



Monthly Investment Report

June 2022



IMPERIUM MARKETS

Imperium Markets Pty Ltd ABN: 87 616 579 527
Authorised Representative of Libertas Financial Planning Pty Ltd AFSL 429 718
Phone: +61 2 9053 2987
Email: michael.chandra@imperium.markets
Level 9 Suite 06, 70 Phillip Street, Sydney NSW 2000

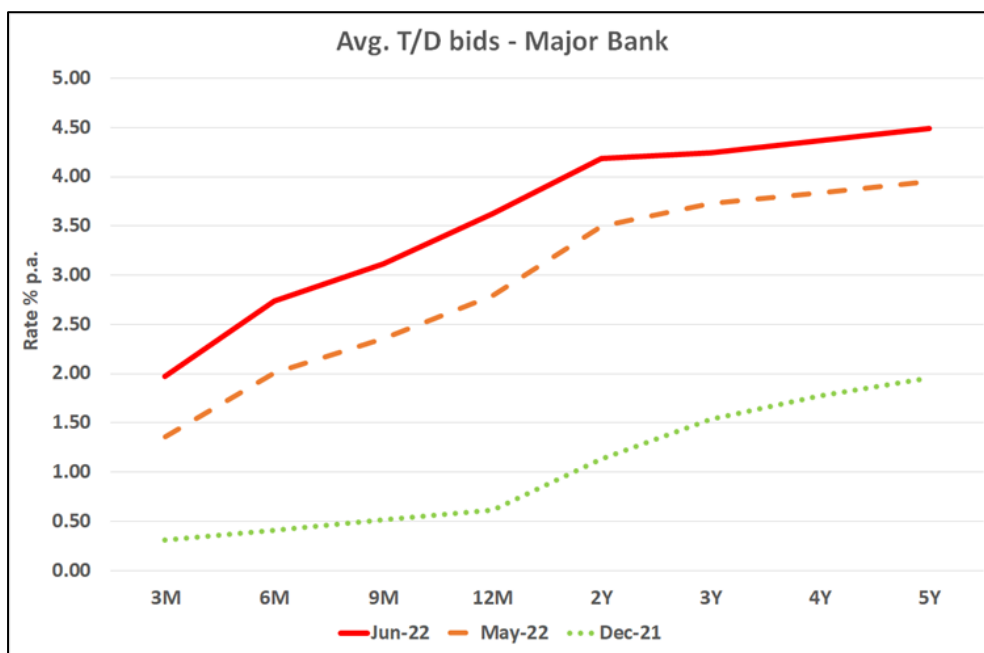
Impact of COVID-19 to Council’s Portfolio

The COVID-19 pandemic has adversely impacted financial markets, which in turn, has also affected Council’s investment portfolio. We provide a quick summary in this section.

The RBA cut rates to record lows on 3rd November 2020 to 0.10%, consistent with most global central banks resetting their official rates to emergency levels. As global markets transitioned to the recovery phase, supply chain issues has resulted in surging inflationary pressures. Longer-term bond yields have risen significantly in recent months as central banks reverse their easing policy measures (i.e. quantitative easing), whilst also moving to undertake aggressive hikes to mitigate surging inflation. **Markets are now factoring the possibility of a recession in 2024-2025 as official rates move higher. The RBA increased the official cash rate by 50bp in both June and July 2022, taking the official cash rate to 1.35%, and flagged further rate rises over coming months.**

The biggest risk that Council faces over the medium-longer term in this environment is not the potential loss of capital (given all the banks are well capitalised and regulated by APRA), but the rapid loss of interest income as interest rates plummeted to all-time lows during the pandemic.

Council’s term deposit portfolio was yielding 0.98% p.a. at month-end, with a weighted average duration of around 158 days or ~5 months.



Source: Imperium Markets

With markets factoring in additional rate hikes over coming months, this has seen a significant shift in longer-term deposit rates, particularly over the past 6 months. **‘New’ investments above 3½% p.a. now appears likely if Council can continue to place the majority of its surplus funds for terms of 12 months to 2 years.**



Council's Portfolio & Compliance

Fund Allocation

As at the end of June 2022, the portfolio was mainly directed to General Funds:

Investments per allocation			
Code	Invested	Invested (%)	Number of trades
GENERAL	29,174,890.63	67.55	7
WATER	12,017,008.19	27.82	6
SEWER	2,000,000.00	4.63	1

Asset Allocation

As at the end of June 2022, the portfolio is mainly directed to fixed term deposits (60%). The remainder of the portfolio is held in low yielding cash accounts with NAB (AA-) and Bendigo-Adelaide (BBB+), which remains at relatively high levels and will cause a drag to performance. We recommend opening the 'accelerator' cash account with Macquarie Bank (A+), which is currently paying an overnight rate of 1.00% p.a. for balances up to \$10m (and 0.85% p.a. for balances greater than \$10m).

Senior FRNs are now becoming more attractive as spreads have widened in recent months – new issuances should now be considered again on a case by case scenario. In the interim, fixed deposits for 12 months to 3 years appear quite appealing following the spike in medium-to longer-term yields in recent months.

With recessionary fears being priced in coming years, those investors that can allocate longer-term surplus funds may take an insurance policy by investing across 3-5 year fixed deposits and locking in rates between 4%-5% p.a. (small allocation only).



Council's Investment Policy does not specify any limits for Maturity, Counterparty and Credit Quality compliance measures. In the following sections, we have tentatively placed what other NSW councils have adopted as part of their compliance limits. We provided Berrigan Shire Council an Investment Policy review during April 2021.

Term to Maturity

The portfolio is highly liquid with the entire investment portfolio maturing within 12 months. We recommend a more diversified maturity profile to improve the returns of the total investment portfolio.

Where ongoing liquidity requirements permit Council to invest in attractive 1-2 year investments, we recommend this be allocated fixed term deposits, where attractive (refer to respective sections below).

Compliant	Horizon	Invested (\$)	Invested (%)	Min. Limit (%)	Max. Limit (%)	Available (\$)
✓	0 - 90 days	\$30,191,899	69.90%	10%	100%	\$13,000,000
✓	91 - 365 days	\$13,000,000	30.10%	20%	100%	\$30,191,899
✓	1 - 2 years	\$0	0.00%	0%	70%	\$30,234,329
✓	2 - 5 years	\$0	0.00%	0%	50%	\$21,595,949
		\$43,191,899	100.00%			

Counterparty

As at the end of June 2022, Council had an overweight position to Bendigo-Adelaide, largely driven by the large cash balance. Overall, the portfolio is lightly diversified, with some exposure to the unrated ADIs.

Compliant	Issuer	Rating	Invested (\$)	Invested (%)	Max. Limit (%)	Available (\$)
✓	NAB	A-1+	\$5,823,079	13.48%	40.00%	\$11,453,680
✓	AMP Bank	A-2	\$7,000,000	16.21%	25.00%	\$3,797,975
X	Bendigo-Adel.	A-2	\$22,368,819	51.79%	25.00%	-\$11,570,845
✓	BoQ	A-2	\$2,000,000	4.63%	25.00%	\$8,797,975
✓	Defence Bank	A-2	\$4,000,000	9.26%	25.00%	\$6,797,975
✓	Central Murray	Unrated	\$2,000,000	4.63%	10.00%	\$2,319,190
			\$43,191,899	100.00%		

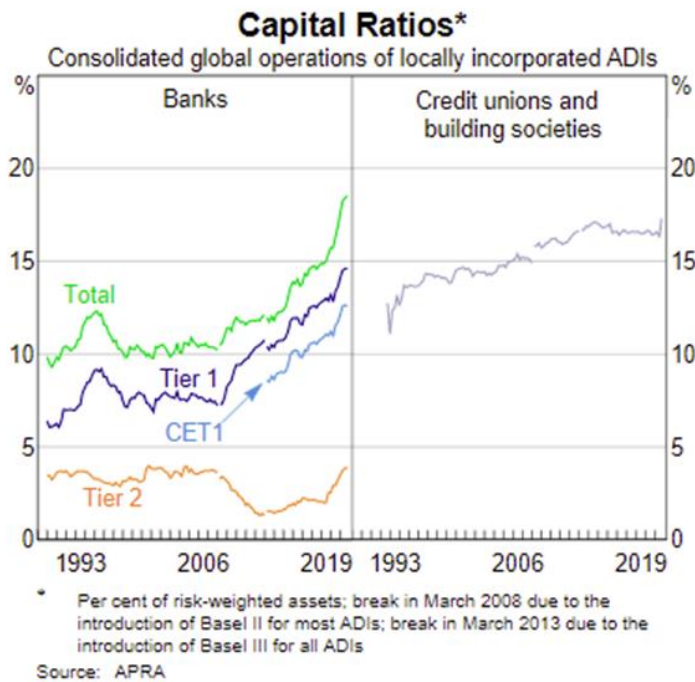
We remain supportive of the regional and unrated ADI sector (and have been even throughout the GFC period). They continue to remain solid, incorporate strong balance sheets, while exhibiting high levels of capital – typically, much higher compared to the higher rated ADIs. Some unrated ADIs have up to 25-40% more capital than the domestic major banks, and well above the Basel III requirements.

RBA Governor Lowe has commented that they have not seen any signs of stress in the financial system and that unlike during the GFC, the banks (all ADIs) now have cash, are well capitalised and are acting as “shock absorbers” in the current crisis.

Overall, the lower rated ADIs (BBB and unrated) are generally now in a better financial position than they have been historically (see the Capital Ratio figure below). We believe that deposit investments with the lower rated ADIs should be continued going forward, particularly when they offer ‘above market’ specials. Not only would it diversify the investment portfolio and reduce credit risk, it would

also improve the portfolio’s overall returns. The lower rated entities are generally deemed to be the more ‘ethical’ ADIs compared to the higher rated ADIs.

In the current environment of high regulation and scrutiny, all domestic (and international) ADIs continue to carry high levels of capital. There is minimal (if any) probability of any ADI defaulting on their deposits going forward – this was stress tested during the GFC. **APRA’s mandate is to “protect depositors” and provide “financial stability”.**





Credit Quality

Council had a minor overweight position to the A-2 category given the high cash balance with Bendigo-Adelaide. The portfolio remains well diversified from a ratings perspective, with some exposure down to the local credit unions.

From a ratings perspective, the “BBB/A-2” rated banks now generally dominate the number of ADIs issuing deposits within the investment grade space. There has been further signs of appetite developing in the wholesale deposit market as additional lower rated (“BBB/A-2” and unrated) ADIs have come to market to raise ‘new’ money. Over the coming year, we may start to see a more ‘normalised’ environment where the lower rated banks start to offer higher rates compared to the higher rated banks as the competition for deposits grow.

