



# GUNAIKURNAI

Traditional Owner Land Management Board

## CORPORATE PLAN

### 2017 to 2020

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v1	13 April 2017	First draft
v2	11 May 2017	draft to DELWP
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BRATAUALUNG



BRAYAKAULUNG



BRABRALUNG



TATUNGALUNG



KRAUATUNGALUNG

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# 1. INTRODUCTION

This Corporate Plan sets out the Gunaikurnai Traditional Owner Land Management Board's strategic vision and direction for the three year period 2017 to 2020.

This plan is complemented by an annual Business Plan, which sets out how the Board will implement its strategic vision and objectives for a given 12 month period.

This Corporate Plan explains the role of the Board, how it functions, and its strategy and objectives as it seeks to fulfil the provisions of the Traditional Owner Land Management Agreement (TOLMA). The Plan also explains the context within which the Board operates.

## 2. THE ROLE OF THE BOARD

### 2.1. ESTABLISHMENT AND PURPOSE OF THE BOARD

The Gunaikurnai Traditional Owner Land Management Board (the Board) is a Body Corporate established by Determination of the then Minister for Environment and Climate Change published in the Government Gazette on 2 August 2012, pursuant to the *Conservation, Forests and Lands Act 1987* (the Act) and the Traditional Owner Land Management Agreement (TOLMA) between the Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC) and the State of Victoria (the State) dated 22 October 2010. The TOLMA is an agreement made under the provisions of Part 8A of the Act. The TOLMA is one of the agreements that has been entered into by GLaWAC and the State to give effect to the overarching 2010 Recognition and Settlement Agreement with the Gunaikurnai people, under the provisions of the *Traditional Owner Settlement Act 2010*.

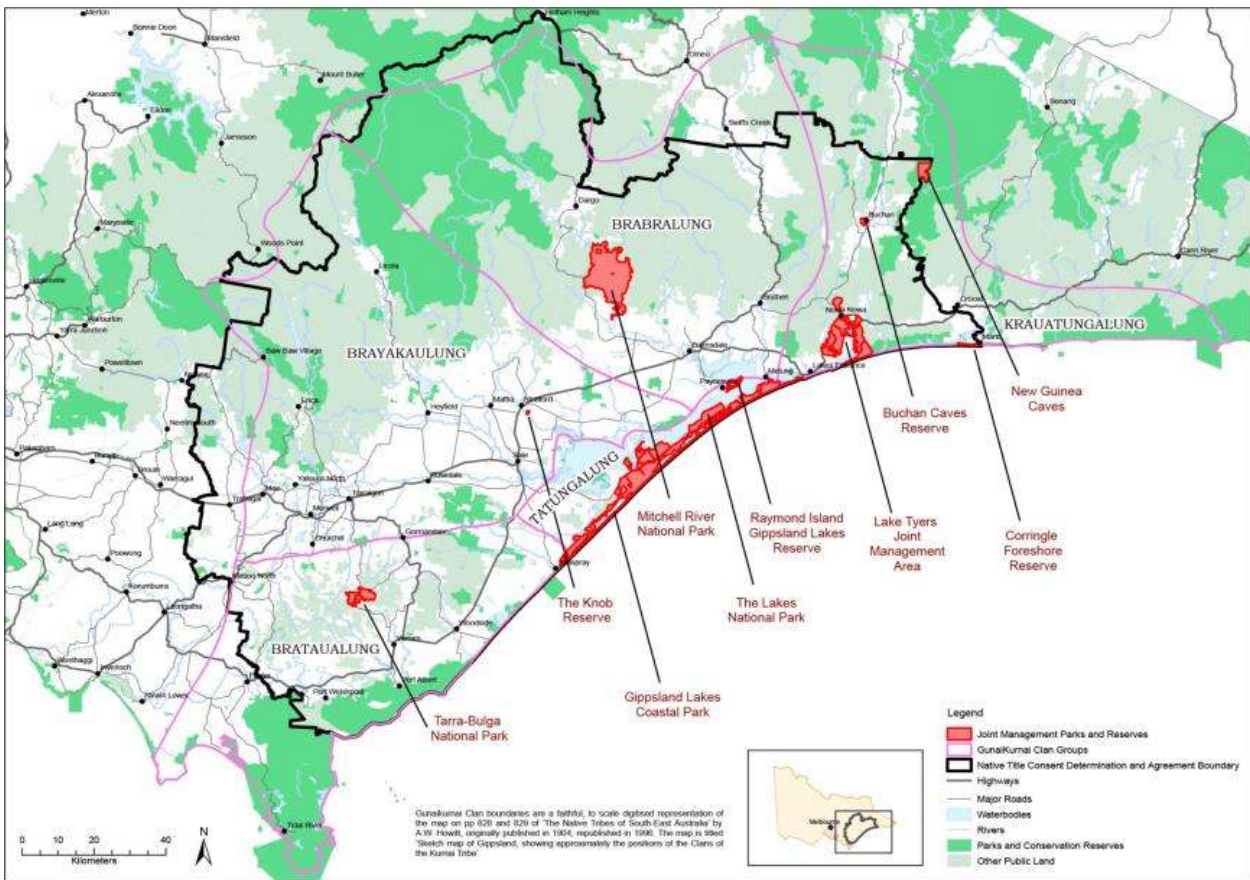
The Board is a Public entity under the *Public Administration Act 2004*.

