time an individual committee member may request a meeting with the Chair of the Board.

## **ADMINISTRATIVE ARRANGEMENTS**

### **Meetings**

- The committee will meet at least four times per year. A special meeting may be held to review the Tiwi Land Council's annual financial statements.
- The Chair is required to call a meeting if asked to do so by the Board, or another committee member.
- A forward meeting plan, including meeting dates and agenda items, will be agreed by the committee each year. The forward meeting plan will cover all of the Audit Committee's responsibilities, as detailed in this charter.

### **Attendance at meetings and quorums**

- A quorum will consist of a majority of committee members.
- Meetings can be held in person, by telephone or by video conference.
- The Head of internal audit and external audit representatives may be invited to attend meetings. The committee may also request the Chief Finance Officer or other employees attend committee meetings or participate in certain agenda items.
- The committee will meet separately with both the internal and external auditors at least once a year.
- The Chair of the Board and/or the Chief Executive Officer may be invited to attend committee meetings to participate in specific discussions or provide strategic briefings to the committee.

## **Secretariat**

A Board-appointed person will provide secretariat support to the committee. The Secretariat will ensure the agenda for each meeting and supporting papers are circulated, after approval from the Chair, at least one week before the meeting, and ensure the minutes of the meetings are prepared and maintained. Minutes must be approved by the Chair and circulated within two weeks of the meeting to each member and committee observers, as appropriate.

## **Conflicts of interest**

Once a year Audit Committee members will provide written declarations to the Board stating they do not have any conflicts of interest that would preclude them from being members of the committee.

Audit Committee members must declare any conflicts of interest at the start of each meeting or before discussion of the relevant agenda item or topic. Details of any conflicts of interest should be appropriately minuted.

Where members or observers at Audit Committee meetings are deemed to have a real, or perceived, conflict of interest it may be appropriate that they are excused from committee deliberations on the issue where a conflict of interest exists.

## **Induction**

New members will receive relevant information and briefings on their appointment to assist them to meet their committee responsibilities.

## **ASSESSMENT ARRANGEMENTS**

The Chair of the committee, in consultation with the Chair of the Board, will initiate a review of the performance of the committee at least once every two years. The review will be conducted on a self-assessment basis (unless otherwise determined by the Board) with appropriate input sought from the Board, the Chief Executive Officer, the internal and external auditors, management and any other relevant stakeholders, as determined by the Board.

The IAC performed the self assessment this year, which resulted in a finding that its performance was within acceptable performance benchmarks.

## **Review of charter**

At least once a year the committee will review this charter. This review will include consultation with the Board. This has occurred for the 2011-2012 year.

- Review due by 30 June 2012. Completed.
- Any substantive changes to the charter will be recommended by the committee and formally approved by the Board. No substantive changes advised.



ABN 86 106 441 085

**TIWI LAND COUNCIL  
GENERAL PURPOSE  
FINANCIAL STATEMENTS  
FOR THE YEAR ENDED  
30 JUNE 2012**



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## **INDEPENDENT AUDITOR'S REPORT**

### **To the Minister for Families, Community Services and Indigenous Affairs**

I have audited the accompanying financial statements of the Tiwi Land Council for the year ended 30 June 2012, which comprise: a Statement by the Directors, Chief Executive and Chief Financial Officer; the Statement of Comprehensive Income; Balance Sheet; Statement of Changes in Equity; Cash Flow Statement; Schedule of Commitments; Schedule of Contingencies and Notes comprising a Summary of Significant Accounting Policies and other explanatory information.

#### ***Directors' Responsibility for the Financial Statements***

The directors of the Tiwi Land Council are responsible for the preparation of the financial statements that give a true and fair view in accordance with the Finance Minister's Orders made under the *Commonwealth Authorities and Companies Act 1997*, including the Australian Accounting Standards, and for such internal control as is necessary to enable the preparation of the financial statements that give a true and fair view and are free from material misstatement, whether due to fraud or error.

#### ***Auditor's Responsibility***

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

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Tiwi Land Council's preparation of the financial statements that give a true and fair view in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Tiwi Land Council's internal control. An audit also includes evaluating the appropriateness of the accounting policies used and the reasonableness of accounting estimates made by the directors, as well as evaluating the overall presentation of the financial statements.

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

## ***Independence***

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

## ***Opinion***

In my opinion, the financial statements of the Tiwi Land Council:

- (a) have been prepared in accordance with the Finance Minister's Orders made under the *Commonwealth Authorities and Companies Act 1997*, including the Australian Accounting Standards; and
- (b) give a true and fair view of the matters required by the Finance Minister's Orders including the Tiwi Land Council's financial position as at 30 June 2012 and of its financial performance and cash flows for the year then ended.

Australian National Audit Office

A handwritten signature in black ink, appearing to read 'Kristian Gage', with a stylized flourish at the end.

Kristian Gage  
Audit Principal

Delegate of the Auditor-General

Canberra

25 October 2012

**TIWI LAND COUNCIL**  
**FINANCIAL STATEMENTS**  
*for the year ended 30 June 2012*

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**STATEMENT BY THE DIRECTORS, CHIEF EXECUTIVE AND CHIEF FINANCIAL OFFICER**

In our opinion, the attached financial statements for the year ended 30 June 2012 are based on properly maintained financial records and give a true and fair view of the matters required by the Finance Minister's Orders made under the Commonwealth Authorities and Companies Act 1997, as amended.

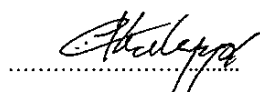
In our opinion, at the date of this statement, there are reasonable grounds to believe that the Authority will be able to pay its debts as and when they become due and payable.

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



Gibson Farmer Illortaminni  
Chairperson

*24 October 2012.*



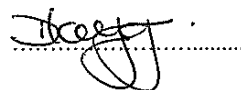
Cyril Kalippa OAM  
Director

*24 October 2012*



John Hicks  
Chief Executive

*14 October 2012.*



Derek Mayger  
Chief Financial Officer

*24 October 2012.*

**TIWI LAND COUNCIL**  
**STATEMENT OF COMPREHENSIVE INCOME**  
*for the year ended 30 June 2012*

	Notes	2012 \$	2011 \$
<b>EXPENSES</b>			
Employee benefits	3A	746,130	812,460
Supplier	3B	976,944	1,215,051
Grants	3C	851,901	434,168
Depreciation and amortisation	3D	203,863	211,903
Other expenses	3E	205,100	281,988
<b>Total expenses</b>		<b>2,983,938</b>	<b>2,955,570</b>
<b>LESS:</b>			
<b>OWN-SOURCE INCOME</b>			
Own-source revenue			
Sale of goods and rendering of services	4A	500,049	324,939
Interest	4B	75,422	12,792
<b>Total own-source revenue</b>		<b>575,471</b>	<b>337,730</b>
Gains			
Sale of assets	4C	6,327	1,410
Other gains	4D	10,045	-
<b>Total gains</b>		<b>16,371</b>	<b>1,410</b>
<b>Total own-source income</b>		<b>591,843</b>	<b>339,140</b>
Net cost of (contribution by) services		(2,392,096)	(2,616,429)
Revenue from Government	4E	3,148,700	2,475,300
<b>Surplus (Deficit) before income tax on continuing operations</b>		<b>756,605</b>	<b>(141,129)</b>
<b>Surplus (Deficit) after income tax on continuing operations</b>		<b>756,605</b>	<b>(141,129)</b>
<b>Surplus (Deficit) attributable to the Australian Government*</b>		<b>756,605</b>	<b>(141,129)</b>
<b>OTHER COMPREHENSIVE INCOME</b>			
Total other comprehensive income (loss)		-	-
<b>Total comprehensive income (loss) attributable to the Australian Government*</b>		<b>756,605</b>	<b>(141,129)</b>

