



TIWI LAND COUNCIL

Forty Fourth Annual Report

2022 - 2023



This document must be attributed as the Tiwi Land Council 2022-2023 Annual Report.

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Printed by uniprintNT, Charles Darwin University, Darwin NT 0909 Australia

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PART 1:

Introduction to this Report

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This document must be attributed as the Tiwi Land Council 2022-2023 Annual Report.

Authority for specific requirements for annual report

Pursuant to Section 46 of the *Public Governance, Performance and Accountability Act 2013*, the accountable authority of the entity must prepare and give an annual report to the responsible Minister, for presentation to the Parliament, on the Land Council's activities during the period.

Contact

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Chair of Tiwi Land Council
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Photographs in this 2022-2023 Annual Report may contain images of deceased persons and may cause distress.

Cover photograph – Murray Knyvett
Internal photographs – Robert Graham, David Hancock, Alan James, Helen Haritos, Murray Knyvett



Letter of Transmittal

13 October 2023
The Minister for Indigenous Australians
Hon Linda Burney MP
PO Box 6100
Parliament House Canberra ACT 2600

Dear Minister

In accordance with the *Aboriginal Land Rights (Northern Territory) Act 1976 (Cth)* and the *Public Governance, Performance and Accountability Act 2013 (Cth)* ('PGPA Act'), we are pleased to submit the Tiwi Land Council's forty-fourth annual report for the year ended 30 June 2023.

The Accountable Authority under section 46 of the *PGPA Act* is responsible for the preparation and content of this report in accordance with the Public Governance, Performance and Accountability Rule 2014.

This report reviews the Tiwi Land Council's performance and illustrates the commitment and achievement of the Land Council and our staff throughout the reporting period. It also includes a copy of the audited 30 June 2023 financial statements forwarded to you by the Australian National Audit Office, tabled at Tiwi Land Council meeting number 340 on 27 September 2023.

We commend the report to you for presentation to the Parliament.

Sincerely yours,



Gibson Farmer **Illortaminni**
Chair



Robert **Graham**
Interim CEO



Chair's message



I am proud to address you as the Chair of the Tiwi Land Council (Land Council) as we present the 2022-2023 Annual Report. This report not only showcases our accomplishments and challenges but also marks a significant chapter in our journey towards greater transparency, fairness, and economic empowerment for the Tiwi people.

One of the pivotal changes that took place during this year was the implementation of a new process, an electoral process for which we have contracted the Northern Territory Electoral Commission. This move underscores our commitment to upholding the highest standards of democracy, ensuring that the voice of every Tiwi person is heard and that our leadership is chosen through a process that is transparent and impartial. We believe that this new process strengthens our commitment to representative and accountable governance. This independent and professionally managed electoral process

is reflective of the Australian National Audit Office (ANAO)'s key message that Territory Land Councils operate in ways that build and maintain the trust of their constituent communities.

Another remarkable achievement of this year was the full allocation of the \$13.3 million dollars Northern Territory (NT) Indigenous Economic Stimulus Package Funding to Tiwi businesses and organisations for economic development. This substantial investment reflects our dedication to fostering economic prosperity within our community. By supporting local businesses and organisations, we are not only creating opportunities for growth but also contributing to the self-sufficiency and sustainability of the Tiwi people. The goal is to empower Tiwi businesses to thrive and to build a strong, resilient economic foundation for our community.

As we reflect on these achievements, we are also mindful of the challenges that lie ahead. The Land Council remains committed to our core mission of safeguarding our land and sea country for the benefit of the Tiwi people. Our journey is marked by a dedication to self-determination, cultural preservation, and economic growth. It is our responsibility to ensure that these principles are upheld, and our work will continue to be guided by them.

I would like to extend my gratitude to the Land Council team, our members, and our valued stakeholders for their unwavering support and dedication. Together, we have made significant strides toward a brighter and more prosperous future for the Tiwi people.

In closing, I want to emphasise that the Land Council is more committed than ever to serving the interests of the Tiwi community. We look forward to the challenges and opportunities that the coming year may bring, as we continue to work together to advance our shared vision.

Sincerely,

A handwritten signature in black ink that reads "Gibson Farmer Illortaminni". The signature is written in a cursive, flowing style.

Gibson Farmer Illortaminni
Chair



Interim Chief Executive Officer (CEO)'s message



I am pleased to address you in my capacity as the Interim CEO of the Tiwi Land Council (Land Council) for the 2022-2023 Annual Report. As we reflect on the past year's achievements and challenges, I can report significant progress in various areas, guided by the collective vision and determination of our dedicated team. The past year has been a period of reorganisation and refocusing.

One of the pivotal milestones of the year was the provision by the ANAO of a comprehensive report on the Land Council's performance. This review delivered 13 recommendations which have provided us with invaluable insights into how we can enhance operations and better serve the Tiwi community. I am pleased to announce that all ANAO review recommendations have been accepted by the Land Council, and many have already been implemented. These changes signify our unwavering commitment to principles of

transparency, accountability, and continuous improvement.

Furthermore, our recruitment drive to fill previously unfilled staff and to obtain funding for additional positions has been successful. Our growing team is a testament to this Land Council's commitment to building capacity and ensuring that we have the right talent in place to meet the evolving needs of the Land Council. We recognise that our team members are the heart of our organisation.

In addition to bolstering our workforce, we have witnessed a remarkable improvement in Community, Land Council and staff morale. The dedication of our team, combined with the positive changes we have implemented based on the ANAO recommendations, has created an environment where innovation and collaboration can now flourish. This improved morale directly translates into a more efficient and effective organisation; one better equipped to fulfil its required *Aboriginal Land Rights (Northern Territory) Act 1976 (Cth)* ('ALRA') functions including advocating for the rights and interests of the Tiwi people.

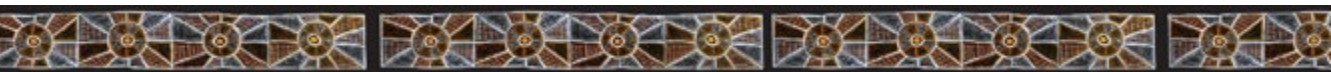
As we move forward into the coming year, we continue to build on these achievements, ensuring that our work aligns with our mission managing land and sea country for the benefit of the Tiwi people. Our commitment to self-determination, cultural preservation, and economic prosperity remains unwavering.

I want to extend my heartfelt gratitude to the Land Council team, our stakeholders, and the Tiwi community for your continued support. Together, we will navigate the challenges that lie ahead and seize the opportunities that arise, always with the best interests of the Tiwi people at the forefront of our endeavours.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Graham'.

Robert Graham
Interim CEO



PART 2:

About the Tiwi Land Council

A Statement of Our Past

Next year is the 200th anniversary of the short lived attempt by the British to settle the Tiwi Islands, the so-called, Fort Dundas settlement that lasted between 1824 and 1829. Tiwi resistance and non-cooperation were forefront among the factors that led to this ‘forts’ demise. Their success led to what Krastins in his 1972 Australian National University thesis called, two hundred years of control and authority over their own lives against a period of continually extending colonial control over the rest of the continent. Tiwi and the local clan from this area, the Munupi, are preparing to celebrate this historic anniversary with the rest of the Australian public. That both can do so is in large part due to the implementation and success of Aboriginal Land Rights in the Northern Territory, a movement that saw the *Aboriginal Land Rights (Northern Territory) Act 1976 (Cth)* (*ALRA*) passed by the Federal Government in 1976 and the Tiwi Islands returned to their Traditional Owners as the Tiwi Land Trust. This present year (2023) also sees a historic anniversary as the 50th anniversary of the formation of the Land Councils. The Federal inquiry into the implementation of Aboriginal Land Rights (the Woodward Commission) recommended in its interim report of July 1973 that Land Councils be established to seek the views of and represent Aboriginal people in the process leading to the framing and passing of the *ALRA*. This saw, fifty years ago the first meeting of a Land Council for Northern Australia in Darwin on the 25th of September 1973, called the Northern Land Council (NLC) which included Tiwi. The establishment of the Tiwi Land Trust occurred later as part of the establishment and legislative empowerment of the land councils. The Tiwi Land Council was not established until 1978 following decisions and representations by Tiwi spokespersons and people. By this time, it was thought appropriate for the Tiwi clans to be represented by a wholly Tiwi organisation. As put at the time by the inaugural Chair, Mr Cyril Rioli Kalippa, *“getting our own Land Council was the key to everything, it gave us the power to run things our way.”* The Tiwi Islands became Aboriginal Freehold Land Trust land by their inclusion on the *ALRA*’s Schedule One. Bathurst and Melville Island were never the subject of the Land Claim Process that was required for much of the mainland. Between Melville Island at Cape Gambier and the mainland at Gunn Point lie three low islands known as the Vernon Islands. These were the subject of a Land Claim lodged by the Northern Land Council in 1978 – the time the boundary between the NLC and the Tiwi Land Council was much further to the north. This land claim was the subject of hearings before the Aboriginal Land Commissioner (Justice Mansfield) in 2008 both on the islands and in the Federal Court in Darwin. Ultimately it was settled with the ‘hand-back’ ceremony held on Bathurst Island in March 2018. On this occasion the Indigenous Affairs Minister observed that *“We’re giving back lands that was always yours in any event.”* This settled the Territory’s second longest *ALRA* land claim. The delays included the time needed to change the boundary line between the two Top End land councils to recognise these islands as within the Tiwi Land Council’s region of responsibility.





Group of people seated for Tiwi Land Council meeting held in 1999, Milikapiti, Melville Island, N.T.
Photographer: Goodale, Jane C

A Statement of Present Purpose

The Tiwi Land Council is an Aboriginal Land Council as they have been established by the *ALRA*. The Land Council is a Corporate Commonwealth entity whose functions by *section 23* of the *ALRA* can be summarised as, ascertaining and expressing the wishes and the opinion of Aboriginals living in the area of the Land Council as to the management of their land; protecting the interests of the Traditional Aboriginal Owners and others; protecting sacred sites; consulting Traditional Owners regarding proposals for use and development of Aboriginal land and negotiating agreements and assisting with the conduct of commercial activity. In fulfilling these functions, the Land Council adheres to the *ALRA* requirements regarding consultations and consent and is guided by the requirement for free, prior and informed consent in its practice.

Management of land, protection of sites and country and sustainable eco-friendly economic development form the core of the Land Council's organisation, work and purpose. Our expansion of staff and resources over the present reporting period have all been aimed at providing the land council the resources to carry out these functions in a professional, targeted and proactive manner.

Of particular relevance this reporting period has been the ANAO's recent Performance Audit ("the ANAO Report"). This was preceded by an internally sought review by Ernst and Young ("the Ernst and Young" report.) Both deal with essentially the same issues with the ANAO Report being the more detailed, substantial and documented work. The initial draft of the ANAO Report was received in late December 2022 and was not finalised and published by the ANAO until the 24 May 2023. Until this date we were restricted in working on its finding by the need to keep it confidential. The Land Council has accepted all its recommendations and has obtained expertise to ensure that these are implemented fully and as expeditiously as possible. It is expected that these will be completed during the 2024 calendar year.

Our Vision for the Future

Our vision remains as stated by the Land Council in its Natural Resource Management Strategy statement of 2003, being the:

Vision of an independent and resilient Tiwi society built on the orderly and well managed utilisation of our natural and human resources through reliance upon our own management and maintenance and protection of unique cultural and natural resource values for the enjoyment and benefit of future generations of Tiwi.



NAIDOC week 2023

Purpose

The Land Council's primary purpose is fulfilling its role(s) under the ALRA including representing Aboriginal people on the islands, the management of the land and waters of the Tiwi Land Trust and Cultural Heritage protection and management. The Land Council aims to promote and assist in economic and community development. The Land Council intends to maintain a highly proactive role in improving the services it offers to the Tiwi people.

The 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 recognised and respected authority for the management, protection, and development of our interests.

The functions of the Land Council are set out under enabling legislation, ALRA, being consultative, assistive, determinative, and informative in nature.

Summary of functions of the Tiwi Land Council under the enabling legislation:

- ascertain and express the wishes and interests of Aboriginals as to the management of Aboriginal land and the appropriate legislation concerning that land;
- protect the interests of traditional Aboriginal owners of and other Aboriginals interested in Aboriginal land;
- assist Aboriginals in the protection of sacred sites on land and sea;
- consult Aboriginal Traditional Owners and other interested Aboriginals on any proposal relating to the use of Aboriginal land;
- negotiate with persons wanting to obtain an estate or interest in land where the land is held by a Land Trust;
- assist Aboriginals to carry out commercial activities in a manner that will not cause the Land Council to incur financial liability or receive the financial benefit;
- where the land is a community living area assist the owner of that land in relation to any dealings on that land;
- arrange and pay for legal assistance to help Aboriginals pursue a land claim;
- compile and keep a register of names of the members of the Land Council, and the members of the Land Trust;
- supervise and provide administrative support or other assistance to the Tiwi Aboriginal Land Trust;
- perform any function that is conferred by a law of the Northern Territory with respect to the protection of sacred sites, access to Aboriginal land, and the management of wildlife on Aboriginal land;
- the Land Council shall not take any action, including the giving or withholding of consent, in any matter concerning land managed by the Land Trust, unless the Land Council is satisfied that:
 - the traditional Aboriginal owners of that land understand the purpose of the proposed action and have consented to it as a group; and
 - any Aboriginal community or group that may be affected by the proposed action has been consulted;
- the Land Council has a function pertaining to the method of endorsing or rejecting exploration and petroleum applications;
- the granting of section 19 leases and licences; and
- determination of the distribution of mining royalties' equivalents.



Enabling legislation

The *ALRA* provides 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.

Ministerial directions and government policy orders

Responsible Minister/Ministerial directions

The Minister for Indigenous Australians was the Hon Linda Burney for the reporting period. No directions were issued by the responsible Minister, or other Minister(s) under enabling legislation of the Land Council or any other legislation or legislative instrument.

Duty to keep the Minister / Finance Minister informed (Section 19, PGPA Act)

There were no significant issues/decisions that warrant the notification by the Accountable Authority to the Land Council responsible Minister.

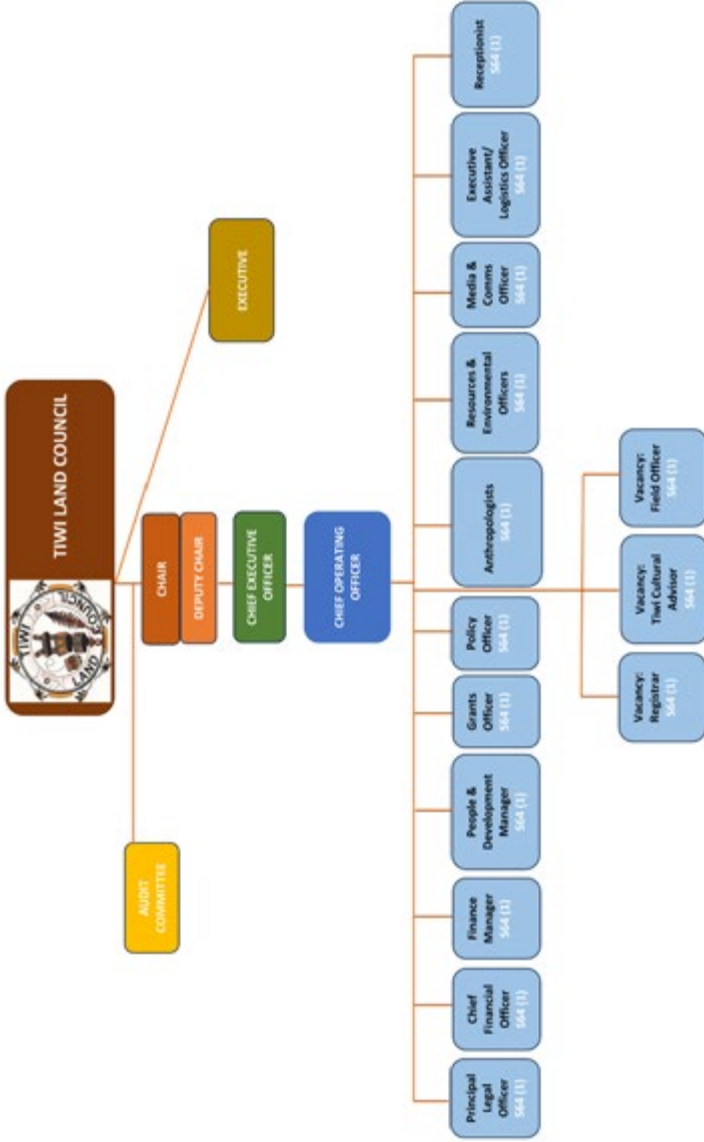
Significant non-compliance with the Finance Law

Description of non-compliance	Remedial Action
N/A	N/A



Organisational structure and location

TIWI LAND COUNCIL ORGANISATIONAL CHART



Organisational structure and location

Over the reporting period the Land Council abolished the joint Principal Legal Officer (PLO)/Chief Financial Officer (CFO) position. This position is now separated into two positions of PLO and CFO. These positions can devote the required attention to issues of financial and non financial compliance of the Land Council.

Location of Activities and Facilities

The Land Council uses two facilities for the conduct of its activities. These are:

The Darwin Office, 116 Reichardt Road Winnellie NT, provides facilities for staff and Land Council members.

Pickertaramoor office near the Tiwi College. This facility provides basic facilities for field staff when working in the area.



Tiwi Island Land Ownerships



Output group

The Land Council has five Output Groups with a specific aim and set of priorities. These Output Groups are:

1. Administration

- Administer Land Trust in accordance with the provisions of *ALRA*
- Administer and distribute statutory, negotiated and other payments as appropriate to the Traditional Owners of the Land Council
- Assist in the resolution of disputes with respect to land as appropriate

2. Advocacy

- Promote public awareness on issues affecting Tiwi people, their land, and other rights
- Provide advocacy and representation as appropriate to the Traditional Owners and other clients of the Land Council
- Provide cultural and heritage support as appropriate to Traditional Owners and other clients of the Land Council
- Facilitate targeted Aboriginal community development initiatives as appropriate with the Traditional Owners and other clients of the Land Council

3. Culture and Heritage

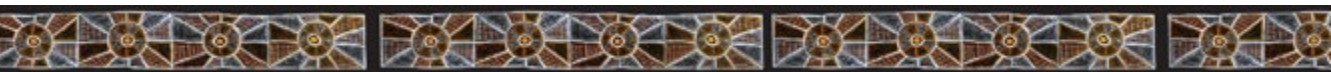
- Provide support for funeral, Pukumani, and Kulama ceremony
- Mentor Aboriginal school children in Tiwi culture, engaging art centres to add to this process

4. Economic Development

- Process applications and assist in making land-use agreements on Aboriginal Land
- Assist as appropriate in the economic advancement of Aboriginal people through employment, education and training, particularly in relation to land use proposals, with the Land Council region
- Process applications for consent to explore and mine on Aboriginal Land
- Provide research and assistance and identify infrastructure requirements as appropriate to enable Aboriginal landowners and other Aboriginal people to undertake commercial activities

5. Natural Resource Management

- Administer and issue permits for access / closures to or through Aboriginal land and sea
- Provides research and assistance as required to Aboriginal landowners and other Aboriginal people to manage land and sea and to undertake activities consistent with their ambitions and the sustainability of their resources



Administration

The Land Council's performance in this output group remains consistent with its requirements regarding administering the Tiwi Land Trust, via such things as the agreements entered into involving the Land Trust and consequent requirements including the administration of income generated; monitoring requirements; and the issuing of permits.