As specified in the establishing Determination, the **purpose** of the Board is to set and guide strategic direction for the joint management of the Appointed Land of the Board (see below) and to collaborate with the relevant land managers and partners (GLaWAC, Parks Victoria (PV) and the Department of Environment, Land, Water and Planning (DELWP) to enable the knowledge and culture of the Gunaikurnai People to be recognised in the joint management of the Appointed Land.

The **Appointed Land** of the Board (also referred to as jointly managed land or Aboriginal Title land) comprises the 10 parks and reserves listed in the table below. The table also shows the area of each park/reserve, the delegated land manager, and the Act under which the park/reserve is managed.

Park / reserve name	Area (ha)	Delegated land manager (as of May 2017)	Act under which the park / reserve is managed
The Knob Reserve	59	Committee of Management (GLaWAC, DELWP, GKTOLMB)	<i>Crown Land (Reserves) Act 1978</i>
Mitchell River National Park	14,394	Parks Victoria	<i>National Parks Act 1975</i>
Buchan Caves Reserve	295	Parks Victoria	<i>Crown Land (Reserves) Act 1978</i>
New Guinea Caves, within the Snowy River National Park	1,153	Parks Victoria	<i>National Parks Act 1975</i>
Corringle Foreshore Reserve	163	Parks Victoria	<i>Crown Land (Reserves) Act 1978</i>
Lake Tyers State Park	8,687	Parks Victoria	<i>National Parks Act 1975</i>
Tarra Bulga National Park	2,023	Parks Victoria	<i>National Parks Act 1975</i>
Gippsland Lakes Reserve at Raymond Island	216	Parks Victoria	<i>Crown Land (Reserves) Act 1978</i>
Lakes National Park	2,390	Parks Victoria	<i>National Parks Act 1975</i>
Gippsland Lakes Coastal Park	17,690	Parks Victoria	<i>National Parks Act 1975</i>

The map below shows the location of each of the 10 joint managed parks and reserves, along with the boundary of the Gunaikurnai Recognition and Settlement Agreement area, and the 5 Gunaikurnai clan areas (from Howitt 1904).



## 2.2. VISION STATEMENT

The Board has adopted the following vision statement for the jointly managed lands:

***EMPOWERED AND RESPECTED GUNAIKURNAI ACTIVELY MANAGING AND CARING FOR THEIR LAND AND WATER FOR THE ENJOYMENT OF ALL PEOPLE***

## 2.3. ROLE OF THE BOARD

The role of the Board is prescribed in Section 3 Schedule 2 of the TOLMA, and the Minister's Determination.

The role of the Board is:

- a) To set and guide strategic direction for the joint management of the Appointed Land of the Board;
- b) To collaborate with the State and relevant State land managers in the management of the Appointed Land and enable the knowledge and culture of the Gunaikurnai People to be recognised in the management of the Appointed Land; and

- c) To foster employment and economic development opportunities for Gunaikurnai People in relation to management of the Appointed Land.

## **2.4. BOARD'S FUNCTIONS, POWERS AND DUTIES**

The functions, powers and duties of the Board are prescribed in Section 5 Schedule 2 the TOLMA, and in the Minister's determination.