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

**TIWI LAND COUNCIL**  
**BALANCE SHEET**  
*as at 30 June 2012*

	Notes	2012 \$	2011 \$
<b>ASSETS</b>			
<b>Financial Assets</b>			
Cash and cash equivalents	5A	2,065,510	286,125
Trade and other receivables	5B	-	97,509
<b>Total financial assets</b>		<b>2,065,510</b>	<b>383,634</b>
<b>Non-Financial Assets</b>			
Land and buildings	6A	469,037	439,156
Property, plant and equipment	6B,C	505,063	544,191
Other non-financial assets	6D	2,796	-
<b>Total non-financial assets</b>		<b>976,896</b>	<b>983,347</b>
<b>Total assets</b>		<b>3,042,406</b>	<b>1,366,980</b>
<b>LIABILITIES</b>			
<b>Payables</b>			
Suppliers	7A	240,695	340,786
Other payables	7B	1,013,457	12,680
<b>Total payables</b>		<b>1,254,152</b>	<b>353,466</b>
<b>Provisions</b>			
Employee provisions	8A	148,219	130,083
<b>Total provisions</b>		<b>148,219</b>	<b>130,083</b>
<b>Total liabilities</b>		<b>1,402,370</b>	<b>483,549</b>
<b>Net assets</b>		<b>1,640,036</b>	<b>883,432</b>
<b>EQUITY</b>			
Parent Entity Interest			
Asset Revaluation Reserve		113,419	113,419
Retained surplus		1,526,617	770,013
<b>Total parent entity interest</b>		<b>1,640,036</b>	<b>883,432</b>
<b>Total equity</b>		<b>1,640,036</b>	<b>883,432</b>

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

**TIWI LAND COUNCIL**  
**STATEMENT OF CHANGES IN EQUITY**  
*for the year ended 30 June 2012*

	Retained earnings		Asset revaluation surplus		Total equity	
	2012	2011	2012	2011	2012	2011
	\$	\$	\$	\$	\$	\$
Opening balance						
Balance carried forward from previous period	770,013	911,142	113,419	113,419	883,432	1,024,561
Adjusted opening balance	770,013	911,142	113,419	113,419	883,432	1,024,561
Comprehensive Income						
Surplus (Deficit) for the period	756,604	(141,129)			756,604	(141,129)
Other comprehensive income	-	-			-	-
Total comprehensive income	756,604	(141,129)	-	-	756,604	(141,129)
of which*:						
Attributable to the Australian Government*	756,604	(141,129)	-	-	756,604	(141,129)
Closing balance as at 30 June	1,526,617	770,013	113,419	113,419	1,640,036	883,432
Closing balance attributable to the Australian Government*	1,526,617	770,013	113,419	113,419	1,640,036	883,432

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

**TIWI LAND COUNCIL**  
**CASH FLOW STATEMENT**  
*as at 30 June 2012*

	Notes	2012 \$	2011 \$
<b>OPERATING ACTIVITIES</b>			
Cash received			
Receipts from Government		3,305,240	2,754,937
Goods and services		534,082	254,078
Interest		75,422	12,792
Net GST received		352,222	67,419
Other		1,006,304	22,940
Total cash received		<u>5,273,270</u>	<u>3,112,165</u>
Cash used			
Employees		674,178	866,820
Suppliers		2,287,130	1,792,406
Net GST paid		192,189	-
Grants		-	206,388
Other		153,371	22,593
Total cash used		<u>3,306,869</u>	<u>2,888,208</u>
Net cash from (used by) operating activities	9	<u>1,966,401</u>	<u>223,957</u>
<b>INVESTING ACTIVITIES</b>			
Cash received			
Proceeds from sales of property, plant and equipment		14,000	11,309
Total cash received		<u>14,000</u>	<u>11,309</u>
Cash used			
Purchase of property, plant and equipment		201,017	179,397
Total cash used		<u>201,017</u>	<u>179,397</u>
Net cash from (used by) investing activities		<u>(187,017)</u>	<u>(168,088)</u>
Net increase (decrease) in cash held		<u>1,779,384</u>	<u>55,870</u>
Cash and cash equivalents at the beginning of the reporting period		<u>286,125</u>	<u>230,256</u>
Cash and cash equivalents at the end of the reporting period	5A	<u>2,065,510</u>	<u>286,125</u>

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



**TIWI LAND COUNCIL**  
**SCHEDULE OF COMMITMENTS**  
*as at 30 June 2012*

	2012	2011
	\$	\$
<b>BY TYPE</b>		
Commitments payable		
Other commitments		
Property Rental	22,750	22,750
Total other commitments	22,750	22,750
Net commitments by type	22,750	22,750
<b>BY MATURITY</b>		
Commitments payable		
Other Commitments		
One year or less	22,750	22,750
From one to five years	-	-
Over five years	-	-
Total other commitments	22,750	22,750
Net commitments by maturity	22,750	22,750

The nature of other commitments pertain to lease of property at Knuckey Lagoon.

The Land Council in its capacity as leasee of 5 Benson Court Knuckey Lagoon is committed to pay \$650 per week until March 2013.

This schedule should be read in conjunction with the accompanying notes.

**TIWI LAND COUNCIL**  
**SCHEDULE OF CONTINGENCIES**  
*as at 30 June 2012*

	2012	2011
	\$	\$
<b>Contingent assets</b>		
Guarantees	-	-
Indemnities	-	-
Claims for damages or costs	-	-
<b>Total contingent assets</b>	-	-
<b>Contingent liabilities</b>		
Guarantees	-	-
Indemnities	-	-
Claims for damages or costs	200,000	200,000
<b>Total contingent liabilities</b>	200,000	200,000
<b>Net contingent assets (liabilities)</b>	(200,000)	(200,000)

Details of each class of contingent liabilities and contingent assets listed above are disclosed in Note 10, along with information on significant remote contingencies and contingencies that cannot be quantified.