The reporting period saw the Land Council addressing the findings and recommendations of several external reviews (that of Ernst and Young from the previous reporting period), the Commonwealth Ombudsman and the ANAO's Performance Audit report. All of these made recommendations in the field of Administration; indeed administration is a significant element in them. The Land Council has accepted all of them. In implementing them, the Land Council has been particularly cognisant of the ANAO Performance Audit being the most detailed and comprehensive. The Land Council has devoted attention to understanding deficiencies and planning/implementing remedial policies and actions.

Administer the Land Trust

The Land Council is the body charged with administrative duties associated with the Tiwi Land Trust including negotiating access either for visitation, tourism, work related activity, economic development, natural history and social research and military exercises. Over the reporting period the Land Council has been involved in discussions and negotiations covering all these fields. This includes such matters and the issuing of permits and licences / leases to conduct work on the Tiwi Land Trust. Over the reporting period the Land Council engaged a full time PLO to enable sufficient concentration on such agreements. Of particular note this reporting period was the tripartite agreement between the Land Council, Tiwi Plantations and the Administrator appointed for the Port Facility at Garden Point that saw the latter obtain funding to keep the port operational while seeking a purchaser to maintain the facility. The Land Council has also put effort this reporting period into improving the management of permits.

Administering the Distribution of Payments

The reviews found that the Land Council has distributed significant amounts under agreements generated by provisions of the *ALRA*. The recommendations regarding improving the documentation processes to be followed including resolutions and reporting on the appropriate end use of these monies. The ANAO noted that while the Land Council did monitor financial requirements of any agreements it did not do so for non-financial compliances (i.e. those involving employment and training and environmental management). Over the reporting period the Land Council sought supplementary funding for and commenced a review of all agreements and leases. It also sought funding to expand the Natural and Cultural Heritage management staff to a degree capable of ensuring monitoring and compliance. In particular, attention has been paid to gravel extraction issues where the ANAO Performance Report had also identified deficiencies. Over the reporting period the Land Council abolished the joint PLO/CFO position so that there is now a position that can devote the required attention to issues of financial compliance.

Assist in the resolution of land (and other) disputes

Over the reporting period the Land Council sought and engaged a qualified anthropologist. In addition, supplementary funding was sought for, and a second anthropologist engaged. This has provided the capacity to address a variety of Cultural Heritage issues including streamlining process involved with handling disputes. These positions worked with the Chair and Land Council members to provide culturally appropriate assistance should disputes arise.



Advocacy

The Land Council has moved over the past reporting period to enhance its abilities and performance in this area. The Land Council's public outreach has included the Annual Report, Corporate Plan, Web and Facebook pages. The primary vehicle for this reform has been the engagement of a Media and Communications Officer in February 2023. This position's duties have included revamping the Land Council's primary media outlet *The Tiwi* newsletter. This has been replaced by publication in more substantial newspaper format of *Pupuni Ngirramini* ('Good story/news').



April and June Tiwi Land Council newsletters

1,500 copies of this newspaper are printed for distribution free to individuals, shops and organisations on the Tiwi Islands as well as to a growing Territory and interstate mailing list. It is also available from the Land Council's webpage.

The Land Council's web page has been updated and is regularly used to notify the public of activities and publications. This also includes a complaints and feedback facility, in line with the recommendations of the ANAO.

The Land Council has implemented a procedure including timetables for processing complaints. The full ANAO Report has been provided by the Land Council via this web page.

The Media and Communications officer regularly liaises with other journalists wishing to visit and work on the Tiwi Islands. This has resulted in gaining publicity for a number of significant Island issues including those associated with Tiwi Culture, the natural environment and its protection.

The Land Council is a member of the Aboriginal Peak Organisations of the Northern Territory and participates in its deliberations and submissions over a wide range of issues concerning Indigenous Territorians. The Land Council is also represented on the board of the recently created Northern Territory Aboriginal Investment Corporation. This organization is a significant Territory Land Council initiative to bringing Aboriginal Benefits Account (ABA) back to NT. It aims to build long term prosperity by investing ABA funding for the future and supporting community development and Aboriginal businesses.

In addition to these external bodies, there are a number of locally owned successful Tiwi organisations on the islands including the art centres, shops and businesses. These may either represent all the Tiwi clans collectively or a particular group of landowners. Land Council members are either board members of these organisations or observers.

The Land Council executive members and staff have met with offshore petroleum industry representatives, staff and consultants to discuss their proposed and ongoing works across the region identified as possibly impacting the Tiwi Islands should there be 'worst-case' scenario environmental issues. This work has increased significantly as the result of several Court decisions

regarding the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Cth). Over the reporting period the Land Council has met with Santos, Inpex Australia, ENI Australia Ltd, Shell Australia and EOG Resources.

Over the reporting period the Land Council made two submissions to the Aboriginal Land Commissioner regarding proposed changes to Part V of the *ALRA*. The first submission was to the Aboriginal Areas Protection Authority regarding proposed legislative changes to the *Northern Territory Aboriginal Sacred Sites Act 1989* (NT). The second was to the Minister for Indigenous Australians requesting consent (under section 23(2) of the *ALRA*) that the land councils take on new functions under the *Burial and Cremation Act 2002* (NT).

Culture and Heritage

With the anthropological positions filled, the Land Council was able to be very active in this field during the reporting period. Numerous meetings have been held with Traditional Aboriginal Landowners to discuss heritage matters including listings, site surveys, permit applications, genealogical data, inheritance patterns, and assisting considerations by landowners for their management of risks related to proposed uses of their land.

Support was provided for holding of Kulama and Pukumani ceremonies, being major and profound Tiwi religious/cultural observances. Of particular note was the Land Council promoting and support of a Cultural Forum (or Committee) to engage with Tiwi across a range of Traditional and Contemporary cultural activities. Associated with this work has already commenced on a recording project to document historic recordings (some of which date back to the early decades of the 20th century) and their associated recent performances.

The Land Council now holds on trust for the Tiwi people some valuable artefact collections and is engaged in their appropriate conservation, preservation and documentation. Ultimately the donors wish to see them safely and securely housed in local Tiwi museums. The Land Council has also put effort into documenting and preserving its own collection of photographs and slides illustrative of the land council's own history and Tiwi activities since 1978.

The Cultural Heritage staff assisted by the Chair and members have been involved in assisting the island Art Centres in interaction with primary school children and their teaching by artists.

The historic remains of Fort Dundas. The first attempt at a settlement in north Australia by the British (1824)





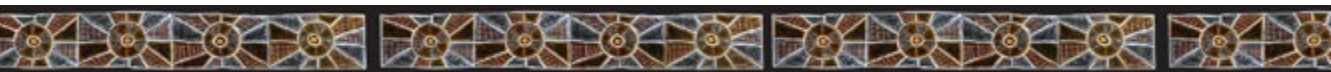
Ceremony ground at Karslake, Melville Island

Economic Development

The Land Council for many decades has sought to fund and facilitate economic development on Tiwi Islands for Tiwi owned companies.

During the reporting period the activities undertaken included:

- assisted a Tiwi clan in their work with Commonwealth Scientific and Industrial Research Organisation for the development of a prawn farm on Bathurst Island. This is a trial project to test project viability including investigating water and environmental suitability.
- assisted with funding for the administrator appointed to NT Port and Marine to keep the Garden Point facility operating whilst seeking a purchaser. Without this port operational, the Tiwi Acacia plantations would not have an outlet for its product.
- provided ongoing support for future pearl production projects just off south coast of Melville Island.
- provided ongoing support for a crocodile farm outside Milikapiti.
- provided ongoing support for the Paru road upgrade.
- allocated funding from the NT Indigenous Economic Stimulus Package for the purchase of a major NT tourist business. It is expected that this will develop into a significant Tiwi business opportunity.





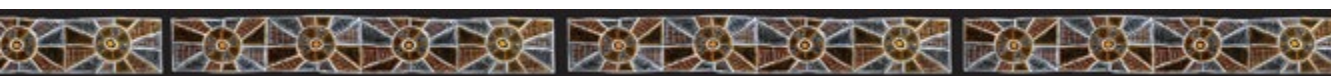
Tiwi trial tiger prawn farming

The Land Council aimed to assist the Landowners to develop their own private trustee corporations, each established for beneficial purposes, managing and developing their assets, including plantations, commercial sub-divisions, and supporting industries and activities linked to these core industries and a viable company to own and manage the port.

Process mining and exploration applications

Received mining applications and processes

ELA NUMBER	APPLICANT	APPLIED AND CONSENTED	DATE BY WHICH PROPOSAL MUST BE LODGED	CONSULTATION PERIOD ENDS Discussions with Landowners must occur prior to this date
27664	Rio-Tinto	30/04/2010		Applications withdrawn on 28/04/2023
28617	Rio-Tinto	4/02/2011	7/12/2011	Applications withdrawn on 28/04/2023
29243	Rio-Tinto	17/07/2012	27/06/2012 Received 10/07/2012	Applications withdrawn on 27/01/2023
29244	Rio-Tinto	17/04/2012	27/06/2012 Received 10/07/2012	Applications withdrawn on 28/04/2023
32786	Rio-Tinto	21/09/2021	20/12/2021	Applications withdrawn 27/01/2023
EP(A)216	MBS	15/02/2011	5/07/2012	Consultation is not continuing 13/12/2022



Exploration Licence granted

Title ID	Holder(s)	Status	Effective Date	Title Area
EL24329	Tiwi Resources Pty Ltd	Relinquished June 2023	24/01/2021	18 Blocks (60.52 Km2)
EL24851	Tiwi Resources Pty Ltd	Retained - no change	29/07/2020	12 Blocks (40.34 km2)



Paru Road walk through with Traditional Owners

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 Land Council conducted quarantine inspections on all equipment and materials transported to the islands for the Paru road upgrade. This was considered a high priority by the Land Council due to the risk associated with the volume of freight moving from the mainland. Quarantine inspections have been highlighted as the best defence against invasive species.

Ongoing support was provided to the Tiwi Rangers to manage high priority Class A weeds. The activities included monitoring of all known Gamba grass sites, control of Ornamental Rubber Vine, monitoring of Bellyache Bush and control of Mimosa pigra seedlings.

Land use applications were received and processed with a focus on better consultation with Traditional Owners. An improved process for consultation was identified as priority and the Land Use and Access Review.

The Land Council provided support for a comprehensive weed survey of the communities, roads, barge landings and high visitation areas. The survey was conducted with the Tiwi Rangers and NT Weed Management Branch to map the distribution of weeds for the development of a weed management plan.



Ornamental Rubber Vine control at Paru



Community meeting at Pirlangimpi – Munupi clan meeting



PART 3:

Governance, Corporate Management and Reporting

Information about the Accountable Authority

Accountable Authority profiles

Chair

Gibson Farmer Illortaminni was born on 23rd June 1958 at Milikapiti on Melville Island and educated at schools in Darwin and Mackay, Queensland. 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.

Mr. Illortaminni leads by example in all facets of his life and has been married for 40 years with his wife Linda. They have two children and thirteen grandchildren.

Mr. Illortaminni was first elected in 2012, then again on 11th February 2015 and 14th February 2018, and re-appointed Chairman for a further 3 years on 19th February 2021.

Mr. Illortaminni is Chairman of Port Melville Pty Ltd and Deputy Chair of Tiwi Plantation Corporation Pty Ltd.

Interim CEO

Robert Graham is a graduate in Anthropology from the University of Adelaide. He had fieldwork experience in South Australia and the Kimberly region of Western Australia prior to commencing work with the Central Land Council's Research Division in late 1975. He was also the initial coordinator for the Central Land Council's Associations Management Unit.

Robert also worked as an anthropologist and office manager with the Aboriginal Areas Protection Authority's Alice Springs office and with Queensland South Native Title Services out of its Brisbane office.



In 1994 he came to Darwin to take up the position of coordinator of the NLC's Native Title Unit. He has worked as an anthropologist with the NLC's Anthropology Branch including as branch manager. In these roles he worked on numerous ALRA Land Claims and Native Title Determinations across the NLC region, as well as other matters. This work for the NLC included authoring the anthropological documentation for the Vernon Islands ALRA Land Claim, these islands then being in the region that was the NLC jurisdiction.

Prior to taking up the position of interim CEO with the Land Council he was working in the South Australian Native Title Services research team preparing documentation and other services for Aboriginal people pursuing Native Title Determinations in that State.

Details of Accountable Authority during the reporting period Current Report Period (2022-23)

Name	Qualifications of the Accountable Authority	Experience of the Accountable Authority	Position Title / Position held	Executive/ Non-Executive	Period as the accountable authority or member within the reporting period		
					Start Date (1 July 2022 or after)	End Date (30 June 2023 or before)	Number of meetings of accountable authority attended
Mr Gibson Farmer Illortaminni	Casuarina College, Darwin	12 terms at the Land Council with a fourth term as Chair Aboriginal Sea Company Assets Holding Limited - Director Aboriginal Sea Company Operation Limited - Director Tiwi Plantation Corporation Pty Ltd - Deputy chair Port Melville Pty Ltd - Chair Northern Territory Aboriginal Investment Corporation - Board member	Chair	Exec	1/07/2022	30/06/2023	14
Mr Andrew John Tipungwuti	Slaid School, Warwick Queensland	Tiwi Islands Adventures Pty Ltd - Director	CEO	Exec	1/07/2022	28/07/2022	0
Mr Robert Graham	Anthropology, University of Adelaide	South Australia and Kimberly Region of West Australia - Field Officer Central Land Council's Associations Management Unit - Coordinator Aboriginal Areas Protection Authority's Alice Springs office - Anthropologist and Office manager Queensland South Native Title Services - Anthropologist and Office manager Northern Land Council's Native Title Unit - Coordinator Northern Land Council's Anthropology Branch - Branch manager Worked with South Australia Native Title Services research team	Interim CEO	Exec	16/08/2022	30/06/2023	11

Statement on governance

Corporate governance

The Land Council discarded a line-management structure 20 years ago in favour of more traditional responsibility and decision-making processes through a Management Committee. The Management Committee was approved by the Minister pursuant to *section 29A* of the *ALRA* on 21st March 1995.

The ANAO Performance and the Closing Letter of the 2021-2022 Audit both made apposite observations and recommendations regarding the Land Council's Management Committee. These covered the issues of delegations, providing a Handbook or Manual for the Committee and its members with regard to roles and responsibilities and training. The Land Council has accepted these findings and recommendations and commenced their implementation during the present reporting period by beginning discussions and reviews with members and by Council resolving appropriate delegations to the Management Committee which was approved with a resolution at the Full Land Council's meeting on 18 April 2023.

The Management Committee has taken the lead in dealing with the emerging requirements for offshore oil and gas consultations subsequent to the April 2023 decision and has met with a number of proponent companies from the industry.

Method of choice/Trustee elections

As required by *Section 29 (1)* of the *ALRA* membership of the Land Council is per the terms and conditions of the Council's Method of Choice (the present method having been approved by the Minister on 4 December 2017). On this day, the Minister for Indigenous Affairs also appointed eight Tiwi as members of the Tiwi Aboriginal Land Trust for a period of five years from 5 December 2017 (these persons also being members of the Tiwi Land Council as per this Method of Choice). These terms expired during the reporting period (in December 2022). The Land Council sought Ministerial approval for the existing members to be reappointed for a further six months while the Land Council organised for nominations and elections for the Land Trust's membership – elections independently organised by the N.T. Electoral Commission. These took place over eight days in June 2023, with the Minister subsequently appointing those declared elected by the Electoral Commission, as Land Trust members in July 2023. Following their appointment these persons took their place as members during the next Council meeting following their receipt of letters of appointment by the Minister. This was the first time that such independent elections had been held for any Council member. Of the eight elected, three were female. The ANAO Performance Report on the Land Council noted Community and Ministerial disquiet regarding the 2017 Method of Choice, a method that is seen as undemocratic, gives too much power to Tiwi Land Trust members in the selection of Land Council members and had not seen the formation of a Council that reflected the female percentage in the overall Tiwi population. The ANAO report noted that these issues were what they called a "consistent theme" identified from their consultations with Tiwi on the Islands. The ANAO also noted that the Minister has requested, and the Land Council has agreed to provide a revised Method of Choice for consideration. The June 2023 elections were an element in addressing these issues – one that will enhance the fairness, the visibility of Land Council operations and appointments and lead to improve Community trust. The Land Council is working on the revised Method of Choice which will be approved when the present Tiwi Land Council membership expires on 15 February 2024.





Counting of votes during the Trustee Elections by NTEC



N.T. Electoral Commission announcing results of Trustee Election, Milikapiti.



Tiwi Aboriginal Land Trust

The Land Council advised the Minister for Indigenous Australian on issues associated with the nominations to the Minister of names for the appointment of a new set of Land Trust members (Trustees) and requested for an extension of six months to enable the Land Council to consult, prepare for and hold elections for persons to be nominated. On 7 December 2022, the Minister wrote to the Land Council granting that extension.