The **functions** of the Board are:

- a) To comment or make submissions on matters affecting or concerning the use or management of the Appointed Land;
- b) To prepare policies about the Board and its operation and engagement with external parties;
- c) Those management functions that are conferred on the Board by agreement under any Act under which the Appointed Land is managed;
- d) Those management functions that are delegated to the Board by a person or body who has those management functions in relation to the Appointed Land; and
- e) To carry out such other functions as are conferred on the Board by the Act or the Minister by notice published in the Government Gazette.

The **powers** of the Board are:

Subject to the Determination and the Act the Board may do all things that are necessary and convenient to carry out its functions, powers and duties and to achieve its objectives including:

- a) to employ staff, including an Executive Officer, to be responsible to the Board for implementing the decisions of the Board and carrying out its functions and duties;
- b) to enter into arrangements or agreements with any other person or body for the carrying out of its functions and duties;
- c) to carry out works on the Appointed Land;
- d) to delegate any of its functions, powers or duties to a member of the Board or an employee of the Board; and
- e) to act as delegate or agent of a person or body who has management functions, powers or duties in relation to the Appointed Land when so appointed by that person or body.

The **duties** of the Board are to:

- a) prepare Joint Management Plans in relation to the Appointed Land;
- b) prepare subsequent plans at the time and in the manner specified in the Joint Management Plan;
- c) monitor and encourage compliance with and performance of the Joint Management Plan;
- d) take all reasonable steps to give effect to any Traditional Owner Land Management Agreement in force relating to the Board and the Appointed Land;
- e) endorse a works program for the Gunaikurnai Rangers employed by GLaWAC to work on the jointly managed parks and reserves pursuant to the Gunaikurnai Working on Country Joint

Management Project Funding Agreement (State and GLaWAC) and the Deed of Variation for Traditional Owner Land Management Agreement (January 2013).;

- f) undertake those duties conferred on the Board, by agreement or by or under the Act or any other Act, or are delegated to the Board; and
- g) keep proper and full records of its proceedings.

During the development of the 2013 Strategic Plan, the Board also endorsed the following statements to further define and support its purpose and role:

- To actively protect Gunaikurnai culture, land and waters and bring strength, knowledge, skills and innovation to that role.
- We will support Gunaikurnai to maintain and build their strong connections to joint managed lands
- Generating greater employment and economic development opportunities for Gunaikurnai
- Using Gunaikurnai traditional knowledge to set and guide strategic and operational direction for joint managed lands
- Building respectful relationships and enduring partnerships to protect and enhance Gunaikurnai joint managed lands.

More recently the Board has endorsed the importance of supporting and guiding the development of joint management on the ground through its active involvement in identifying, promoting and resourcing specific projects that;

- Explore, trial and develop the joint management partners relationships in project delivery
- Provide important outcomes and information relevant to the individual park plans
- Allow Gunaikurnai to lead projects that are considered a cultural priority

The **VALUES** and **PRINCIPLES** the Board operates by are:

- We encourage and value leadership by example, creativity and new ideas.
- We serve the good of all Gunaikurnai.
- We are persistent in supporting the journey for Gunaikurnai towards self-determination and social justice.
- We listen to understand all views before judgement and decision making.
- We demonstrate courage and integrity in all we do.
- We encourage and value teamwork.
- We are empowered to respectfully challenge and speak with candour and are committed to resolving conflict.
- We value strong and enduring partnerships.
- We are committed to engaging and consultative processes.

## 2.5. OTHER OBLIGATIONS AND INFLUENCES

The Board must comply with relevant provisions in the following Acts:

- *Conservation Forests and Lands Act 1987*
- *Financial Management Act 1994*
- *Audit Act 1994*
- *Freedom of Information Act 1982*
- *The Information Privacy Act 2000*
- *Public Administration Act 2004*
- *National Parks Act and Regulations 1975*
- *Crown Land (Reserves) Act 1978*

Other key references that guide the Board's operations are:

- GLaWAC '*Whole of Country Plan*' 2015
- The Victorian Department of Treasury and Finance, *Standing Directions of the Minister of Finance under the Financial Management Act 1994*.
- Code of Conduct for Directors of Victorian Public Entities 2016
- Standing Directions of the Minister for Finance



## **3. BOARD MEMBERSHIP AND OPERATION**

### **3.1. MEMBERSHIP AND FUNCTIONING OF THE BOARD**

The Board consists of eleven members constituted as follows:

- six are persons appointed from a panel of names submitted by GLaWAC and appointed by the Minister;
- the other five members of the Board are appointed by the Minister; and
- the Chairperson and Deputy Chairperson of the Board are appointed from among the members of the Board by the Minister. The Chairperson is nominated by GLaWAC from amongst the members of the Board.