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

## TIWI LAND COUNCIL

### NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

for the year ended 30 June 2012

#### Note 1: Summary of Significant Accounting Policies

##### 1.1 Objectives of the Entity

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

The Tiwi Land Council is a statutory authority formed within the provisions of Section 21 of the Aboriginal Land Right (NT) Act and is not-for profit entity. The Land Council receives appropriations from the Aboriginal Benefits Account pursuant to ministerially approved estimates prepared in accordance with Section 34 of the Act and made available under Section 64 of the Act

The continued existence of the Land Council in its present form and with its present programs is dependent on Government policy and on continuing appropriations by Parliament for the Land Council's administration and programs.

The funding conditions of the Land Council are laid down by the Aboriginal Land Right (NT) Act, and any special purpose grant guidelines. Accounting for monies received from the Aboriginal Benefits Account is subject to conditions approved by the Minister for Families, Community Services and Indigenous Affairs.

##### 1.2 Basis of Preparation of the Financial Statements

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

The financial statements have been prepared in accordance with:

- Finance Minister's Orders (or FMO's) for reporting periods ending on or after 1 July 2011; and
- Australian Accounting Standards and Interpretations issued by the Australian Accounting Standards Board (AASB) that apply for the reporting period.

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

The financial statements are presented in Australian dollars and values are rounded to the nearest dollar unless otherwise specified.

Unless an alternative treatment is specifically required by an accounting standard or the FMO, assets and liabilities are recognised in the balance sheet when and only when it is probable that future economic benefits will flow to the Land Council or a future sacrifice of economic benefits will be required and the amounts of the assets or liabilities can be reliably measured. However, assets and liabilities arising under Agreements Equally Proportionately Unperformed are not recognised unless required by an accounting standard. Liabilities and assets that are unrecognised are reported in the schedule of commitments or the schedule of contingencies.

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

##### 1.3 Significant Accounting Judgements and Estimates

In the process of applying the accounting policies listed in this note, Tiwi Land Council has made the following judgement that have the most significant impact on the amounts recorded in the financial statements: The fair value of land and buildings has been taken to be the depreciated replacement cost of similar buildings as determined by an independent valuer. In some instances, Land Council buildings are purpose built and may in fact realise more or less in the market.

No accounting assumptions or estimates have been identified that have a significant risk of causing a material adjustment to carrying amounts of assets and liabilities within the next accounting period.

## 1.4 New Australian Accounting Standards

### Adoption of New Australian Accounting Standard Requirements

No accounting standard has been adopted earlier than the application date as stated in the standard.

The following AASB 7 *Financial Instruments: Disclosures*, AASB 101 *Presentation of Financial Statements - May 2011 (Compilation)*, AASB 107 *Statement of Cash Flows - May 2011 (Compilation)*, AASB 132 *Financial Instruments: Presentation*, AASB 139 *Financial Instruments: Recognition and Measurement*, were issued prior to the signing of the statement by the chief executive and chief financial officer, were applicable to the current reporting period. The new standards have not had a material financial impact on the financial report.

Other AASB 1 *First-time Adoption of Australian Accounting Standards - May 2011 (Compilation)*, AASB 3 *Business Combinations - October 2010 (Compilation)*, AASB 8 *Operating Segments - December 2009 (Compilation)*, that were issued prior to the signing of the statement by the chief executive and chief financial officer and are applicable to the current reporting period did not have a financial impact, and are not expected to have a future financial impact on the entity.

### Future Australian Accounting Standard Requirements

The following AASB 1053 *Application of Tiers of Australian Accounting Standards - June 2010 (Principal)*, AASB 2010-10 *Further Amendments to Australian Accounting Standards – Removal of Fixed Dates for First-time Adopters [AASB 2009-11 & AASB 2010-7]*, AASB 2011-2 *Amendments to Australian Accounting Standards arising from the Trans-Tasman Convergence Project – Reduced Disclosure Requirements [AASB 101 & AASB 1054]*, AASB 2011-6 *Amendments to Australian Accounting Standards – Extending Relief from Consolidation, the Equity Method and Proportionate Consolidation – Reduced Disclosure Requirements [AASB 127, AASB 128 & AASB 131]*, AASB 2011-11 *Amendments to AASB 119 (September 2011) arising from Reduced Disclosure Requirements*, AASB 2012-1 *Amendments to Australian Accounting Standards - Fair Value Measurement - Reduced Disclosure Requirements [AASB 3, AASB 7, AASB 13, AASB 140 & AASB 141]*, *Interp. 20 Stripping Costs in the Production Phase of a Surface Mine - November 2011 (Principal)*, were issued by the Australian Accounting Standards Board prior to the signing of the statement by the chief executive and chief financial officer, which are not expected to have a financial impact on the entity for future reporting periods.

Other new standards/revised standards/interpretations/amending standards that were issued prior to the signing of the statement by the chief executive and chief financial officer and are applicable to the future reporting period are not expected to have a future financial impact on the entity.

## 1.5 Revenue

Revenue from the sale of goods is recognised when:

- the risks and rewards of ownership have been transferred to the buyer;
- the Land Council retains no managerial involvement or effective control over the goods;
- the revenue and transaction costs incurred can be reliably measured; and
- it is probable that the economic benefits associated with the transaction will flow to the entity.

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

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

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

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

Interest revenue is recognised using the effective interest method as set out in AASB 139 *Financial Instruments: Recognition and Measurement*.

Revenues from the Aboriginals Benefit Account are recognised as revenue at the time they are received into the Land Council's bank account or are entitled to be received at year end.

### **Revenue from Government**

Funding received or receivable from agencies is recognised as Revenue from Government unless they are in the nature of an equity injection or a loan.

## **1.6 Gains**

### **Resources Received Free of Charge**

Resources received free of charge are recognised as gains when, and only when, a fair value can be reliably determined and the services would have been purchased if they had not been donated. Use of those resources is recognised as an expense.

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

### **Sale of Assets**

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

## **1.7 Employee Benefits**

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

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

### **Leave**

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

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

The liability for long service leave has been determined as the net present value of the liability. The estimate of the present value of the liability takes into account attrition rates and pay increases through promotion and inflation.

### **Separation and Redundancy**

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

### **Superannuation**

Staff of the Land Council are members of the BT Financial Group, HostPlus Superannuation Fund, Colonial First State, Catholic Superannuation Fund, ING Superannuation Fund and NTGPASS. Land Council staff are not public servants and have no entitlement to Commonwealth government superannuation benefits.

The NTGPASS is a defined benefit scheme. The liability for the defined benefits scheme is recognised in the financial statements of the Northern Territory Government and is settled by the Northern Territory Government in due course. All the other superannuation funds are defined contribution schemes.