Tiwi Aboriginal Land Trust members as of 30 June 2023 are:

Name	Position	Clan	Term end Date
Dominic Kantilla	Trustee	Malawu	30/06/2023
Walter Jnr Kerinaiaua	Trustee	Mantiyupwi	30/06/2023
Damien (Burak) Molaminni	Trustee	Marrikawuyanga	30/06/2023
Kim Puruntatameri	Trustee	Munupi	30/06/2023
Brian Tipungwuti	Trustee	Portaminni	30/06/2023
Simon Peter Munkara	Trustee	Jikilaruwu	30/06/2023
Stanley Tipiloura	Chair of Trustees	Wulirankuwu	30/06/2023
John Wilson	Trustee	Yimpinari	30/06/2023

Tiwi Land Council

11 Land Council meetings were held in 2022-2023:

Meeting Number	Meeting Date	Location
330a and 330b	4 and 5/07/2022	Darwin
331	31/08/2022	Wurrumiyanga
332	31/10/2022	Pickertaramoor
333a and 333b	8 and 9/12/2022	Wurrumiyanga
334	10/02/2023	Wurrumiyanga
335a and 335b	17 and 18/04/2023	Wurrumiyanga
336	30/05/2023	Wurrumiyanga
337	13/06/2023	Wurrumiyanga



List of clan members and the number of meetings attended in 2022-2023

Clan	Land Council Member	Land Council Position	Of 11 Land Council Meetings
Marrikawuyanga	Adonis Wommatakimmi	Member	8
Yimpinari	Andrew Bush	Member	7
Wurankuwu	Andrew Tipungwuti	Member	0
Yimpinari	Austin Wonaeamirri	Member	9
Mantiyupwi	Bonaventure Timaepatua	Member	11
Wurankuwu	Brian Tipungwuti	Member	7
Malawu	Clancy Puruntatameri	Member	4
Marrikawuyanga	Damien Molaminni (Burak)	Member	9
Marrikawuyanga	David Austral	Member	11
Yimpinari	Dennis Dunn	Member	11
Yimpinari	Dennis Tipakalippa	Member	9
Malawu	Dominic Kantilla	Member	8
Mantiyupwi	Gibson Farmer Illortaminni	Chair	9
Wulirankuwu	Jeffrey Puruntatameri (Miller)	Member	11
Jikilaruwu	John L. Munkara	Member	8
Yimpinari	John Wilson	Member	11
Marrikawuyanga	Kim Wommatakimmi (Brooks) (Resigned 4/11/2022)	Member	3
Munupi	Kim Puruntatameri	Member	10
Munupi	Leslie Tungatalum	Member	5
Malawu	Miriam Stassi (Appointed 30/05/2023)	Member	2
Munupi	Patrica Puruntatameri	Member	11
Malawu	Richard Puruntatameri	Member	10
Wulirankuwu	Romelo Tipiloura	Member	7
Wurankuwu	Ron Poantimilui	Member	10
Jikilaruwu	Simon Munkara	Member	11
Malawu	Sylverius Tipungwuti (Appointed 30/05/2023)	Member	2
Wulirankuwu	Stanley Tipiloura	Member	9
Wurankuwu	Teddy Portaminni	Member	10
Jikilaruwu	Valentine Intalui	Member	11
Jikilaruwu	Valentine Puautjimi	Member	9
Wulirankuwu	Vincent Mungatopi	Member	10
Mantiyupwi	Walter Jnr. Kerinauia	Member	3
Mantiyupwi	Wesley Kerinauia	Member	10

Governance practices

Tiwi traditional governance and risk management sustained their people through 6,000-8,000 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, debates, 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.

The Independent Audit Committee with its separate Charter reviews and makes recommendations on the expenditure and other risks of the Land Council.

Internal practices ensure that appropriate financial authorisations and financial delegations are in place for rigorous monitoring and detection of anomalies. This process is assisted by the purchase order system with hierarchical approval required by an Accountable Authority member for transactions above \$500 and up to \$15,000, individual transactions above \$15,000, and all disbursement of lease and license income is presented to the Management Committee or Land Council for their approval.

The Accountable Authority takes reasonable measures to prevent, detect and deal with fraud, including data collection, reporting, and subsequent consideration.

Risk Management

The Land Council's Risk Management practice and procedures date from 2014/15 and were then designed to be aligned with appropriate security frameworks and Federal requirements. As part of this the Land Council established and maintains a comprehensive Risk Register. Within the reporting period the Land Council received the detailed Performance Review by the ANAO where a number of deficiencies with regard to Risk and Risk management were identified. The Land Council received the draft of this report in December 2022 and in February 2023 approached external expertise to address the relevant issues and practice. Owing to the confidentiality requirements of the ANAO we were unable to provide them this material until it was published by the ANAO in April 2023. The Land Council accepted all the recommendations of the ANAO including with regard to improving Risk Management and ensuring full compliance with all requirements. The external advisors worked over the remainder of the reporting period, visiting the Land Council office, interviewing staff and others, examining documentation and will provide both advice, a framework and a timetable to review and implement changes and ensure best practice Risk Management Compliance. This is expected to be completed during the next reporting period and by the end of the January 2024.

Compliance is a continuing focus discussed during the year.



Our Code of Conduct policy applies to all representatives and members, providing the framework of principles for conducting business, and dealing with other representatives, members, and suppliers. The Code of Conduct does not replace legislation and if any part of it is in conflict, then legislation takes precedence. This policy is based on the following principles:

- Act and maintain a high standard of integrity and professionalism.
- Be culturally aware and sensitive.
- Respect Tiwi Culture at all times.
- Be responsible and scrupulous in the proper use of Company information, funds, equipment, and facilities.
- Be considerate and respectful of the environment and others.
- Exercise fairness, equality, courtesy, consideration, and sensitivity in dealing with other representatives, directors, members, and suppliers.
- Avoid apparent conflict of interests, promptly disclosing to a Land Council senior manager any interest which may constitute a conflict of interest.
- Promote the interests of the Land Council.
- Perform duties with skill, honesty, care, and diligence.
- Abide by policies, procedures, and lawful directions that relate to your employment with the Land Council and/or our members.
- Avoid the perception that any business transaction may be influenced by offering or accepting gifts.
- Under no circumstances may representatives offer or accept money.
- Any representative, who in good faith, raises a complaint or discloses an alleged breach of the Code, whilst following correct reporting procedures, will not be disadvantaged or prejudiced. All reports will be dealt with in a timely and confidential manner.

The Land Council expects cooperation from all representatives in conducting themselves in a professional, ethical, and socially acceptable manner of the highest standards.

Fraud Control

This reporting period the Land Council has tightened its controls with regards to financial management. The 'joint' staff position of CFO and PLO that the Land Council had for some years was abolished and replaced by the engagement of both a CFO and a PLO. Funding for this had been available in the budget for two years but not adopted. The solely legal PLO position was filled with the Land Council in March 2023 while the process of CFO recruitment did not see that position filled until early July 2023. This has provided additional and professional oversight to the Land Council's financial transactions. In 2022, the Land Council had prepared a draft fraud policy and training. To assist with this the Land Council engaged outside professional advice and assistance including providing a detailed fraud issues workshop to staff. This work is intended to continue into the next reporting period and to become a regular element of Land Council work, review and training. This outsourced expertise is to report back and have their recommendations fully implemented by the next reporting period.

There were no detected or reported incidents during the year.



Independent Audit Committee

Two Independent Audit Committee meetings were held in 2022-2023:

Meeting Number	Date	Location
58	20/09/2022	Darwin
59	19/12/2022	Darwin

Audit committee

Member name	Qualifications, knowledge, skills or experience (include formal and informal as relevant)	Number of meetings attended	Total number of meetings held	Total annual remuneration (GST inc.)	Additional Information (including role on committee)
Mr Hugh Bradley	Former NT Chief Magistrate Former Managing Partner of Ward Keller	2	2	3,600	N/A
Mr Devendra Patel	Former Audit Partner of KPMG	1	1	1,600	N/A
Mr Ross Connoly	Architect	2	2	3,200	N/A
Mr Ronald Chin	Former Audit Partner of KPMG Fellow of the Chartered Accountants of Australia and New Zealand Fellow of CPA Australia Chartered Tax Adviser of The Tax Institute Registered Tax Agent Member of the Australian Institute of Company Directors Graduated from UNSW with a Bachelor of Commerce.	2	2	3,200	N/A

The Independent Audit Committee (IAC) completed the two meetings for the year. Aside from the IAC, the Land Council CEO, Chief Operating Officer, Office Manager and Coordinator, PLO/CFO, Finance Manager, and Executive Officer 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 is contained on the Land Council website www.tiwilandcouncil.com, and can be accessed directly at Audit Charter. The IAC monitors the financial progress and systems of the Land Council but has a much broader role in identifying risks and advising on management and processes to better manage those risks. Members are required to assess their own performance each year and to also review the Audit Committee Charter annually. Members complied with these requirements held in the 2022-2023 period. The Committee is also required to meet with our Auditors during the process of our audit from February through September 2023. These meetings and exchanges have taken place. The Committee has also invited two Tiwi members of the Land Council to attend IAC meetings on a regular basis.

Annual performance statements

Introductory statement

We, Gibson Farmer Illortaminni (Chair) and Robert Graham (Interim CEO), as the Accountable Authority of the Tiwi Land Council, present the 2022-2023 annual performance statement of the Tiwi Land Council, as required under paragraph 39(1)(b) of the *Public Governance, Performance and Accountability Act 2013 (Cth)* ('PGPA Act').

In our opinion, these annual performance statements are based on properly maintained records, accurately reflect the performance of the entity, and comply with subsection 39(2) of the *PGPA Act*.

Analysis of Performance

The reporting period has been one where the Land Council devoted significant effort to reform, renew and expand. In particular, the Land Council has been responding to the findings and recommendations of external reviews, particularly the ANAO Performance report. This has allowed the Land Council to particularly focus on land health and environment, and land and culture issues with its expanded staff.

A detailed explanation of the Land Council's performance against the Corporate Plan 2022-2023 is summarised in the Assessment of Performance section below.



Gibson Farmer Illortaminni
Chair



Robert Graham
Interim CEO



Assessment of performance

The Land Council Corporate Plan 2022–2023 outlined priorities and measures of success for the 2022–2023 financial year. This section assesses the Land Council’s performance in achieving its objectives throughout the reporting period.

Results against performance measures in Land Council Corporate Plan, 2022–2026

Performance criteria	Performance measure	Target	Result	Corporate Plan page reference
Strategy - Traditional Owner Recognition				
Continuously review and update clan registers at clan meetings	1. Table new applications at clan meetings	150	167	Page 34
Mainland recognition of Tiwi’s interests	2. Engage with Larrakia to determine the relationship between Tiwi on the mainland	35	0	Page 34
	3. Engage with Durduga Tree Point Aboriginal Association Incorporated to determine the relationship of Tiwi on the mainland	12	0	Page 34
Strategic Goal: Managing Land - Access and Land Use				
Distribution of funds received from land within six months of receipt	4. Demonstrate increased Land Use Fund income year on year	32	49	Page 34
Develop streamlined processes to assist landowners and proponents	5. Review Permit classifications including levies charged	12	0	Page 34
	6. Determine trigger points and workflows of the proponent applications	15	0	Page 34

Performance criteria	Performance measure	Target	Result	Corporate Plan page reference
Strategic Goal: Managing Land - Sacred Sites				
Engage with landowners to promote the protection of their culturally significant sites	7. Perform site assessments with landowners to identify culturally significant areas and artefacts, document cultural knowledge, and seek registration with relevant statutory authorities	10	8	Page 35
	8. Consulting to measure extent, and create eradication plan of plantation wildlings	1	0	Page 35
	9. Creation of Tiwi Land Council Sacred Site Clearance Certificate	1	0	Page 35
Strategic Goal: Managing Land - IPA				
Continuous consultation	10. Measured by the existence of strategies, plans, policies, and procedures for ensuring cultural heritage promotion and protection across the Tiwi Islands.	6	6	Page 35
Strategic Goal: Managing Land - Mining				
Engage with landowners to ensure they fully understand what is proposed and the potential impacts to land and the surrounding environment	11. Ensure all mining or mineral extraction approvals are provided with free, prior and informed consent.	12	3	Page 36
Strategic Goal: Education				
Policy reviews	12. Review internal policies and procedures.	17	17	Page 36
	13. Review and align financial procedures with RMG and FRR	15	15	Page 36

Performance criteria	Performance measure	Target	Result	Corporate Plan page reference
Delegation	14. Implement authorisation to the staff of permit issuance.	1	1	Page 36
	15. Review delegations to staff and implement necessary delegation with cross checking mechanism	15	15	Page 36
	16. Review delegations to Management Committee and implement necessary delegation with cross checking mechanism	10	10	Page 36
Strategic Goal: Communication				
Clan meetings	17. Increase the number of community members who attend clan meetings	40	32	Page 37
Management Committee meeting	18. Increase the number of Management Committee members who attend meetings to 75%	8	8	Page 37
Land Council meeting	19. Increase the number of Land Council members who attend meetings to 80%	8	6	Page 37
Tiwi News editions	20. Distribute 1,500 copies in total split between the hard and electronic editions	6	2	Page 37
eInvoicing	21. Automated digital exchange of invoice information with stakeholders	650	0	Page 37
Community feedback	22. Community Survey on Land Council's engagement	0	0	Page 37
Strategic Goal: Private Economy				
Engaging with clans to determine economic opportunities	23. ABA grant applications submitted	30	5	Page 38
	24. Northern Territory grants applications	15	1	Page 38
	25. Philanthropic Grant applications submitted	3	1	Page 38
	26. Northern Territory Indigenous Economic Stimulus Package	10	18	Page 38
	27. Facilitate opportunities in relation to roads and infrastructure developments	5	5	Page 38

Results and Analysis

Performance measure 1: Table new applications at clan meetings

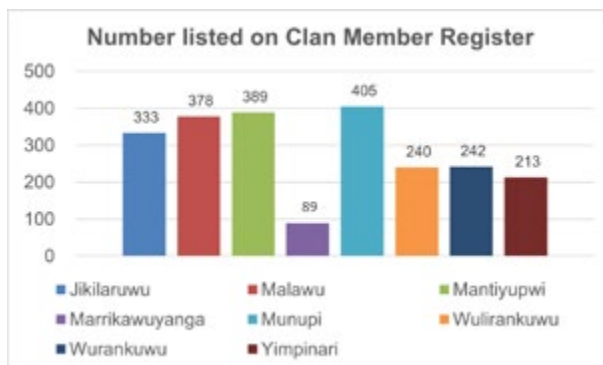
This measure aims to ensure that the Land Council maintains a register of Traditional Owners.

111% of the target was achieved.

Pursuant to section 24 of the ALRA, the land council compiles and maintains a register of traditional Aboriginal owners. In March 2023 registration applications were amended to include Traditional owner recognition details, the identification includes skin group, dance, totem, land group, and mother's or father's side and their parents. From March until June 2023, the Registrar attended clan group meetings and visited the three communities

to gather registration applications and validate the Traditional owner's registration details. In June 2023, the Land Council held the Trustees elections which encouraged more registration applications by members of the eight clan land-owning groups.

As of 30 June 2023, there were 2,289 clan members recorded amongst the eight clan land-owning groups.



Performance measure 2: Engage with Larrakia to determine the relationship of Tiwi on mainland

This measure aims to ensure that Tiwi interests are recognised, and that there is ongoing communication with the Larrakia.

The target was not achieved. The targets referred to in this section were rendered superfluous as the series of developments involving areas on the mainland around Darwin that generated issues associated with them were resolved. With regards to one development proposal, SunCable, the developer's cultural and natural heritage team liaised directly with the Land Council in the reporting period.

Performance measure 3: Engage with Durduga Tree Point Aboriginal Association Incorporated to determine the relationship of Tiwi on the mainland

This measure aims to ensure Tiwi interests are recognised, and access to Tree Point can be determined amicably.

The target was not achieved. Since Senior man John Baird passed away, the Durduga Tree Point Aboriginal Association Incorporated (Association) appeared to be non-functioning although it remained a registered Association. The Association members failed to respond to letters either from Aboriginal Areas Protection Authority (AAPA) or the Land Council, and or a meeting invitation from the Land Council and AAPA.

The Land Council sought and obtained supplementary funding for a second anthropology position in December 2022. This was required to enable the Land Council to adequately fulfil

its ALRA requirements regarding Traditional Owner identification and consultation. Among the anthropologists' duties is building up a Traditional Land Owner and land interest database, including that for the southernmost Tiwi Clan whose Traditional Land Ownership includes the Vernon Islands and Traditional Interests are said to extend onto the Mainland in the Durduga area. This occurred across the reporting period and has informed the Land Council's responses to the SunCable project.

Performance measure 4: Demonstrate increased Land Use Fund income year on year

The target was achieved. The Land Council receives lease and licence payments on behalf of the Tiwi Aboriginal Land Trust and must distribute these amounts, within 6 months, without deduction, and accrued interest, to or for the benefit of Traditional Owners in the area of the underlying lease or licence. Traditional Owners may request prior to distribution, that the Land Council continue to hold funds in excess of the 6-month distribution period, there were no requests during the year.

Three payments during the year were classified as an accountable amount resulting in reporting requirements upon the recipient to the Land Council. The source of these funds relates to Township lease payments.

Land use funds receipts and payments: Financial years 2023 and 2022

	2023	2022
	\$	\$
Total payments made	49	37
Total payment value (including GST)	1,479,462	1,465,727
Land Use Funds		
Opening Balance	1,790	186,309
Receipts (including GST)	2,287,996	1,281,207
Interest	-	-
Payments (including GST)	1,479,462	1,465,726
Closing Balance	810,323	1,790
Average days to make payment	24	22

Performance measure 5: Review Permit classifications including levies charged

This measure aims to provide reasonable benefits to Traditional owners for access to their land through the permit system.

The target was not achieved. The Land Council has seven classifications of permits: work, camping, film and media, fishing, general visitor, hunting, and research permits. Permit fees collected are put towards a hospital fund and provide support to family members of Tiwi when they are hospitalised in the Northern Territory or interstate.

There is an ongoing review of the Tiwi land use and access system.



The Current Fees for Land Council Permits

Permit Type	Cost
Camping	\$10 per night per person
Camping	\$50 per person for 7 days
Fishing Only issued to permanent non-Tiwi	\$200 and expire 12 months from the date of issue
Fishing Only issued to permanent non-Tiwi visitors if the host holds a valid permit	\$100 for 14-days
Hunting A resident of Tiwi Islands and over 18 years old	\$100 per Landowner Group area per year and expire 12 months from the date of issue.
Hunting Non-Tiwi residents if the host holds a valid hunting permit	\$100 per Landowner Group area per year and expire 12 months from the date of issue.

Performance measure 6: Determine trigger points and workflows of the proponent application pertaining to the permit system.

This measure aims to provide reasonable benefits to Traditional Owners for access to their land through the permit system.

The target was not achieved. The Land Council engaged Environmental and Cultural Services to conduct Stage One of a review into Land Use and Land Access Procedures. Stage One of the review was to include background research, information gathering, preparation for workshops, workshops with various stakeholders, and a report on the outcomes of Stage One. The performance target was unable to be met due to delays engaging the consultant and COVID-19 restrictions. The background research component of the review was completed in late June 2022 with the workshops with stakeholders occurred in August 2022.

A preliminary draft report was provided to the Land Council in November 2022. Recommendations were discussed with Land Council staff in March 2023 and a final report was provided to the Land Council in May 2023. Recommendations from the report have been considered, with interim measures adopted until the review is complete.

Performance measure 7: Perform site assessments with landowners to identify culturally significant areas and artefacts, document cultural knowledge, and seek registration with relevant statutory authorities

This measure aims to provide increased information between Traditional Owners and the Land Council and assist in the preservation of sacred, significant, and culturally sensitive sites.

The target was 80% achieved. The anthropologist/s worked with Tiwi custodians to register one sacred site with the AAPA to ensure their protection into the future.