The inaugural Board was appointed in October 2012 for a term expiring on 30 September 2015. The current Board members have been appointed for terms expiring 30 September 2018.

### **3.2. BOARD COMMITTEES**

The Board has established the following Committees to provide recommendations and assist the Board in undertaking its activities. All Committees have Terms of Reference/Charters that describe their roles and functions. Unless explicitly empowered by the Board, Committees cannot make decisions for or speak on behalf of the Board.

#### ***Audit and Risk Committee***

The objective of the Audit and Risk Committee is to assist the Board to deliver its roles and objectives by ensuring appropriate financial and risk management and reporting.

#### ***Executive Committee***

The role of the Executive Committee is to define and focus the strategic direction of the Board, to prioritise operational decisions and consider urgent matters which require decisions that cannot be deferred until the next scheduled meeting of the Board.

#### ***Joint Management Plan (JMP) Committee***

The role of the JMP Committee is;

- To provide the Board with support and advice to complete the Joint Management Plan (JMP) within the agreed timeframe and budget.
- To report progress and make recommendations to the Board.

### **3.3. BOARD AND STAFF HOSTING ARRANGEMENT**

The Board has a hosting agreement with the East Gippsland Catchment Management Authority (EGCMA) to provide agreed services to the Board and its staff.

This agreement includes;

1) The employment of a full time Executive Officer to provide authoritative and high level advice and executive support to the Board, and the employment of a Project Officer to provide administrative and priority project support services to the Board.

2) The hosting of the Board within the East Gippsland CMA (Authority) including:

- Payroll and its associated compliance and administration;
- Processing and payment of meeting and related expenses incurred by members of the Board.

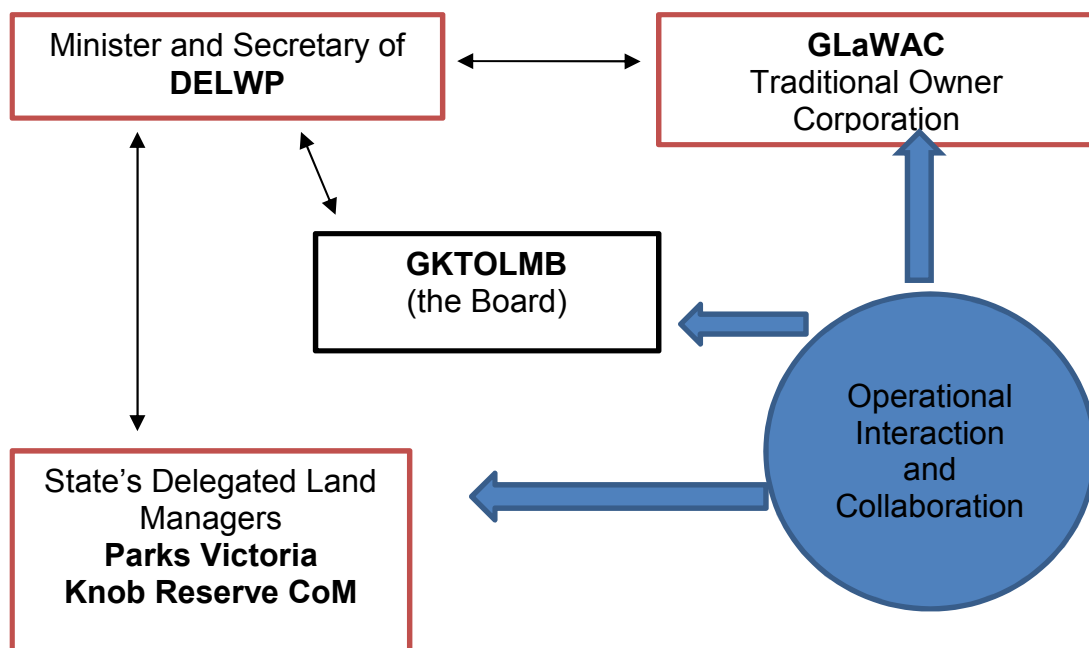
### 3.4. OTHER SERVICES

The Board has service agreements in place for the provision of bookkeeping and accountancy services and has a contract Chief Financial Officer.

