



TORRES STRAIT ISLAND REGIONAL COUNCIL

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The Committee Secretariat
Department of the Senate
P.O. Box 6100
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CANBERRA. ACT. 2600

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Re: Senate Inquiry into matters relating to the Torres Strait Region

The Torres Strait Island Regional Council (TSIRC), Mayor and Councillors wish to submit this report to the Senate Committee on matters relating to the Torres Strait Islands.

Torres Strait Treaty

We are requesting a full review of the Torres Strait Treaty as our local Islanders have a different concept of the original Treaty, than what is carried out today.

All 14 Torres Strait communities respondent to the treaty fall within the jurisdiction of the (TSIRC) population 4,700 residents. There is a strong need for the (TSIRC) to be represented at every forum, committee that is established or will be established in the future that deals with the treaty, at the end of the day it is the (TSIRC) resources that are expended to accommodate those who choose to travel under the treaty, and it is the (TSIRC) constituents who utilize the treaty for movements to PNG.

Immediately the treaty needs to be enforced in its present format while a review is under taken.

- 1/ Trading is on a 'barter' system only and was never intended to be a 'cash sale' program.
- 2/ Administrative policies consistent with the treaty need to be developed to establish, designated entry and exit points.
- 3/ Immigration needs to enforce the provisions of the treaty, with 'overstayers' being issued with a section 16, hence not being allowed to travel again. In turn assisting the wishes of the community.

4/ In the past the Island Councils and now the Regional Council have closed the borders (stop authorising prior advice) to traditional visits, either until the overstayers have all left the island or until sufficient water supply is available to accommodate them. This action has on most occasions been unsupported by DFAT and Immigration as it is outside the treaty. These are actions that have had to be taken because the treaty has failed the community members and those providing essential infrastructure.

5/ Queensland Police need to be present on ground in every community respondent to the treaty to establish law and order, or the Government needs to recognize cultural law and the (TSIRC) with the assistance of the Elders administer the Law that governed the Torres Strait and the Free movements with PNG for centuries before colonization.

6/ There needs to be a final date set where Torres Strait Islanders can rely on the Traditional Inhabitants form, the date set and advertised encouraging those who have not claimed to be Australian via the Traditional Inhabitants form must do so.

7/ Prior advices need to be issued before any movement.

8/ Stop the movement of people for health reasons, there are 13 Western Province Communities plus and additional 16 Communities outside the treaty Zone who access our Health facilities.

BACKGROUND for the above eight

1/ Need for Law and order

A/ sly grog and drugs and other contraband find its way easily across the border and into our communities.

B/ Mentholated spirits easily travels from the Torres Strait communities to PNG.

C/ It is easy for women in particular to be abducted from our communities and taken to PNG, kept prisoner (this is a fact), at no time did the authorities make any attempt to determine the welfare or seek her release.

D/ There is no recognition for Law and Order on the PNG side compared to on the Australian side.

E/ Gang rape of women on the PNG side is normal.

F/ Major Theft occurs with Boats, tools, equipment taken on a regular basis.

G/ It is not uncommon for large groups of PNG nationals to be walking the streets of our communities brandishing weapons (machetes, knives).

H/ Immigration turns a blind eye to the fact that 'overstayers' are on the Island, their inaction in dealing with the problem makes a mockery of the treaty and it is common knowledge that nothing will happen if you overstay your permit, or arrive without a permit, hence it is rife and there is nothing we can do about it. Immigration must start to do their job!

We can not express enough our concerns regarding the security of our people being a huge issue.

2/ Need for an Administrative Policy consistent with the treaty.

A/ A designated entry and exit point would allow those on ground administering the treaty access to everybody. Currently they land on any part of an Island at all times day and night and are within the community some times for days before they are noticed.

B/ Strength needs to be given to the (TSIRC) and the community when they need for what every reason to close the borders. The (TSIRC) has a 2009 2010 budget deficit of \$21m and that has not taken into consideration a reported 28,000 extra visitors every year.

3/ Prior advices need to be issued

A/ Prior advise need to be issued before movement, on many occasions we have had in excess of 500 PNG nationals turn up to one of our communities with out prior advice.

B/ They travel over without prior approval in bad weather, and use the excuse of can not travel back in the bad weather, or have no money for fuel. A prior advice is one way if implemented effectively we could use to stop people traveling in bad weather.

C/ The prior advice would enable (TSIRC) to gauge if we have sufficient water and a like to cater for the extra visitors.

D/ PNG Nationals travel to our Islands without a prior advice primarily to access health facilities. The movement for this reason is outside the treaty now, and urgently needs to be addressed.

4/ Movements for Health reasons

A/ Outside the scope of the treaty is the movement of people purely for health reasons and this is encouraged by Daru Health Officials through referrals that are perfectly timed with the roving Doctors clinics to the Islands.

