



Australian Government

TORRES STRAIT REGIONAL AUTHORITY



**SUBMISSION TO
SENATE SELECT COMMITTEE ON REGIONAL AND REMOTE
INDIGENOUS COMMUNITIES**

FEBRUARY 2009

PRELIMINARY - INTRODUCTION TO TSRA

The Torres Strait Regional Authority is a Commonwealth statutory authority established in 1994, and now operating under the *Aboriginal & Torres Strait Islander Act 2005* (the Act). The Commonwealth Government funds the TSRA to achieve a better quality of life and develop an economic base for Torres Strait Islanders and Aboriginal persons living in the Torres Strait.

In summary:

- The TSRA performs a policy, program, funding and coordinating role in promoting the well-being of Torres Strait Islander and Aboriginal people in the Torres Strait.
- The Authority is unique in the way its corporate decision-making involves a Board comprised of representatives of each Torres Strait Islander community in the region.
- Under the Act, TSRA provides assistance to Torres Strait Islanders and Aboriginal people within the Torres Strait and Northern Peninsula Area (NPA). At the same time it performs the role of a lead agency in the Torres Strait, pursuant to the objects of its enabling legislation.
- Key aspects of the legislation require the TSRA to:
 - recognise and maintain the special and unique *Ailan Kastom* of Torres Strait Islanders living in the Torres Strait area
 - formulate policies and implement programs for Torres Strait Islanders and Aboriginal persons, living in the Torres Strait area
 - advise the Minister on the coordination of the activities of other Commonwealth bodies that affect Torres Strait Islanders, or Aboriginal persons, living in the Torres Strait area.
 - negotiate and cooperate with other Commonwealth bodies and with State, Territory and local government bodies
 - enter into agreements with a State or Territory
 - prepare a Development Plan
 - monitor the effectiveness of programs.

The TSRA is also incorporated as a Native Title Representative body under the Native Title Act, 1993 (Cth).

TSRA's goals are to:

- Gain recognition of our rights, customs and identity as indigenous peoples
- Achieve a better quality of life for all people living in the Torres Strait region
- Develop a sustainable economic base
- Achieve better health and community services
- Ensure protection of our environment, and

- Assert our native title over the lands and waters of the Torres Strait region.

These goals are consistent with the Commonwealth Government policy of 'closing the gap' between Indigenous and non-Indigenous Australians.

The TSRA is thus required to play a program and policy coordination role in the Torres Strait region, ensure more effective coordination of the inputs of government at all levels and promote the well being of Torres Strait Islander and Aboriginal people.

TSRA is currently leading a whole-of-government initiative to develop a regional partnership including the Queensland, Australian and Local Governments, that will address Indigenous 'gap' areas and deliver key benefits in an integrated approach to the communities within the region. This approach is consistent with four of the themes identified during the Committee's 2008 inquiry:

- A commitment from state and territory and Commonwealth governments to long term relationships and partnerships with Indigenous people and communities as a way of solving entrenched problems
- Ability of government programs to be tailored to the needs and strengths of communities, not the other way around
- Increased accountability of bureaucracies to Indigenous people and communities
- A perceived lack of awareness of the serious nature of the issues confronting people living in regional and remote Indigenous communities.

While the statutory responsibilities of the TSRA relate specifically to Torres Strait Islander and Aboriginal people, its operations as a lead agency are a catalyst for development in the Torres Strait and NPA generally.

THE UNIQUE SITUATION OF THE TORRES STRAIT

The TSRA is one of about twenty agencies with specific functions operating in the Torres Strait. All agencies and organisations share a common responsibility to improve the well-being of Torres Strait Islanders and Aboriginal people in the Torres Strait.

Planning in the Torres Strait occurs within the framework of the Council of Australian Governments (COAG), which has reaffirmed its commitment to 'closing the gap' between Indigenous people and other Australians.

An integral part of 'closing the gap' is delivering essential community services and promoting economic development to provide opportunities and capabilities for Torres Strait Islander and Aboriginal people to participate on an equal footing with the mainstream of Australia.

Under the auspices of COAG, the *Overcoming Indigenous Disadvantage* reports document outcomes for Indigenous people and enable assessment of whether policy interventions are having the intended impacts. The Minister for Indigenous Affairs' 2008 Budget

speech in relation to Closing the Gap also provide desired outcomes against which to measure progress.