All other categories were within the Policy limits:

Compliant	Credit Rating	Invested (\$)	Invested (%)	Max. Limit (%)	Available (\$)
✓	A-1+ Category	\$5,823,079	13%	100%	\$37,368,819
✓	A-1 Category	\$0	0%	100%	\$43,191,899
X	A-2 Category	\$35,368,819	82%	80%	-\$815,300
✓	A-3 Category	\$0	0%	20%	\$8,638,380
✓	Unrated ADI Category	\$2,000,000	5%	15%	\$4,478,785
		\$43,191,899	100.00%		



Performance

Council's performance for the month ending 30 June 2022 is summarised as follows:

Performance (Actual)	1 month	3 months	6 months	FYTD	1 year
Official Cash Rate	0.07%	0.11%	0.13%	0.18%	0.18%
AusBond Bank Bill Index	0.05%	0.07%	0.08%	0.10%	0.10%
Council's T/D Portfolio[^]	0.08%	0.17%	0.28%	0.53%	0.53%
Outperformance	0.03%	0.10%	0.19%	0.44%	0.44%

[^]Total portfolio performance excludes Council's cash account holdings. Overall returns would be lower if cash was included.

Performance (Annualised)	1 month	3 months	6 months	FYTD	1 year
Official Cash Rate	0.85%	0.43%	0.27%	0.18%	0.18%
AusBond Bank Bill Index	0.61%	0.28%	0.17%	0.10%	0.10%
Council's T/D Portfolio[^]	1.01%	0.68%	0.56%	0.53%	0.53%
Outperformance	0.40%	0.41%	0.39%	0.44%	0.44%

[^]Total portfolio performance excludes Council's cash account holdings. Overall returns would be lower if cash was included.

For the month of June 2022, the deposit portfolio provided a reasonable return of +0.08% (actual) or +1.01% p.a. (annualised), easily outperforming the benchmark AusBond Bank Bill Index return of +0.05% (actual) or +0.61% p.a. (annualised). The outperformance continues to be driven by a combination of those deposits originally invested beyond 6 months.

Going forward, with additional rate hikes expected over coming months, Council's interest income can be increased significantly by undertaking a slightly longer duration position (12-24 months), with rates on offer along this part of the curve likely to be offered at nearly double the rate compared to shorter tenors.

If Council is willing to undertake a slightly different strategy and stagger its deposit investments with the likes of the major banks (and Bendigo) across periods ranging from 12-24 months, over the upcoming year, it is likely to see an increase in overall returns by at least 1% p.a. On a \$28m deposit portfolio, that could amount to extra interest income of \$280,000 over the next 12 months should such a strategy be implemented.

Investors using the Imperium Markets platform have reduced the invisible costs associated with brokerage, and thereby lift client portfolio returns as investors are able to deal in deposits directly with the ADIs and execute at the best price possible.



Council's Term Deposit Portfolio & Recommendation

As at the end of June 2022, Council's deposit portfolio was yielding 0.98% p.a. (unchanged from the previous month), with an average duration of around 158 days (~5 months).

We strongly recommend Council extends this average duration. With an upward sloping deposit curve, investors are rewarded if they can continue to maintain a longer average duration. At the time of writing, we see value in:

ADI	LT Credit Rating	Term	T/D Rate
BoQ/ME Bank	BBB+	3 years	4.55% p.a.
ICBC, Sydney	A	3 years	4.50% p.a.
ICBC, Sydney	A	2 years	4.30% p.a.
ING	A	2 years	4.20% p.a.
Australian Unity	BBB+	2 years	4.20% p.a.
P&N Bank	BBB	2 years	4.20% p.a.
Suncorp	A+	2 years	4.10% p.a.
Westpac	AA-	2 years	3.93% p.a.

The above deposits are suitable for investors looking to maintain diversification and lock-in a premium compared to purely investing short-term.

For terms under 12 months, we believe the strongest value is currently being offered by the following ADIs (dependent on daily funding requirements):

ADI	LT Credit Rating	Term	T/D Rate
Australian Unity	BBB+	12 months	4.00% p.a.
ING	A	12 months	3.90% p.a.
Suncorp	A+	12 months	3.85% p.a.
BoQ/ME Bank	BBB+	12 months	3.75% p.a.
Bendigo	BBB+	12 months	3.75% p.a.
Westpac	AA-	12 months	3.70% p.a.
NAB	AA-	12 months	3.60% p.a.

If Council does not require high levels of liquidity and can stagger their investments longer-term, it will be rewarded over coming years if it can roll for an average min. term of 12-18 months to 2 years (this



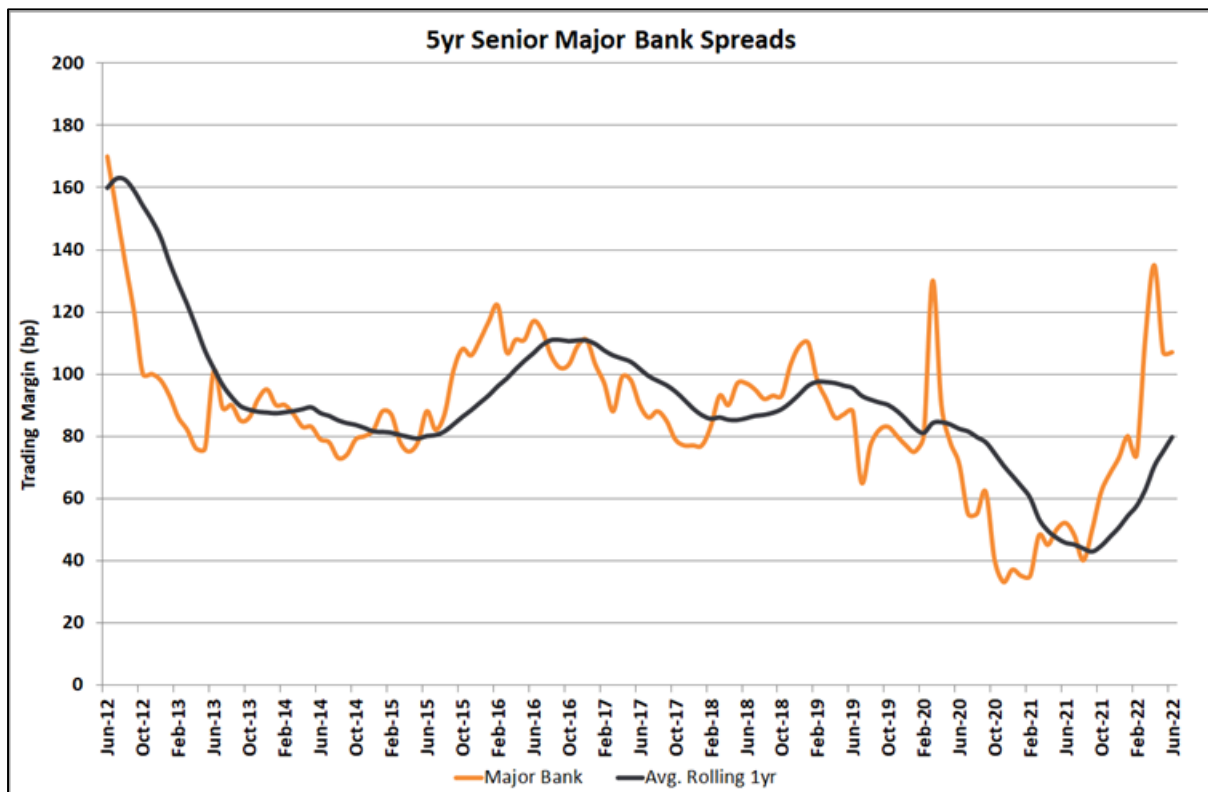
is where we current value), yielding, on average, up to ½%-1% p.a. higher compared to those investors that entirely invest in short-dated deposits.

At-Call Account

We recommend Council opens the Macquarie Bank (A+) ‘accelerator’ account, currently offering an overnight rate of 1.00% p.a. for balances up to \$10m and 0.85% p.a. for balances greater than \$10m. This account is earning much higher than what Council is currently receiving from both Bendigo (BBB+) and NAB (AA-).

Senior FRNs Review

Over June, amongst the senior major bank FRNs, physical credit securities remained relatively flat at the long-end of the curve despite the selloff in the credit indices. Major bank senior securities are now looking fairly attractive again in a rising rate environment (5 year margins around the +105-110bp level):



Source: IBS Capital

Amongst the “A” and “BBB” rated sector, the securities also remained relatively flat at the long-end of the curve. There was very little new issuance during the month, with only BoQ (BBB+) being an exception, tapping their May 2025 Covered FRN rated AAA at +105bp.

Credit securities are looking much more attractive given the widening of spreads in recent months. FRNs will continue to play a role in investor’s portfolios mainly on the basis of their liquidity and the ability to roll down the curve and gross up returns over ensuing years (in a relatively stable credit environment).



Senior FRNs (ADIs)	30/06/2022	31/05/2022
"AA" rated – 5yrs	+107bp	+107bp
"AA" rated – 3yrs	+90bp	+90bp
"A" rated – 5yrs	+125bp	+125bp
"A" rated – 3yrs	+100bp	+100bp
"BBB" rated – 3yrs	+110bp	+115bp

Source: IBS Capital

We now generally recommend switches ('benchmark' issues only) into new primary issues, out of the following senior FRNs that are maturing:

- **On or before mid-2024 for the "AA" rated ADIs (domestic major banks);**
- On or before mid-2023 for the "A" rated ADIs; and
- Within 6-9 months for the "BBB" rated ADIs (consider case by case).

Investors holding onto the above senior FRNs ('benchmark' issues only) in their last few years are now generally holding sub-optimal investments and are not maximising returns by foregoing realised capital gains. In the current low interest rate environment, any boost in overall returns should be locked in when it is advantageous to do so, particularly as switch opportunities become available.

Primary (new) FRNs are now looking more appealing and should be considered on a case by case scenario.



Senior Fixed Bonds – ADIs (Secondary Market)

As global inflationary pressures have escalated, this has seen a significant lift in longer-term bond yields (valuations fell) as markets have strongly factored in a tightening of global central bank policy measures (i.e. withdrawal of Quantitative Easing and lifting official interest rates).

This has resulted in some opportunities in the secondary market. We currently see value in the following fixed bond lines, with the majority now being marked at a significant discount to par (please note supply in the secondary market may be limited on any day):

ISIN	Issuer	Rating	Capital Structure	Maturity Date	~Remain. Term (yrs)	Fixed Coupon	Indicative Yield
AU3CB0255776	ING	AAA	Covered	07/09/2023	1.19	3.00%	3.93%
AU3CB0258465	Westpac	AA-	Senior	16/11/2023	1.38	3.25%	3.93%
AU3CB0265403	Suncorp	AA-	Senior	30/07/2024	2.08	1.85%	4.41%
AU3CB0265593	Macquarie	A+	Senior	07/08/2024	2.11	1.75%	4.49%
AU3CB0265718	ING	AAA	Covered	20/08/2024	2.14	1.45%	4.47%
AU3CB0266179	ANZ	AA-	Senior	29/08/2024	2.17	1.55%	4.31%
AU3CB0266377	Bendigo	BBB+	Senior	06/09/2024	2.19	1.70%	4.49%
AU3CB0268027	BoQ	BBB+	Senior	30/10/2024	2.34	2.00%	4.60%
AU3CB0269710	ANZ	AA-	Senior	16/01/2025	2.55	1.65%	4.41%
AU3CB0269892	NAB	AA-	Senior	21/01/2025	2.56	1.65%	4.41%
AU3CB0270387	Macquarie	A+	Senior	12/02/2025	2.62	1.70%	4.69%
AU3CB0287415	Westpac	AA-	Senior	17/03/2025	2.71	2.70%	4.51%
AU3CB0280030	BoQ	BBB+	Senior	06/05/2026	3.85	1.40%	5.09%
AU3CB0282358	ING	AAA	Covered	19/08/2026	4.14	1.10%	4.57%
AU3CB0284149	BoQ	BBB+	Senior	27/10/2026	4.33	2.10%	5.14%
AU3CB0286037	Westpac	AA-	Senior	25/01/2027	4.57	2.40%	4.77%

Economic Commentary

International Market

Risk assets plummeted in June as recessionary fears escalated given the surge in bond yields and the need for central banks to increase their hawkishness to control inflation.