- i. Site assessments have been undertaken to register the following sacred sites:
 1. Burial at Turtiyanguwu (Bathurst Island)
This application is still sitting with AAPA waiting to be tabled at their next board meeting.
 2. Yellow ochre site on Pirlangimpi Road at Mintaluwu (Melville Island)
This application is still sitting with AAPA waiting to be tabled at their next board meeting.
 3. Burial at Rifle Range off Cape Fourcroy Road (Bathurst Island)
This application is still sitting with AAPA waiting to be tabled at their next board meeting.
 4. The Munkara family camp and a very large tree at Kilimaraka
This application is still sitting with AAPA waiting to be tabled at their next board meeting.
 5. Burials at Lake Mungatuwu (Bathurst Island)
This burial is earmarked for the next opportunity for a Tiwi Land Council site survey in 2023 or 2024. More engagements are required to ensure the Aliminkinni burials in this area (and others) are properly identified. Jikilarawu clan member Thomas Munkanome provided some details about two burial locations on-site in August 2021. However, on the day, Thomas was unable to conclusively pinpoint where his in-laws are buried. Although the Authority would accept approximate coordinates, it is recommended further attempts are made to engage custodians as Thomas was not the cultural authority for the area. His wife Stellastina Munkanome was interviewed after fieldwork was undertaken with Thomas and Danny Munkara. She wanted the registration to go ahead, but the timing was tricky because her sister had just passed away the week prior and the family was planning to bury her belongings at Lake Mungatuwu as part of the mortuary ceremony. Given the deep cultural significance of the area and the travels of Ampiji (rainbow serpent) who lives in the Lake, further engagement must be undertaken to ensure the sacred sites are properly recorded. Whether a survey is undertaken in 2023 or in 2024 fieldwork should record the locations of burial sites and seek to register them with AAPA in accordance with custodians' wishes.
 6. The yellow ochre site at Mintaluwu (Melville Island)
This application is still sitting with AAPA waiting to be tabled at their next board meeting.
 7. Burials at Tinganuwu
This site survey is now earmarked for the 'dry' season 2024. Following a site registration request from Yimpinari clan member Dennis Dunn, fieldwork was undertaken in September 2021 to record burials at Tinganuwu. Unfortunately, Dennis was unable to participate in the site assessment and nominated a more junior person to come in his place. Coordinates and photographs were taken at the site, but follow-up engagements are required with the Yimpinari clan to record the story and determine if the clan wishes to proceed with site registration. To my knowledge, there are multiple people buried at this site. Further information is required to ensure the story of the great ancestor Purukaparli is also recorded. This area is a very culturally significant place for all Tiwi people and could potentially be impacted if mining goes ahead.
- ii. Work with the Rangers and the developing IPA program to prioritise the protection of cultural sites.
 1. Through the IPA consultation project, cultural site protection has been identified as a high priority in the IPA plan of management.



- iii. Work with the NT Heritage Branch and landowners to pursue heritage listing for Punata (Fort Dundas), and the Historic Precinct at Wurrumiyanga (Old Church, Radio Station and Convent).
 1. The Land Council is involved with the Heritage Commission in the registration of Punata (Fort Dundas) as a Heritage Place. On 10 May 2023 the Munupi Clan group made a resolution to support heritage listing of Punata (Fort Dundas) at a Munupi clan meeting attended by the Heritage Commission.
 2. The Land Council is currently working with the Heritage Commission in the registration of the Historic Precinct at Wurrumiyanga (Old Church, Radio Station and Convent).



Saint Theresse Church in the community of Wurrumiyanga, north of Darwin, built in 1941.

Performance measure 8: Consulting to measure extent, and create eradication plan of plantation wildlings

The target was not achieved. In 2022-2023, no activities occurred. As of the date of this report, the Land Council is negotiating with an experienced service provider to address this measure.

Performance measure 9: Creation of Tiwi Land Council Sacred Site Clearance Certificate

This measure aims to reduce potential damage and increase the applicant's knowledge of sacred sites.

The target was partially achieved. Whilst the target of establishing a dedicated Tiwi Sacred Site Clearance was not met, the intended aim has been achieved. The objective was to produce a Sacred Site Clearance Certificate (SSCC) applicable to the Tiwi that would assist with Cultural

Heritage Management. Across the reporting period it became clear that there were other and more appropriate ways of ensuring sacred and cultural site protections on the Tiwi Land Trust.

The Land Council's rationale for the establishment of an SSCC included to assist the Land Council in carrying out its consultative functions with Traditional Owners. For example, by showing that traditional Aboriginal owners have been consulted and that due consideration had been made of sacred sites during the consultation with proponents. The Land Council is now of the opinion that establishing and updating a modern professional cultural site data base and by ensuring that any non-Tiwi agreements include appropriate social inputs and safeguards is a more appropriate manner to achieve the objectives. The Land Council now has a two person Cultural Heritage team (and intends further recruitment in the upcoming reporting period) and a dedicated legal position giving it the capacity to appropriately conduct this work. The Land Council began operating this way in early 2023.

Performance measure 10: Measured by the existence of strategies, plans, policies, and procedures for ensuring cultural heritage promotion and protection across the Tiwi Islands.

This measure aims to ensure policies and procedures to protect cultural heritage and the environment whilst creating Indigenous Protected Areas.

The target was achieved. The Land Council engaged an anthropologist and subsequently sought funding for a second anthropologist to jointly constitute a Cultural Heritage research unit. The second position was only filled for a part of the reporting period.

The work of this unit is essential to the Land Council's understanding of Traditional Land Tenure and Rights to forage (required of Traditional Aboriginal Owners under the *ALRA*) as noted by the ANAO in their performance review (May 2023, pages 41; 48-9) with regards to their Register and genealogical work proving customary relationships and minimizing disputes.

The anthropologist has assisted by:

- working with consultant anthropologists for the SunCable Subsea Cable system;
- meetings with Jikilaruwu clan group re Sand Mining;
- assisting consultant anthropologists with a Method of Choice meetings in Pirlangimpi and Wurrumiyanga;
- undertaking registration of Traditional Owners in two communities and assisting the Northern Territory Electoral Office in June 2023 for the Trustees Elections;
- assisting Dr Philip Clarke unpacking and photographing the John Morris Collection of Tiwi Islands and other cultural objects, undertaking preliminary conservation with cultural objects;
- setting up an Excel spreadsheet exported into a Microsoft Access Database (MAD), completed photographing cultural objects as attachments for MAD and reporting on the objects, setting up a display of cultural objects in glass cabinets;
- attend regular eight clan group and Full Council meetings;
- completing Traditional Ownership Identification documents (TOID) for Land Use Agreements (LUA);



- coordinating and facilitating a Punata (Fort Dundas) presentation for Munupi clan by Experts with an expedition to the Historical Site on Melville Island;
- working with the Heritage Commission to register the Historic Precinct at Wurrumiyanga; undertaking preliminary genealogical work with historic copies, and
- requesting Jane Goodale's genealogies from Australian Institute of Aboriginal and Torres Strait Islander Studies.

Performance measure 11: Ensure all mining or mineral extraction approvals are provided with free, prior, and informed consent.

This measure aims to ensure policies and procedures of the Land Council remain compliant.

The target was achieved. There were only three applications requiring Section 19 agreements received by the Land Council over the reporting period. All of these were consented by the relevant Traditional Aboriginal Owners in accordance with the requirements for the prior and informed consent and under the relevant section of the *ALRA*.

Performance measure 12: Review internal policies and procedures

This measure aims to ensure policies and procedures of the Land Council remain compliant.

This target was largely achieved. The Land Council had the reviews by Ernst and Young and the Commonwealth Ombudsman to consider and over the reporting period the ANAO Report. The latter was the most detailed and substantial not only for its recommendations but also with the associated discussions and observations. Over the reporting period the Land Council obtained all policy and procedure documents from other organisations including Territory Land Councils and first reviewed them and then adapted them for Land Council's situation and needs.

Performance measure 13: Review and align financial procedures with RMG and FRR

This measure aims to ensure financial procedures of the Land Council remain compliant.

The target was achieved. The Land Council updated its financial procedural documentation incorporating the introduction of a standalone purchase order (PO) system in 2022. We continue to use this PO system and is being updated to suit the requirements of financial operation of the Land Council. In addition, it reviewed the accounting for lease RMG 110 which is applicable to two right-of-use assets held by the Land Council, and there were no new right-of-use assets identified. A position paper was prepared in relation to the recognition of revenue with a detailed review of contracts to determine if transactions were captured by the scope of *AASB 15 Revenue from Contracts with Customers* or *AASB 1058 Income of Not-for-profit Entities* as required under RMG 125. Furthermore, a position paper was prepared in relation to the change in composition of the Key Management Personnel. A document which lists down the summary of key changes to the 2022-23 Financial Statements reporting guidance was referred to when the 2023 Financial Statements were prepared to ensure that it is in compliance with the requirement of the FRR.

Performance measure 14: Implement authorisation to the staff of permit issuance

This measure aims to enhance the efficient issuance of permits.



The target was achieved. By a resolution of the Land Council dated 31 October 2022 the Permit Officer has the power to issue permits where there is an emergency situation or where the permit is for a minor or inconsequential matter. This has sped up the process and kept the permits system a lot more up to date, especially for essential services companies such as Relief Teachers, Power and Water – Power outages and the Paru Road upgrade. There were occasions that we have processed urgent Film Media Permit applications.

Performance measure 15: Review delegations to staff and implement necessary delegation with cross checking mechanism

This measure aims to provide greater oversight and risk management of purchases made by staff, senior managers, and the Accountable Authority of the Land Council.

The target was achieved. The Delegations' register was updated and approved by the Full Land Council members in line with the resolution passed on 18 April 2023. This register contains the delegated function or power being delegated to the Chair, Management Committee, Interim CEO and Manager of Operations, PLO, CFO, Finance Manager and other Land Council staff. Further, the interim CEO was also given the delegation of staff recruitment.

The Land Council processed purchase orders throughout the reporting period using a PO system which incorporates the financial delegations approved by the Land Council members.

Performance measure 16: Review delegations to Management Committee and implement necessary delegation with cross checking mechanism

This measure aims to provide greater oversight and risk management of contracts authorised by the Management Committee and Land Council.

This target was achieved with the Management Committee delegations reviewed through the ANAO Report. Since accepting the ANAO recommendations, the Land Council has delegated functions and power to the Management Committee by way of a resolution passed on 18 April 2023. In relation to the cross-checking mechanism, this work has begun through the advice being received by external consultants. The Land Council has put in place a new delegation to the management committee and has begun preparing additional draft delegations for consideration by the Full Land Council and are planned for implementation over the 2023-2024 year.

Performance measure 17: Increase the number of community members who attend clan meetings

This measure aims to increase the information between Traditional Owners and the Land Council.

80% of the target was achieved. There was an increase in the number of meetings held this financial year, increasing by five, as compared to the previous year. The overall member attendance increased by 55% which predominately made up of significant increase in Malawu member attendance.

Each clan was allocated five meetings throughout the year, and the average number of meetings achieved was 4. The meetings provide a forum for information of relevance to the clan group to be discussed and questions asked. In the coming year, each of the eight clan groups is scheduled to have five meetings each.



Clan name	No. of Meetings Held 2022/2023	No. of Clan Members in Attendance 2022/2023	No. of Meetings Held 2021/2022	No. of Clan Members in Attendance 2021/2022
Malawu	4	631	4	268
Mantiyupwi	4	413	3	305
Marrikawuyanga	4	28	2	18
Munupi	4	362	5	354
Wurankuwu	4	250	4	185
Jikilaruwu	4	446	3	172
Wulirankuwu	4	145	3	130
Yimpinari	4	220	3	175
Total	32	2,495	27	1,607

Performance measure 18: Increase the number of Management Committee members who attend meetings to 75%

This measure is an indicator of the communication and decision-making process of the Management Committee.

The target was achieved. The Land Council held three Management Committee meetings over the reporting period. These had attendances of 100%, 80% and 70%.

Performance measure 19: Increase the number of land council members who attend meetings to 80%

This measure is an indicator of the communication and decision-making process of the Land Council.

The target was not achieved. During the reporting period, 11 Land Council meetings were held. The average was 78% attendance at Land Council meetings. A quorum of the Land Council, which consists of 32 members, is set out under *section 31(4)* of the ALRA, where there is an even number of members then half of that number and when an uneven number half of that number minus 1.

Land Council members attend to functions and business of the Land Council outside of meeting days, too.

Meeting number	330 (a)	330 (b)	331	332	333 (a)	333 (b)	334	335a	335b	336	337
Apology	0	0	5	2	6	7	3	3	2	4	5
Absent	4	4	4	2	4	3	3	5	5	3	1
Present	27	27	22	27	21	21	25	23	24	24	25
Vacant	1	1	1	1	1	1	1	1	1	1	1
Total	32	32	32	32	32	32	32	32	32	32	32
% of attendance	84%	84%	69%	84%	66%	66%	78%	72%	75%	75%	78%

Performance measure 20: Distribute 1,500 copies of “The Tiwi” in total split between the hard and electronic editions.

This measure is an indicator of the Land Council’s communication with interested parties.

33.33% of target was achieved. The engagement of a Media and Communications Officer enabled the Land Council to review its use of media (social as well as written). Following the review, the decision was made to move from the smaller A4 ‘newsletter’ style to a full newspaper. This publication has been renamed as *Pupuni*

Ngirramini (Tiwi News). In doing so the Land Council is now providing an improved and professional news and information outlet for Tiwi Island organisations and non-Tiwi readers. The Media and Communications Officer was engaged in February 2023 and copies of the two editions produced to date have been distributed.

Edition Number	Period	Pages	Circulation	Electronic subscriptions
54	April/May 2023	16	1,500	192
55	June/July 2023	16	1,500	212

There were 212 online subscribers at the end of the financial year, an increase of 94% from last reporting period.

There was a wide range of contributors to the newsletter including the following topics:

Land Councils support “Yes” vote for Voice referendum	Quarantine inspections
Tiwi Fire and Carbon project	Gamba grass
Bathurst Ward election	Science reference committee
Renewable energy for Wurrumiyanga	Waste management strategy
Tiwi Textiles Book	Tiwi Language puzzle
Songs of the Tiwi – digitised	The Turtuni framework
New staff appointment	BIMA wear
Ranger training	Fort Dundas (Punata)
Message from Member for Lingjari	
Legal – Land use agreements / Offshore Petroleum Companies	
The Keeping Place – Wurrumiyanga Football update	

Performance measure 21: Automated digital exchange of invoice information with stakeholders

The target was not achieved. The automation did not work as intended. As of the date of this report, The Land Council is coordinating with a service provider to address this measure.

Performance measure 22: Community Survey on Land Council's engagement

The target was achieved. There was no planned community survey in 2022-2023.

Performance measure 23: ABA grant applications submitted/

Performance measure 24: Northern Territory grants applications/

Performance measure 25: Philanthropic Grant applications submitted

These measures are indicators of assistance provided by the Tiwi Land Council to the 8 Tiwi Landowning Groups of the Tiwi Islands and Tiwi organisations to achieve their projects and objectives through grant applications.

The targets were not achieved. The Grants Officer has engaged with the clan groups/landowning groups and Tiwi organisations on the Tiwi Islands. The Grants officer has provided grant opportunities from the Commonwealth, Northern Territory Government and Philanthropic funding bodies and has identified the most appropriate funding stream for projects that benefits the Tiwi people.

Grant applications need sufficient time to confirm eligibility requirements, to prepare management/business plans and to gather supporting documents. Tiwi projects require approvals and consultations from one or more of the eight landowning groups on the Tiwi Islands. There was also limited take-up and interest on grant opportunities from the Northern Territory Government from the eight landowning clan groups on Tiwi Islands and Tiwi organisations due to eligibility requirements and the amount of co-contribution required.

The Grants Officer provides assistance, advice and review on grant applications for a robust and high-quality grant application. The Grants Officer oversees the delivery of grants, report on outcomes and sources of additional grants to enhance existing programs and deliver new projects for the benefit of the Tiwi people.

In 2022-2023, a total of seven grant applications were submitted:

ABA Submissions – five, Commonwealth Grants – one, Northern Territory Grants – one

There were grant applications from 2021-2022 where application outcomes came out in 2022-2023. In 2022- 2023, there were six successful grant applications:

Aboriginal Benefit Account

1. Yimpinari Aboriginal Corporation – Benefitting from Improved Access to Country – Grader and Fuel Pod
2. Yimpinari Aboriginal Corporation – Djurrupuwu Healing Centre
3. Tiwi Enterprises Ltd – Replacement of Hire Cars
4. Tiwi Bombers Football Club Incorporated – Continuous participation on the AFL-NTFL Season
5. Mantiyupwi Pty Ltd ATF Mantiyupwi Family Trust – Pumulayu Children and Family Centre – Redevelopment of Lot 470 and Solar power in Pickertaramoor

Commonwealth Government

1. Department of Veteran's Affairs – Saluting Their Service Commemorative Grants Program – Commemorative Book – Tiwi People and World War II



Performance measure 26: NT Indigenous Economic Stimulus Package

This measure is an indicator of the assessment of projects, funding allocations, and completion of projects.

The target was achieved. In 2020-2021 and 2021-2022, the Land Council received \$13.3 million from the Commonwealth government under the NT Indigenous Economic Stimulus Package. These needed to be allocated in accordance with the investment principles issued by the Commonwealth government by 30 June 2023.

In the financial year 2022-2023, the Land Council received 23 Preliminary enquiry forms from various Tiwi applicants. Applications underwent a thorough review led by the Land Council's Grants Officer and included consideration of the project feasibility. Following the assessment of all of the applications received by the Land Council, the accountable authority made recommendations to the full land council. Once approved a grant agreement is prepared with the terms and conditions including payment schedule, project activity schedule and reporting requirements.

During the year, there were 22 project submissions, and 18 projects were approved for funding.