The historical disadvantage of Torres Strait Islander and Aboriginal people has been well documented. Torres Strait Islander and Aboriginal people in the Torres Strait face current challenges and barriers different from the wider Queensland community. These challenges have major implications for development policies and priorities.

Remoteness underpins a range of issues that impact on the development of the Torres Strait and its people. TSRA believes that remoteness (and the associated size of the Torres Strait community) can lead to under-estimation, or, lack of recognition and real understanding by State and Australian Government agencies of the extent and nature of issues confronting the region. It leads to remote area issues slipping down the list of priorities of the respective Governments. For the Torres Strait, remoteness is exacerbated by its island composition, dispersal of its population and the associated higher costs of providing services.

However, given its strategic location bordering Papua New Guinea, the region does receive greater attention by State and Australian Governments in some areas (eg: border security, fisheries management, quarantine).

The Torres Strait region has long been recognised as having complex legislative and administrative arrangements for the management of the economic, social and cultural environment and natural resources. This complexity emphasises the need for effective coordination amongst the various government agencies to avoid overlap and duplication and ensure effective and efficient delivery of services.

The complexity can easily lead to confusion among communities and the relevant agencies regarding roles and responsibilities in addressing issues that communities themselves regard as priorities. In the past there has often been a failure to effectively integrate policy and program delivery, to consider the interrelationship between different policies and the effects of policies on different aspects of community wellbeing.

Another significant factor in the governance and service delivery chain is the limited capacity of local councils to provide essential services. Island communities are caught in a cycle of under funded service provision and an inadequate economic base from which to improve.

The recent amalgamation of fifteen Island councils into the Torres Strait Islands Regional Council (TSIRC) has further impacted on the capacity to deliver to Island communities; it will take some time for the new Council to become fully operational.

REALISATION OF 'WHOLE-OF-GOVERNMENT' IN THE TORRES STRAIT: Integrated planning and service delivery to align TSRA programs, and those of other agencies, with Torres Strait needs and aspirations

Governance is a key factor in regional development and the efficient, effective and sustainable delivery of services. Responsive governance arrangements provide an

enabling environment for people individually and collectively to accept responsibility for their own development in accordance with their identified needs.

The TSRA aims to strengthen relationships between policy, strategy, implementation and the delivery of services tailored to the economic and social circumstances of Torres Strait Islander communities. It seeks to put Torres Strait Islander and Aboriginal communities, families and individuals at the centre of the planning and delivery process. An important element of this is monitoring whole-of-government performance.

TSRA has recognized that a holistic, community-based approach to policy and program delivery, rather than addressing issues or implementing programs in isolation from the community and cultural context, is critical.

One mechanism for moving towards such a model is through enabling local solutions to be developed by communities themselves through effective participatory planning processes. In this way, communities can identify and own problems, and the ways in which they would like to see them addressed. Governments can assist such a model by providing technical and facilitation support, and a range of partnership options for the implementation of local community plans.

This model will take more time and possibly resources as it is not a 'one size fits all' approach; however the long-term sustainability of initiatives may bring a significant return on investment and bridging the gap between Indigenous and non-Indigenous Australians.

The integrated regional planning process currently being lead by TSRA is in line with *this model of community development*. Key elements of this multi-pronged process are:

- The TSRA is working with other key agencies on an integrated planning process to achieve the best possible outcomes for communities in the Torres Strait by re-aligning mandates and programs with community needs and aspirations and improving accountability and performance, as well as strengthening partnerships and coordination with community representative organisations and different levels of government and agencies.
- Torres Strait elected leaders have committed themselves to working together to achieve integrated planning, policy development and service delivery in the region. The agreement reached so far provides an historic opportunity to jointly develop a plan that will involve all peoples and agencies of the Torres Strait; will be designed to unite the peoples of the Torres Strait; will be measurable; and, will identify desired outcomes that address all of the major issues in the Torres Strait, including those relating to land, sea and air.
 - In September and October 2008 teams comprising representatives of the Local Government Councils, the Queensland Government Office of Aboriginal and Torres Strait Islander Partnerships and the TSRA visited communities to confirm/identify community and regional needs and issues.
 - In early November an elected leaders forum was convened in which the results of the community consultation exercises were considered, regional

priority needs were determined, a vision for the region was agreed to, and short, medium and long term goals were set for the Torres Strait.