In the US, the S&P 500 Index plunged -8.39%, while the NASDAQ fell -8.71%. Europe’s main indices were also sold off, led by Germany’s DAX (-11.15%), France’s CAC (-8.44%) and UK’s FTSE (-5.76%).

The US Federal Reserve increased rates by 75bp in June, the largest rate increase since 1994, taking the Fed funds target range to 1.50%-1.75%. This decision was instigated by their latest headline inflation reading being +1.0% m/m (against +0.7% expected), taking the annual rate to +8.6% y/y, its highest since 1981. The new Funds Rate projections show the median dot for end-2022 lifted from 1.75-2.00% to 3.25-3.50%.

US Fed Chair Powell said the Fed has an unconditional commitment to restoring price stability, commenting “my colleagues and I are acutely focused on returning inflation to our 2% objective” and that they would raise rates “expeditiously”. He also commented that the path to achieving a soft landing is getting narrower.

The US unemployment rate remained unchanged at 3.6%, with gains filled from returning participation. Hourly earnings growth steady at +0.3% m/m.

The Bank of England (BoE) hiked rates by 25bp for its fifth back-to-back rise, taking Bank Rate to 1.25%. UK CPI came in no-worse than expected, lifting to an annual rate of +9.1% from +9.0%. Leading the +0.7% monthly rise was a +1.5% jump in food prices.

ECB President Lagarde said inflation is too high and that the ECB must act but went no further than to reiterate that rates will rise by 25bp in July.

Canada’s latest CPI read came in well above expectations, headline CPI up to +7.7% in May from +6.8% and +7.3% expected.

The MSCI World ex-Aus Index fell -8.69% for the month of June:

Index	1m	3m	1yr	3yr	5yr	10yr
S&P 500 Index	-8.39%	-16.45%	-11.92%	+8.77%	+9.33%	+10.76%
MSCI World ex-AUS	-8.69%	-16.56%	-15.60%	+5.49%	+5.98%	+7.70%
S&P ASX 200 Accum. Index	-8.77%	-11.90%	-6.47%	+3.34%	+6.83%	+9.29%

Source: S&P, MSCI

Domestic Market

The RBA modestly surprised the market in its meeting in June, with its 50bp hike to the Official Cash Rate, moving it to 0.85%. It cited inflation was higher than they expected just a month ago, with pressure coming not just from global forces but also domestic influences, including higher gas and electricity prices as well as (more tellingly) tight labour markets and therefore an implied expectation that wages are in process of rising more sharply.

RBA Governor Lowe expected inflation will peak at a “*very high*” 7% late this year, from an earlier forecast of 6%. Dr Lowe also commented that it was “*reasonable*” to expect the cash rate to eventually reach 2.5%, in line with the midpoint of the inflation target, but he admitted it was “*unclear*” how high rates would go and how quickly.

The Board is still seen raising rates 50bp in July and August and reinstated the upgraded forecast for inflation to peak around 7% in Q4 this year (from 6% in May). Lowe emphasised that inflation did not need to return to target immediately, but also noted that the RBA needed to “*chart a credible path back to an inflation rate of 2 to 3%*”.

The unemployment rate remain unchanged at 3.9% in May, with employment surging +60.6k. The participation rate moved up 0.3% to 66.7%, a new record high.

The trade surplus increased \$0.8bn to \$10.5bn in April (consensus \$9.0bn). The increase was driven by a 1% rise in exports and a 0.7% fall in imports.

APRA finalised revisions to its prudential framework, as contained within APS 220. The final revisions are effectively as set out under the draft proposals published in November 2021. The new macroprudential policy sets out more quantitative measures including the requirement for ADIs to apply residential mortgage serviceability buffers (a loan interest buffer of at least 3.0% applied, unless determined otherwise by APRA).

The Australian dollar fell -4.15%, finishing the month at US68.89 cents (from US71.87 cents the previous month).

Credit Market

The global credit indices widened significantly over the month in the ‘risk-off’ environment. They are back to their levels experienced during the start of the pandemic (Q1 2020):

Index	June 2022	May 2022
CDX North American 5yr CDS	101bp	79bp
iTraxx Europe 5yr CDS	119bp	84bp
iTraxx Australia 5yr CDS	130bp	95bp

Source: Markit



Fixed Interest Review

Benchmark Index Returns

Index	June 2022	May 2022
Bloomberg AusBond Bank Bill Index (0+YR)	+0.05%	+0.03%
Bloomberg AusBond Composite Bond Index (0+YR)	-1.48%	-0.89%
Bloomberg AusBond Credit FRN Index (0+YR)	+0.05%	-0.08%
Bloomberg AusBond Credit Index (0+YR)	-1.34%	-0.58%
Bloomberg AusBond Treasury Index (0+YR)	-1.32%	-1.00%
Bloomberg AusBond Inflation Gov't Index (0+YR)	-2.23%	-2.28%

Source: Bloomberg

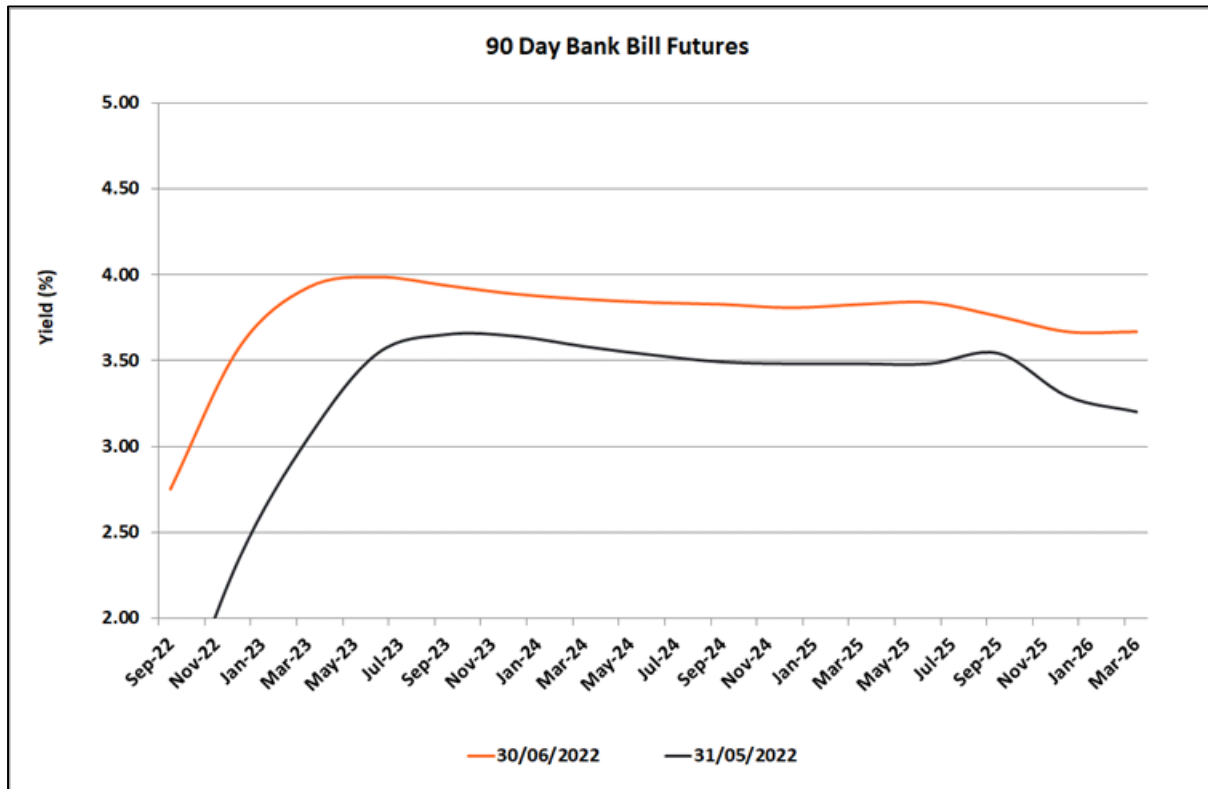
Other Key Rates

Index	June 2022	May 2022
RBA Official Cash Rate	0.85%	0.35%
90 Day (3 month) BBSW Rate	1.81%	1.18%
3yr Australian Government Bonds	3.16%	2.86%
10yr Australian Government Bonds	3.66%	3.35%
US Fed Funds Rate	1.50%-1.75%	0.75%-1.00%
10yr US Treasury Bonds	2.98%	2.85%

Source: RBA, AFMA, US Department of Treasury

90 Day Bill Futures

Over June, bill futures rose sharply at the short-end of the curve after the RBA hiked rates by 50bp and flagged further rate rises in the immediate future. The market continues to factor in the possibility of a recession over the next few years, highlighted by the drop in the futures pricing in 2024-2025:

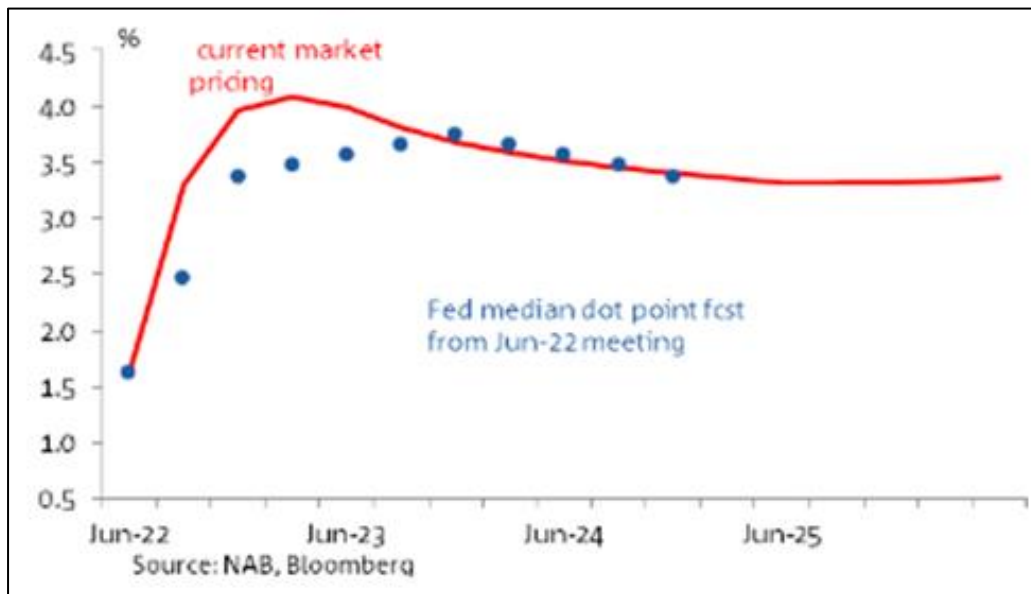


Source: ASX

Fixed Interest Outlook

US Fed Chair Powell reiterated their commitment to raising rates “*expeditiously*” (75bp of tightening on 27th July largely priced in), while acknowledging the path to achieving a soft landing is becoming narrower.