2022-2023 NT Indigenous Economic Stimulus Package Progress Report as at 30 June 2023

No.	Clan group/Entity	Project	Allocated Funding \$'000	Fund Released \$'000	Project Status
1.	Wulirankuwu Pty Ltd (ACN 155 740 757) atf the Wulirankuwu Trust	Tiwi Islands Adventures	1,900	1,900	Completed
2.	Tiwi Enterprises Ltd ACN 634 465 339	Crocodile Egg Hatchery	1,500	170	Ongoing
3.	All clan groups	Covid-19 housing containers	1,393	1,393	Completed
4.	Yimpinari Aboriginal Corporation (ICN 8215) ABN 79 886 254 482	Eco Tourism - EOI	30	30	Ongoing
5.	All clan groups	Cattle project: feasibility study	13	13	Completed
6.	Tarntipi Homelands Aboriginal Corporation (ICN 8084) ABN 89 960 856 358	Camp upgrade and bush food project	167	167	Completed
7.	Mantiyupwi Pty Ltd (ACN 129 310 710) atf the Mantiyupwi Trust also known as 'The Trustee for Mantiyupwi Family Trust' and 'Mantiyupwi Family Trust'(ABN 26 652 290 749)	Oyster Farm Project	121	121	Ongoing
8.	Mantiyupwi Pty Ltd (ACN 129 310 710) atf the Mantiyupwi Trust also known as 'The Trustee for Mantiyupwi Family Trust' and 'Mantiyupwi Family Trust'(ABN 26 652 290 749)	Pumulayu Children and Family Centre (PCFC)	500	500	Ongoing

No.	Clan group/Entity	Project	Allocated Funding \$'000	Fund Released \$'000	Project Status
9.	Portaminni Pty Ltd (ACN 155 991 478) atf 'The Trustee for Portamini Trust' (ABN 40 386 268 436)	Telstra Cell Installation	98	98	Ongoing
10.	Mantiyupwi Pty Ltd (ACN 129 310 710) atf the Mantiyupwi Trust also known as 'The Trustee for Mantiyupwi Family Trust' and 'Mantiyupwi Family Trust' (ABN 26 652 290 749)	Staff housing	1,340	80	Newly approved
11.	Mantiyupwi Pty Ltd (ACN 129 310 710) atf the Mantiyupwi Trust also known as 'The Trustee for Mantiyupwi Family Trust' and 'Mantiyupwi Family Trust' (ABN 26 652 290 749)	Paru desalination water system	216	-	Newly approved
12.	Wulirankuwu Pty Ltd (ACN 155 740 757 atf the Wulirankuwu Trust	60-Man Camp at Three Ways Feasibility Study	30	30	Newly approved
13.	Tiwi Resources Pty Ltd ACN 054 667 051 as trustee for the Tiwi Resources Trust	Bush Medicine & Bush Foods Project – purchase of vehicles, securing staff accommodation, and employing and training staff	625	-	Newly approved
14.	Portaminni Pty Ltd (ACN 155 991 478) atf 'The Trustee for Portamini Trust' (ABN 40 386 268 436)	Prawn farm – purchase of assets to expand operations	999	-	Newly approved
15.	Tiwi Resources Pty Ltd ACN 054 667 051 as trustee for the Tiwi Resources Trust	Engaging consultant to provide marketing/ product branding in relation to Tiwi products	41	-	Newly approved
16.	Wulirankuwu Pty Ltd (ACN 155 740 757 atf the Wulirankuwu Trust	Improving the visitor experience: purchase of vehicles	215	-	Newly approved

No.	Clan group/Entity	Project	Allocated Funding \$'000	Fund Released \$'000	Project Status
17.	Mantiyupwi Pty Ltd (ACN 129 310 710) atf the Mantiyupwi Trust also known as 'The Trustee for Mantiyupwi Family Trust' and 'Mantiyupwi Family Trust' (ABN 26 652 290 749)	Mantiyupwi Motel extensions	1,832	-	Newly approved
18.	Yimpinari Aboriginal Corporation (ICN 8215) ABN 79 886 254 482	Telstra Cell Installation at JRC and Condor Point	210	-	Newly approved
19.	Mamanta Pty Ltd (ACN 165 173 384)	Vehicle and Infrastructure acquisition	182	-	Newly approved
20.	Tiwi Enterprises Ltd ACN 634 465 339	Purchase of Sea Darwin	1,500	-	Newly approved
21.	Mantiyupwi Pty Ltd (ACN 129 310 710) atf the Mantiyupwi Trust also known as 'The Trustee for Mantiyupwi Family Trust' and 'Mantiyupwi Family Trust' (ABN 26 652 290 749)	PCFC Vehicle Support	155	-	Newly approved
22.	Nguiu Ullintjinni Association Inc ABN 82 294 304 805	Contribution to proposed alterations to NUA store	233	-	Newly approved
Total			13,300	4,502	





The Accountable Authority, Chairman Gibson Farmer Illortaminni signing the NT Indigenous Economic Stimulus Package agreements.

Performance measure 27: Facilitate opportunities in relation to roads and infrastructure developments

This measure is an indicator of community consultation.

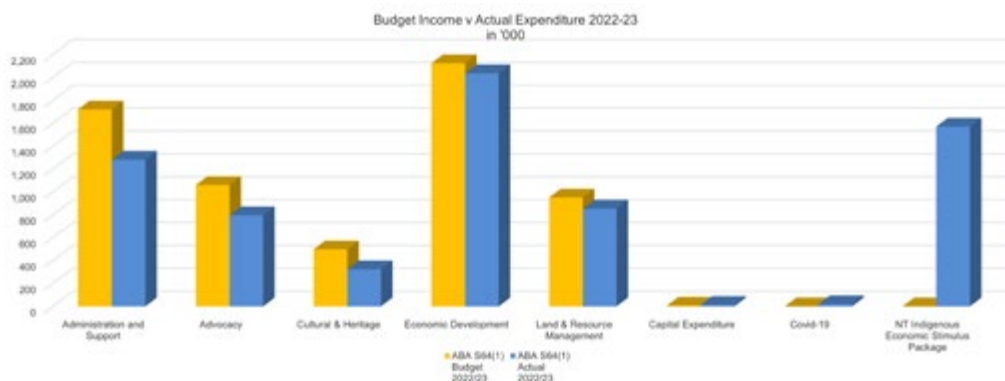
The target was achieved. Stage One construction of the Paru Road upgrade begun and was completed in the 2022 dry season. Stage Two began in the 2023 dry season and the tender was awarded to Tiwi Partners by the Department of Infrastructure, Planning and Logistics. Stage Two construction will occur over two dry seasons and expected to be completed by September 2024.



Financial Resources and Application

Detailed audited financial statements are attached. In summary, the Land Council budgeted \$5,482,227 from the Commonwealth in s64(1) funding, with carried forward funding of \$595,777 and other income of \$285,580, totalling \$6,363,584. Included in s64(1) funding supplementary funds for additional resourcing (\$626,548) and to support Port Melville operational costs for a certain period of time to ensure it remains operational whilst its operator entered voluntary administrator (\$1,000,000).

\$6,353,584 was allocated during the financial year against the five output groups as illustrated in the graphs below:



The 2022-2023 actual expenditure was over the 2022-2023 budgeted income due to the COVID-19 and NT Indigenous Economic Stimulus Package expenditures. Funding for these were received by the Land Council from the previous years. Further details for the Income and Expenditure against budget s64(1) are discussed in Note 5.3 of the notes to the financial statements.

Details of consultants engaged

The following consultants were engaged during the year:

Output Group	Consultant	Consultancy service	Amount \$
Administration	Clarke, Dr Philip A.	Conservation Examiner	3,000
Administration	Darwin NT Lawyers	Legal fees	14,800
Administration	Environmental and Cultural Services	Environmental Consulting	16,580
Administration	Halfpennys Lawyers Pty Ltd	Legal fees	19,823
Administration	PricewaterhouseCoopers	Assessment and Analysis	18,360
Administration	RiskIQ Global (Australia) Pty Ltd	Risk Management	2,688
Culture & Heritage	Carolyn McLennan	Conservation Examiner	3,000
Economic Development	Anthropos Consulting Services Pty Ltd	Anthropologist Consulting	39,147
Economic Development	PricewaterhouseCoopers	Pastoral Study	12,500
Total			129,898

Other grants received

Funding stream and project	Project/purpose	Estimated Budget 2022/23 \$	Amount received 2022/23 \$
National Indigenous Australians Agency	National Landcare Program - Indigenous Protected Areas	166,815	83,408
Department of Primary Industry and Fisheries	Marine - Ranger Programme	153,858	153,858
Total		320,673	237,266

Fee for services received section 37(2)

Payor	Received by the Land Council
	Nil
Total	Nil

Recipients of accountable amounts paid

Recipient	Paid pursuant to sub section of the ALRA	Interest	Total amount \$
Mantiyupwi Aboriginal Corporation	35(4B)	-	875,527

Permit Administration 2022-2023

Authority to issue permits is provided under the *Aboriginal Land Act 1978 (NT)*. Tiwi requires that there be an on-island resident or organisation willing to undertake responsibility for visitors. The Land Council also attaches some quarantine restrictions to permits in regard to feral animals, invasive weeds, and other documented and advised environmental risks.

Trends over the last 40 years illustrate changing patterns and influences on owners and residents of the Tiwi Islands. The total number of known annual visitors barely exceeded 1,000 people in the period from 1978 to 1993. Numbers reached a peak of over 7000 by 2008 and have collapsed again to pre-2000 levels.

Fishing tourists managed by Tiwi Islands Adventures are a significant reason for visitor numbers. There is also some evidence of increasing tourist numbers to the Islands as a result of affordable sea ferry fares on the professionally operated service which commenced in 2014.

Permits are the process of the Permission Principle that underwrites Tiwi traditional governance now being more strongly asserted by the current generation of leaders and landowners.

Continuing enhancements to the Land Council website resulted in big improvements to the online permit application process during the year. The online applications require uploads of project summaries, agreement to conditions, and project results.



Summary Report (Visitors Permit) 2022-2023

Permit Type	No of permits issued	Total \$
Camping	10	920
Fishing	57	5,900
Hunting	2	400
Business	24	-
Fee Paid - Family and Friends	6	900
Family and Friends	121	-
No Fees	1,274	-
Employee Applications	1,169	-
Total	2,663	8,120

Related entity transactions

Pecuniary Interests Registers

The Land Council has adopted the advice of the Minister and maintains a Pecuniary Interest Register for all members. All Land Council members declare their details of Pecuniary Interests at each Land Council meeting. This has been complied for the 2022-23 year. Of our 321 suppliers, there are 16 of which one or more of our members are directors or members.

Related Parties Registers

All members make a declaration of a Related Parties register when they meet the definition of related party in accordance with Australian Accounting Standard Board 124 enabling 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. Some Land Council Members are Directors or members of 16 suppliers, although they do not meet the definition of a related party.

Payments to related parties require that the following conditions have been met;

1. have the authority to approve the payment;
2. the goods or services have been provided and meet requirements;
3. the supplier's invoice:
 - a. provides the details needed for accounting and taxation purposes;
 - b. reflects the terms of the arrangement which was entered into; and
 - c. has credited any previous payment that was made to them if such payments were made.

During the year the Land Council conducted the business of varying amounts with the Tiwi suppliers. The list of related party transactions can be found in Note 3.3 of the Annual Financial Statements.



Management of human resources

People and Development

With the introduction of a People and Development Manager since April 2023, The Land Council has made headway in a number of areas, including;

- A robust and streamlined recruitment, selection, onboarding and induction process including a Recruitment and Selection Policy and accompanying recruitment pro-forma forms and templates; thorough onboarding and induction process. Development of a CEO Recruitment and Selection Guideline.
- Probation and Performance Review process with accompanying forms and templates
- Updated vacancy page on Councils' intranet page for ease of use and navigation
- Targeted training for Council's workforce in areas of customer service; fraud, risk and code of conduct

The Land Council recognises that its people are what matter the most so, attention has been given to promote a healthy workplace culture through regular morning tea get-togethers; and provision of support through Councils' Employee Assistance Program provider.

The Land Council members and staff have been exposed to on-the-job training with regards to policies and procedures, the applicability of the *PGPA Act*, and the *ALRA*, and understanding is assessed on the basis of peer review.

Recruitment and Retention

The Land Council has grown in 2022-2023. The number of staff had increased from eight to 15 staff.

The Land Council employees are engaged on fixed-term contracts, with 15 employees on 30 June 2023:

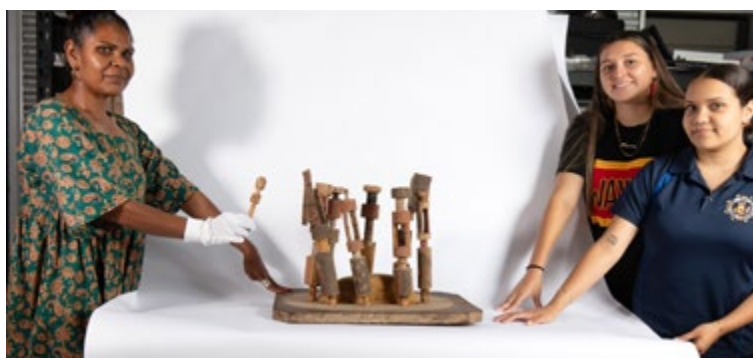
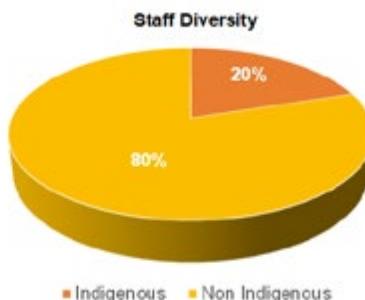
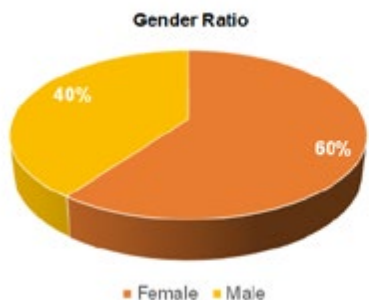
1. Chief Executive Officer, Robert Graham.
2. Chief Operating Officer, Matthew Ellis.
3. Principal Legal Officer, Kaliopi Hourdas.
4. People and Development Manager, Mandy Konatic.
5. Finance Manager, Josephine Martens.
6. Financial Accountant, Paul Stephson.
7. Resource and Environment Officer, Murray Knyvett.
8. Resource and Environment Officer, Sarah Ryan.
9. Media Officer, Alan James.
10. Policy Officer, Helen Daiyi.
11. Grants Officer, Kristine Matienzo.
12. Anthropologist, Helen Haritos.
13. Executive Assistant and Logistics Officer, Sonja Hoffman.
14. Receptionist, Tyeanne Heenan-Tinoco.
15. Anthropologist, Matthew Brooks.



Statistics on staffing

Statistics are calculated and reported on an actual head count basis as at the end of the financial year.

Staff	Gender	Years in Service on 30 June 2023	Expiry date	Employment of contract status	Location
1	Male	0	15/01/2026	Full time	Darwin
2	Female	1	2/10/2023	Full time	Darwin
3	Male	1	31/12/2025	Full time	Darwin
4	Male	1	16/02/2024	Full time	Darwin
5	Female	1	29/11/2023	Full time	Darwin
6	Female	0	20/03/2024	Full time	Darwin
7	Female	1	6/03/2024	Full time	Darwin
8	Female	0	29/04/2024	Full time	Darwin
9	Male	0	27/02/2024	Part time	Darwin
10	Male	4	10/11/2025	Full time	Darwin
11	Female	0	2/10/2023	Full time	Darwin
12	Female	6	17/01/2025	Full time	Darwin
13	Female	2	7/06/2024	Full time	Darwin
14	Female	0	6/03/2024	Full time	Darwin
15	Male	0	8/08/2023	Full time	Darwin



Helen Daiyi - Policy Officer, Zaylee Lynch, Tyeanne Heenan-Tinoco - Receptionist



All Ongoing Employees Current Report Period (2022-23)

	Man/Male			Woman/Female			Non-binary			Prefers not to answer			Uses a different term			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
NSW	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Qld	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Tas	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Vic	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
WA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ACT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
External Territories	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Overseas	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

All ongoing employees previous report period (2021-22)

	Male			Female			Indeterminate		
	Full time	Part time	Total Male	Full time	Part time	Total Female	Full time	Part time	Total Indeterminate
NT	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0



All Non-Ongoing Employees Current Report Period (2022-23)

	Man/Male			Woman/Female			Non-binary			Prefers not to answer			Uses a different term			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
NSW	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Qld	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Tas	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Vic	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
WA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ACT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NT	6	0	6	9	0	9	0	0	0	0	0	0	0	0	0	15
External Territories	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Overseas	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	6	0	6	9	0	9	0	0	0	0	0	0	0	0	0	15

All non-ongoing employees previous report period (2021-22)

	Male			Female			Indeterminate		
	Full time	Part time	Total Male	Full time	Part time	Total Female	Full time	Part time	Total Indeterminate
NT	3	0	3	5	0	5	0	0	0
Total	3	0	3	5	0	5	0	0	0

Employment benefits and categorisation

Tiwi Land Council has engaged staff under common law contracts or under the *Australian Government Industry Award 2016*. Contracts are for a stated salary with an expectation that staff applies themselves diligently, properly with skill, care, and attention in the best interest of the Tiwi Land Council. The Land Council does not make performance payments or post-employment payments.

Information about remuneration

Remuneration information is set out in the following table pertaining to:

1. key management personnel,
2. senior executives, and
3. other highly paid staff.

Information about key management personnel

Name	Position Title	Base Salary	Bonuses	Other Benefits and Allowances	Superannuation Contributions	Long Service Leave	Other Long-Term Benefits	Termination Benefits	Total Remunerations
Robert Graham	Interim CEO	184,079	0	11,522	18,092	4,691	0	0	218,384
Andrew Tipungwuti	CEO	11,704	0	3,297	1,515	(21,099)	0	371,706	367,123
Gibson Farmer Ilortaminni	Chair	106,265	0	11,262	11,167	0	0	0	128,694
David Austral	Member	3,784	0	0	399	0	0	0	4,183
Andrew Bush	Member	2,408	0	0	255	0	0	0	2,663
Dennis Dunn	Member	3,784	0	0	399	0	0	0	4,183
Valentine Intalui	Member	3,646	0	0	385	0	0	0	4,031
Dominic Kantilla	Trustee & Member	2,958	0	0	312	0	0	0	3,270

Name	Position Title	Base Salary	Bonuses	Other Benefits and Allowances	Superannuation Contributions	Long Service Leave	Other Long-term Benefits	Termination Benefits	Total Remunerations
Walter Kerinaua Jnr.	Trustee & Member	894	0	0	96	0	0	0	990
Wesley Kerinaua	Management Committee & Member	10,717	0	0	1,127	0	0	0	11,844
Damien Molaminni (Burak)	Management Committee & Trustee & Member	13,909	0	0	1,462	0	0	0	15,371
Vincent, Mungatopi	Member	3,440	0	0	363	0	0	0	3,803
John Louis Munkara	Member	2,752	0	0	291	0	0	0	3,043
Simon Munkara	Management Committee & Trustee & Member	12,550	0	0	1,319	0	0	0	13,869
Ron W. Poantimilui	Member	3,440	0	0	363	0	0	0	3,803
Edward (Teddy) Portaminni	Member	3,440	0	0	361	0	0	0	3,801
Valentine Puautimi	Member	3,096	0	0	325	0	0	0	3,421
Jeffrey Puruntatameri (Miller)	Management Committee & Trustee & Member	15,114	0	0	1,589	0	0	0	16,703
Clancy Puruntatameri	Member	1,376	0	0	146	0	0	0	1,522
Kim Puruntatameri	Management Committee & Trustee & Member	11,648	0	0	1,225	0	0	0	12,873
Patricia Puruntatameri	Member	4,128	0	0	435	0	0	0	4,563
Richard Puruntatameri	Management Committee	7,872	0	0	828	0	0	0	8,700
Miriam Stassi	Member	688	0	0	72	0	0	0	760
Bonaventure Timaepatua	Member	3,784	0	0	399	0	0	0	4,183
Dennis Tipakalippa	Member	3,440	0	0	363	0	0	0	3,803
Romolo Tipiloura	Member	2,408	0	0	253	0	0	0	2,661
Stanley Tipiloura	Deputy Chair, MC & Trustee & Chair Trustee & Member	7,176	0	0	755	0	0	0	7,931

Name	Position Title	Base Salary	Bonuses	Other Benefits and Allowances	Superannuation Contributions	Long Service Leave	Other Long-term Benefits	Termination Benefits	Total Remunerations
Brian Tipungwuti	Management Committee & Trustee & Member	8,606	0	0	905	0	0	0	9,511
Sylverius Tipungwuti	Member	688	0	0	72	0	0	0	760
Leslie Tungatalum	Member	1,720	0	0	182	0	0	0	1,902
John Wilson	Management Committee & Trustee & Member	15,872	0	0	1,668	0	0	0	17,540
Adonis Wommatakimmi	Member	2,752	0	0	291	0	0	0	3,043
Kim Brooks Wommatakimmi	Member	1,032	0	0	110	0	0	0	1,142
Austin Wonaeamirri	Member	3,096	0	0	327	0	0	0	3,423
Total		464,266	0	26,081	47,851	(16,408)	0	371,706	893,496

Information about remuneration for senior executives

Total remuneration bands	Number of senior executives	Short-term benefits			Post-employment benefits	Other long-term benefits		Termination benefits	Total remuneration
		Average base salary	Average bonuses	Average other benefits and allowances		Average long service leave	Average other long-term benefits		
0- 220,000	1	50,832	0	2,829	5,161	490	0	0	59,312
220,001 -245,000	2	153,493	0	6,306	20,174	(1,991)	0	47,472	225,454

Information about remuneration for other highly paid staff

The Land Council has no other highly paid staff to report in accordance with the Public Governance, Performance and Accountability (PGPA) Rule.