- The aim is for this information to form the basis for an over-arching strategic planning document, the *Torres Strait and Northern Peninsula Area Regional Plan (Regional Plan)*, which TSRA will have primary responsibility for finalising.
- The information will also be used by each community to produce community development plans, by Councils to develop their corporate plans and State Government to align/re-align policies, strategies, priorities and programs. The TSRA's own *Torres Strait Development Plan (Development Plan)* - required under the TSRA's legislation - is due for renewal in 2009. The new *Development Plan* will be based on the *Regional Plan* and hence consistent with it.
- The *Regional Plan* will aim to close the gap in relation to the level of disadvantage of Indigenous peoples living in the Torres Strait and will outline an integrated service delivery performance management framework that will enable Torres Strait elected leaders and government agencies to monitor performance against key priority outcome areas.
- TSRA is also currently involved in and driving an internal planning and review process. It involves reviewing, realigning and restructuring its programs in order to best deliver the *Development Plan* and ensure consistency with the *Regional Plan*, cognisant of the role and responsibilities of other government agencies at all levels.

TSRA believes that this process of planning and review will increase its accountability to, and better tailor its programs to meet the needs and aspirations of Torres Strait communities. It will also facilitate integrated Commonwealth, State and local government service delivery.

The TSRA would see value in having the budgetary process aligned with the span of the Development Plan (that is, receive funding commitment for four years) to facilitate both long term planning and to enter into long term relationships and partnerships with Torres Strait communities and local organisations, as well as State agencies, to deal with entrenched challenges.

TERMS OF REFERENCE B: The impact of State policies on the wellbeing of regional and remote Indigenous communities

Given the scope of the inquiry and the complexity and inter-relationship of the issues involved, it is only possible for the TSRA to make general observations at this time in the context of its legislative functions and its relationships with other spheres of government.

There are many facets of Torres Strait Island community life and wellbeing that are impacted by State Government policies, and affected by the manner in which these policies and associated programs are delivered. It is beyond the scope of this submission to provide a detailed analysis of how all policies have specifically affected the wellbeing of Torres Strait Island communities.

Full support for and buy-in to the *Regional Plan* and *Integrated Service Delivery Agreement* from State agencies and local government is essential if community priorities are to be effectively realised, and community wellbeing enhanced.

Because many State agencies do not have a strong regional presence, or may be based in distant urban centres, they can also seem inaccessible to remote island communities. The role of Aboriginal and Torres Strait Islander Partnerships, under the Queensland Department of Communities, should be to address seamless delivery on behalf of all State agencies.

The development of policies and programs which are in conflict with existing arrangements or programs, or simply unworkable in the Torres Strait are issues to be addressed; they have a direct impact on community well being. Examples under land planning and ownership include:

- Prior lease approvals under the *Aborigines and Torres Strait Islanders (Land Holding) Act 1985* and its impact on community land use and native title
- Land transfer and the practicalities of ownership, management and high cost of surveying (Deed of Grant in Trust) under the *Torres Strait Islander Land Act 1991*.

The Queensland Department of Natural Resources and Water (NRW) is currently working closely with TSRA and other stakeholders to address these issues and is undertaking a review of performance of its Indigenous Cultural Heritage Acts.¹

The other issue is the limited support provided to cultural heritage protection – whether financially, or in terms of greater rigour in the development planning and assessment process. The existing cultural heritage legislation (*Torres Strait Islander Cultural Heritage Act 2003* and *Aboriginal Cultural Heritage Act 2003*) is strongly worded but lacks compliance monitoring on the ground. Again, NRW are presently consulting communities on the current legislation as part of its Indigenous Cultural Heritage Acts Review.

Key issues not given sufficient priority by the State Government, and which regional consultations have identified as being of concern, include:

The cost of living and essential services

High costs of living and limited choice occurs across the whole range of goods and services including food, social services, housing, transport and telecommunications. For example, communities are concerned with:

- The high cost of fuel. A 20-litre drum of fuel in the western island communities can cost \$60 and a litre of outboard oil over \$11, which impacts on the ability to undertake hunting and gathering, which families rely on to supplement their food supply

¹ Refer to: http://www.nrw.qld.gov.au/cultural_heritage/legislation/index.html.