The current US Fed dot plots is now pointing to 325bp of tightening in 2022, up from 175bp. The median projection for the funds rate is 3.375% by end 2022 (up from 1.875%), 3.75% by end 2023 (up from 2.625%) and 3.375% by end 2024 (up from 2.625%).

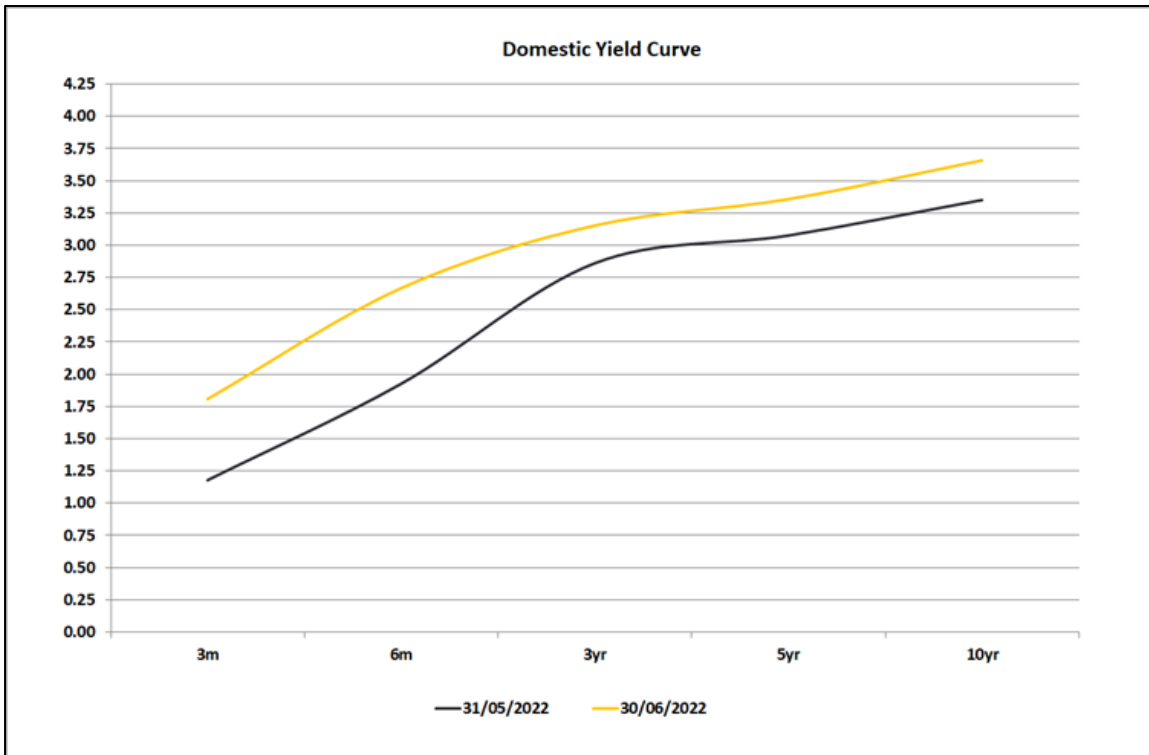


Domestically, after the RBA lifted rates by 50bp in June, they have clearly pivoted along with several other global central banks undertaking the same strategy, commenting “*given the current inflation pressures in the economy, and the still very low level of interest rates, the Board decided to move by 50bp [in June]. The Board expects to take further steps in the process of normalising monetary conditions in Australia over the months ahead*”.

The combination reinforced the view that the previous level of extraordinary monetary support was no longer necessary, while a further deterioration in the inflation outlook compared to even the previous month (on higher energy and electricity prices), meant a quicker move was required.

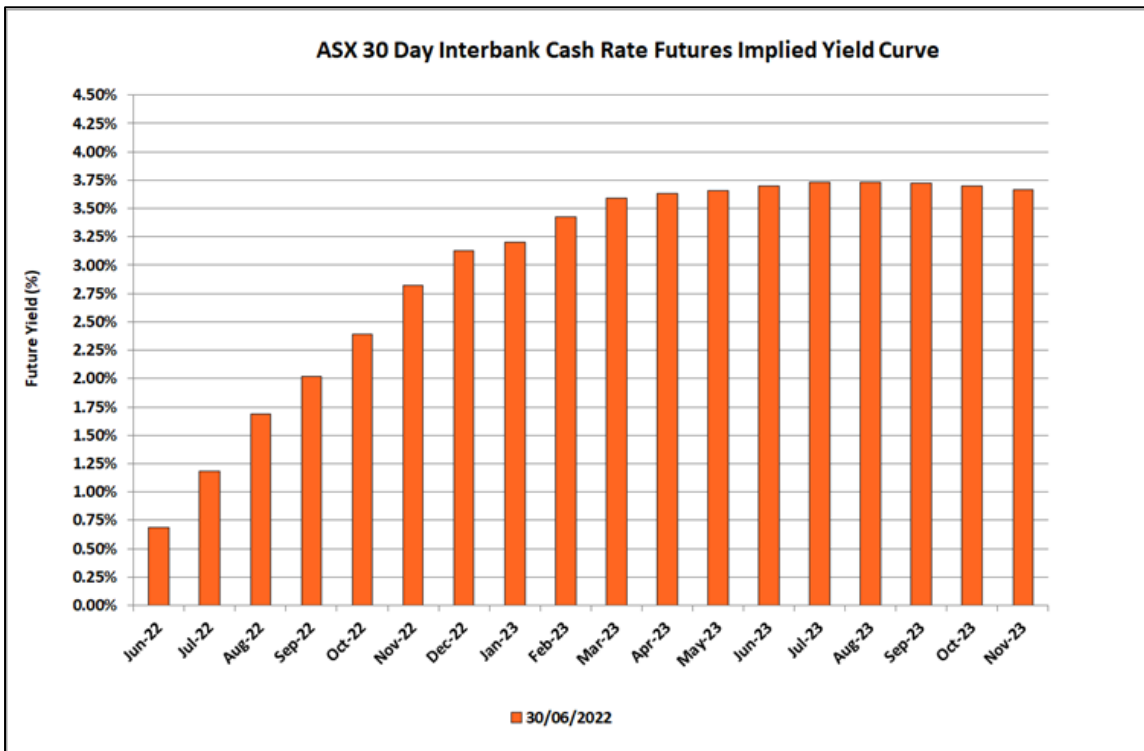
The RBA will continue to adjust rates in the months ahead. Inflation pressures remain strong and core inflation remains significantly higher than expected. With economic activity and the labour market remaining relatively strong for now, it is possible that the RBA will raise rates towards 1.60%-1.85% within the next two months (a further 75-100bp of tightening), with further 25bp moves expected later in the year to deliver a cash rate to at least around 2½-3% by the end of 2022.

The domestic bond market continues to suggest a prolonged low period of interest rates on a historical basis (10-year government bond yields still under 4%). Over the month, yields rose around 30bp at the long-end of the curve:



Source: AFMA, ASX, RBA

Markets are currently pricing in around twelve additional rate rises over the next two years (up to 3¾%), although if the recessionary fears come to fruition, the RBA is likely required to monitor its ‘terminal rate’:



Source: ASX



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Memorandum of Understanding

Berrigan Shire Council

and

Tocumwal Aviation Museum



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Date: xxx 2022

This is a Memorandum of Understanding (MOU) between:

Berrigan Shire Council, ABN 53 900 833 102 of 56 Chanter Street Berrigan NSW 2712 (referred to in this document as the Council) and

Tocumwal Aviation Museum, ABN 13 637 971 263 of Burma Road, Tocumwal.

Duration of the MOU

This is a non-binding MOU between the Council and the Tocumwal Aviation Museum

The MOU will apply from [Insert Date] and will continue to apply until [Insert Date] or until the termination of the MOU by either party on the giving on one (1) month's written notice to the other.

Scope

The Council and Tocumwal Aviation Museum are committed to maintaining a positive and co-operative working relationship.

The Council and the Tocumwal Aviation Museum are committed, where practicable to work collaboratively to:

- identify key mutual outcomes for Tocumwal and the greater Berrigan Shire (with particular focus on tourism, employment, infrastructure, services and population growth);
- apply for and deliver mutually beneficial government grants and other funding opportunities;
- share data and information that is mutually beneficial to both parties;
- promote and facilitate events and opportunities; and
- promote aviation tourism as a growing industry sector in the Shire.

As part of the parties' mutual commitment, the Council and Tocumwal Aviation Museum will act in accordance with the spirit and intent of this MOU, even though neither party intends that it be legally binding.

Goals and Objectives

For the term of this MOU, the Council and Tocumwal Aviation Museum agree to work together to achieve build aviation tourism as a "strong and clear point of difference for the region".

For the term of this MOU, the Council and Tocumwal Aviation Museum agree to investigate any opportunities associated with:

- Adventure and Joy Flight Tourism
- Air Shows and Aviation Events
- Investment in the aerodrome and associated infrastructure

The Council and Tocumwal Aviation Museum will investigate opportunities to streamline, and in doing so document better practice, application and regulatory approval processes relevant to the MOU and airport operations.

Roles and Responsibilities

The Council and the Tocumwal Aviation Museum will support the messages of the Council's *Strategy for the Visitor Economy 2022-2026* with particular focus on the opportunities being realised through Aviation Tourism.

The Tocumwal Aviation Museum will ensure it works openly and honestly with Council to align with Council's strategic plans for the area and fulfils its role as a leader in the community.

Adventure Flight Tourism

At Council's April Ordinary Meeting, the decision of Council to support Adventure Tourism through the Tocumwal Aviation Museum was noted in the following Motion:

8.31 Adventure Flight Proposal – Tocumwal Aerodrome

119 Resolved Cr Hatty and Cr Cornwell McKean that the Council:

1. approve the operation of Adventure Flights from the Tocumwal aerodrome by the operators of the Tocumwal Aviation Museum.
2. direct the CEO to arrange a formal agreement with the operators of the Tocumwal Aviation Museum to manage Adventure Flights from the museum only, and to accept the transfer of liability for that operation through their current \$20,000,000 in Public Liability Insurance.

As per the above, the Tocumwal Aviation Museum will conduct Adventure Flights as per Schedule 1 of this Agreement.

The Tocumwal Aviation Museum will pay a per-flight fee for Adventure Flights or Joy Flights organised and approved under this MOU as set out in Council's current Fees and Charges, to be calculated and paid quarterly in arrears. The Tocumwal Aviation Museum will keep records of the number of flights undertaken by each operator associated with the Museum's operations and report these at each quarterly meeting.