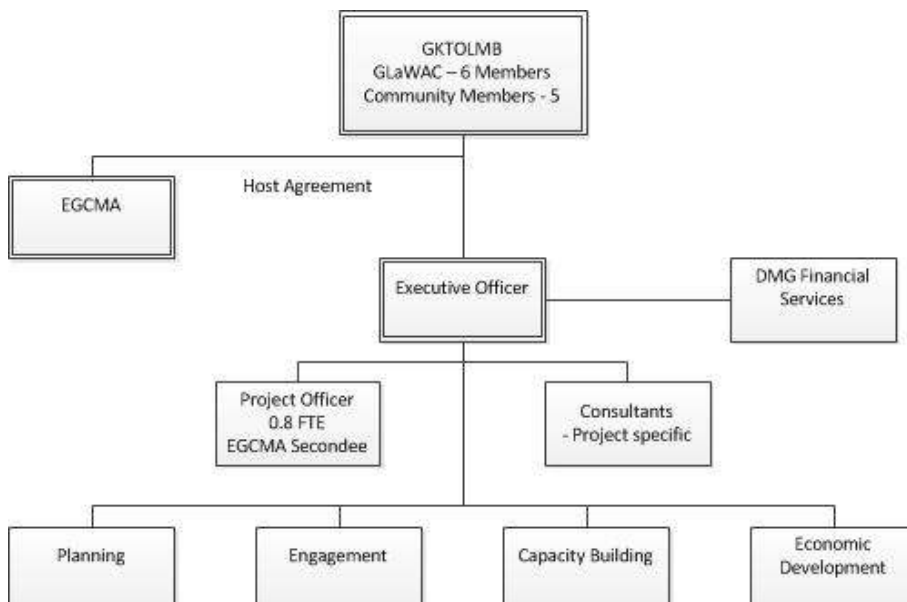
The Board engages various consultancy services to support its planning and engagement activities.