- The high cost of goods, especially on outer islands, which are shipped from the mainland via Thursday and Horn Islands. This makes it difficult for those on CDEP wages to provide for their families on a weekly basis (it costs \$150 per week for food which would barely provide for a single person)
- Vegetables and fruit are limited in variety, relatively poor in quality and sell out quickly
- The supply of food to outer island stores is insufficient to meet demand/population size.

The quality and extent of transportation infrastructure and services is deficient. Currently the provision of freight and air transport by a very small number of operators effectively resembles monopoly control. Almost all goods are freighted in from the mainland, making costs across the board significantly more expensive. Horn Island Airport is the only airport servicing the Torres Strait and connecting it with the mainland. It is a vital transport hub. Air travel between islands on charter aircraft operating out of Horn Island costs up to \$500 for a one way fare. The high cost of travel impedes the ability of families to travel off the community, and means community members take risks in travelling by boat from island to island.

There is a need for greater government action to counteract cost of living issues through subsidisation of transport in some way and provision of alternatives, for example, providing public transport to improve connectivity between the islands (there is no ferry linking the islands), and exploring alternative fuels with lower economic and environmental costs, given the reliance on diesel and air travel.

TSRA plans to make a submission to the current *Inquiry into Aboriginal and Torres Strait Island Community Stores* by the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs which is looking into food supply, quality, cost and competition issues and the impact of these on healthy and economic outcomes of communities.

Housing

There has been a lack of investment, by all levels of government in public, low cost, culturally appropriate and climate friendly housing. Government has been slow to explore options for opening up land for housing with Traditional Owners (for example through Indigenous Land Use Agreements). There is limited potential for private sector investment in housing due to a variety of other constraints. The lack of housing means the region has limited capacity to provide accommodation to meet both public and private sector demands.

Community consultations as part of the regional planning process in 2008 identified that:

- There is a lack of suitable housing to cater for different family structures; housing has not been designed to cater for family needs and there has been no consultation with tenants on design, for example:
 - living and kitchen areas are too small

- houses require extra veranda areas and outdoor living areas to cater for large families and family gatherings)
- housing needs to be provided to suit elderly and ill people
- There is a need for more high-set houses to protect against rising sea levels. This will also address the limitations on available space for housing on islands (build up, not outwards)
- Houses need to be designed to suit the climate (positioning, building materials, natural lighting and ventilation etc)
- Overcrowding is a problem - grown-up children, and in some cases their families, continue to live with their parents because of the shortage of housing
- Poor housing maintenance is a problem
- Home ownership is low.

The environment

The Torres Strait consists of an archipelago of small and geographically isolated islands. The islands of the Torres Strait suffer from certain resource constraints and environmental issues similar to those experienced in small island environments worldwide.

Given the low lying nature of many of the Torres Strait island communities, climate change and associated inundation and sea level rise in particular will have a significant impact on many communities. There is a need for appropriate policy support to address the impact of climate change and climate change mitigation/adaptation measures. Erosion and inundation are already serious hazards on many Torres Strait Islands and are currently impacting communities and infrastructure in the region, including housing, harbour works, business enterprises, desalination plants as well as ecosystems and cultural sites. No specific studies of storm surge and other contributors to extreme water levels have been undertaken, although recent inundation events indicate this is a significant issue on several islands requiring both emergency response planning and longer term mitigation.

Waste management is also a critical issue in small island environments because the impact of poor management spills over into a large proportion of the environment and the tropical climate increases the health risks. The proximity of Asia and Papua New Guinea presents a high risk of the spread of biological pathogens and disease.

Waste management in the Torres Strait faces a specific challenge not faced by mainland Australia – quarantine requirements which do not allow export of recyclable waste to the mainland. There is a need for investment of expertise and resources into recycling in the Torres Strait, bringing together all relevant agencies to find innovative, alternative solutions to the quarantine problem.

Geographic variations between the island clusters necessitate a customised approach to waste management for each island. A holistic approach to waste management is the preferred way to address some of these issues, however, island communities have limited resources and expertise to draw upon. Nevertheless, basic waste management

(including managing human waste) has been identified as a high priority issue by many outer island communities, whilst recycling and sustainable, improved methods of waste management are priorities for the inner island communities.

Limited land, regular water inundation with king tides and during the wet season, as well as anticipated sea level rise with climate change will make waste management an even more pressing issue to resolve.