B/ Limited doctor availability some times mean that legal residents do not have access to health professionals because their time is spent on PNG Nationals.

C/ No health screening prior to their arrival means they are sometimes carrying into our communities, Tuberculosis, malaria, HIV Aids, Ross River, Dengue, etc. Some diseases easily transmitted via contact.

5/ Finalisation of the Traditional inhabitants form

A/ It is time to stop the practice of signing up PNG Nationals as if they were caught under the moratorium provisions.

B/ Everyone who is a Torres Strait Islander Australian should be signed up already.

C/ it will stop the practice of relationships forming for the sole purpose of bringing the entire family across to Australia.

D/ It will stop the increasing drain on our social welfare system, with PNG accessing, centerlink, austudy etc.

THE WAY FORWARD

1/ A complete review of the Treaty

A/ Torres Strait needs to be consulted, given the ability to opt out if they so choose.

B/ PNG needs to be consulted, some of the current villages named are not the original villages that traded with the Torres Strait, some of those are excluded and now wish to be recognized under the treaty.

C/ The issues surrounding health need to be addressed on the PNG side so as to not impact on the Health and Wellbeing of the Torres Strait People.

D/ A better method of getting information to decision makers needs to be established, as the Village representatives fear for their safety and other forms of repercussions if they speak out freely at the Joint Advisory Council (JAC). This has been communicated at the Traditional Inhabitants Meeting (TIM).

E/ The (TSIRC) must be included as a key decision maker as we are the only Local Government that the treaty relates too.

F/ The prior advice or permit system needs to be established that allow for the (TSIRC) to charge a bond (\$200) that the sponsors pay, this money will be utilized to return the visitors at the end of their stay, removing the no money for fuel excuse.

G/ Australian Government needs to be tougher on the PNG Government dictating where foreign AIDE goes, so that it can be directed to the Western Province, as this area is completely neglected.

H/ Photo Id or finger print Id needs to be implemented, so that we can be sure those who travel are those approved.

I/ The Health Issues Committee needs to develop a strategic plan to minimize the impacts of cross border movements.

J/ Designated sites need to be set up for the provision of screening to look at the health issues.

The communities are 100% behind the Treaty being upgraded.

The Mayor and Councillors would like to invite the Senate Committee Members to attend a forum on Saibai Island to see and hear first hand some of the points we have raised above.

Health / Bio-security

Australian and Queensland laws are slowly killing the people of the Torres Strait. Environmental laws and regulatory bodies are preventing us from sourcing our own food locally. Not being able to farm pigs, chickens etc. Between the Great Barrier Reef Marine Park Authority, Fish Management Authorities and the Australian Quarantine and Inspection Services, Torres Strait are being deprived the right to stay alive and to create economic wealth. Instead the region is forced to rely on overpriced food shipped up from southern centres.

Management of Fisheries

Illegal netting at Boigu and Sabai for large numbers of dugongs by people from PNG. PNG has no laws prohibiting the sale of dugong meat, which is marketed on a regular basis. Any sort of management principals that they agree to adopt would be completely useless, due to the lack of appropriate legislations restricting the commercial sale of the species, access to basic infrastructure, employment, resources, regulatory bodies and local human resources. This activity and method used within the Australian Territorial waters is conducted on a regular basis with our constituents trying to intervene at a local level. There is no access to any sort of compliance officers locally with the powers or authority from relevant authorities that are tasked to police this area.

Boigu and Saibai has great potential to establish a sustainable and commercially viable live mud crab industry, however once again regulatory factors and agencies have derailed the then Island Council's and now the Torres Strait Island Regional Council from establishing this lucrative business venture. The creation of employment opportunities could very well stretch beyond our own communities to the communities from the Western Province that are currently using the Torres Strait Treaty for this very same purpose.

Transport/Communications

The islands are disadvantaged by their geographically isolated location which creates many problems not only with costs but maintaining services to the islands. For example a one way air fare from Cairns to Mer Island costs \$805.00. This is not only a costly exercise for locals wishing to travel to Cairns, but also for tradesmen visiting the islands for repairs & maintenance. This even becomes a greater problem if a tradesman requires extra material for a job, as most material are accessed from Cairns and transported by barge which often takes several weeks for materials to arrive. Also the cost of barge transportation from Cairns is by no means cheap.

Currently the only access to the islands is by air, the cost is a impediment to the communities and a restriction for tourism to the islands. A one way ticket from Horn Island to Murray Island is \$440.00. The islanders traditionally have used water transport over the years. The flight service between Islands is an expensive exercise particularly as in many cases you have to fly back to Horn Island to re-connect to some of the other islands. For example if you need to fly from Saibai Island to Murray Island (120 km) you have to fly back to Horn, (120 km) and then out to Murray, another (195 km). This is reasonably common between many of the islands.