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

## **1.8 Leases**

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

Where an asset is acquired by means of a finance lease, the asset is capitalised at either the fair value of the lease property or, if lower, the present value of minimum lease payments at the inception of the contract and a liability is recognised at the same time and for the same amount.

The discount rate used is the interest rate implicit in the lease. Leased assets are amortised over the period of the lease. Lease payments are allocated between the principal component and the interest expense.

Operating lease payments are expensed on a straight-line basis which is representative of the pattern of benefits derived from the leased assets.

## **1.9 Borrowing Costs**

All borrowing costs are expensed as incurred.

## **1.10 Cash**

Cash is recognised at its nominal amount. Cash and cash equivalents includes:

- a) cash on hand; and
- b) demand deposits in bank accounts with an original maturity of 3 months or less that are readily convertible to known amounts of cash and subject to insignificant risk of changes in value.

## **1.11 Financial Assets**

Tiwi Land Council classifies its financial assets in the following categories:

- held-to-maturity investments;
- loans and receivables.

The classification depends on the nature and purpose of the financial assets and is determined at the time of initial recognition. Financial assets are recognised and derecognised upon trade date.

### *Held-to-Maturity Investments*

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

### *Loans and Receivables*

Trade receivables, loans and other receivables that have fixed or determinable payments that are not quoted in an active market are classified as 'loans and receivables'. Loans and receivables are measured at amortised cost using the effective interest method less impairment. Interest is recognised by applying the effective interest rate.

### *Impairment of Financial Assets*

Financial assets are assessed for impairment at end of each reporting periods.

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

## **1.12 Financial Liabilities**

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

Financial liabilities are recognised and derecognised upon trade date.

### *Financial Liabilities at Fair Value Through Profit or Loss*

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

### Other Financial Liabilities

Other financial liabilities, including borrowings, are initially measured at fair value, net of transaction costs. These liabilities are subsequently measured at amortised cost using the effective interest method, with interest expense recognised on an effective yield basis.

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

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

### **1.13 Contingent Liabilities and Contingent Assets**

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

### **1.14 Acquisition of Assets**

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

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

### **1.15 Property, Plant and Equipment**

#### Asset Recognition Threshold

Purchases of property, plant and equipment are recognised initially at cost in the balance sheet, except for purchases costing less than \$500, which are expensed in the year of acquisition (other than where they form part of a group of similar items which are significant in total).

The initial cost of an asset includes an estimate of the cost of dismantling and removing the item and restoring the site on which it is located. This is particularly relevant to 'make good' provisions in property leases taken up by the entity where there exists an obligation to restore the property to its original condition. These costs are included in the value of the entity's leasehold improvements with a corresponding provision for the 'make good' recognised.

#### Revaluations

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

Asset Class	Fair value measured at
Buildings	Depreciated replacement cost
Infrastructure, Plant and Equipment	Depreciated replacement cost
Motor vehicles	Depreciated replacement cost
Marine ranger boats	Depreciated replacement cost

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

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

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

#### **Depreciation**

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

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

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

	2012	2011
Buildings	10 -20 years	10 - 20 years
Plant and Equipment	3 to 20 years	3 to 20 years
Motor Vehicles	4 to 8 years	4 to 8 years
Marine Ranger Boats	5 years	5 years

#### **Impairment**

All assets were assessed for impairment at 30 June 2012. Where indications of impairment exist, the asset's recoverable amount is estimated and an impairment adjustment made if the asset's recoverable amount is less than its carrying amount.

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

#### **Derecognition**

An item of property, plant and equipment is derecognised upon disposal or when no further future economic benefits are expected from its use or disposal.

#### **1.16 Taxation / Competitive Neutrality**

The Tiwi Land Council is exempt from all forms of taxation except Fringe Benefits Tax (FBT) and the Goods and Services Tax (GST).

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

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



**TIWI LAND COUNCIL**

**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

*for the year ended 30 June 2012*

**Note 2: Events After the Reporting Period**

There are no after balance date events that have any significant capacity to influence the stated results herein.

**TIWI LAND COUNCIL**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**  
*for the year ended 30 June 2012*

**Note 3: Expenses**

	2012 \$	2011 \$
<b><u>Note 3A: Employee Benefits</u></b>		
Wages and salaries	663,715	708,996
Superannuation:		
Accumulation funds	44,729	49,662
Defined benefit plans	19,550	18,698
Leave and other entitlements	18,136	35,105
<b>Total employee benefits</b>	<b>746,130</b>	<b>812,460</b>
<b><u>Note 3B: Supplier</u></b>		
<b>Goods and services</b>		
Airfares and charters	115,167	165,394
Business Development	42,487	154,287
ICT	54,338	46,562
Land Group Township Leasing	156,890	98,163
Vehicle operations	113,025	137,117
Compliance	134,201	146,897
Other	354,317	464,560
<b>Total goods and services</b>	<b>970,426</b>	<b>1,212,980</b>
<b>Goods and services are made up of:</b>		
Provision of goods – external parties	970,426	1,212,980
<b>Total goods and services</b>	<b>970,426</b>	<b>1,212,980</b>
<b>Other supplier expenses</b>		
Workers compensation expenses	6,518	2,071
<b>Total other supplier expenses</b>	<b>6,518</b>	<b>2,071</b>
<b>Total supplier expenses</b>	<b>976,944</b>	<b>1,215,051</b>
<b><u>Note 3C: Grants</u></b>		
<b>Public sector:</b>		
Culture, ceremony and land use distributions	519,430	64,614
Land and resource management	323,109	359,177
Other	9,362	10,377
<b>Total grants</b>	<b>851,901</b>	<b>434,168</b>
<b><u>Note 3D: Depreciation and Amortisation</u></b>		
<b>Depreciation:</b>		
Infrastructure, plant and equipment	51,003	35,861
Marine ranger boats	34,213	48,317
Buildings	61,057	60,973
Motor Vehicles	57,590	66,752
<b>Total depreciation</b>	<b>203,863</b>	<b>211,903</b>
<b><u>Note 3E: Other Expenses</u></b>		
Special Projects	205,100	281,988
<b>Total other expenses</b>	<b>205,100</b>	<b>281,988</b>