Many communities have identified the importance of moving towards greater self-sufficiency and sustainability, including the possible use of small-scale renewable energy systems. The appropriate policy support and investment in alternative energy sources is required. Further investigation and analysis of the feasibility of different energy generation systems is required, along with training and capacity building support to enable local communities to install, operate and maintain these systems. This initiative would have the dual benefits of reducing communities' reliance on dwindling fossil fuels for energy generation, and minimising the production of greenhouse gases within the region.

The proximity of Torres Strait to Asia and PNG makes it an important monitoring and surveillance zone by quarantine authorities for exotic pests, weeds and diseases. Many Torres Strait islands now have populations of a number of pest animal and weed species. Some of these species cause environmental damage and/or have a negative effect on residents' quality of life and health. Animals (including insects) that cause damage to a valued resource are termed pest animals. Similarly, weed infestations on the islands can compete with, or reduce the habitat quality of, native flora or fauna populations, or otherwise create a nuisance.

Surveillance and interception of illegal fishing activities, including foreign fishing vessels in Torres Strait waters, has also been identified as a key environmental issue facing the region. There are currently no formal environmental monitoring programs in the outer islands, and there is a lack of community understanding of the processes and responsible agencies for reporting incidents and outcomes of surveillance activities.

At present, the ability to plan for and sustainably manage island environments across the Torres Strait region is also impaired by, amongst other things, the:

- Failure to take into account the ecological impacts of development in infrastructure planning
- Lack of appropriate statutory and non-statutory planning in outer communities (leading to ad-hoc and inappropriate development)
- Absence of an appropriate adaptive management framework for communities facing coastal erosion and tidal inundation impacts
- Lack of knowledge about terrestrial biodiversity values throughout the region
- Inadequate protection of the environmental and biodiversity values of the islands, including appropriate measures to address cultural heritage protection
- Lack of access to technical information to support sustainable, long-term community-based planning of future land-uses.

Some communities have now been supported to develop sustainable land use plans for their islands, which provide a non-statutory framework for future planning and development on the islands. Further planning around the sustainable management of islands is necessary to:

- Protect the islands' cultural and environmental assets
- Guide the development of the islands under Council control
- Moderate development in line with available infrastructure capacity and need
- Control the pace and location of development on the islands
- Allow the Council to respond to land-use demands within an agreed plan
- Guide the Council and supporting agencies in relation to development that is within the acceptable ecological footprint or carrying capacity of the islands, and
- Provide clarity in respect to future development on the outer islands for all stakeholders, including Australian and Queensland Government agencies.

The Torres Strait is lagging behind the mainland with respect to energy efficiency and renewable uptake, waste management and sustainable practices. This is partly related to awareness and education, and to availability and resources to invest in change. Everything costs more and takes more time and energy to produce due to transportation, wet season impacts and skills base/technical capacity. It is appropriate to ask whether this is adequately factored in to State and Commonwealth budgetary considerations for the Torres Strait region.

Border Security

Border security is both a State and Commonwealth responsibility in the region.

Policing and border security are significant issues flowing from the Torres Strait Treaty. In 2007/08 there were over 50,000 traditional movements in the Torres Strait Protected Zone. The majority of the visits stem from the 14 Western Province villages of Papua New Guinea to the Torres Strait Top Western communities of Saibai, Boigu and Dauan Islands.

In most cases, traditional visitors only stay within the Island community they are visiting for the approved time stated on their passes. On some communities however, the issue of PNG nationals overstaying is an ongoing and complex one resulting in social problems and impacting on the community's infrastructure and services.

Whilst the Department of Immigration and Citizenship have Movement Monitoring Officers in place on Torres Strait communities to deal with traditional movements, policing and border security remain a significant issue flowing from the traditional movements. Policing and border security issues are significant with inadequate resources provided to cover Torres Strait's dispersed remote island population. In addition to those issues mentioned above, the importation of communicable diseases and illicit substances remain a threat.

More information sharing and collaboration between agencies dealing with border issues is encouraged to improve efficiencies, better serve communities and reduce time and resource burdens on communities who are required to host visitors.

Health

Border issues also impact on health services. There are concerns that health resources are being used by visitors from PNG and impacting on the ability of Torres Strait Islanders to access health services. There is also increasing concern that illnesses/diseases, including HIV-AIDS and Dengue fever are finding or will find their way to Torres Strait islands via the movement of PNG Nationals.