One of the factors adding to the cost of flying from Cairns to Horn is the state of the Horn Island runway. The weight limit on the air strip is such that Qantas can only fly in the smaller planes with limited seating. If the larger planes could fly into Horn Island, Qantas have stated that the flights would then be less expensive. There has been lots of talk about upgrading the airstrip for years, but at this stage it is still only talk.

There is a drastic need for a ferry to carry passengers and small cargo between the islands. A ferry service could then also be utilized for tourists to travel the Torres Straits as the huge cost is a major impediment facing tourists wishing to include a visit to the cultural fascinating & beautiful part of Australia, the Torres Strait Islands.

Freight transport to the Islands is via Barge from Horn Island and is delivered to most islands weekly, but as freight from Cairns to Horn Island need not meet the connection at Horn, then freight can be in excess of two weeks before reaching its destination on the other islands. Freight becomes an expensive commodity as you first have delivery to the Cairns depot, then the cost of the barge to the islands. To any major construction, this adds many thousands of dollars to the project. For example the freight for a small front end loader from Cairns to Badu on the barge was quoted at \$7,000.

Since amalgamation and the formation of the TSIRC, the Council has experienced many communication problems between its 14 Islands, 15 communities and its Offices on Thursday Island and Cairns. The ideal situation would be to have video conference facilities but with the limited services this is totally impracticable which results in having to bring Councillors and Island Managers from their Islands for meetings adding an enormous extra cost to Council's operations.

A major impediment to operating on the islands is the lack of communication services. For example, many of the islands have limited or no mobile services, there is no mobile phone service on Boigu, Darnley, Poruma, Ugar, Kubin, Dauan, Warraber & Mabuiag Islands.

Council approached Telstra to give them a figure to upgrade the service to give data services to the islands to support integration of council operational sites into the existing council network. Telstra's indicative price was \$5.3 million excluding GST. This is not a firm quote until they carry out a detailed design.

Council entered an Expression of Interest in the Digital Regions Initiative but as the main component was for infrastructure construction, the application did not proceed.

Regional Economic Sustainability

The main impediment to creating employment on the islands is the lack of infrastructure. There are many examples of finished products being delivered to the islands that could be manufactured on the islands with trained staff creating employment for the islanders. The building industry is a typical example where there is currently a building team operating on the 14 Islands which employs 85 tradesmen and apprentices.

The Council has under its control 987 houses and builds 30 new houses each year. The TSIRC renovates 60 houses each year as well as general maintenance and repairs on all 987 dwellings as well as council buildings, offices etc. The building team sources its material from the mainland. There is an enormous potential for other businesses to be established to support the building industry. Example: a cabinetmaking workshop could be set up on one of the islands where raw material could be brought in so kitchens and cabinets could be manufactured and flat packed out to the islands, currently these are sourced from the mainland. Aluminium windows and glazing, doors, frames and trusses could also be manufactured on the Islands. There are many more such examples relating to infrastructure, training and employment. It is of no use sending islanders to the mainland for training as they cannot return to work on the islands owing to the lack of infrastructure or employment back on the islands, instead they will stay and work on the mainland splitting families and losing family ties, culture and traditions.

If the Islands are to become self sufficient there is a need for Islanders to become professionally qualified to take on these positions, such as Engineers, Accountants, Lawyers, Health, Teachers etc. There is also an opportunity for people to specialize in trades that have to be currently serviced from the mainland such as Electricians, Refrigeration Mechanics, Office Machinery Technicians, Fire Services/servicing fire extinguishers, fire equipment and regular inspections as required under law.

In some cases equipment has to be sent back to Cairns for repairs e.g photocopying, office machinery etc. and this can take several weeks with barge transport each way, a costly and time consuming exercise.

There is a great need not to be reliant on CDEP payments and this can be achieved with creation of businesses and training. The need for infrastructure and training on the islands is the only way to progress to a successful future.

There are several existing businesses on the islands that require upgrading and modernization of the equipment. The quarry on Badu Island requires upgrading with more modern equipment, similarly the block plant at St.Paul's on Moa Island. Several of the islands have mechanical workshops that need upgrades, a boat building and repairs on Mer Island is currently not operating and could easily be upgrading and re-opened as there are several capable people on the island to train others in this field.

Tourism for the islands has great potential but requires the upgrade of facilities and add- on attractions and events such as fishing, culture experiences, arts and crafts, cooking etc. to make an attractive package to the tourism market. The ideal situation for the tourist industry would be a ferry service between the islands.

We thank you for the opportunity of forwarding our submission and look forward to meeting with the committee to further discuss our issues for the Torres Straits.

Cr. Fred Gela
Mayor
Torres Strait Island Regional Council