### 3.5. CORPORATE RELATIONSHIPS

#### Relationships Diagram



#### Organisational Structure

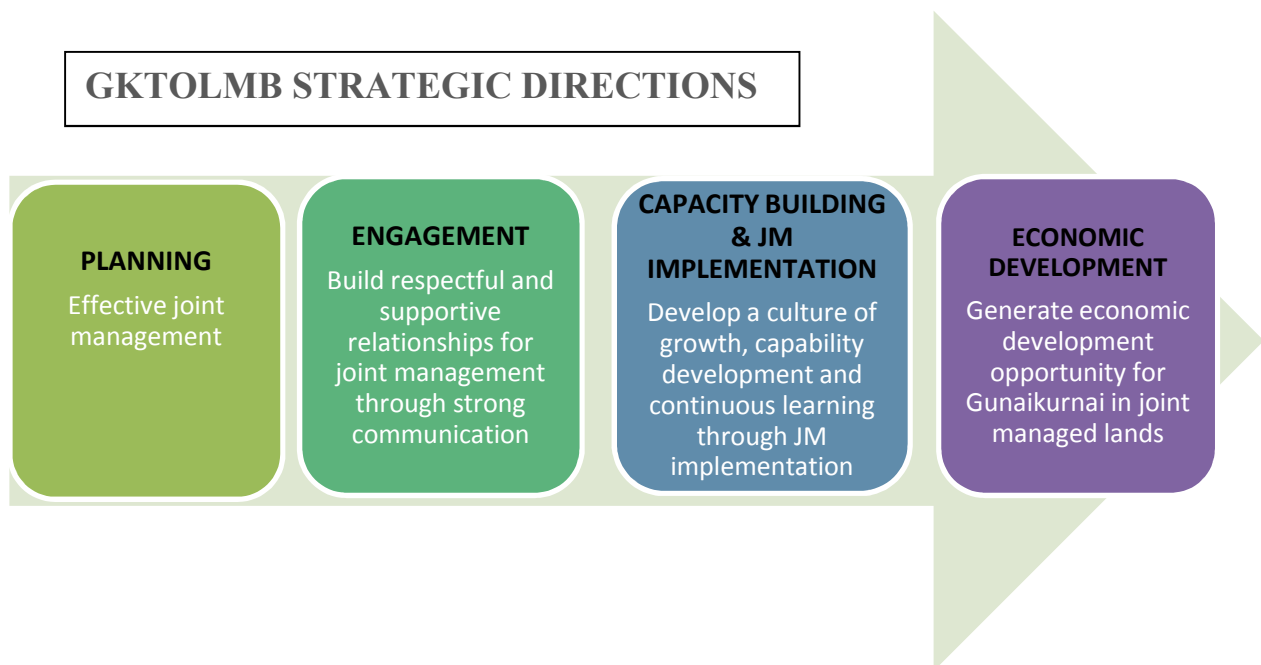


## 4. STRATEGIC DIRECTIONS

In keeping with the Board’s purpose and role, the Board’s early strategic planning identified four strategic directions to guide its operations. These strategic directions continue to be the pillars of this Corporate Plan, with the recent expansion of the former Capacity Building strategic direction to more clearly include joint management implementation, to reflect the advanced nature and content of the draft joint management plan.

The Board’s strategic directions are:

**Planning** for effective Joint Management;  
**Engagement**, communication and relationship building;  
**Capacity Building through Joint Management Implementation**; and  
**Economic Development** associated with the joint managed lands.



## 5. CORPORATE PLAN OBJECTIVES

The following are the objectives for these four strategic directions.

### 5.1. PLANNING OBJECTIVES

- a) Facilitate the establishment of appropriate governance and decision making mechanism so that the Gunaikurnai have meaningful involvement in decision making relevant to the management of the Appointed Land.
- b) Establish the full management requirements of each of the parks and reserves (that will continue to be managed by the State under the *National Parks Act 1975* and the *Crown Land (Reserves) Act 1978*), and determine the extent to which GLaWAC will be incorporated in the management.
- c) Set achievable targets and ensure that the parks and reserves are managed to a high standard in line with the requirements of the TOLMA, relevant legislation, policy and strategies, in order to establish a good reputation for the Board and GLaWAC with the State.
- d) Planning for strategic projects and activities that support 'on-ground' joint management with the learnings and results from these to be reflected in the final Joint Management Plan.
- e) Draw on the *Gunaikurnai Statement of Aspirations* and those contained within the *Gunaikurnai Whole of Country Plan (WOCP)*.
- f) Develop an Agreed Joint Management Plan(s) ready for submission to the Minister for approval by the end of March 2018.
- g) Develop an agreed shared joint management vision with the State.
- h) Ensure compliance with agreed Joint Management initiatives
- i) Delivery/implementation of the JMP timeline project plan.
- j) Integrate Gunaikurnai knowledge and cultural strengthening into the operational governance and delivery of joint on-ground projects (with PV and DELWP).

### 5.2. ENGAGEMENT OBJECTIVES

- a) Prepare and implement a communication and engagement strategy which identifies its partners and stakeholders and the methods of effective communication for these agencies and the community and monitor performance against it.
- b) Establish and maintain a strong partnership with GLaWAC.
- c) Promote cross-cultural understanding within the management of the parks and reserves, in the partner agencies and departments, the wider community and beyond.
- d) Use the JMP preparation process as an opportunity to involve the wider community, both Indigenous and non-Indigenous.
- e) Build and maintain respectful and robust working relationships with Gunaikurnai Traditional Owners, Parks Victoria and DELWP.

- f) Undertake activities, develop communication and engagement strategies and prepare material for distribution to traditional owners to ensure they have meaningful involvement and eventual ownership of the contents of the JMP.
- g) Establish an appropriate governance and project management framework to oversee the development of the Joint Management Plan.
- h) Provide support for governance oversight by the Minister and DELWP.
- i) Promote awareness of cultural heritage values of the Appointed Lands.