The regional community consultations of 2008 identified the following concerns regarding health:

- A lack of education programs on healthy eating habits
- A lack of healthy lifestyle activities
- An inadequate supply of healthy food choices available in IBIS (Islander Board of Industry and Service - the predominant supplier of produce in the Torres Strait) stores. Stores on outer Islands supply predominantly the Black & Gold brand.
- Inadequate supply of fresh fruit and vegetables and high cost of fresh fruit and vegetables
- Lack of health infrastructure such as walking tracks and sports and recreation facilities and services such as parks, playground areas, ovals, and recreational activities for older people
- Lack of community members trained and employed in health care.

Given the above health challenges facing the region, there is a need for more rigorous oversight of and investment in capacity building and resourcing of health services.

The information gathered from the regional community consultations will be shared at the next Torres Strait Health Partnership Forum (see below).

The TSRA is a key stakeholder in the Torres Strait Health Partnership Agreement along with the Commonwealth Department of Health and Ageing and the Queensland Department of Health. The Agreement commits the parties to work together to achieve positive health outcomes for the Indigenous people of the Torres Strait. The aim is to improve access to health and health related programs and services in the region.

A Torres Strait Health Partnership Forum was established in 1999, to promote and execute the Partnership Agreement through regular meetings. Partners include the TSRA, the Commonwealth Department of Health and Ageing, Queensland Health, the Torres Strait Health Community Council, the Queensland Ambulance Service, the Torres Shire Council and the Torres Strait Islands Regional Council.

The role of the Torres Strait Health Partnership Forum is to:

- Provide a forum for community representation on matters affecting the health and well-being of the people of the Torres Strait
- Encourage mutual cooperation of the Partners and other stakeholders in achieving the Goals, Objectives and Outcomes of the Partnership, as given in the Agreement, and
- Enhance public accountability of the Partnership to the people of the Torres Strait and NPA for actions to improve their health status and well-being. This process involves the regular exchange of information between the community, local organisations, other stakeholders and the Partnership about health and health-related matters.

Through these activities, the impact of State Government policies on the health and wellbeing of the region's Indigenous communities can be gauged and influenced.

Native Title

The Native Title Office of the TSRA is aware of concerns and issues raised by traditional owners regarding the payment of rent or compensation by Commonwealth and State agencies and departments for the use and occupation of land over which native title has been determined. This issue is not exclusive to the Torres Strait and Northern Peninsula Area.

In some cases where traditional owners have requested Commonwealth and State agencies and departments with offices on islands in the Torres Strait pay rent or compensation for their use and occupation of land over which native title has been determined, they have met opposition. It appears that some agencies and departments are asserting that their presence provides the Torres Strait communities with a benefit and they therefore do not need to pay for use and occupation of land (even when they are performing the services they are required to do under their mandate).

There is at least one example of a situation where an education project has been cancelled when negotiations with traditional owners for leasing and payment of compensation for land have failed due to the government agency's reluctance to pay.

TERMS OF REFERENCE C: the health, welfare, education and security of children in regional and remote Indigenous communities

Safe communities

The Torres Strait exhibits a 'bottom heavy' population structure. Almost thirty four percent (33.8 percent) of the population of the Torres Strait (the area comprising the two Torres Strait Councils) is under 15 years of age, which compares with 20.2 percent for Queensland.² Thus, maintaining safe communities is vital to the growth and development of the future generation and hence the Torres Strait region.

² Australian Bureau of Statistics 2007. Population Estimates by Age and Sex, Australia and States (Cat. No. 3235.0.55.001), accessed via Office of Economic and Statistical Research Queensland Regional Profiles - Torres Region (<http://statistics.oesr.qld.gov.au/qld-regional-profiles>)

The following key issues regarding safe communities were identified through the recent regional community consultation process.

- A lack of appropriate counselling services across a range of social issues
- Dealing with incidences of drug and alcohol abuse
- A loss of traditional ways
- Insufficient laws, law protection and enforcement
- Occupational Health and Safety issues associated with some community facilities
- A need to protect children and other threatened members of the community
- The movement of PNG nationals
- A lack of disaster preparedness across a number of communities.