**TIWI LAND COUNCIL**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**  
*for the year ended 30 June 2012*

**Note 4: Income**

	2012	2011
	\$	\$
<b>OWN-SOURCE REVENUE</b>		
<b><u>Note 4A: Sale of Goods and Rendering of Services</u></b>		
Rendering of services - external parties	500,049	324,939
<b>Total sale of goods and rendering of services</b>	<b>500,049</b>	<b>324,939</b>
<b><u>Note 4B: Interest</u></b>		
Deposits	75,422	12,792
<b>Total interest</b>	<b>75,422</b>	<b>12,792</b>
<b><u>Note 4C: Sale of Assets</u></b>		
<b>Motor vehicle</b>		
Proceeds from sale	12,727	11,309
Carrying value of assets sold	(6,401)	(9,899)
<b>Net gain from sale of assets</b>	<b>6,327</b>	<b>1,410</b>
<b><u>Note 4D: Other Gains</u></b>		
Other	10,045	-
<b>Total other gains</b>	<b>10,045</b>	<b>-</b>
<b><u>Note 4E: Revenue from Government</u></b>		
Receipts from ABA: S64(1)	1,584,400	1,979,000
<b>Other Revenue</b>		
ABA Land & Sea	539,500	401,526
ABA - Ceremony/Kelama Funeral Fund	690,000	-
NHT Matilda	-	5,400
NHT Marine Rangers	-	9,834
NHT Coastal Management	-	79,540
ABA Bathurst Shelters	99,900	-
ABA Melville Island Shelters	99,900	-
ABA Snake Bay Sea Cages	85,000	-
Capacity Development	50,000	-
<b>Total revenue from Government</b>	<b>3,148,700</b>	<b>2,475,300</b>

**TIWI LAND COUNCIL**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**  
*for the year ended 30 June 2012*

**NOTE 5: Financial Assets**

	2012	2011
	\$	\$
<b><u>Note 5A: Cash and Cash Equivalents</u></b>		
Cash on hand or on deposit	<u>2,065,510</u>	<u>286,125</u>
<b>Total cash and cash equivalents</b>	<u>2,065,510</u>	<u>286,125</u>
<b><u>Note 5B: Trade and Other Receivables</u></b>		
<b>Other receivables:</b>		
GST receivable from the Australian Taxation Office	-	94,578
Other	<u>-</u>	<u>2,930</u>
<b>Total other receivables</b>	<u>-</u>	<u>97,509</u>
<b>Total trade and other receivables (gross)</b>	<u>-</u>	<u>97,509</u>
<b>Total trade and other receivables (net)</b>	<u>-</u>	<u>97,509</u>
<b>Receivables are expected to be recovered in:</b>		
No more than 12 months	<u>-</u>	<u>97,509</u>
<b>Total trade and other receivables (net)</b>	<u>-</u>	<u>97,509</u>
<b>Receivables are aged as follows:</b>		
Not overdue	-	67,072
Overdue by:		
More than 90 days	<u>-</u>	<u>30,437</u>
<b>Total receivables (gross)</b>	<u>-</u>	<u>97,509</u>

**TIWI LAND COUNCIL**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**  
*for the year ended 30 June 2012*

**Note 6: Non-Financial Assets**

	2012 \$	2011 \$
<b><u>Note 6A: Land and Buildings</u></b>		
Buildings on Aboriginal land:		
Work in progress	89,978	-
Fair value	760,712	759,752
Accumulated depreciation	(381,653)	(320,596)
<b>Total buildings on freehold land</b>	<b>469,037</b>	<b>439,156</b>
<b>Total land and buildings</b>	<b>469,037</b>	<b>439,156</b>

No indicators of impairment were found for land and buildings.

No land or buildings were expected to be sold or disposed of within the next 12 months.

**Note 6B: Property, Plant and Equipment**

Infrastructure, plant and equipment:		
Infrastructure at fair value	203,660	182,418
Plant & Equipment at fair value	369,701	342,683
Accumulated depreciation	(307,144)	(256,141)
<b>Total infrastructure, plant and equipment</b>	<b>266,217</b>	<b>268,960</b>
Motor Vehicles		
Fair value	500,806	495,054
Accumulated depreciation	(299,908)	(270,678)
<b>Total Motor Vehicles</b>	<b>200,898</b>	<b>224,375</b>
Marine Ranger Boats		
Marine Ranger Boats at fair value	265,395	244,090
Accumulated depreciation	(227,447)	(193,234)
<b>Total Marine Ranger Boats</b>	<b>37,948</b>	<b>50,856</b>
<b>Total property, plant and equipment</b>	<b>505,063</b>	<b>544,191</b>

No indicators of impairment were found for property, plant and equipment.

No property, plant or equipment is expected to be sold or disposed of within the next 12 months.

**Revaluations of non-financial assets**

All revaluations were conducted in accordance with the revaluation policy stated at Note 1. On 18th June 2010, an independent valuer, Australian Valuation Office, conducted the revaluations, in line with the three year valuation cycle, with the next due for the year ending June 2013.

Revaluation decrement of \$0 for Infrastructure, Plant and Equipment (2011: of \$0) debited to the asset revaluation reserve and included in the equity section of the balance sheet; no decrements were expensed (2011: \$0 expensed).

**TIWI LAND COUNCIL**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**  
*for the year ended 30 June 2012*

**Note 6: Non-Financial Assets**

	Marine Ranger Boats	Buildings	Motor Vehicles	Infrastructure, plant & equipment	Total
	\$	\$	\$	\$	\$
<b>As at 1 July 2011</b>					
Gross book value	244,091	759,752	495,054	525,100	2,023,996
Accumulated depreciation and impairment	(193,235)	(320,596)	(270,677)	(256,141)	(1,040,649)
<b>Net book value 1 July 2011</b>	<b>50,856</b>	<b>439,156</b>	<b>224,375</b>	<b>268,960</b>	<b>983,347</b>
<b>Additions:</b>					
By purchase	21,305	90,939	40,513	48,260	201,017
Depreciation expense	(34,213)	(61,057)	(57,590)	(51,003)	(203,863)
<b>Disposals:</b>					
Cost	-	-	(34,761)	-	(34,761)
Accumulated depreciation and impairment	-	-	28,360	-	28,360
<b>Net book value 30 June 2012</b>	<b>37,948</b>	<b>469,038</b>	<b>200,898</b>	<b>266,217</b>	<b>974,100</b>
<b>Net book value as of 30 June 2012 represented by:</b>					
Gross book value	265,396	850,690	500,806	573,360	2,190,252
Accumulated depreciation and impairment	(227,447)	(381,653)	(299,907)	(307,144)	(1,216,151)
<b>Net book value 30 June 2012</b>	<b>37,948</b>	<b>469,038</b>	<b>200,899</b>	<b>266,216</b>	<b>974,100</b>