Judicial decisions and reviews by outside bodies

Judicial Decisions

There were no judicial decisions or reviews in the 2022–2023 financial year.

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

- *Aboriginal Land Rights (Northern Territory) Amendment (Economic Empowerment) Act 1976 (Cth)*
- *Burial and Cremation Bill 2022 (NT)*

ANAO Governance of the Tiwi Land Council

During 2022 and some early months of 2023 the ANAO conducted a performance audit of the Land Council. This involved an extensive body of research involving documentation, meetings and interviews with staff and Tiwi on the islands. This work was part of a regular process of reviews for the four Territory land councils. The Land Council's was the first to be published in May 2023 with the other three reports across the following months.

The ANAO Report is a substantial document with 14 formal recommendations but also includes numerous observations and suggestions. The ANAO Report's 'snapshot' summarises their findings with regard to the Land Council as:

- The Land Council's governance arrangements under the *ALRA* and the *PGPA Act* are partly effective.
- There are instruments of delegation under the *ALRA*, however there is a lack of clarity as to whether the accountable authority can delegate.
- The Land Council's governance arrangements under the *ALRA* are partly effective.
- The Land Council's arrangements to promote the proper use and management of resources under the *PGPA Act* are largely inappropriate.

This ANAO Report summary says of their recommendations that:

- There were 13 recommendations to the Land Council, one aimed at documenting governance arrangements; six aimed at improving governance arrangements under the *ALRA*; and six aimed at improving governance arrangements under the *PGPA Act*.
- There was also one recommendation to the National Indigenous Australians Agency (NIAA) to clarify the NT Land Council accountable authority's ability to delegate.
- The Land Council and the NIAA agreed to the recommendations.



The Land Council prepared for the likely recommendations following receipt of the draft in December 2022 and began working to implement the recommendations soon after. Many of the recommendations required appropriate staff arrangements and levels including the engagement of a full-time officer in the Human Relations area and a CFO. The latter had been subsumed into a single position with the PLO. External advice has been sought and a plan is in place to fully address and implement all recommendations by the end of 2023. A number have been implemented including a renewal of membership of the Land Council's Audit Committee.

A copy of the ANAO performance report can be found from the ANAO performance audit section report.

Indemnities and insurance premiums

In 2004 the Land Council was obliged to adopt Comcover. Policy Terms and Conditions do include Directors' and Officers' Liability and compulsory professional indemnity insurance required by the Law Society Northern Territory for its member legal practitioner. The limit of liability under Comcover is \$100m. Premiums of \$5,849 to Comcover and \$5,344 to Lawcover were paid for the 2022-2023 financial year and a certificate of currency has been issued.

Other statutory requirements

Environmental Performance

The Land Council headquarters office at Pickertaramoor on Melville Island has solar energy generation installed. The Land Council owns a 560 sq. metre premise in Winnellie and is serviced by Northern Territory utility corporations.

Section 516A of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) requires Commonwealth authorities to report on environmental matters. The table below illustrates the Land Council's performance against Commonwealth environmental measures.

Emission Source	Scope 1 kg CO2-e	Scope 2 kg CO2-e	Scope 3 kg CO2-e	Total kg CO2-e
Electricity (Location Based Approach)	N/A	26,446	3,428	29,874
Natural Gas	-	N/A	-	-
Fleet Vehicles	18,475	N/A	4,625	23,099
Domestic Flights	N/A	N/A	14,050	14,050
Other Energy	-	N/A	-	-
Total kg CO2-e	18,475	26,446	22,103	67,023

The electricity emissions reported above are calculated using the location based approach. When applying the market based method, which accounts for activities such as Greenpower, purchased LGCs and/or being located in the ACT, the total emissions for electricity, are below:

Emission Source	Scope 1 kg CO2-e	Scope 2 kg CO2-e	Scope 3 kg CO2-e	Total kg CO2-e
Electricity (Market Based Approach)	N/A	33,538	4,439	37,977
Natural Gas	-	N/A	-	-
Fleet Vehicles	18,475	N/A	4,625	23,099
Domestic Flights	N/A	N/A	14,050	14,050
Other Energy	-	N/A	-	-
Other Energy	-	N/A	-	-
Total kg CO2-e	18,475	33,538	23,114	75,126



Pickertaramoor Headquarters

Waste

The Land Council has leased a waste management facility to Tiwi Islands Regional Council at Wurrumiyanga in accordance with environmental legislation and supported their efforts to apply the same management standards to all waste management facilities across the Tiwi Islands.

Water

The Water Resource Strategy for the Tiwi Islands, developed by the Tiwi Islands Water Advisory Committee, made up of an NT Government Water Planner and three Tiwi Land Rangers, was signed off by the Minister and the full Tiwi Land Council in 2013. The Strategy identifies the freshwater resource on the Tiwi Islands and sets out a framework for its sustainable management. Results to date continue to show that the freshwater resource is being used well within sustainable limits.

A safer and more sustainable water supply was identified for the Pirlangimpi community, and three bore sites were developed in the 2019 financial year. One bore site was developed at Pickertaramoor on land leased by the Land Council.

Work Health and Safety

In accordance with the *Work Health and Safety (National Uniform Legislation) Act 2011* (NT) ('WHS Act') and *Work Health and Safety (National Uniform Legislation) Regulation 2011* (NT) ('WHS Regulations'), the Land Council is committed to ensuring all workers have a healthy and safe workplace in which to work in. This extends to all person/s engaged as a consultant and/or contractor and anyone that we may come into contact with.

This year, a key focus has been the implementation of key WHS policy and procedures and, ensuring that the workplace is fully equipped with First Aid requirements such as Defibrillators and ensuring that we have fully trained and certified First Aiders for both the Darwin office and out in the field.

In addition to this, Council vehicles have been audited and modified to meet all mandatory requirements suited for off-road conditions. A Pre-Start Vehicle Checklist has also been recently implemented to ensure that Council vehicles are safe to operate, and any identified mechanical faults are rectified immediately.

Notifiable incidents and investigations

There were no notifiable incidents reported to Comcare in 2022-2023 under section 38 of the *WHS Act*. No investigations were conducted in relation to the Land Council and no notices were given to the Land Council under Part 10 of the said Act.

Advertising and Market Research section 311 Commonwealth Electoral Act 1918 (Cth)

During 2022-2023, the Land Council did not conduct any advertising or market research within the meaning of section 311 of the *Commonwealth Electoral Act 1918* (Cth).



PART 4:

Annual Financial Statements

Financial Statements Contents

Certification**Primary financial statement**

Statement of Comprehensive Income
Statement of Financial Position
Statement of Changes in Equity
Cash Flow Statement

Overview**Notes to the financial statements:**

- 1. Departmental Financial Performance**
 - 1.1 Expenses
 - 1.2 Own-Source Revenue and gains
- 2. Departmental Financial Position**
 - 2.1 Financial Assets
 - 2.2 Non-Financial Assets
 - 2.3 Payables
 - 2.4 Interest Bearing Liabilities
- 3. People and relationships**
 - 3.1 Employee Provisions
 - 3.2 Key Management Personnel Remuneration
 - 3.3 Related Party Disclosures
- 4. Managing uncertainties**
 - 4.1 Contingent Assets and Liabilities
 - 4.2 Financial Instruments
 - 4.2 Fair Value Measurement
- 5. Other information**
 - 5.1 Current/non-current distinction for assets and liabilities
 - 5.2 Assets Held in Trust
 - 5.3 Income and Expenditure Against Budget s64(1)





INDEPENDENT AUDITOR'S REPORT

To the Minister for Indigenous Australians

Opinion

In my opinion, the financial statements of the Tiwi Land Council (the Entity) for the year ended 30 June 2023:

- (a) comply with Australian Accounting Standards – Simplified Disclosures and the *Public Governance, Performance and Accountability (Financial Reporting) Rule 2015*; and
- (b) present fairly the financial position of the Entity as at 30 June 2023 and its financial performance and cash flows for the year then ended.

The financial statements of the Entity, which I have audited, comprise the following as at 30 June 2023 and for the year then ended:

- Statement by the Accountable Authority, Chief Executive and Chief Financial Officer;
- Statement of Comprehensive Income;
- Statement of Financial Position;
- Statement of Changes in Equity;
- Cash Flow Statement;
- Notes to the financial statements, comprising an Overview and a summary of significant accounting policies and other explanatory information.

Basis for opinion

I conducted my audit in accordance with the Australian National Audit Office Auditing Standards, which incorporate the Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of my report. I am independent of the Entity in accordance with the relevant ethical requirements for financial statement audits conducted by the Auditor-General and his delegates. These include the relevant independence requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* (the Code) to the extent that they are not in conflict with the *Auditor-General Act 1997*. I have also fulfilled my other responsibilities in accordance with the Code. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Accountable Authority's responsibility for the financial statements

As the Accountable Authority of the Entity, the Chair and Chief Executive Officer are responsible under the *Public Governance, Performance and Accountability Act 2013* (the Act) for the preparation and fair presentation of annual financial statements that comply with Australian Accounting Standards – Simplified Disclosures and the rules made under the Act. The Chair and Chief Executive Officer are also responsible for such internal control as the Chair and Chief Executive Officer determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Chair and Chief Executive Officer are responsible for assessing the ability of the Entity to continue as a going concern, taking into account whether the Entity's operations will cease as a result of an administrative restructure or for any other reason. The Chair and Chief Executive Officer are also responsible for disclosing, as applicable, matters related to going concern and using the going concern basis of accounting, unless the assessment indicates that it is not appropriate.

Auditor's responsibilities for the audit of the financial statements

My objective is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian National Audit Office Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with the Australian National Audit Office Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control;
- obtain an understanding of internal control relevant to the audit 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 Entity's internal control;
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Accountable Authority;
- conclude on the appropriateness of the Accountable Authority's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the Entity to cease to continue as a going concern; and
- evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Accountable Authority regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

Australian National Audit Office



Peter Kerr

Executive Director

Delegate of the Auditor-General

Canberra

29 September 2023

Statement by the Accountable Authority, Chief Executive and Chief Financial Officer

TIWI LAND COUNCIL
FINANCIAL STATEMENTS
for the year ended 30 June 2023

STATEMENT BY THE ACCOUNTABLE AUTHORITY, CHIEF EXECUTIVE AND CHIEF FINANCIAL OFFICER

In our opinion, the attached financial statements for the year ended 30 June 2023 comply with subsection 42(2) of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act), and are based on properly maintained financial records as per subsection 41(2) of the PGPA Act.

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

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



Gibson Farmer Illortaminni
Chair
Accountable Authority

29 September 2023



Robert Graham
Interim Chief Executive Officer
Accountable Authority

29 September 2023



Maria Juan
Chief Financial Officer

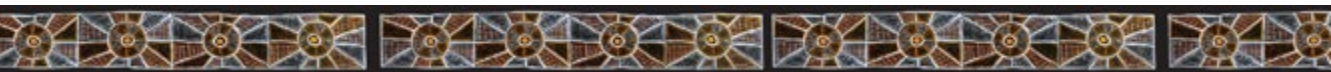
29 September 2023



Statement of Comprehensive Income for the year ended 30 June 2023

	Notes	2023 \$	2022 \$
NET COST OF SERVICES			
Expenses			
Employee benefits	1.1A	2,401,454	2,065,709
Suppliers	1.1B	4,648,825	4,357,615
Depreciation and amortisation	2.2A	383,758	517,175
Finance costs	1.1C	841	903
Losses from asset sales and disposals	1.1D	-	271,287
Total expenses		7,434,878	7,212,689
Own-source income			
Own-source revenue			
Interest	1.2A	99,047	-
Other revenue	1.2B	13,426	174,206
Total own-source revenue		112,473	174,206
Gains			
Reversal of write-down of assets on revaluation	1.2C	-	7,737
Total gains		-	7,737
Total own-source income		112,473	181,943
Net cost of services		(7,322,405)	(7,030,746)
Revenue from Government	1.2D	5,719,493	10,923,125
Surplus/(Deficit) on continuing operations		(1,602,912)	3,892,379
OTHER COMPREHENSIVE INCOME			
Items not subject to subsequent reclassification to net cost of services			
Changes in asset revaluation reserve		-	228,456
Total comprehensive income (loss)		(1,602,912)	4,120,835

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



Statement of Financial Position as at 30 June 2023

	Notes	2023 \$	2022 \$
ASSETS			
Financial assets			
Cash and cash equivalents	2.1A	12,365,815	13,844,418
Trade and other receivables	2.1B	175,627	71,108
Total financial assets		12,541,442	13,915,526
Non-financial assets			
Land ¹	2.2A	50,098	53,811
Marine Ranger Boats	2.2A	-	-
Buildings	2.2A	1,190,265	1,319,900
Motor vehicles	2.2A	83,050	216,100
Plant and equipment ¹	2.2A	66,433	94,038
Leasehold improvements	2.2A	502,687	574,500
Other non-financial assets	2.2B	1,679	6,552
Total non-financial assets		1,894,212	2,264,901
Total assets		14,435,654	16,180,427
LIABILITIES			
Payables			
Suppliers	2.3A	114,731	148,612
Other payables	2.3B	127	41,459
Total payables		114,858	190,071
Interest bearing liabilities			
Leases	2.4A	68,344	78,120
Total interest bearing liabilities		68,344	78,120
Provisions			
Employee provisions	3.1A	151,230	208,102
Total provisions		151,230	208,102
Total liabilities		334,432	476,293
Net assets		14,101,222	15,704,134
EQUITY			
Reserves		517,582	517,582
Retained surplus		13,583,640	15,186,552
Total equity		14,101,222	15,704,134

¹Right-of-use assets are included in the following line items: Land and Plant and equipment.
The above statement should be read in conjunction with the accompanying notes.

Statement of Changes in Equity for the year ended 30 June 2023

	Notes	2023 \$	2022 \$
RETAINED EARNINGS			
Opening balance			
Balance carried forward from previous period		15,186,552	11,212,296
Adjusted opening balance		15,186,552	11,212,296
Comprehensive income			
Surplus/(Deficit) for the period		(1,602,912)	3,892,379
Total comprehensive income/(loss)		(1,602,912)	3,892,379
Transfers between equity components		-	81,877
Closing balance as at 30 June		13,583,640	15,186,552
ASSET REVALUATION RESERVE			
Opening balance			
Balance carried forward from previous period		517,582	371,003
Adjusted opening balance		517,582	371,003
Comprehensive income			
Other comprehensive income/(loss)		-	228,456
Total comprehensive income		-	228,456
Transfers between equity components		-	(81,877)
Closing balance as at 30 June		517,582	517,582
TOTAL EQUITY			
Opening balance			
Balance carried forward from previous period		15,704,134	11,583,299
Adjusted opening balance		15,704,134	11,583,299
Comprehensive income			
Surplus/(Deficit) for the period		(1,602,912)	3,892,379
Other comprehensive income/(loss)		-	228,456
Total comprehensive income (loss)		(1,602,912)	4,120,835
Closing balance as at 30 June		14,101,222	15,704,134

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

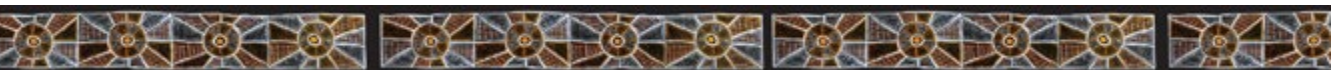


Cash Flow Statement for the year ended 30 June 2023

	Notes	2023 \$	2022 \$
OPERATING ACTIVITIES			
Cash received			
Receipts from Government		5,719,493	10,813,741
Interest		99,047	-
GST received		-	605,146
Insurance		-	146,937
Other		2,208	68,658
Total cash received		5,820,748	11,634,482
Cash used			
Employees		2,499,573	1,999,677
Suppliers		1,857,397	3,178,165
Interest payments on lease liabilities		841	903
GST paid		83,027	-
Fringe benefits tax paid		22,120	22,120
Grants		1,808,675	1,978,810
Other		1,000,000	200,000
Total cash used		7,271,633	7,379,675
Net cash from/(used by) operating activities		(1,450,885)	4,254,807
INVESTING ACTIVITIES			
Cash received			
Proceeds from sales of property, plant and equipment	1.1D	-	338,805
Total cash received		-	338,805
Cash used			
Purchase of property, plant and equipment	2.2A	14,324	123,818
Total cash used		14,324	123,818
Net cash from/(used by) investing activities		(14,324)	214,987

	Notes	2023 \$	2022 \$
FINANCING ACTIVITIES			
Cash used			
Principal payments of lease liabilities		13,394	12,854
Total cash used		13,394	12,854
Cash used by financing activities		(13,394)	(12,854)
Net increase (decrease) in cash held		(1,478,603)	4,456,940
Cash and cash equivalents at the beginning of the reporting period		13,844,418	9,387,478
Cash and cash equivalents at the end of the reporting period	2.1A	12,365,815	13,844,418

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



Overview

The Tiwi Land Council (Land Council) is an Australian Government Controlled entity formed within the provisions of *Section 21 of the Aboriginal Land Rights (Northern Territory) Act 1976 (ALRA)* and a not-for profit entity. The Land Council receives appropriations from the Aboriginals Benefit Account pursuant to ministerially approved estimates prepared in accordance with Section 34 of the Act and made available under Section 64 of the Act.

Tiwi Land Council (ABN 86 106 441 085; Entity Type: Other Incorporated Entity was incorporated in Australia, with its principal place of business at 116 Reichardt Road Winnellie NT 0820.)