### **5.3. CAPACITY BUILDING AND JOINT MANAGEMENT IMPLEMENTATION OBJECTIVES**

- a) With GLaWAC as the lead, build capacity in GLaWAC, the Joint Management Rangers, the 'On Country Team' and the wider Gunaikurnai community for all management activities required under current and potential future joint management frameworks (including acting as a Committee of Management), by complementing and supporting GLaWAC's initiatives.
- b) As far as practicable, integrate Gunaikurnai people with non-Aboriginal counterparts in all management activities in order to build capacity amongst Gunaikurnai, promote cross cultural understanding and achieve true 'joint management'.
- c) Build cross cultural, governance and compliance capability within the GKTOLMB (lead by example) and ensure the GKTOLMB is structured in accordance with its objectives in mind and functioning in an appropriate manner.
- d) Support GLaWAC to build its capacity in all aspects of management and workforce development in relation to the joint managed land.
- e) Support project partner agencies and departments to develop and maintain an appropriate governance and operational structure to enable and deliver joint management.
- f) Planning for strategic projects and activities that support 'on-ground' joint management with the learnings and results from these to be reflected in the final Joint Management Plan.
- g) Support and encourage Gunaikurnai cultural strengthening.
- h) Support and improve organisational governance to meet statutory obligations (risk management and financial compliance).
- i) Conduct regular Board and Committee performance assessment.

### **5.4. ECONOMIC DEVELOPMENT OBJECTIVES**

- a) Increase awareness and potential for economic opportunity in the Appointed Lands.
- b) Support GLaWAC in the development and implementation of an economic development agenda. This includes supporting GLaWAC to establish an appropriate framework that facilitates and supports a collaborative approach to consider, assess, govern and implement business development opportunities within the Appointed Lands.
- c) Identify, analyse and explore economic opportunities for Gunaikurnai people through the development of initiatives that may generate employment and other economic activity that is

compatible with the designation of the land as parks eg. cultural tourism and related products/activities.

- d) Influence and assess service delivery opportunities directly related to the management of the Appointed Lands eg. on ground sub-contracting opportunities.

## 6. OPERATING CONTEXT

### 6.1. KEY CHALLENGES AND OPPORTUNITIES

The key challenges to achieving the strategic direction objectives stem from this being the first joint management model of its kind in Victoria, with limited guidelines on which to base it on. Joint management is an evolving set of relationships, partnerships and processes, and how it works is still being defined. Articulating this in the joint management plan and measuring its success is a key challenge.

Developing a JMP that is acceptable to the Board, the State and current delegated land managers, while also fulfilling Gunaikurnai aspirations, will be both a key challenge and an opportunity to identify areas for capacity building within the Gunaikurnai community, the Board and delegated land managers.

Articulating to the broader Gunaikurnai community that the development of the Joint Management Plan is their opportunity to identify what they would like to see change as a result of recognition of native title and the settlement agreements, including joint management.

A successful JMP could set a framework for similar future agreements in Victoria and the development of a workable structure could be adopted by others.

Ensuring Gunaikurnai's native title rights to land and natural and cultural resource management are adequately recognised, supported and reflected in the Joint Management Plan.

### 6.2. KEY BUSINESS PARTNERSHIPS

As a joint management body, the development and maintenance of partner and stakeholder relationships is an integral part of the Board's work and is considered essential to carry out its functions and duties. Ensuring a respectful and supportive relationship with GLaWAC is a priority.

### 6.3. BUSINESS RISKS AND MITIGATING CONTROLS

The Board has an established Risk Register to help identify and monitor key risk areas. The Board has charged the Audit and Risk Committee to monitor and review the Risk Register and report to the Board regularly.

Key risks identified are described below:

Risk	Current Causes and Controls
<b>Strategic</b>	
No GLaWAC support.	<b>Cause #1</b> Poor process in engagement with GLaWAC Board and staff <b>Controls:</b> Robust engagement with GLaWAC GLaWAC endorsement of deliverables identified in Draft JMP Alignment with the Whole of Country Plan Development of a range of communication tools GLaWAC staff and Board workshops for input/feedback Regular interaction with GLaWAC CEO  <b>Cause #2</b> Inadequate planning and review <b>Controls:</b> Development of JMP timeline and work plan Coordinated review Appropriate steering committees including GLaWAC representation