**Note 6C (Cont'd): Reconciliation of the Opening and Closing Balances of Property, Plant and Equipment 2011**

	Marine Ranger Boats	Buildings	Motor Vehicles	Infrastructure, plant & equipment	Total
	\$	\$	\$	\$	\$
<b>As at 1 July 2010</b>					
Gross book value	234,302	740,409	468,560	439,845	1,883,116
Accumulated depreciation and impairment	(144,917)	(259,623)	(232,544)	(220,280)	(857,364)
<b>Net book value 1 July 2010</b>	<b>89,384</b>	<b>480,786</b>	<b>236,016</b>	<b>219,566</b>	<b>1,025,752</b>
<b>Additions:</b>					
By purchase	9,789	19,343	65,010	85,254	179,397
Depreciation expense	(48,317)	(60,973)	(66,752)	(35,861)	(211,903)
<b>Disposals:</b>					
Cost	-	-	(38,517)	-	(38,517)
Accumulated depreciation and impairment	-	-	28,618	-	28,618
<b>Net book value 30 June 2011</b>	<b>50,856</b>	<b>439,156</b>	<b>224,375</b>	<b>268,960</b>	<b>983,347</b>
<b>Net book value as of 30 June 2011 represented by:</b>					
Gross book value	244,091	759,752	495,054	525,100	2,023,996
Accumulated depreciation and impairment	(193,235)	(320,596)	(270,677)	(256,141)	(1,040,649)
<b>Net book value 30 June 2011</b>	<b>50,856</b>	<b>439,156</b>	<b>224,375</b>	<b>268,960</b>	<b>983,347</b>

**TIWI LAND COUNCIL****NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS***for the year ended 30 June 2012***Note 6: Non-Financial Assets****Note 6D: Other Non-Financial Assets**

Prepayments	<u>2,796</u>	<u>-</u>
<b>Total other non-financial assets</b>	<b><u>2,796</u></b>	<b><u>-</u></b>
<b>Total other non-financial assets - are expected to be recovered in:</b>		
No more than 12 months	2,796	-
More than 12 months	<u>-</u>	<u>-</u>
<b>Total other non-financial assets</b>	<b><u>2,796</u></b>	<b><u>-</u></b>

No indicators of impairment were found for other non-financial assets.

**TIWI LAND COUNCIL**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**  
*for the year ended 30 June 2012*

**Note 7: Payables**

	2012	2011
	\$	\$
<b><u>Note 7A: Suppliers</u></b>		
Trade creditors and accruals	240,695	340,786
<b>Total suppliers payables</b>	<b>240,695</b>	<b>340,786</b>
<b>Suppliers payables expected to be settled within 12 months:</b>		
External parties	240,695	340,786
<b>Total</b>	<b>240,695</b>	<b>340,786</b>
<b>Total suppliers payables</b>	<b>240,695</b>	<b>340,786</b>
Settlement is usually made within 30 days.		
<b><u>Note 7B: Other Payables</u></b>		
GST payable	16,712	-
Salary and Wages PAYG	10,714	12,680
Other	986,030	-
<b>Total other payables</b>	<b>1,013,457</b>	<b>12,680</b>
<b>Total other payables are expected to be settled in:</b>		
No more than 12 months	1,013,457	12,680
More than 12 months	-	-
<b>Total other payables</b>	<b>1,013,457</b>	<b>12,680</b>



**TIWI LAND COUNCIL****NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS***for the year ended 30 June 2012***Note 8: Provisions**

	2012	2011
	\$	\$
<b><u>Note 8A: Employee Provisions</u></b>		
Leave	148,219	130,083
<b>Total employee provisions</b>	<b>148,219</b>	<b>130,083</b>
 <b>Employee provisions are expected to be settled in:</b>		
No more than 12 months	139,263	130,083
More than 12 months	8,956	-
<b>Total employee provisions</b>	<b>148,219</b>	<b>130,083</b>

**TIWI LAND COUNCIL****NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS***for the year ended 30 June 2012***Note 9: Cash Flow Reconciliation**

	2012	2011
	\$	\$
<b>Reconciliation of cash and cash equivalents as per Balance Sheet to Cash Flow Statement</b>		
<b>Cash and cash equivalents as per:</b>		
Cash flow statement	2,065,510	286,125
Balance sheet	2,065,510	286,125
<b>Difference</b>	<u>0</u>	<u>0</u>
 <b>Reconciliation of net cost of services to net cash from operating activities:</b>		
Net cost of services	(2,392,096)	(2,616,429)
Add revenue from Government	3,148,700	2,475,300
 <b>Adjustments for non-cash items</b>		
Depreciation / amortisation	203,863	211,903
Gain on disposal of assets	(6,327)	(1,410)
Bank error closure of account	(1,273)	-
 <b>Changes in assets / liabilities</b>		
(Increase) / decrease in net receivables	97,509	38,874
(Increase) / decrease in prepayments	(2,796)	-
Increase / (decrease) in employee provisions	18,136	35,515
Increase / (decrease) in supplier payables	(100,091)	80,204
Increase / (decrease) in other payable	1,000,776	-
<b>Net cash from (used by) operating activities</b>	<u>1,966,401</u>	<u>223,957</u>

**TIWI LAND COUNCIL**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**  
*for the year ended 30 June 2012*

**Note 10: Contingent Assets and Liabilities**

	Claims for damages or costs		Total
	2012	2011	2012
	\$	\$	\$
<b>Contingent assets</b>			
Balance from previous period	-	-	-
New contingent assets recognised	-	-	-
Re-measurement	-	-	-
Assets recognised	-	-	-
Expired	-	-	-
<b>Total contingent assets</b>	-	-	-
<b>Contingent liabilities</b>			
Balance from previous period	(200,000)	(200,000)	(200,000)
New	-	-	-
Re-measurement	-	-	-
Liabilities recognised	-	-	-
Obligations expired	-	-	-
<b>Total contingent liabilities</b>	(200,000)	(200,000)	(200,000)
<b>Net contingent assets (liabilities)</b>			(200,000)

**Quantifiable Contingencies**

The schedule of contingencies reports contingent liabilities in respect of 2012 of \$200,000, 2011 of \$200,000. The amount represents an estimate of the Tiwi Land Council's liability based on legal advice in defending the Tiwi Land Trust.

# TIWI LAND COUNCIL

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

for the year ended 30 June 2012

### Note 11: Remuneration of Council Members

	2012	2011
	\$	\$
The number of members of the Land Council included in these figures are shown below in the relevant remuneration bands:		
\$ Nil - \$ 149,999	40	58
<b>Total number of members of the Land Council</b>	<b>40</b>	<b>58</b>
Total remuneration received or due and receivable by members of the Land Council.	<b>187,013</b>	<b>185,005</b>

The members of the Land Council in consultation with the Traditional Owners of the area, are the decision making body of the Land Council. Three managers and the current chairman form the management committee responsible for the Land Council administration.