Meetings

The Council and Tocumwal Aviation Museum will meet at least quarterly to deliver effective engagement between the parties and track progress and impact of the MOU on both parties and status of any action items.

Reporting

Activity Reporting will be required quarterly to assist with determining any possible impacts on infrastructure and the impacts on tourism / visitation to the area.

Incident Reporting will be required in line with current CASA / Aerodrome Management Plan requirements.

Advertising and Announcements

Unless required by law, an announcement, circular or other public disclosure, including promotional materials such as newsletters, brochures, flyers or annual reports, referring to the contents or subject matter of this MOU, must not be made or permitted by a party without the prior written approval of the other party.

Both parties commit to working together regarding announcements of projects (commencement and completion) where they have been undertaken in a bipartisan way. Collaboration will ensure common messages are well understood and positive information can be spread more broadly.

Confidentiality

The parties acknowledge that information disclosed by one party to the other (the disclosing party) in the course of the subject matter of this MOU, may be confidential and, unless required by law must not be disclosed to a third part, except with the prior written consent of the disclosing party.

Tocumwal Aviation Museum acknowledges that information provided to Council, other than Commercial In Confidence information, will be subject to the provisions of the *Government Information (Public Access) Act 2009*.

Dispute Resolution

If a dispute or difference arises between the parties out of, or in connection with, this MOU, either party may give the other a written notice specifying the dispute or difference.

Within 7 days of the date of the notice, a person holding a position of senior management of each party, must meet and undertake negotiations in good faith, in line with the Scope of this MOU, and on a without prejudice basis with a view to resolving the dispute or difference.

Variation

The parties may agree to vary any of the requirements of this MOU. Such agreement must be in writing and signed by both parties.

Signatures

Signed for Berrigan Shire Council by its authorised representative in the presence of:

Signature of witness

Signature of authorised representative

Name of witness

Name and title of authorised representative

Date:

Signed for Tocumwal Aviation Museum by its authorised representative in the presence of:

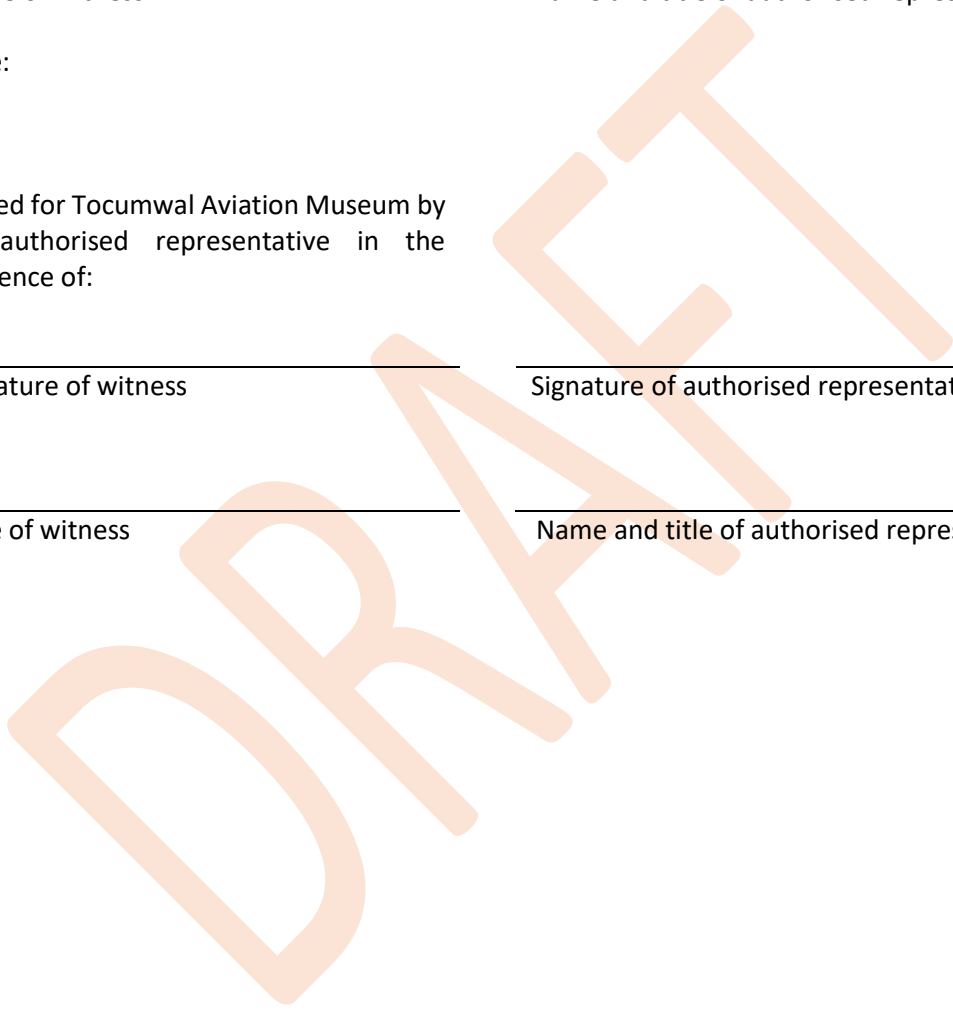
Signature of witness

Signature of authorised representative

Name of witness

Name and title of authorised representative

Date:



Schedule 1

1. Background

Tocumwal Aviation Museum is offering what could be seen as Stage One of developing an Aviation Tourism product in the area. Adventure flights are available from a range of airports and aerodromes across the country, however with the growing interest in Tocumwal from the aviation industry and from the public alike, the Tocumwal Aviation Museum believes offering Adventure Flights as part of its tourism offering is a natural progression in its development.

It should be noted Council approval is NOT required for a "joy flight" operator who is using a NORMAL category aircraft. Only CASA approval is required and these operators are permitted to operate at any aerodrome in accordance with their CASA approved AOC.

2. Definitions

The following categories need to be kept in mind when considering the different types of operations that may be conducted for flights with paid passengers, including the aircraft categories.

1. **Joy Flight:** is a flight conducted in a NORMAL category aircraft (civil certified) undertaken with a fare paying passenger by an operator approved by CASA and issued with an Air Operators Certificate (AOC). Aerodrome operator approval is not required for an AOC holder to conduct a commercial flight at any aerodrome.
2. **Adventure Flight:** is a flight conducted in a LIMITED category aircraft (ex-military) undertaken with a fare paying passenger by an operator approved by the Australian Warbirds Association Limited (AWAL) and issued a Permit to Operate. Aerodrome operator approval is required for an Adventure Flight operator to conduct a commercial flight at a nominated aerodrome.
3. **NORMAL:** is an aircraft designed for civil use and certified by civil aviation authorities.
4. **LIMITED:** is an aircraft designed for military use and not certified by civil aviation authorities
5. **AWAL:** are the Civil Aviation Safety Authority (CASA) approved, self-administered authority (delegate) for the operation and maintenance of LIMITED (category aircraft in Australian including the approval, oversight, and auditing of Adventure Flight operations on behalf of CASA

Adventure Flights from the Tocumwal Aerodrome will be undertaken by the Tocumwal Aviation Museum through AWAL as outlined above.

3. Scope

Four professional operators (AWAL and hence CASA approved) will run Adventure Flights from the Tocumwal Aerodrome through the Tocumwal Aviation Museum as the organiser and booking agent.

Adventure Flights will operate from the Aviation Museum no more than two (2) weekends per month unless otherwise negotiated during one of the quarterly meetings. It is expected each weekend will see between four (4) and six (6) flights a day of 15-20 minute duration.

Adventure and Joy Flights organised by the Tocumwal Aviation Museum may be conducted any day of the week between the hours of 09:00 and 18:00 local time. Flights will take place outside of the circuit area and away from the aerodrome. The only activity that will be noticeable at the aerodrome will be the arrival and departure of each flight.

4. Flight Operator Requirements

Flight operators, Chief Pilots and aircraft are as follows:

- JetRide Australia – Mark Pracy – L-39 Albatross
- AeroHunter – Paul Bennet – Wirraway, Avenger, Yak-52, T-28
- Tiger Moth Joyflights – Garry Herne – CT-4/Tiger Moth/Yak-52
- Classic Air Adventures – Doug Hamilton – P-40/Mustang/Harvard/Ryan PT-22

All aircraft must meet the requirements of the current airfield with respect to weights / noise etc. The above have all been approved by Council for one-off activities previously.

All flights offerings must be Australian Warbirds Association Limited (AWAL) approved Adventure Flight operators and, as such, are available for booking through such online sites as Red Balloon as well as the operators own websites and booking systems.

Flights will commence no earlier than 9.00am and finish no later than 6.00pm.

As an Adventure Flight operator (defined as carrying a fare paying passenger), CASA and the AWAL require each operator to hold a

- minimum \$10 million in Public Liability Insurance; and
- have a current Permission to Operate issued by AWAL; and
- hold a Noise Exemption certificate issued by the Department of Infrastructure and Regional Development.

The above requirements will be recognised by Council as part of its requirements for such operations as they are approved by the controlling authorities (that being CASA, AWAL and the Department of Infrastructure and Regional Development).

5. Cost Association with Adventure Flights

Council's Fees and Charges currently indicate that "Other aviation and commercial use" costings are to be negotiated between Council and the operator.

Council and the Tocumwal Aviation Museum have agreed the first year's operations will be charged based on the current movement fee of \$10.00 (inc GST).

The Tocumwal Aviation Museum will pay a per-flight fee for Adventure Flights or Joy Flights organised and approved under this MOU as set out in Council's current Fees and Charges, to be calculated and paid annually in arrears. The Tocumwal Aviation Museum will keep records of the number of flights undertaken by each operator associated with the Museum's operations and report to Council at each quarterly meeting.

6. Council Requirements

The Council will ensure its Aerodrome Manager will be contactable by the Tocumwal Aviation Museum during periods of flying operations associated with the museum. The Council will ensure timely response as per Council's Customer Service Charter and action of requests made by the Tocumwal Aviation Museum in relation to any operations associated with this MOU including the approval of events and amendment of approved Adventure and Joy Flight operators.

Pilots will be required to fly within areas identified in the 'Fly Neighbourly' document already in place. The 'Fly Neighbourly' document requires pilots to avoid flying over certain areas where possible and, if they must fly over them, to do so in a way that reduces noise impacts (i.e. at lower revs) and with no aerobatic activity in the 'Fly Neighbourly' areas.

All dates booked for Adventure Flight activity will be displayed on the Tocumwal Aviation Museum's website (to which Council may choose to provide a link from its website).

7. Tocumwal Aviation Museum Requirements

Tocumwal Aviation Museum must undertake all approval requirements with CASA and / or AWAL prior to the commencement of any Adventure Flights from the Tocumwal Aerodrome.

Tocumwal Aviation Museum must ensure Adventure Flight Operators comply with the terms of this MOU.

CASA approvals will be deemed sufficient for Council records for operational purposes. The Tocumwal Aviation Museum will supply evidence of those approvals to Council's Aerodrome Operator for Council's records.