The Land Council is structured to meet the following outcomes:

Outcome 1: Our objective is to establish an independent and resilient Tiwi society built on the orderly and well managed utilisation 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 generation of Tiwi.

Outcome 2: Compliance with the statutory regulations through effective and structured corporate governance.

Outcome 3: Establishment of communities to provide independent assurance and assistance to the Board on the Land Council's risk, control and compliance framework, and its external accountability responsibilities.

The continued existence of the entity in its present form and with its present program is dependent on Government policy and on continuing funding by Parliament for the entity's administration and programmes.

The funding conditions of the Land Council are laid down by the *Aboriginal Land Rights (Northern Territory) Act 1976*, and any special purpose grant guidelines. Accounting for monies received from the Aboriginals Benefit Account is subject to conditions approved by the Minister for Indigenous Australians.

The Basis of Preparation

The financial statements are required by section 42 of the Public Governance, Performance and Accountability Act 2013.

The financial statements have been prepared in accordance with:

- a. *Public Governance, Performance and Accountability (Financial Reporting) Rule 2015 (FRR)*; and
- b. Australian Accounting Standards and Interpretations including simplified disclosures for Tier 2 Entities under *AASB 1060* 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 the 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.

In November 2020, the Minister for Indigenous Australians announced a \$100 million Northern Territory (NT) Indigenous Economic Stimulus Package, developed in partnership with the four Northern Territory Land Councils, to provide immediate support for Aboriginal businesses and jobs



in the NT. The Package was delivered over two financial years with \$60 million in tranche one and \$40 million in tranche two.

The Land Council received a total of \$13.3 million, \$5.3 million in tranche two in 2021-22 and \$8 million in tranche one in 2020-21. Of the \$13.3 million, \$4.50 million has been expended as of 30 June 2023. The remaining balance of \$8.80 million has been fully allocated and are scheduled to be paid out based on the grant activities and milestone.

The Land Council received \$250,000 in funding for the benefit of Aboriginal communities which have been impacted or may be impacted, by COVID-19, to increase the resilience of communities. Funds were received in April 2022 and at the end of the year the amount remained unspent. Funding will be used for the benefit of Aboriginal communities which are impacted, or may be impacted, by COVID-19, to increase the resilience of communities.

New Accounting Standards

The following amending standards were issued prior to the signing of the statement by the accountable authority and chief financial officer, were applicable to the current reporting period and did not have material effect on the entity's financial statements:

Standard/ Interpretation	Nature of change in accounting policy, transitional provisions, and adjustment to financial statements
AASB 2020-3 <i>Amendments to Australian Accounting Standards - Annual Improvements 2018-2020 and other Amendments</i>	<p>This Standard amends the following Australian Account Standards:</p> <ul style="list-style-type: none"> • AASB 1 <i>First-time Adoption of Australian Accounting Standards</i> • AASB 3 <i>Business Combination</i> • AASB 9 <i>Financial Instruments</i> • AASB 116 <i>Property, Plant and Equipment</i> • AASB 137 <i>Provisions, Contingent Liabilities and Contingent Assets</i>; <p>and</p> <ul style="list-style-type: none"> • AASB 141 <i>Agriculture</i> <p>The Amendments to AASB 116 require an entity to recognise the sales proceeds from selling items produced while preparing property, plant and equipment for its intended use and the related cost in profit or loss, instead of deducting the amounts received from the cost of the asset. The amendments to AASB 137 require an entity to specify the costs that an entity includes when assessing whether a contract will be loss-making. This Standard applies to annual periods beginning or after 1 January 2022.</p>

Taxation

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

Events After the Reporting Period

There are no other subsequent events that had the potential to significantly affect the ongoing structure and financial activities of the Land Council.



Notes to the financial statements

Financial Performance

This section analyses the financial performance of Tiwi Land Council for the year ended 2023.

1.1 Expenses

1.1A: Employee benefits	Notes	2023	2022
		\$	\$
Wages and salaries		1,803,549	1,849,109
Superannuation Defined contribution plans		188,128	161,256
Leave and other entitlements		(56,872)	55,344
Separation and redundancies		466,649	-
Total employee benefits		2,401,454	2,065,709

Accounting Policy

Accounting policies for employee-related expenses are contained in the People and relationships section.

1.1B: Suppliers	Notes	2023	2022
		\$	\$
Goods and services supplied or rendered			
Airfares and charters		79,701	61,539
Audit fees		66,172	44,150
Business development		315,017	160,925
Compliance		70,781	81,893
COVID-19 Respite containers		19,636	325,486
Culture, ceremony and land use distributions		343,460	293,255
Electricity and water		22,493	15,518
ICT		141,960	78,247
Insurance		256,595	221,221
Legal and risk management		81,016	241,342
Media relations and public affairs		16,612	27,447
Meeting costs		92,300	97,308
NT Indigenous Economic Stimulus Package		1,571,409	1,431,078
Other Stimulus funding	4.1A	1,000,000	-
Office operations		4,345	30,703
Other		22,901	16,218
Repairs and maintenance		131,547	75,132

1.1B: Suppliers	Notes	2023 \$	2022 \$
Roads and survey		16,580	30,234
Special projects		237,266	912,822
Staff recruitment		24,811	14,154
Training		3,994	52,150
Travel and accommodation		67,058	32,097
Vehicle operations		49,065	107,281
Total goods and services supplied or rendered		4,634,719	4,350,200
Goods supplied		207,715	753,557
Services rendered		4,427,004	3,596,643
Total goods and services supplied or rendered		4,634,719	4,350,200
Other suppliers			
Workers compensation expenses		14,106	7,415
Total other suppliers		14,106	7,415
Total suppliers		4,648,825	4,357,615

1.1C: Finance costs	Notes	2023 \$	2022 \$
Interest on lease liabilities		841	903
Total finance costs		841	903

The above lease disclosures should be read in conjunction with the accompanying notes 2.2A and 2.4A.

Accounting Policy

All borrowing costs are expensed as incurred.

1.1D: Losses from asset sales and disposals	Notes	2023 \$	2022 \$
Losses arising from disposal of assets			
Buildings			
Proceeds from sale		-	-
Carrying value of assets disposed of		-	136,736
Loss arising from sale		-	136,736
Marine Ranger boats			
Proceeds from sale		-	-
Carrying value of assets disposed of		-	264,974
Loss arising from sale		-	264,974
Plant and Equipment			
Proceeds from sale		-	-
Carrying value of assets disposed of		-	654
Loss arising from sale		-	654

1.1D: Losses from asset sales and disposals	Notes	2023	2022
		\$	\$
Motor vehicles			
Proceeds from sale		-	338,805
Carrying value of assets sold and disposed of		-	207,728
Gain arising from sale		-	(131,077)
Total losses arising from sale or disposal		-	271,287
Net losses from sale and disposal of assets		-	271,287

Accounting Policy

Disposal of Assets

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

Material losses from asset disposal

The Land Council disposed of assets associated with the Tiwi Land and Marine Rangers program, by way of gifting to Tiwi Resources Pty Ltd, incurring a loss on disposal of \$419,813 in 2021-2022. Eight motor vehicles were disposed of by sale resulting in a gain on disposal of \$148,526 in 2021-2022.

1.2 Own-Source Revenue and gains

Own-Source Revenue

1.2A: Interest	2023	2022
	\$	\$
Deposits	99,047	-
Total interest	99,047	-

Accounting Policy

Interest revenue is recognised using the effective interest method.

1.2B: Other revenue	2023	2022
	\$	\$
Donation	-	27,263
Insurance recovery	-	146,937
Other	13,426	6
Total other revenue	13,426	174,206

A donation pertaining to funeral funds was received in 2021-2022 and was disbursed equally between eight clan groups. The Land Council has no reliance on donations of funeral funds to deliver their budgeted funeral fund expenditure.

In 2021-2022, Comcare provided an incapacity payment relating to a matter of a former employee.

Accounting Policy

Donations

Donations are recognized as revenue in the accounting period in which they are received or receivable.

Insurance recoveries

Insurance recoveries are recognised as revenue when the fair value of the claims can be reliably determined.

Gains

	2023	2022
	\$	\$
1.2C: Reversal of write-down of assets on revaluation		
Revaluation increments	-	7,737
Total reversal of write-down of assets on revaluation	-	7,737
	2023	2022
	\$	\$
1.2D: Revenue from Government		
Receipts from Aboriginals Benefit Account (ABA): S64(1)	5,482,227	10,010,303
ABA- Land and Sea	-	421,522
Department of Primary Industry and Fisheries - Marine Ranger	153,858	144,366
Department of Environment, Parks and Water Security (Northern Territory) - Fire Ants	-	15,587
National Indigenous Australians Agency - Indigenous Protected Areas	83,408	164,511
National Indigenous Australians Agency - Homelands	-	166,836
Total revenue from Government	5,719,493	10,923,125

Accounting Policy

Revenue from Government

Grant revenue is recognised when the Land Council satisfies the performance obligations stated within the funding agreements. Revenue from the ABA is recognised as revenue at the time it is received into the Land Council's bank account or when the revenue is entitled to be received at year end. Revenue from government is recognised as revenue when the entity gains control of the funds.

If conditions are attached to the grant which must be satisfied before the Land Council is eligible to retain the contribution, the grant will be recognised in the statement of financial position as a liability until those conditions are satisfied.



Financial Position

This section analyses the Tiwi Land Council's assets used to conduct its operations and the operating liabilities incurred as a result. Employee related information is disclosed in the People and Relationships section.

2.1 Financial Assets

	2023	2022
	\$	\$
2.1A: Cash and cash equivalents		
Cash on hand or on deposit	12,365,815	13,844,418
Total cash and cash equivalents	12,365,815	13,844,418

Accounting Policy

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.
- c. cash in special accounts.

	2023	2022
	\$	\$
2.1B: Trade and other receivables		
Goods and services receivables		
Other	18,518	815
Total goods and services receivables	18,518	815
Other receivables		
Statutory receivables	157,109	70,293
Total other receivables	157,109	70,293
Total trade and other receivables (gross)	175,627	71,108
Total trade and other receivables (net)	175,627	71,108

Credit terms for goods and services were within 30 days (2022: 30 days).

Accounting Policy

Financial assets

Trade receivables and other receivables that are held for the purpose of collecting the contractual cash flows where the cash flows are solely payments of principal and interest, that are not provided at below-market interest rates, are subsequently measured at amortised cost using the effective interest method adjusted for any loss allowance.

2.2 Non-Financial Assets

2.2A: Reconciliation of the Opening and Closing Balances of Property and Plant and Equipment

	Land \$	Buildings \$	Motor Vehicles \$	Plant and equipment \$	Leasehold Improvements \$	Total \$
As at 1 July 2022						
Gross book value	73,511	1,319,900	216,100	103,146	574,500	2,287,157
Accumulated depreciation, amortisation and impairment	(19,700)	-	-	(9,108)	-	(28,808)
Total as at 1 July 2022	53,811	1,319,900	216,100	94,038	574,500	2,258,349
Adjusted total as at 1 July 2022						
53,811	1,319,900	216,100	94,038	574,500	2,258,349	
Additions						
Purchase	-	-	-	14,324	-	14,324
Depreciation and amortisation	-	(129,635)	(133,050)	(35,500)	(71,813)	(369,998)
Depreciation on right-of-use assets	(7,331)	-	-	(6,429)	-	(13,760)
Other movements of right-of-use assets	3,618	-	-	-	-	3,618
Total as at 30 June 2023	50,098	1,190,265	83,050	66,433	502,687	1,892,533
Total as at 30 June 2023 represented by						
Gross book value	77,129	1,319,900	216,100	117,470	574,500	2,305,099
Accumulated depreciation, amortisation and impairment	(27,031)	(129,635)	(133,050)	(51,037)	(71,813)	(412,566)
Total as at 30 June 2023	50,098	1,190,265	83,050	66,433	502,687	1,892,533
Carrying amount of right-of-use assets	50,098	-	-	16,609	-	66,707

Revaluations of non-financial assets and intangible assets

All revaluations were conducted in accordance with the revaluation policy stated at Note 4.3. On 30 June 2022, an independent valuer: (Herron Todd White), conducted the revaluations.

116 Reichardt Rd is the only real property for which an active market exists. All other real assets are on leasehold land with no active market, for which we have used the cost approach, motor vehicles were assessed under the market approach, and plant and equipment were assessed by the direct method cost approach.

As the assets have been in use over varying periods of time, it is reasonable to assume that an asset's market value is something less than its replacement cost when new. Therefore, allowances were made for physical deterioration as well as functional and economic obsolescence as they might apply.

Contractual commitments for the acquisition of property, plant, equipment and intangible assets

The Land Council has no contractual commitments for the acquisition of property, plant, equipment.

Accounting Policy

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.

Asset Recognition Threshold

Purchases of property, plant and equipment are recognised initially at cost in the statement of financial position, except for purchases below the capitalisation threshold, 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).

Capitalisation thresholds: Buildings \$25,000; Plant and Equipment \$10,000; Motor Vehicles \$10,000, and Leasehold improvements \$10,000.

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. These costs are included in the value of the Land Council's leasehold improvements with a corresponding provision for the 'make good' recognised.

Lease Right of Use (ROU) Assets

Leased ROU assets are capitalised at the commencement date of the lease and comprise of the initial lease liability amount, initial direct costs incurred when entering into the lease less any lease incentives received. These assets are accounted for by Commonwealth lessees as separate asset classes to corresponding assets owned outright, but included in the same column as where the corresponding underlying assets would be presented if they were owned.

On initial adoption of AASB 16 the Land Council has adjusted the ROU assets at the date of initial application by the amount of any provision for onerous leases recognised immediately before the date of initial application. Following initial application, an impairment review is undertaken for any right of use lease asset that shows indicators of impairment and an impairment loss is recognised against any right of use lease asset that is impaired. Lease ROU assets continue to be measured at cost after initial recognition.



Revaluations

Following initial recognition at cost, property, plant and equipment (excluding ROU assets) are carried at fair value (or an amount not materially different from fair value). Valuations are conducted with sufficient frequency to ensure that the carrying amounts of assets did not differ materially from the assets' fair values as at the reporting date. The regularity of independent valuations depended 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 reversed 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 the entity using, in all cases, the straight-line method of depreciation.

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

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

	2023	2022
Buildings	14 to 25 years	14 to 25 years
Plant and equipment	3 to 20 years	3 to 20 years
Leasehold improvements	Term of Lease	Term of Lease
Motor vehicles	3 to 5 years	3 to 5 years

The depreciation rates for ROU assets are based on the commencement date to the earlier of the end of the useful life of the ROU asset or the end of the lease term.

Impairment

All assets were assessed for impairment at 30 June 2023.

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 of disposal and its value in use. Value in use is the present value of the future cash flows expected to be derived from the asset. Where the future economic benefit of an asset is not primarily dependent on the asset's ability to generate future cash flows, and the asset would be replaced if the entity 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.



	2023	2022
	\$	\$
2.2B: Other non-financial assets		
Prepayments	1,679	5,159
Executive member expense recovery	-	1,393
Total other non-financial assets	1,679	6,552

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

2.3 Payables

	2023	2022
	\$	\$
2.3A: Suppliers		
Trade creditors and accruals	114,731	148,612
Total suppliers	114,731	148,612

Settlement is usually made within 30 days of month end.

2.3B: Other payables

Salaries and wages	-	37,638
Superannuation	127	3,821
Total other payables	127	41,459

2.4 Interest Bearing Liabilities

	2023	2022
	\$	\$
2.4A: Leases		
Lease liabilities	68,344	78,120
Total leases	68,344	78,120

Maturity analysis - contractual undiscounted cash flows

Within 1 year	14,235	13,756
Between 1 to 5 years	49,033	45,845
More than 5 years	7,755	21,829
Total leases	71,023	81,430

Total cash outflow for leases for the year ended 30 June 2023 was \$14,235 (2022: \$13,756).

The Land Council in its capacity as lessee of the land at NT Portion 7743(A), is committed to pay \$7,755 (2022: \$7,276) per year, on a 12 year lease which commenced on 1 July 2018, varied annually by the change in the Consumer Price Index for All Groups Darwin.

The Land Council in its capacity as lessee of a photocopier - multi function device, is committed to pay a base charge of \$6,480 per year, on a 5 year lease which commenced in February 2021.

The above lease disclosures should be read in conjunction with the accompanying notes 1.1C and 2.2A.

Accounting Policy

For all new contracts entered into, the Land Council considers whether the contract is, or contains a lease. A lease is defined as 'a contract, or part of a contract, that conveys the right to use an asset (the underlying asset) for a period of time in exchange for consideration'.

Once it has been determined that a contract is, or contains a lease, the lease liability is initially measured at the present value of the lease payments unpaid at the commencement date, discounted using the interest rate implicit in the lease, if that rate is readily determinable, or the Land Council's incremental borrowing rate.

Subsequent to initial measurement, the liability will be reduced for payments made and increased for interest. It is remeasured to reflect any reassessment or modification to the lease. When the lease liability is remeasured, the corresponding adjustment is reflected in the right-of-use asset or profit and loss depending on the nature of the reassessment or modification.

3.1 Employee Provisions

	2023	2022
	\$	\$
3.1A: Employee provisions		
Annual leave	102,955	144,760
Long service leave	48,275	63,342
Total employee provisions	151,230	208,102

Accounting policy

Liabilities for short-term employee benefits and termination benefits expected 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.

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 entity's employer superannuation contribution rates to the extent that the leave is likely to be taken during service rather than paid out on termination.

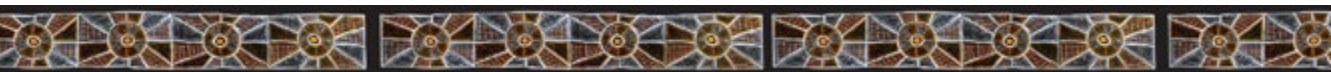
The liability for long service leave has been determined as the net present liability as at 30 June 2023. The estimate of the present value of the liability takes into account attrition rates and pay increases through promotion and inflation.

Superannuation

The Land Council's staff are members of the AMP CustomSuper, ANZ Smart Choice Super, Australian Super, BT Business Super, Catholic Super, Colonial First State, HESTA Super Fund, HostPlus Superannuation Fund, Mine Super, MLC Masterkey Business Super, Rest Corporate Retained, Signature Super, Sunsuper Pty Ltd, The Trustee for Synergy Superannuation, and TWU Superannuation Fund.

The Land Council makes employer contributions at the rate of 10.5%, in accordance with the employment contract.

The liability for superannuation recognised as at 30 June represents outstanding contributions.



Accounting Judgements and Estimates

The Long Service Leave shorthand model was used in 2022-23 and 2021-22. The LSL - Table of Probability Factors and the LSL - Table of Discount Factors was utilised in the calculation of long service leave liability. The 10 year government yield rate of 4.03% was estimated as fair and reasonable in the calculation of the discounted long service leave amount.