The names of each person who held the role of member of the Land Council during the financial year are;

Bush, Andrew	Puantulura, James Darren
Dunn, Cajetan	Puruntatameri, Marius
Farmer, Gibson - Chairperson	Puruntatameri, Richard
Fernando, Ivan	Timaepatua, Bonaventure
Guy Jnr., David	Tipakalippi, Dennis
Kalippa, Cyril - Manager	Tipiloura, Conell
Kanitilla, Stephen	Tipiloura, Eric
Kantilla, Dominic	Tipiloura, Lloyd
Kerinaiaua, Cyril J.	Tipiloura, Stanley
Kerinaiaua, Lorenzo	Tipungwuti, Andrew - Manager
Kerinaiaua, Walter Benedict	Tipungwuti, Baylon
Kerinaiaua, Walter Jnr.	Tipungwuti, Brian
Kurupuw, Maralampuw	Tipungwuti, Emmanuel
Molaminni, Damian	Tipungwuti, Robert - Vice Chairperson
Mungatopi, Marcellus	Tungatalum, Leslie - Manager
Mungatopi, Vincent	Wilson, John
Munkara, Danny	Wommatakimmi, Gabriel
Munkara, Jonathon	Wommatakimmi, Kim Brooks
Pautjimi, Andre	Wommatakimmi, Neville
Pilakui, Vernard	Wonaeamirri, Pedro

**Note 12: Directors Remuneration**

The number of Non-Executive Directors of the Council are shown below in the relevant bands:

	2012 No.	2011 No.
\$0 - \$29,999	3	3
\$30,000 - \$59,999	3	3
<b>Total</b>	<u>6</u>	<u>6</u>
	\$	\$
Total remuneration received or due and receivable by directors of the entity	<u>175,443</u>	<u>164,135</u>

Remuneration of executive directors is included in Note 13: Senior Executive Remuneration.

**TIWI LAND COUNCIL****NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS***for the year ended 30 June 2012***Note 13: Senior Executive Remuneration****Note 13A: Senior Executive Remuneration Expenses for the Reporting Period**

	2012	2011
	\$	\$
<b>Short-term employee benefits:</b>		
Salary	167,598	162,707
Annual leave accrued	(3,492)	4,618
<b>Total short-term employee benefits</b>	<b>164,106</b>	<b>167,325</b>
<b>Post-employment benefits:</b>		
Superannuation	16,760	16,271
<b>Total post-employment benefits</b>	<b>16,760</b>	<b>16,271</b>
<b>Other long-term benefits:</b>		
Long-service leave	6,946	4,842
<b>Total other long-term benefits</b>	<b>6,946</b>	<b>4,842</b>
<b>Termination benefits</b>	<b>-</b>	<b>-</b>
<b>Total employment benefits</b>	<b>187,812</b>	<b>188,437</b>

**Note 13B: Average Annual Reportable Remuneration Paid to Substantive Senior Executives During the Reporting Period**

	2012					
Average annual reportable remuneration <sup>1</sup>	Senior Executives No.	Reportable salary <sup>2</sup> \$	Contributed superannuation <sup>3</sup> \$	Reportable allowances <sup>4</sup> \$	Bonus paid <sup>5</sup> \$	Total \$
Total remuneration (including part-time arrangements):	1	167,598	16,760	-	-	184,358
\$180,000 to \$209,999	1					
Total	1					

	2011					
Average annual reportable remuneration <sup>1</sup>	Senior Executives No.	Reportable salary <sup>2</sup> \$	Contributed superannuation <sup>3</sup> \$	Reportable allowances <sup>4</sup> \$	Bonus paid <sup>5</sup> \$	Total \$
Total remuneration (including part-time arrangements):	1	162,707	16,271	-	-	178,978
\$150,000 to \$179,999	1					
Total	1					

**Notes:**

1. This table reports substantive senior executives who received remuneration during the reporting period. Each row is an averaged figure based on headcount for individuals in the band.
2. 'Reportable salary' includes the following:
  - a) gross payments (less any bonuses paid, which are separated out and disclosed in the 'bonus paid' column);
  - b) reportable fringe benefits (at the net amount prior to 'grossing up' to account for tax benefits); and
  - c) exempt foreign employment income.
3. The 'contributed superannuation' amount is the actual superannuation contributions paid to senior executives in that reportable remuneration band during the reporting period, as per the individuals' payslips.
4. 'Reportable allowances' are the average actual allowances paid as per the 'total allowances' line on individuals' payment summaries.
5. 'Bonus paid' represents average actual bonuses paid during the reporting period in that reportable remuneration band. The 'bonus paid' within a particular band may vary between financial years due to various factors such as individuals commencing with or leaving the entity during the financial year.
6. Various salary sacrifice arrangements were available to senior executives including superannuation, motor vehicle and expense payment fringe benefits. Salary sacrifice benefits are reported in the 'reportable salary' column, excluding salary sacrificed superannuation, which is reported in the 'contributed superannuation' column.

**TIWI LAND COUNCIL****NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS***for the year ended 30 June 2012***Note 14: Remuneration of Auditors**

	2012	2011
	\$	\$
Financial statement audit services are provided to the Land Council by the Australian National Audit Office (ANAO).		
<b>Fair value of the services provided</b>		
Australian National Audit Office	<u>16,700</u>	<u>16,500</u>
<b>Total</b>	<u>16,700</u>	<u>16,500</u>

No other services were provided by the auditors of the financial statements.



**TIWI LAND COUNCIL**

**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

*for the year ended 30 June 2012*

**Note 15: Financial Instruments**

**Note 15A: Categories of Financial Instruments**

**Financial Assets**

**Held-to-maturity:**

Cash at Bank

**Total**

Carrying amount of financial assets

**Financial Liabilities**

Trade Creditors

Trust Liability

**Total**

Carrying amount of financial liabilities

2012 \$

2011 \$

2,065,510

286,125

2,065,510

286,125

2,065,510

286,125

240,695

340,786

984,570

-

1,225,265

340,786

1,225,265

340,786

**Note 15B: Net Income and Expense from Financial Assets**

**Held-to-maturity**

Interest revenue

Net gain/(loss) held-to-maturity

Net gain/(loss) from financial assets

2012 \$

2011 \$

75,422

12,792

75,422

12,792

75,422

12,792

The net income from financial assets not at fair value from profit and loss is \$75,422 [2011: \$12,792].

**Note 15C: Fair Value of Financial Instruments**

The carrying amount of all financial instruments is a reasonable approximation of fair value in both the current year and the prior year, due to their short term nature.

**Note 15D: Credit Risk**

The Tiwi Land Council is exposed to a minimal credit risk as the majority of financial assets is cash held with two of Australia's "Big 4", banks. The maximum exposure to credit risk the risk that arises from potential default of a debtor. This amount is equal to the total amount of receivables (2012: \$nil and 2011: \$2,930). The Tiwi Land Council has assessed the risk of default and decided that no impairment is required, (2012:\$0 and 2011:\$0).

The Tiwi Land Council holds no collateral to mitigate against credit risk.  
At the time of drawing these accounts \$0 was receivable.

**Note 15E: Liquidity Risk**

The Tiwi Land Council's financial liabilities are trade creditors. The exposure to liquidity risk is based on the notion that the Land Council will encounter difficulty in meeting its obligations associated with financial liabilities.

The Tiwi Land Council is appropriated funding from the Australian Government. The Land Council manages its budgeted funds to ensure it has adequate funds to meet payments as they fall due.