The Tocumwal Aviation Museum is expected to engage with Council and its Aerodrome Manager to provide advice where relevant and ensure the Adventure Flights adhere to the requirements of this agreement and meet the requirements of the Tocumwal Aerodrome.

Where other Adventure Flight Operators might like to gain access to the Tocumwal Aerodrome to run these types of flights on behalf of the Tocumwal Aviation Museum, the Tocumwal Aviation Museum will seek the approval of Council to add them to the list of approved operators as noted above.

The Tocumwal Aviation Museum will ensure it holds \$20,000,000 in Public Liability Insurance at all times as required by Local Government Insurers.

Aviation Events and Gatherings

Aviation events and gatherings are key ways to promote and increase aviation related tourism to Tocumwal and the broader Shire. Examples of events which attract significant numbers of visitors and activity include the Tocumwal Airshow, Aerobatic Competitions and Gliding Championships. The Tocumwal Airshow attracts over 5,000 visitors to Tocumwal for the period of the event with the Aerobatic and Gliding championships attracting dozens of participants and many more supporting elements, these events also create an attraction for visitors to the region.

In order to streamline the process for planning and approval of aviation related events and gatherings, the following definitions have been proposed:

- **AVIATION EVENT:**

An “event” may be defined as having one or more the following characteristics and attracts a significant number of additional visitors to the aerodrome and town:

- A scheduled one-off activity with planned flying activities within the circuit area
- A significant increase in activity on the aerodrome and within the circuit area
- Likely to impact on other operators and users of the aerodrome
- Advertised and accessible to the general public for attendance / admittance
- Requires an Event Management Plan incorporating a Risk Management Plan and Emergency Response Plan
- Requires CASA or CASA Self-Administration delegate approval
- Requires a NOTAM
- Requires Council approval
- Requires specific event related insurance
- Examples: Tocumwal Airshow, Aerobatic Competition / Aerobatic Competition Practice, Gliding Championships

- **AVIATION GATHERING:**

A “gathering” may be defined as having one or more the following characteristics:

- it attracts additional visitors to the aerodrome and town;
- is a scheduled regular or one-off activity without planned flying activities;
- it represents a minor increase in activity on the aerodrome and within the circuit area;
- there are nil or minimal impacts on other operators and users of the aerodrome;
- not advertised or accessible to the general public for attendance / admittance;
- does not require CASA or CASA Self-Administration delegate approval
- does not require a NOTAM
- does not require Council approval
- does not require additional insurances

Examples: Aero Club breakfast, Club Fly-ins (i.e. Antique Aeroplane Association of Australia), Aero Club Camps (i.e. Peninsula Aero Club)

For an AVIATION EVENT, the Council’s “Aerodrome Event Application” must be completed and approved by Council. This process includes aerodrome notification and operator consultation.

For an AVIATION GATHERING, the Council Aerodrome Manager and Aerodrome User Group is to be advised in writing with 14 days notice.

Strategic Relationships and Partnerships

White Paper



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DRAFT

Executive Summary

As change accelerates in the world of Local Government, and other disruptors such as technology and the pandemic dominate, the Berrigan Shire Council (Council) needs a clear strategy and competent execution to create or access the capabilities we require to keep pace and to deliver our products and services to the community.

A Strategic Partnership is an agreement between two or more organisations intended to create shared benefit and accept shared risk of equal or similar value. Partnership may allow for the sharing of resources to assist with efficient delivery outcomes.

Local Government's current climate is complex and rapidly changing. Continuing to deliver Council core business, services and deliverables to the community is therefore also becoming increasingly complex. It is firmly believed that delivering Council's services and deliverables the way they have always been, is not a model that will continue to work for Local Governments. Accessing Strategic Partnerships may provide opportunity for Council to reach its community more broadly. Certainly, purely traditional delivery options are proving costly and resource intensive and Council must become more open and flexible in response to the changing environments they are operating in.

The underlying pretext of Strategic Partnership Framework is that any partnership:

1. must be tied to the success of a core goal or objective of Council;
2. should be critical to the development or maintenance of core competencies;
3. mitigate risks noted in the body of the White Paper above and include in Council's risk register;
4. create or maintain a strategic advantage for the Berrigan Shire community; and
5. broaden Council's reach to engage more successfully with the community.

Once Council has established that a Strategic Partnership will meet the needs of Council in the delivery of relevant products or services, it will be important to then decide the type of Strategic Partnership to best suit the situation being presented. The process for establishing these relationships cannot be rushed as mutual understanding is core to the success of Strategic Partnerships.

The development of Strategic Partnerships for and with Council may well provide opportunity for Council to be a broker or commissioner for the delivery of a broader range of products and services. Strategic Partnerships may offer Council broader reach and certainly share some of the risks Council generally bears alone with other service and delivery providers. The range of Strategic Partnerships possible however will need to be considered against Council's resource capability.

Introduction

As change accelerates in the world of Local Government, and other disruptors such as technology and the pandemic dominate, the Berrigan Shire Council (Council) needs a clear strategy and competent execution to create or access the capabilities we require to keep pace and to deliver our products and services to the community.

Against this backdrop of complexity, strategic partnerships have become increasingly important as a complement to our delivery options; but there are hurdles. Creating meaningful partnerships requires deliberate efforts to tackle challenges in strategy and prioritisation, partner evaluation and negotiation, and longer term strategic partnership management.

This paper begins with the disruptive business context that has created a new urgency for the Berrigan Shire Council to understand how to gain access to specific capabilities. It then presents a framework by which partnership opportunities may be evaluated, developed and managed.

The goal of this paper is to provide a clearer view of the motivations, opportunities and the management challenges, along with a broad outline for how to capture the value potential in strategic partnerships.

Strategic Partnerships

Definition

A Strategic Partnership is an agreement between two or more organisations intended to create shared benefit and accept shared risk of equal or similar value. Partnership may allow for the sharing of resources to assist with efficient delivery outcomes.

The goal of each Strategic Partnership should be to create value for both (or all) parties by offering information, services and other resources neither would be able to fully realise or could only access through a financial exchange. For Council, the aim will always be to create public value (which incorporates social, environmental, economic value etc, but does not place one as having greater importance than any other).

For Council to assess the public value of a partnership or relationship, it will be required to carefully consider its Integrated Planning and Reporting Framework and ensure alignment with the outcomes and actions identified through that process.

Advantages

Strategic Partnerships offer each entity involved the chance to reduce expenses and increase capacity; cross promotional opportunities may also present themselves as part of these relationships. It is hoped these partnerships will expand Council's ability to deliver community outcomes, increase awareness of our brand, maximise our reach and increase our service functionality. Through these partnerships Council may offer access to our information

and expertise, or simply our endorsement and support, to assist other entities to develop grant applications, deliver their projects and support the communities in which they are engaged.

To make these partnerships and relationships mutually advantageous however, Council will ensure the access to information, expertise etc is made through a reciprocal arrangement or agreement. Without reciprocity, there is little to gain from any strategic partnership or relationship.

Addressing Business Fears

Whether the changes being faced by Local Government, and therefore Council, are driven by global markets, regulatory changes, social disruption or machinery changes of government, all provide an element of fear. Strategic Partnerships can help to minimise the impacts of change by increasing the relevance of the Council and its functions within the community and providing a sound foundation for all participating entities to successfully recover from economic stressors and other disruptions being experienced.

Working together in partnership is expected to increase community trust in the services and delivery outputs of Council over the long term.

Increased Access to Expertise and Resources

Council should consider partnerships with other organisations within the Berrigan Shire that increase Council's reach into each relevant target group (i.e., youth, business, elderly, industry etc). Partnership outside of the Shire may also offer an opportunity to address regional issues and to provide the mutual benefit of learning and / or sharing of resources.

Partnering across associations, agencies and industries will increase Council's access to competencies and resources need to contribute to the realisation of our Community's Vision for the Berrigan Shire and the implementation of the Council's Delivery Program. Access to broader reaching competencies and resources will give Council the opportunity to deliver quality outcomes it may find difficult were it not for the partnership or relationship.

It is Council's desire to offer a similar level of resource and information sharing with its partners to allow for them to also increase their capacity and access to what may otherwise be scarce resources.

Decrease costs

Through leveraging the skills, expertise and resources of each participating organisation, the requirement to access these resources individually is decreased, hence reducing overhead and other expenses such as research and development.

Disadvantages

Strategic Partnerships have become more important than ever across government and industry, especially where the work undertaken is in high-risk, uncertain and complex

environments. Local Government certainly operates in a complex, high-risk environment and Strategic Partnerships are therefore attractive.

It needs to be acknowledged that Strategic Partnerships fail about 60% of the time. Research indicates failure tends to be related to a lack of discipline. Often a Strategic Partnership makes conceptual sense, but the parties do not have the necessary frameworks in place to systematically consider, explore, structure and manage the relationship for the long term.

For Council's Strategic Partnerships to thrive a good governance framework will be required to ensure all parties understand the rules of engagement, their roles and responsibilities and any other parameters in which each relationship may develop. It is therefore, highly recommended that Council ensure it develops a good Policy Framework for the management of these partnerships into the future.

Strategic Partnerships and relationships must be grounded in a common value base to ensure all parties understand and subscribe to the same goals and boundaries, or at minimum appreciate the core values and goals of the other party. A lack of discipline in this area is the reason most strategic partnerships and relationships fail.

Required Management Involvement

Managing Strategic Partnerships will take a considerable amount of time for the Chief Executive Officer (CEO). Given Council's desire for their CEO to have a more outward and strategic focus however, it is felt that this aligns with the remit of the CEO as set out by the Council.

For these partnerships to be successful, engagement at executive level is vital to ensure those partnering with Council understand the seriousness with which Council wish to treat these Strategic Partnerships.

The CEO will need to rely heavily on the Deputy Chief Executive Officer (DCEO) to manage the day to day running of Council, though this was the reason for the development of the position. During the interview process for a new CEO, Council were clear they expected the new position holder to engage with the community and partners on a frequent basis and to undertake delivery of Council's core business in a way more responsive to the changing climate in which Local Governments now operate.

Resource Allocation

Whilst the CEO will be actively engaged with managing the Strategic Partnerships as they arise, the expertise of relevant staff will be required to attend to the operation of any Memorandums of Understanding or other agreements that might be entered into as a direct result of developing these relationships. For the Executive Leadership Team, managers and other staff, the opportunity to engage with the partnerships will provide mentoring and professional development opportunities.

Although it is not foreseen that additional staff would be required, it may be a change of culture and focus for the staff involved and will require leadership to affect. This is a challenge

for the CEO and Directors as the development of these Strategic Partnerships is a significant shift from the way in which Council has traditionally undertaken its business and delivery of its objectives.

Communication

Communication will need to be carefully managed. Although the objective will be to share as much information as possible, there will be times when Council cannot share confidential information. Council's policy and any MOU documents, will need to clearly state that the MOU does not over ride Council's existing legal and legislative obligations and that, should the operation of the MOU at any time compromise those requirements, the legal and legislative obligations of Council will prevail. This will be particularly important for partners to understand where Requests for Information are concerned and where Council's Code of Conduct and rules and regulations surrounding fraud and corruption are concerned.