Risk	Current Causes and Controls
Non-acceptance from the Gunaikurnai community for the JMP	<p><b>Cause #1</b> Inadequate communication and engagement process  <b>Controls:</b> Regular reporting to GLaWAC Board on progress  Maintaining updates to Gunaikurnai through GLaWAC News  Robust Gunaikurnai community engagement in stages consistent with plan development  Use of Gunaikurnai led consultation to undertake consultation  Coordination with GLaWAC communication to members</p>
No JM Partner Support	<p><b>Cause #1</b> Inadequate relationships  <b>Controls:</b> Development of governance model endorsed by partners  Regular communication and opportunity to provide feedback  Input into planning process  Engagement strategy  Coordinated project development</p>
JM Plan not delivered as agreed	<p><b>Cause #1</b> Inadequate planning and process  <b>Controls:</b> Structured Corporate Plan reviewed annually  Structured Board oversight and progress monitoring  Establishment of JMP Committee to monitor timeline  Structured engagement with DELWP</p> <p><b>Cause #2</b> Limitations of capacity within GLaWAC, DELWP and PVic to resource input and to provide timely information/data/feedback.  <b>Controls:</b> Provide resources, support and feedback</p>
<b>Financial</b>	
Poor financial management	<p><b>Cause #1</b> Inadequate policy and procedure  <b>Controls:</b> regular policy and procedure review and update  EGCMA oversight and management assistance  Independent ARC members  Audit and Risk recommendations endorsed by GKTOLMB  Internal audit program  Use of external accountant and CFO</p>
Ability to secure adequate funding	<p><b>Cause #1</b> Poor strategy that is not aligned to government priorities  <b>Controls:</b> Clear, achievable and DELWP endorsed Corporate Plan  Strong advocacy of JM development and Gunaikurnai needs</p> <p><b>Cause #2</b> Failure to deliver on stated/agreed objectives  <b>Controls:</b> Demonstrated record of project/programme delivery  Sound financial management  FMCF compliance</p>
<b>Operational</b>	
No quorum	<p><b>Cause #1</b> No Gunaikurnai voting majority  <b>Controls:</b> Development of Board Charter and refinement of quorum procedures  Developed strategies for consensus  Support/encourage GLaWAC attendance at Board meetings</p> <p><b>Cause #2</b> Gunaikurnai members feel disempowered  <b>Controls:</b> Build cross cultural capacity within the Board  Support/encourage GLaWAC attendance at Board meetings</p>
Corporate Governance	<p><b>Cause #1</b> No oversight of EO operations  <b>Controls:</b> Ensure robust risk management framework  Review quality and content of EO reporting  Internal audit plan</p>



Risk	Current Causes and Controls
	<p><b>Cause #3</b> No Board performance assessment</p> <p><b>Controls:</b> Board performance undertaken regularly and recommendations monitored by Executive Committee</p>

A total of 8 risks have been identified across 3 categories. While some of these could have major and/or critical consequences, the controls that have been developed and put in place mean that 4 are considered low and 7 are medium.

The inclusion of a risk management framework review in the current internal audit plan is also a key to ensuring identified risks are analysed independently and suitably managed through effective controls and committee oversight.

#### **6.4. COMMUNICATION BETWEEN THE BOARD AND THE MINISTER/DELWP**

The Board is a devolved management model established principally under the *Conservation, Forest and Lands Act 1987 and the Financial Management Act 1994*. The formal communication frameworks that are in place to achieve communication between the Board and the responsible Minister and/or the Department of Environment, Land, Water and Planning (DELWP) are:

- A Corporate Plan and Business Plan submitted to DELWP annually;
- An Annual Report submitted to the Minister each year;
- A summary of the bi-annual board performance assessment submitted to DELWP.

#### **6.5. REPORTING AND REVIEW OF THE CORPORATE PLAN**

Shortly after completion of each financial year, the Board reviews organisational performance against the Corporate Plan and Business Plan and reports the results in its Annual Report.

Prior to the start of each financial year, the Board reviews its three year rolling Corporate Plan, and prepares a complementary annual Business Plan that indicates the tasks and initiatives scheduled for the coming financial year. It also undertakes Board performance reviews and monitors the implementation of adopted resulting recommendations.

In the event that the Board identifies the need for a significant change in direction and/or changes to key strategies, it will amend the Corporate Plan at any time during its life and advise relevant agencies. It is likely the adoption of the Board's Joint Management Plan during 2017/18 will prompt a significant review of its Corporate Plan and Business Plan for the following years.