**Maturities for non-derivative financial liabilities 2012**

	On demand \$	within 1 year \$	1 to 2 years \$	2 to 5 years \$	> 5 years \$	Total \$
Trade Creditors	-	240,695	-	-	-	240,695
Trust Liability	-	984,570	-	-	-	984,570
<b>Total</b>	<b>-</b>	<b>1,225,265</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1,225,265</b>

**Maturities for non-derivative financial liabilities 2011**

	On demand \$	within 1 year \$	1 to 2 years \$	2 to 5 years \$	> 5 years \$	Total \$
Trade Creditors	-	340,786	-	-	-	340,786
<b>Total</b>	<b>-</b>	<b>340,786</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>340,786</b>

The entity had no derivative financial liabilities in either 2012 or 2011

**Note 15F: Market Risk**

The Land Council has no significant exposure to currency risk, interest rate risk or other price risks.

**TIWI LAND COUNCIL**
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**
*for the year ended 30 June 2012*
**Note 16: Financial Assets Reconciliation**

		2012 \$	2011 \$
<b><u>Financial assets</u></b>	<b>Notes</b>		
<b>Total financial assets as per balance sheet</b>		<b>2,065,510</b>	<b>383,634</b>
Less: non-financial instrument components:			
Trade and other receivables	<u>5B</u>	-	97,509
Total non-financial instrument components		-	97,509
<b>Total financial assets as per financial instruments note</b>		<b>2,065,510</b>	<b>286,125</b>

**TIWI LAND COUNCIL**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**  
*for the year ended 30 June 2012*

**Note 17: Land Use Funds**

**Monetary assets**

The Tiwi Land Council acts as trustee for transactions undertaken on behalf of the Traditional Owners in relation to the use of land and other resources on the Tiwi Islands. These transactions are not recorded in the books of the Land Council. Movements in Land Use Funds during the year were:

	2012	2011
	\$	\$
<b>Cash</b>		
Total amount held at the beginning of the reporting period	46,216	106,084
Receipts	351,930	1,174,785
Payments	(370,902)	(1,234,652)
<b>Total amount held at the end of the reporting period</b>	<b>27,244</b>	<b>46,216</b>
<b>Total</b>	<b>27,244</b>	<b>46,216</b>

**TIWI LAND COUNCIL**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**  
*for the year ended 30 June 2012*

**Note 18: Income & Expenditure Against Budget S64(1)**

Aboriginal Benefits Account Appropriations

	ABA Approved Estimates 2011/12 \$	ABA Actuals 2011/12 \$	Difference \$
<b>Expenditure</b>			
Administration and Support	465,150	426,249	38,901
Advocacy	271,976	287,393	(15,417)
Economic Development	607,628	658,661	(51,033)
Land & Resource Management	383,646	350,772	32,874
Capital Expenditure	0	0	0
<b>Total expenditure</b>	<b>1,728,400</b>	<b>1,723,075</b>	<b>5,325</b>
<b>Income</b>			
ABA			
S64(1)	1,584,400	1,584,400	-
S64(1) offset	-	-	-
<b>Total ABA</b>	<b>1,584,400</b>	<b>1,584,400</b>	<b>-</b>
Other			
Other	144,000	144,096	96
<b>Total Other</b>	<b>144,000</b>	<b>144,096</b>	<b>96</b>
<b>Total Income</b>	<b>1,728,400</b>	<b>1,728,496</b>	<b>96</b>

## Commonwealth Authorities (Annual Reporting Orders) 2011

Section	Requirement	Fulfilled?	Location in Report
6	<ul style="list-style-type: none"> <li>Directors must approve Annual Report by resolution.</li> <li>Annual Report must be signed by a director and state that the directors are responsible for preparation and contents of report as required in S 9 of CAC Act and in accordance with Finance Minister's orders.</li> </ul>	Yes	28
7	Details of exemptions relied upon must be provided in the annual report.	Energy efficiency Disability Support	P 39-40
10	Annual Report must specify TLC's enabling legislation and include a summary of its objectives and functions as set out in the legislation	Yes	P 2, 9,10
11	Annual Report must specify the name of the current responsible Minister and any other responsible Minister during the relevant Financial Year.	Yes	P 2
12	Provide details of (a) directions issued by the Responsible Minister or other Minister under any legislation (b) general policies of the Australian Government that were notified to TLC before 1 July 2008 under s 28 of the CAC Act and which continue to apply. (c) General policy orders that apply to the Commonwealth Authority under the CAC Act.	NA	
13	Information about the directors, including names, qualifications, experience, attendance of board meetings and whether director is an executive or non-executive director.	Yes	P 29-34
14	Provide an outline of (a) organisational structure (b) location of major activities and facilities (c) the main responsibilities of any board committees (d) education and performance review processes for directors (e) ethics and risk management policies	Yes	8, 9, 35, 38, 39, 40
15	Explain the decision making process undertaken by the Board when a payment is made to an entity where a TLC director is a director of the second entity and the payment exceeds \$10,000.	NA	
16	Explain any activities or changes that affected the operations or structure of the TLC e.g formation of trusts, companies, principal activities	NA	

16(d)	Explain any changes to the TLC's enabling legislation or other directly relevant legislation	NA	
17	Detail any judicial decisions or administrative tribunal decisions that have affected the operations of the authority	Yes	27
17(b)	Details of any reports made about the authority	Yes (Work Health and Safety Audit)	42
18	Explain any information required to be obtained from subsidiaries that is not present in the report	NA	
19	Detail any indemnities given to an officer against a liability, including premiums paid or agreed to be paid for insurance against the officer's liability for legal costs.	Yes	38
<b>Aboriginal Land Rights Act 1976</b>			
37(2)	Specify total fees received for services provided by TLC under Part IV (Mining) and under 33A for any other services	NA	
37(3)	Details of payments made under S 35(2) or (3) and determinations made by the Minister under s 35(6)	NA	
37(4)	Details of any payments made by the Land Council in respect of <ul style="list-style-type: none"> <li>Aboriginal Land, under a lease under Section 19A</li> <li>A determination made under s35(2), (35(6)</li> <li>accountable amounts under 35(4),(4A) or 67B(6).</li> <li>Payments under 35(11)</li> </ul>	Y	P 38
37(5)	Detail amounts held in trust relating to mining activities under s 64(3)	NA	
37(6)	Details of any delegation of activities under s 28	NA	
37(7)	Detail of any committees appointed under s 29A	NA	
37(8)	Details of any consultants employed, the work undertaken, the total cost and the reason why the consultant was required	Yes	13, 24, 26, 27
<b>EPBC Act</b>			
514V	The annual report prepared by the Director under section 9 of the Commonwealth Authorities and Companies Act 1997 must also include particulars of any directions given by the Minister under subsection 514D(1) of this Act during the year to which the report relates.	NA	



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