Equally, any partner may hold confidential information that cannot be shared. Where such information is shared the party to whom the information belongs holds an elevated risk that, once shared, the information is no longer in their control and may inadvertently be divulged by the other party. The terms and conditions of confidentiality will therefore need to be made clear from the beginning of the relationship.

Delivery of Objectives

For a Strategic Partnership to be effective clear goals and objectives will need to be set at the commencement of each relationship. At times, these goals and objectives may not be immediately clear, and some negotiation may be required. Without those foundational matters in place however, it is likely the partnership will fail as it will not have an obvious reason for its existence.

Loss of Control

Where Council enters a Strategic Partnership to assist with some, any, or part of its Strategic Goals, there may be a perceived risk of the loss of control in the quality of the outcome, the costs of delivery of the outcome or indeed the on ground delivery of the product or service itself. It will therefore be important that these issues are as clearly defined as possible at the commencement of any agreement or project that comes out of any Strategic Partnership.

Should loss of control be seen as a risk prior to entering a formal partnership, then that agreement should not be undertaken, or at minimum more work will be required during the negotiation phase to ensure the scope of the partnership, clarification of the values and risk appetite of Council are considered before a formal agreement is presented for approval.

Where the relationship is of a more informal nature, managing the expectations of the relationship partner will require considered and regular communication between both parties to ensure mutual understanding.

Other Considerations

There are other matters that should be considered before any Strategic Partnerships are developed, or indeed before Council embarks on any program to develop an array of Strategic Partnerships. These are issues which affect Local Government specifically, but private business may not generally need to comply as stringently.

Strategic Alignment

In considering whether to investigate, invest or partner with an organisation, consideration must be given to the degree to which a strategic partnership or relationship will advance, or contribute towards, the outcomes identified in Council's Community Strategic Plan and / or its Delivery Program objectives.

Risk

Council has obligations under its Risk Management Framework, the *Local Government Act 1993* and to its Audit, Risk and Improvement Committee to consider the risks posed to Council by entering any Strategic Partnership either formally or informally.

Immediate and obvious risks include, but are not limited to the following:

- Financial
- Legal
- Work Health and Safety
- Environment
- Community
- Social / Cultural
- Reputational

Each risk is discussed below but should be assessed individually against each Strategic Partnership opportunity should it arise.

Financial Risk

Financial Risk will need to be considered particularly where grant funding is being applied for or where Council is required to commit funds to a project whose delivery is out of the control of Council. The quantum of the risk will depend on the exposure of Council to financial contribution and should be assessed using the matrix supplied in Council's Risk Management Framework.

Where the risk is seen has Very High, or High, then Council should make every effort to, including entering into contractual agreements or undertaking other legal options to ensure the finances being committed to the partnership are spent and managed according to the requirements of Local Government entities, including reporting and transparency obligations.

Legal Risk

Legal Risk includes matters that consider public liability, professional indemnity and other matters such as breaches of legislation or contract. Council must therefore ensure each party carries its own insurance to mitigate the potential costs of any situations which give rise to these matters, and it will need to ensure these risks are kept to a minimum (i.e., Council's appetite when it comes to managing legal risk is Low). Any Partnerships which potentially move the relationship into higher risk areas will need to include consideration of how Council might mitigate that risk for both Council and its community.

Work Health and Safety Risk

Where Council commits its human resources to undertaking delivery of any aspects of a Strategic Partnership, then Council will need to ensure it retains the right and obligation to manage its employees. Council will similarly, not become responsible for the management of its partner's employees.

Council will need, at all times, to ensure the worksites utilised by its employees in the delivery of any aspects of a Strategic Partnership meet the requirements of the Local Government (State) Award 2020 and the *Work Health and Safety Act 2011* and provide a safe and healthy environment for employees to carry out the works required. Inspection of worksites may therefore be required prior to the commitment of Council to the delivery of any programs or outcomes under a Strategic Partnership arrangement.

Environment

Council has environmental responsibilities under several Acts and is committed to ensuring good environmental outcomes. Where opportunities arise therefore to affect good environmental outcomes, Council should consider these favourably. The reach for zero net emissions by 2040 will require Council to consider Strategic Partnerships in this area as it may not otherwise have the capacity to move to these targets with the speed required.

Council should however also consider any works to be undertaken in Strategic Partnership and ensure its obligations under the various Acts are met and damage is not caused to the environment as a direct result of any partnership Council enters in to.

Community

Council's ultimate responsibility is to its community. When considering Strategic Partnerships, Council must therefore always consider any risks such partnership might pose to the community. Where community funds are committed to deliver partnered outcomes the benefits to the community should be clearly identifiable and easily articulated. Any Strategic Partner must be willing to engage in community consultation where that is a requirement for the development or delivery of any project that is the direct outcome of said partnership.

Social / Cultural

As representatives of the community, Council has a responsibility to deliver positive social and cultural outcomes for the community. Any Strategic Partnership must therefore enhance Council's ability to deliver these outcomes on behalf of the community.

Reputational

Council will best manage Reputational Risk where it remains transparent with the community as to the intent and outcomes delivered by any Strategic Partnerships. Joint media communication and celebration of positive outcomes should therefore be part of any agreements formed out of these Strategic Partnerships. Equally the management of any negative reputational outcomes should be managed as per Council's relevant policies and in these cases, Council will take the lead.

Governance

Governance is the system by which a Strategic Partnership operates, is controlled and includes the mechanisms by which decisions are made. It is therefore especially important accountabilities and expected outcomes are set and understood early in the relationship and are recognised as they change over time.

Governance in a Local Government setting is critical and is intended to ensure transparency and accountability are core to the delivery of services and projects. To that end these governance outcomes should be understood by partners to ensure they know all information provided to Council (other than Commercial in Confidence information) becomes public knowledge. This is a risk some potential partners may not consider optimal for their needs.

Current Climate

Local Government's current climate is complex and rapidly changing. Continuing to deliver Council core business, services and deliverables to the community is therefore also becoming increasingly complex. It is firmly believed that delivering Council's services and deliverables the way they have always been, is not a model that will continue to work for Local Governments. Accessing Strategic Partnerships may provide opportunity for Council to reach its community more broadly. Certainly, purely traditional delivery options are proving costly and resource intensive and Council must become more open and flexible in response to the changing environments they are operating in.

Office of Local Government – Public Private Partnership Guidelines

The Office of Local Government's Public Private Partnership Guidelines (the Guideline) set out the procedures to be followed by Councils when Public Private Partnerships (PPP) are being considered or used for the delivery of infrastructure and services and outline what Councils must do to comply with the requirements of the *Local government Act 1993* in relation to PPPs.

Insert the Guideline Here

Motivations

With the increasing pressures of cost shifting to Local Governments, and the increase in service expectations of the community, Council would have to employ a substantial number of extra resources to deliver everything that is expected. Non-traditional areas of engagement such as youth, mental health, economic development, and tourism are increasingly seen as Local Government responsibility to at least support and provide leadership. Council's current human resource budget should not be expected to increase exponentially to provide for increased community expectations nor to fill gaps left as other levels of government remove services from the region. To do so would decrease the delivery outputs in some areas at least.

Council's motivation in entering Strategic Partnerships therefore is to access pools of expertise not generally available, and that will therefore assist Council to improve its delivery outcomes and leverage Council resources more effectively.

Entering Strategic Partnerships in this way should to a considerable extent, reduce financial risks for all parties and certainly reduce political risk for Council. Working with various partners will also provide the opportunity for information and expertise sharing and increase Council's ability to react to market and social pressures in a more expedient and efficient manner.

Current Disruptors

The world is undergoing unprecedented change and Berrigan Shire is not immune to the effects of those changes. Several large-scale and pervasive trends are fundamentally affecting the way we all live. The world is shifting whether it is economics, demographics and social change, or natural resources which are becoming increasingly scarce, as we head towards 10 billion people on earth by 2065, these forces are reshaping the world we live in and are actively impacting our future.

Deloitte Australia's report into [Government Trends for 2021](#) noted nine trends all levels of government would have to respond to. Council will need to consider each of these disruptive trends against the information provided below.

Accelerated Digital Connectivity

The pandemic changed digital from "nice to have" to "must have" for governments. To meet the surge in service demand while operating virtually, governments have accelerated their digital journey along three major dimensions: scaling digital infrastructure, creating a more digitally savvy workforce, and investing in citizen connectivity.

Seamless Service Delivery

Government agencies are increasingly providing personalised, frictionless, and proactive services to citizens. There are several avenues that governments are taking

to achieve this vision of seamless services delivery: committing to fully digital service delivery; committing to fully digital services, designing proactive services around life events, and building infrastructure to support such seamless services. The goal: have government services approach the ease of the best online experiences.

Adaptive Workplaces

COVID-19 caused organisations to fundamentally change how they accomplished their respective missions. From remote work to telemedicine and online schools, the pandemic brought the future of government work into the present. This trend follows the emergence of adaptive workplaces, including approaches for managing a distributed workforce and delivering high-quality citizen services virtually.

Generating Greater Public Value from Data

Data is assuming an elevated level of importance within and outside government. Public agencies are developing novel approaches to maximise the value of the data they hold, including appropriately sharing that data. Across the globe, the trend toward fluid, dynamic data is changing how data is being used and shared by governments and its partners....

Government as a Cognitive System

The best governments are constantly learning, evolving and making decision... When government understands itself as a “cognitive system”, it can take steps to increase how quickly it learns. This entails using data in new ways to gain insights from the past and present, and to make reliable projections about the future. This augmented learning and decision-making capability can create immense public value. Governments can design programs with an intelligence architecture in mind. The hindsight of past performance, coupled with real-time data in the present, can lead to optimal decisions for the future.

Agile Government

The pandemic has highlighted the need for a fast, flexible and mission-centric government, and many governments around the world have embraced the opportunity and shown they are up for the challenge. Governments had to make timely decisions... This agile imperative can be seen in many areas, including policymaking, regulation, procurement and the workforce.

Adjusting to Help Secure Cyber Ecosystems

A cyber hack that would once damage a single organisation can now spread to threaten an organisation’s partners, clients or even the entire industry or sector. Governments want to tap into a growing information ecosystem, but what about the risks? Reliable cybersecurity requires breaking down internal silos, recrafting external relationships, and making sure the public workforce comprises the best cyber talent.

Equity-centred Government

As inclusion and equity issues come to the forefront, governments are focusing more on the underlying causes of systemic imbalances and questioning the fundamentals of how policies are developed, implemented, and assessed. Some of the global approaches being embraced include inclusive and equity-centred design, equitable access to public goods, data sovereignty and equity, and cocreation and citizen engagement.

Sustaining Public Trust in Government

In many parts of the world, trust in government skyrocketed in 2020. In some countries, however trust in government was close to an all-time low. Such trust – and increasingly social trust or social capital – is crucial to managing challenging economic and public health issues. Governments are working towards making trust a core component, tackling information manipulation, weaving in greater transparency, and building trust in government’s digital systems, services and data initiatives.