The communities expressed their desire to achieve the following outcomes:

- Greater level of awareness of social services and programs
- Mutual respect by all communities' members (young and old)
- All movements under the Treaty monitored effectively and appropriately managed
- Awareness and education for all affected families with the assistance of Community Health Management Committees
- Effective communication across islands and an operating broadband network
- Higher level of awareness of State and Federal law for community members
- Community members that are well-informed about the range of government and non-government services available to support individuals and families
- Law and order standards are upheld by the agencies responsible
- Tradition and culture maintained through building sustainable economic communities
- Public areas are safe and accessible for community members.

There is inadequate police presence on Torres Strait islands. Only three have state police – Thursday Island, Horn Island and Badu. The others have Community Police who have no powers of arrest. Rather than reactive policing by State police who visit by plane once a month to deal with crimes after the fact, there is a need for more pro-active, preventive policing, e.g. more on-site police with powers, and more training of Community Police.

Some outer island communities have reported inadequacies in community policing in light of incidences of community violence, violation of Community By-Laws and lack of enforcement of these laws. There have been calls for Queensland Police to assess Community Police officers' understanding of their role and responsibilities and their capacity to provide an appropriate level of service to the communities. It is believed a

range of offences are not being appropriately reported by Community Police, including those that have a direct impact on child safety and welfare. Though this may be a rare rather than common situation in the Torres Strait, it does highlight lack of resources for policing, and the centralisation of those resources assigned to the region on Thursday Island and Horn Island.

Queensland Government needs to pay for a full-time presence on the islands. The majority, if not all Community Police are Community Development Employment Projects (CDEP) Program participants as opposed to employed law enforcement officers. In other words, Torres Strait Islanders need to be unemployed to become Community Police officers. These officers lack resources.

TERMS OF REFERENCE D: Employment and enterprise opportunities in regional and remote Indigenous communities.

The relatively small population-base in the Torres Strait, the geographic remoteness of the islands and the lack of available productive land constrain the economic potential of the region and its communities to some extent. However, the critical importance of the Torres Strait islands from a strategic defence, immigration and quarantine perspective justify strong national investment in the region's economic and social viability. Torres Strait fisheries and its relatively pristine marine environment are also recognised as assets having some potential to generate revenue and employment within the region.

A relatively large percentage of Torres Strait Islanders are engaged in the CDEP Program. There are limited viable alternatives to CDEP on many of the smaller remote islands, due to the absence of employment opportunities.

Public investment in the provision of basic services is an important generator of community well-being and employment. CDEP has been used to provide services that Government departments should have been responsible for; in other words, CDEP is subsidising government service delivery.

The interdependencies between mainstream agencies and CDEP organisations in delivering services to Torres Strait communities should be realistically assessed so that future potential synergies can be identified between community work forces and other government priorities and initiatives. The dependence on government support needs to be progressively reduced by tapping into and development economic opportunities for the region.

New opportunities for Torres Strait Islanders and the regional economy are now emerging in fields such as eco-cultural tourism, environmental stewardship, bio-security, art and cultural development. The TSRA is actively fostering such initiatives and the training and business planning associated with their future development and uptake across the region.

TSRA's new Economic Development Program, endorsed by the TSRA Board in December 2008, and to be rolled out in 2009-2010, will see the Authority act as a 'whole of Region Economic Development Solution Broker'. In this role TSRA will engage in:

- Funding and support for viable small businesses operating to support enterprise and community needs
- Developing and implementing long term economic development plan/s
- Facilitating access to affordable investment capital to stimulate economic activity through industry and enterprise development (including investigating potential joint venture opportunities)
- Fostering and promoting individual indigenous entrepreneurial aspirations
- Providing capacity building and training in community targeting business skills and economic development and sustainability linked to specific industry opportunities (not 'training for trainings sake')
- Accessing best practice industry development and business advice through whole of region solution brokering with other agencies, industry experts and specialised consultants
- Developing regional economic development strategies to stimulate industry growth.

TSRA's key focus will be on stimulating regional economic development through a whole-of-region solution brokering approach which leverages available specialty support, advice and co-contribution throughout government and private enterprise sectors.

TSRA's key capacity building focus will be on supporting Indigenous enterprise creation through facilitating industry specific training pathways, business training, enterprise creation and capacity support, and facilitating access to finance and joint venture partnerships.

The emphasis therefore is on brokering, linking, partnering rather than attempting to become an economic development expert agency in all industry domains.

The Australian Government has recently approved substantial funding for a ranger program on more than 50 percent of the Torres Strait communities over the next five years, with support from the State Government. This initiative will address employment and environmental outcomes, but the key point is that such initiatives need to be long term and fully supported.