3.2 Key Management Personnel Remuneration

Key management personnel are those persons having authority and responsibility for planning, directing and controlling the activities of the Land Council, directly or indirectly, including any director (whether executive or otherwise) of the Land Council. The Land Council has determined the key management personnel to be the Portfolio Minister, Land Council members and the Chair and Chief Executive Officer, referred to as the accountable authority under the PGPA Act. Key management personnel remuneration is reported in the table below:

	2023 \$	2022 \$
Short-term employee benefits	490,349	336,978
Post-employment benefits	47,851	30,189
Other long-term employee benefits ¹	(16,408)	1,676
Termination benefits ¹	371,706	-
Total key management personnel remuneration expenses ³	893,498	368,843

The total number of key management personnel that are included in the above table are 34² key management personnel (2022: 3 key management personnel).

¹ A severance package was agreed upon with the former chief executive officer and associated Deed of Settlement was entered into on 28 July 2022. The Settlement Sum amounted to \$371,706. This severance also resulted to the reversal of long service leave accrual amounting to \$21,099 in 2023.

² In 2022-2023, the Land Council has determined that the Land Council members (as a whole) are key management personnel given the ALRA specifies the functions and powers of the Land Council member, and they exercise decision making responsibility and authority at meetings and the decisions are made unanimously or by majority.

³ The above key management personnel remuneration excludes the remuneration and other benefits of the Portfolio Minister. The Portfolio Minister's remuneration and other benefits are set by the Remuneration Tribunal and are not paid by the entity.

3.3 Related Party Disclosures

Related party relationships:

The Land Council is an Australian Government controlled entity. Related parties to this entity are the Key Management Personnel, other Australian Government entities and cabinet Ministers.

Transactions with related parties:

Given the breadth of Government activities, related parties may transact with the government sector in the same capacity as ordinary citizens. Such transactions include the payment or refund of taxes. These transactions have not been separately disclosed in this note.

Significant transactions with related parties can include:

- the payments of grants or loans;
- purchases of goods and services; and
- gifting of assets.

Below is a list of related party transactions

	Notes	2023 \$	2022 \$
Purchases of goods and services from related parties:			
Bathurst Island Housing Association Incorporated		-	1,168
Milikapiti Community Indigenous Corporation		3,378	-
Milikapiti Sports & Social Club Inc		-	1,373
Munupi Arts and Crafts Association-Aboriginal Corporation		-	19,500
Nguiu Club Aboriginal Corporation		4,820	980
Nguiu Ullintjinni Association Inc		27,322	54,130
Pirlangimpi Indigenous Corporation For Community Development		3,004	1,105
Tiwi Education Board Incorporated		-	5,280
Tiwi Enterprises Ltd		369,343	206,938
Tiwi Islands Football League Inc		5,000	5,000
Tiwi Islands Regional Council		12,026	24,145
Tiwi Resources Pty Ltd		199,783	189,728
The Trustee for Wulirankuwu Trust		1,538	-
TOTAL		626,214	509,347

Payment of grants to related parties:

Mantiyupwi Aboriginal Corporation		700,909	-
Tarntipi Homelands Aboriginal Corporation		-	166,953
Tiwi Education Board Incorporated		-	141,888
Tiwi Enterprises Ltd		-	170,000
Tiwi Plantation Corporation	4.1A	1,000,000	-

	Notes	2023 \$	2022 \$
Tiwi Resources Pty Ltd		237,265	757,672
The Trustee for Portaminni Trust		98,000	-
The Trustee for Wulirankuwu Trust		730,000	-
Yimpinari Aboriginal Corporation		30,000	-
TOTAL		2,796,174	1,236,512
Gifting of assets to related parties:			
	2.2A		
Tiwi Resources Pty Ltd		-	419,813
TOTAL		-	419,813

The following amounts were outstanding at the reporting date:

Amounts Owed to Related Parties	2023 \$	2022 \$
Bathurst Island Housing Association Incorporated	-	1,168
Nguiu Ullintjinni Association Inc	4,904	5,813
Tiwi Enterprises Ltd	101	1,060
Tiwi Islands Regional Council	200	3,921
Tiwi Resources Pty Ltd	21,090	30,250
TOTAL	26,295	42,212

Managing uncertainties

This section analyses how the Land Council manages financial risks within its operating environment.

Quantifiable Contingencies

There were nil quantifiable contingencies (2022: \$nil).

Unquantifiable Contingencies

On 23 February 2023, the Land Council entered into a Tripartite Deed of Agreement (Deed) with Tiwi Plantations Corporation Pty Ltd (TPC), NT Port and Marine Pty Ltd (NTPM) (Administrators Appointed) and the Administrators of NTPM.

The primary purpose of the stimulus funding is twofold: firstly, to support NTPM's ongoing port operations from late January 2023 until August 2023, and secondly, to enable the Administrators to maintain the port operations during the process of selling or recapitalising NTPM.

As of 30 June 2023, the Land Council has fulfilled its commitment under the Deed by transferring the total Stimulus funding amount of \$1 million to TPC, which subsequently passed on the funds to NTPM as per the payment schedule.

The Deed outlines specific trigger events, the occurrence of which may necessitate NTPM, to repay the Land Council the net proceeds of sale less the unpaid costs and expenses of the voluntary administration of the NTPM and any other amounts for which the Administrators have an indemnity.

Notably, NTPM remains under administration as of the date of this report. The Land Council is unable to foresee the timing or quantify the amount that may be repaid by NTPM in relation to this event.

There were nil unquantifiable contingencies in 2022.

Accounting Policy

Contingent liabilities and contingent assets are not recognised in the statement of financial position but are reported in the 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.

4.2 Financial Instruments

4.2A: Categories of financial instruments	2023 \$	2022 \$
Financial assets at amortised cost		
Cash at Bank	12,365,815	13,844,418
Trade and other receivables	18,518	815
Total financial assets at amortised cost	12,384,333	13,845,233
Total financial assets	12,384,333	13,845,233
Financial Liabilities		
Financial liabilities measured at amortised cost		
Suppliers	114,731	148,612
Other payables	127	41,459
Total financial liabilities measured at amortised cost	114,858	190,071
Total financial liabilities	114,858	190,071

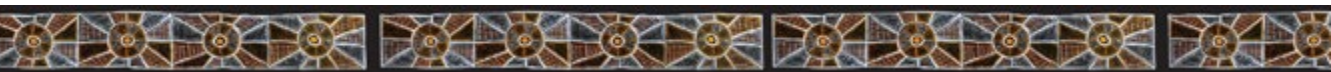
Accounting Policy

Financial assets

In accordance with AASB 9 *Financial Instruments*, the Land Council classifies its financial assets in the following categories:

- a. financial assets at fair value through profit or loss;
- b. financial assets at fair value through other comprehensive income; and
- c. financial assets measured at amortised cost.

The classification depends on both the Land Council's business model for managing the financial assets and contractual cash flow characteristics at the time of initial recognition. Financial assets are recognised when the Land Council becomes a party to the contract and, as a consequence, has a legal right to receive or a legal obligation to pay cash and derecognised when the contractual rights to the cash flows from the financial asset expire or are transferred upon trade date.



Financial Assets at Amortised Cost

Financial assets included in this category need to meet two criteria:

1. the financial asset is held in order to collect the contractual cash flows; and
2. the cash flows are solely payments of principal and interest (SPPI) on the principal outstanding amount. Amortised cost is determined using the effective interest method.

Effective Interest Method

Income is recognised on an effective interest rate basis for financial assets that are recognised at amortised cost.

Impairment of Financial Assets

Financial assets are assessed for impairment at the end of each reporting period based on Expected Credit Losses, using the general approach which measures the loss allowance based on an amount equal to *lifetime expected credit losses* where risk has significantly increased, or an amount equal to *12-month expected credit losses* if risk has not increased.

The simplified approach for trade, contract and lease receivables is used. This approach always measures the loss allowance as the amount equal to the lifetime expected credit losses.

A write-off constitutes a derecognition event where the write-off directly reduces the gross carrying amount of the financial asset.

Financial liabilities

Financial liabilities are classified as other financial liabilities. Financial liabilities are recognised and derecognised upon 'trade date'.

Financial Liabilities at Amortised Cost

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 interest basis.

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).



4.2 Financial Instruments

	2023	2022
	\$	\$
4.2B: Net gains or losses on financial assets		
Financial assets at amortised cost		
Interest revenue	99,047	-
Net gains on financial assets at amortised cost	99,047	-
Net gains on financial assets	99,047	-

4.3 Fair Value Measurement Accounting Policy

The Land Council determines fair value for its non-financial assets using depreciated replacement cost and market based valuation on direct comparison basis in the fair value hierarchy. The following table discloses the fair value at 30 June 2023 and 30 June 2022.

Fair value measurements at the end of the reporting period

	2023	2022
	\$	\$
4.3A: Fair value measurement		
Non-financial assets		
Buildings	1,190,265	1,319,900
Plant & Equipment	49,824	71,000
Motor Vehicles	83,050	216,100
Leasehold Improvements	502,687	574,500
	1,825,826	2,181,500

The fair value of the Land Council's buildings, leasehold improvements, plant and equipment, and motor vehicles as at 30 June 2022 were determined by the Land Council using the valuation carried out by Herron Todd White as at 30 June 2022, who is a certified practising valuer and with relevant experience in the valuation of property.

Refer to note 2.2 for the methods and significant assumptions applied in estimating fair value. There was no change in valuation techniques used by the Land Council during the year. The management had determined that apart from depreciation charge for the year, the valuation from the prior year remains appropriate. The valuation is based on methods adopted by an external valuer detailed in note 2.2A.

Other information

5.1 Current/non-current distinction for assets and liabilities

5.1A: Current/non-current distinction for assets and liabilities	2023	2022
	\$	\$
Assets expected to be recovered in:		
No more than 12 months		
Cash and cash equivalents	12,365,815	13,844,418
Statutory receivables	157,109	70,293
Trade and other receivables	18,518	815
Prepayments	1,679	5,159
Executive member expense recovery	-	1,393
Total no more than 12 months	12,543,121	13,922,078
More than 12 months		
Land	50,098	53,811
Buildings	1,190,265	1,319,900
Motor vehicles	83,050	216,100
Plant and equipment	66,433	94,038
Leasehold improvements	502,687	574,500
Total more than 12 months	1,892,533	2,258,349
Total assets	14,435,654	16,180,428
	2023	2022
	\$	\$
Liabilities expected to be settled in:		
No more than 12 months		
Suppliers	114,731	148,612
Other payables	127	41,459
Leases	13,513	12,965
Employee provisions	102,955	144,760
Total no more than 12 months	231,326	347,796
More than 12 months		
Leases	54,831	65,155
Employee provisions	48,275	63,342
Total more than 12 months	103,106	128,497
Total liabilities	334,432	476,293

5.2 Assets Held in Trust

5.2A: Assets held in trust ('recoverable GST exclusive') Monetary Assets

The 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:

	2023 \$	2022 \$
Land Use Fund		
As at 1 July	1,988	4,237,034
Receipts	2,078,615	5,337,863
Payments	(1,343,684)	(9,555,971)
Net GST collected (paid) to ATO	73,603	(16,938)
Total as at 30 June	810,522	1,988
Land Use Fund Account	810,522	1,988
Total monetary assets held in trust	810,522	1,988

5.3 Income and Expenditure Against Budget s64(1)

5.3A: Income and Expenditure Against Budget s64(1)

Aboriginals Benefit Account Appropriations

	ABA Approved Estimates 2022/23 \$	ABA Actuals 2022/23 \$	Difference \$
Expenditure			
Administration and support	1,721,072	1,282,174	438,898
Advocacy	1,060,542	796,457	264,085
Cultural and heritage	498,422	324,114	174,308
Economic development	2,124,680	2,037,184	87,496
Land and resource management	951,880	853,921	97,959
Capital expenditure	6,988	14,324	(7,336)
COVID-19 Flexible response	-	-	-
COVID-19	-	19,636	(19,636)
NT Indigenous Economic Stimulus Package	-	1,571,409	(1,571,409)
Total expenditure	6,363,584	6,899,219	(535,635)

	ABA Approved Estimates 2022/23 \$	ABA Actuals 2022/23 \$	Difference \$
Income			
ABA			
S64(1) 2022/23	5,482,227	5,482,227	-
Carried Forward S64(1)	595,777	595,777	-
Total ABA	6,078,004	6,078,004	-
Other			
Interest	-	99,047	99,047
Other revenue	285,580	13,426	(272,154)
Total Other	285,580	112,473	(173,107)
Total Income	6,363,584	6,190,477	(173,107)

Included in the actual expenditure funded by s64(1) are amounts of \$19,636 for COVID-19 that represents expenditure from funding received in 2020-2021 and \$1,571,409 for NT Indigenous Economic Stimulus Package that represents expenditure from funding received in 2020-2021 and 2021-2022.



Part 5: Appendices

Glossary

ABA	Aboriginals Benefit Account
Aboriginal land	(a) land held by a land trust for an estate in fee simple; or (b) and the subject of a deed of grant held in escrow by a land council (the land council holds the title deed in trust until a specific event or condition takes place, such as the lapse of a lease or interest).
ALRA	<i>Aboriginal Land Rights (Northern Territory) Act 1976</i> (Cth)
CATSI Act	<i>Corporations (Aboriginal and Torres Strait Islander) Act 2006</i> (Cth)
Cth	Commonwealth
Fol	Freedom of information
IPA	Indigenous Protected Area
Land Rights Act	<i>Aboriginal Land Rights (Northern Territory) Act 1976</i> (Cth), also ALRA
Land trust	An Aboriginal land trust established under the <i>ALRA</i> to hold land on behalf of the Traditional Owners.
NIAA	National Indigenous Australians Agency
NLC	Northern Land Council
NT	Northern Territory
PGPA Act	<i>Public Governance, Performance and Accountability Act 2013</i> (Cth)
Sacred sites	Areas of spiritual significance to Aboriginal people, marking an association with, or a specific act of, a creation being. They may be parts of the natural landscape such as hills, rocks, trees, springs or offshore reefs and include burial grounds and places where ceremonies have been held.
Traditional Owners	In relation to land, a local descent group of Aboriginal people who have common spiritual affiliations to a site on the land, being affiliations that place the group under a primary spiritual responsibility for that site and for the land; they are entitled by Aboriginal tradition to forage as of right over that land.



Compliance Index

PGPA Rule Reference	Part of Report	Description	Requirement
17BE	Contents of annual report		
17BE(a)	page 9	Details of the legislation establishing the body	Mandatory
17BE(b)(i)	page 5	A summary of the objects and functions of the entity as set out in legislation	Mandatory
17BE(b)(ii)	page 7	The purposes of the entity as included in the entity's corporate plan for the reporting period	Mandatory
17BE(c)	page 9	The names of the persons holding the position of responsible Minister or responsible Ministers during the reporting period, and the titles of those responsible Ministers	Mandatory
17BE(d)	page 9	Directions given to the entity by the Minister under an Act or instrument during the reporting period	If applicable, mandatory
17BE(e)	page 9	Any government policy order that applied in relation to the entity during the reporting period under section 22 of the Act	If applicable, mandatory
17BE(f)	page 9	Particulars of non-compliance with: (a) a direction given to the entity by the Minister under an Act or instrument during the reporting period; or (b) a government policy order that applied in relation to the entity during the reporting period under section 22 of the Act	If applicable, mandatory
17BE(g)	page 29	Annual performance statements in accordance with paragraph 39(1)(b) of the Act and section 16F of the rule	Mandatory
17BE(h), 17BE(i)	page 9	A statement of significant issues reported to the Minister under paragraph 19(1)(e) of the Act that relates to non-compliance with finance law and action taken to remedy non-compliance	If applicable, mandatory
17BE(j)	page 20	Information on the accountable authority, or each member of the accountable authority, of the entity during the reporting period	Mandatory
17BE(k)	page 10	Outline of the organisational structure of the entity (including any subsidiaries of the entity)	Mandatory

PGPA Rule Reference	Part of Report	Description	Requirement
17BE(ka)	page 52	Statistics on the entity's employees on an ongoing and non-ongoing basis, including the following: (a) statistics on full-time employees; (b) statistics on part-time employees; (c) statistics on gender; (d) statistics on staff location	Mandatory
17BE(l)	page 11	Outline of the location (whether or not in Australia) of major activities or facilities of the entity	Mandatory
17BE(m)	page 22	Information relating to the main corporate governance practices used by the entity during the reporting period	Mandatory
17BE(n), 17BE(o)	page 50	For transactions with a related Commonwealth entity or related company where the value of the transaction, or if there is more than one transaction, the aggregate of those transactions, is more than \$10,000 (inclusive of GST): (a) the decision-making process undertaken by the accountable authority to approve the entity paying for a good or service from, or providing a grant to, the related Commonwealth entity or related company; and (b) the value of the transaction, or if there is more than one transaction, the number of transactions and the aggregate of value of the transactions	If applicable, mandatory
17BE(p)	page 10	Any significant activities and changes that affected the operation or structure of the entity during the reporting period	If applicable, mandatory
17BE(q)	page 58	Particulars of judicial decisions or decisions of administrative tribunals that may have a significant effect on the operations of the entity	If applicable, mandatory
17BE(r)	page 48	Particulars of any reports on the entity given by: (a) the Auditor-General (other than a report under section 43 of the Act); or (b) a Parliamentary Committee; or (c) the Commonwealth Ombudsman; or (d) the Office of the Australian Information Commissioner	If applicable, mandatory
17BE(s)	N/A	An explanation of information not obtained from a subsidiary of the entity and the effect of not having the information on the annual report	If applicable, mandatory

PGPA Rule Reference	Part of Report	Description	Requirement
17BE(t)	page 59	Details of any indemnity that applied during the reporting period to the accountable authority, any member of the accountable authority or officer of the entity against a liability (including premiums paid, or agreed to be paid, for insurance against the authority, member or officer's liability for legal costs)	If applicable, mandatory
17BE(taa)	page 28	The following information about the audit committee for the entity: (a) a direct electronic address of the charter determining the functions of the audit committee; (b) the name of each member of the audit committee; (c) the qualifications, knowledge skills or experience of each member of the audit committee; (d) information about each member's attendance at meetings of the audit committee; (e) the remuneration of each member of the audit committee	Mandatory
17BE(ta)	page 55	Information about executive remuneration	Mandatory
17BF	Disclosure requirements for government business enterprises		
17BF(1)(a)(i)	N/A	An assessment of significant changes in the entity's overall financial structure and financial conditions	If applicable, mandatory
17BF(1)(a)(ii)	N/A	An assessment of any events or risks that could cause financial information that is reported not to be indicative of future operations or financial conditions	If applicable, mandatory
17BF(1)(b)	N/A	Information on dividends paid or recommended	If applicable, mandatory
17BF(1)(c)	N/A	Details of any community service obligations the government business enterprise has including: (a) an outline of actions taken to fulfil those obligations; and (b) an assessment of the cost of fulfilling those obligations	If applicable, mandatory
17BF(2)	N/A	A statement regarding the exclusion of information on the grounds that the information is commercially sensitive and would be likely to result in unreasonable commercial prejudice to the government business enterprise	If applicable, mandatory