In August 2008 TSRA made a submission to the *House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs Inquiry into Developing Indigenous Enterprises*. In that submission, TSRA stated that it believed there were a number of industry sectors in the Torres Strait that could be developed to enhance Indigenous entrepreneurship, Indigenous business ownership and to create greater employment opportunities for Indigenous people, for they appeared to have the potential to either be expanded or value add to increase Indigenous participation and economic benefit.

These were identified as:

- Marine (Aquaculture, Finfish and Tropical Rock Lobster)

- Arts and Culture
- Tourism.

The submission identified some barriers to these industries. For example, in relation to arts and culture, key barriers are:

- Infrastructure
- Financial reporting structures and systems
- Ability to plan effectively, due to lack of information and inexperience in communities
- Skills
- Operational funding
- Coordination of dance performances.

TSRA will help progress development of this industry. It has as its vision an internationally recognised and sustainable Torres Strait Arts Industry within 10 years (2007-2017). It aims to achieve recognition of and support for the role art plays in preserving and protecting all aspects of Torres Strait culture and well being, and to see art contribute significantly towards the overall sustainability and future of the Region. It will work towards these aims through implementing activities in the areas of:

- Cultural knowledge and maintenance
- Professional skills development
- Making and product development
- Selling and marketing
- Management and administration
- Financial management and sustainability.

The Indigenous fishing industry is largely a part-time enterprise for many locals who are also on CDEP. TSRA would like to contribute to turning the emphasis around so that local fishers make full use of the fishing industry and eventually come off the CDEP program.

In 2007-2008 the PZJA reached a decision to buy-out 100 percent non-islander finfish operations in Torres Strait to provide Islanders with greater capacity and opportunity for employment and economic development in the fishery. On 18 November 2007 the Minister for Agriculture, Fisheries and Forestry, Tony Burke, announced that a 100 per cent buy-back of Torres Strait Finfish entitlements worth \$10.6 million had been successfully completed. A condition of the buy-out is for islanders to lease back unused quota to commercial fisherman to enable a continuous flow of product to mainland markets. The TSRA currently holds and manages the quota on behalf of Torres Strait Islanders as an interim arrangement. During this time, TSRA will work with Torres Strait Islanders to develop a plan where eventually, islanders can take over responsibility of managing the quota.

A buy-out process was also undertaken in the Tropical Rock Lobster fishery resulting in Torres Strait islanders receiving 40.12 percent, PNG 25 percent and non-indigenous fisherman 34.88 percent of the Total Available Catch. Torres Strait Islander aspirations are to have 100 percent ownership of the Australian share and they see a 70 percent holding as a starting point. Consultations with the relevant Management agencies are continuing to determine a way forward in meeting a 100 percent holding for Torres Strait Islanders in the longer term and a 70 percent holding more immediately. PZJA Members will be visiting the Torres Strait in 2009 to hold talks with community fisher representatives and work on a way forward to achieve the aspirations of Torres Strait Islanders.

Tourism in the Torres Strait is still in its early stages of development. The recently launched *Cape York Peninsula and Torres Strait Tourism Development Action Plan 2008 – 2011* recognises that the Cape York and Torres Strait are two of the most unique areas in Queensland, with the potential to develop into iconic tourism destinations that respect and preserve the lifestyle, culture and natural beauty of the two regions.

The Action Plan aims to assist in developing new and existing tourism products to make them domestic and international visitor ready; encourage mainstream tourism employment opportunities, and support and foster a greater involvement of Indigenous people in all facets of tourism in the Cape York Peninsula and the Torres Strait. It contains nine key strategies made up of 37 key actions for the Torres Strait to be progressed by 2011. These include:

- Identifying community aspirations towards tourism
- Improving community and industry tourism planning and knowledge
- Identifying community champions and developing tourism products, experiences and supporting services
- Defining and developing marketing and promotional messages
- Attracting critical resources to develop and upgrade tourism infrastructure and product, and,
- Developing new and utilising existing distribution channels.

TSRA is a key partner with Tourism Queensland (TQ) and Tourism Tropical North Queensland (TTNQ) in the implementation of the Action Plan. The Action Plan provides a strong framework in which to progress tourism in the Torres Strait, but it will also be a significant challenge to deliver.