* Government Trends 2021: Global transformative trends in the public sector Deloitte Development LLC 2021

Pandemic

In its report to the National Housing Conference AHURi provided the following commentary regarding the role Local Government has, and continues to provide in direct response to the COVID-19 pandemic:

Across Australia, local governments acted rapidly to provide services and support to their communities in response to the COVID-19 pandemic. New committees and governance structures were rapidly established to address economic and social impacts, with many changes still operating as we learn to adjust to a ‘COVID- normal’ way of life in Australia.

During the initial stages of the crisis, local government implemented and regulated the public health response in local businesses and public spaces in order to contain the spread. Local councils also deployed teams of cleaners to work at keeping streets and public spaces clean. In regional areas, local governments played an essential role in coordinating the distribution of Personal Protective Equipment to frontline services and coordinating the response in their regions. Across Australia local governments also provided direct support to vulnerable community members including older people and people from culturally and linguistically diverse backgrounds to access health information and social supports. Financial support in the form of small business grants, rate freezes and business rent reductions were also provided to individuals and businesses experiencing financial hardship.

* <https://www.ahuri.edu.au/research/brief/role-local-government-pandemic-recovery-australia> - accessed 07/01/2022

Possible Strategic Partners

Group / Individual	Contact	Type
Murray Local Health District	Jill Ludford (CEO) Dr Thomas Douch (Chair) https://www.mlhd.health.nsw.gov.au/	NSW Govt

Nathalia Cobram Numurkah Health	Jacque Phillips OAM (CEO) Dale Brooks (Chair) https://ncnhealth.org.au/	Vic Govt
Local GPs	Dr Allam – Finley Medical Centre	Private
Local Pharmacists	Various	Private
Intereach	Yvette Buhagiar (CEO) Rob Brown (Chair) https://www.intereach.com.au/	NFP Community Organisation
Finley Regional Care	Ben Levesque https://www.finleyregionalcare.com.au/	NFP Community Organisation
Amaroo Aged Care Berrigan	Matt Hansen (Chair)	NFP Community Organisation
Southern Riverina Mental Health Group	Gabrielle Coupland Jane Harris Catherine Healy	Community Group

Skills Shortages

It remains true that 80% of NSW councils are experiencing skills shortages across their business functionality.* This bleak outlook is underpinned by the Australian Government's Skills Priority List which lists some 153 occupation segments as experiencing current and future shortages.**

The depth and breadth of those shortages has increased due primarily to the reduction in allowed immigration. Every part of Council's workforce from general labourers and heavy vehicle drivers, through to town planners, building surveyors, IT professionals or project managers are increasingly difficult to source. The result of the skills shortage is that Councils have had to become highly creative in how they attract staff and to a considerable extent now must pay higher wages to secure that attraction. Negotiations have been difficult even for this Council.

It is felt, Strategic Partnerships offer the opportunity to not only share limited human resources; it also provides the opportunity to grow talent locally rather than only within the Council workforce. Strategic Partnerships may offer ways for Council to ensure opportunities are maximised in the local area, thus enticing those born here to stay or even those who move here for work, to stay.

Population growth, as always, is the key to productivity and encouraging that growth may well be achieved through Strategic Partnerships.

* NSW Local Government Association – *Draft Submission 2021-2022 State Budget* - [https://lgnsw.org.au/common/Uploaded%20files/Submissions/2021/Draft%20Submission%202021-2022 State Budget 03-05-2021.pdf](https://lgnsw.org.au/common/Uploaded%20files/Submissions/2021/Draft%20Submission%202021-2022%20State%20Budget%2003-05-2021.pdf) accessed 07/01/2022.

** Skills Priority List by Occupation https://www.nationalskillscommission.gov.au/sites/default/files/2021-06/Skills%20Priority%20List%20Occupation%20List_0.pdf – accessed 07/01/2022

Possible Strategic Partners

Group / Individual	Contact	Type
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TAFE	Nola Pinnuck	NSW Govt
Finley High School	Jeff Ward – Principal	NSW Govt
Cobram High School	Kimberly Tempest – Principal	Vic Govt
NSW Universities	Various	NSW Govt and Private
Vic Universities	Various	Vic Govt and Private

Housing Crisis

NSW indeed the nation, is experiencing a housing crisis that has become critical because of COVID-19. “Currently in NSW almost 50,000 people are waiting for social housing, with wait time of up to 10 years.”*

Although social housing and homelessness are not the core business of Local Government, we are responsible for the community’s health and wellbeing. The Housing 2041: 2021-22 Action Plan – NSW Housing Strategy**, acknowledges the significances of the issues faced by Local Councils through Priority Area 5 being listed as “working with local governments and communities to achieve the NSW Government housing objectives”.

The rise of homelessness in the Berrigan Shire has become increasingly visible with Council an Affordable Housing and Homelessness report and briefing paper offered to Council at their October 2021 Ordinary meeting. The response to that report was Council’s decision as follows:

7.12 Affordable Housing and Homelessness

249 Resolved Crs Taylor and Bruce that the Council take on the following options presented to the Council in “Appendix 7.12-A”

1. Statutory (Council Role)
 - 1.1. Inclusion of the LGA in the NSW Government’s Affordable Housing SEPP 70 (this would require the development of a Local Affordable Housing Strategy and subsequent or consequent amendment to the Council’s LEP).
 - 1.2. Audit of vacant land (serviced and / or unserviced land) or vacant housing in the LGA that is owned by government departments.
 - 1.3. Identify all unoccupied housing in the LGA as part of a Housing Strategy
2. Strategic (Council Role)
 - 2.1 Investigate the establish of possible strategic partnerships with relevant bodies to address any homelessness issue in the Shire
 - 2.2 The Berrigan Shire Council facilitate a workshop or forum between Berrigan Shire Council and the NSW Communities and Justice Department on emerging issues and trends related to the quality and availability of affordable housing in the Berrigan Shire LGA and the extent of homelessness and rough sleeping in the LGA.

Strategic Partnerships with relevant State Government agencies and the community will be imperative to respond to what is a deepening crisis in the Berrigan Shire.

Include our Homelessness Report in here....and any actions from Council meetings etc

* NSW Budget 2021-22 Analysis: Housing and Homelessness, NSW Council of Social Service - <https://www.ncoss.org.au/nsw-budget-2021-22-analysis-housing-and-homelessness/> - accessed 07/01/2022

** Housing 2041 - <https://www.planning.nsw.gov.au/-/media/Files/DPE/Reports/Policy-and-legislation/NSW-Housing-2021-22-Action-Plan-may2-2021.pdf> - accessed 07/01/2022

Possible Strategic Partners

Group / Individual	Contact	Type
Family and Community Services	https://www.facs.nsw.gov.au/housing	NSW Govt
Homes Out West	http://homesoutwest.com.au/	NGO
Homelessness NSW	https://homelessnessnsw.org.au/	Private
Vinnies Deniliquin	https://vinnies.org.au	NGO
Minister for Planning and Minister for Homes	The Hon Anthony Roberts MA (Comms) MP https://www.nsw.gov.au/nsw-government/ministers/minister-for-planning-and-homes	NSW Govt
NSW Minister for Water, Housing and Homelessness	The Hon Rose Jackson MLC contactRose@parliament.nsw.gov.au	NSW Govt
Minister for Planning and Minister for Housing	The Hon Richard Wynne richard.wynne@parliament.vic.gov.au	Vic Govt

Regionalisation

The trend of regionalisation has been accelerated during the COVID-19 pandemic with many Australian households taking the opportunity to move away from densely populated metro areas. “The result has been a 200% increase in net migration from capital cities to regional areas.”*

Regionalisation has placed pressures on regional and rural communities to provide housing, digital connectivity, and access to everything available in metropolitan areas. The same is being experienced in Berrigan Shire and the community is increasingly looking to Council for answers. These challenges are providing opportunities for Council to work more closely with external relevant bodies to find creative solutions to the issues being experienced with rapid and unprecedented growth for the area.

* Challenges and opportunities in regional infrastructure investment – Infrastructure Australia – Published March 2021 – <https://www.infrastructureaustralia.gov.au/listing/speech/challenges-and-opportunities-regional-infrastructure-investment> - accessed 07/01/2022

Possible Strategic Partners

Group / Individual	Contact	Type
Dpt of Regional NSW	https://www.regional.nsw.gov.au/about-us/our-leadership-team	NSW Govt
NSW Minister for Regional NSW	The Hon Paul Tool https://www.parliament.nsw.gov.au/members/Pages/member-details.aspx?pk=62	NSW Govt
NSW Minister for Water, Housing and Homelessness	The Hon Rose Jackson MLC contactRose@parliament.nsw.gov.au	NSW Govt
Minister for Planning and Minister for Homes	The Hon Anthony Roberts MA (Comms) MP https://www.nsw.gov.au/nsw-government/ministers/minister-for-planning-and-homes	
Minister for Regional Development (Minister for Cross Border Co-ordination)	The Hon Mary-Anne Thomas reception.thomas@minstaff.vic.gov.au	Vic Govt
Minister for Suburban Development and Minister for Local Government	The Hon Shaun Leane OfficeMinLeane@ecodev.vic.gov.au	Vic Govt
Minister for Planning and Minister for Housing	The Hon Richard Wynne richard.wynne@parliament.vic.gov.au	Vic Govt

Border Issues

In 2020 NSW closed the border to Victoria from July through to November. Since that time, regular and ongoing border restrictions have affected all border communities for the entirety of the pandemic. The result of restrictions to movement and socialising etc however have seen all border communities affected by the restrictions placed on them locally and from their neighbouring State impact their communities for the full duration of the pandemic – i.e., there has been no reprieve from restrictions to any border community. As a result, border communities such as ours remain fractured and a considerable effort is required to repair those effects on all communities in the region.

With the Berrigan Shire relating more directly to Victoria for its economy and social networks, these restrictions and lock outs have had a severe impact. The implementation of Cross Border Commissioners has however highlighted the plight of communities like ours and made the unique circumstances in which we operate more obvious to policy makers in various capital cities.

If the complexity of the world in which we have been operating is not evident, the Parliament of Australia's [COVID-19: a chronology of state and territory announcements \(up until 30 June 2020\)](#) will provide some understanding.

Council has strongly advocated to their own State and Federal representatives and worked with Moira Shire Council to advocate to their Victorian counterparts. Strategic Partnerships at all levels of government will assist Council to manage border issues more directly and quickly into the future.

Possible Strategic Partners

Group / Individual	Contact	Type
Cross Border Commissioner NSW	James McTavish james.mctavish@regional.nsw.gov.au	NSW Gvt
Cross Border Commission Vic	Luke Wilson enquiries@crossborder.vic.gov.au	NSW Gvt
NSW Minister for Regional NSW	The Hon Paul Toole https://www.parliament.nsw.gov.au/members/Pages/member-details.aspx?pk=62	NSW Govt
Minister for Regional Development (Minister for Cross Border Co-ordination)	The Hon Mary-Anne Thomas reception.thomas@minstaff.vic.gov.au	Vic Govt
Member for Farrer	The Hon Sussan Ley MP https://minister.awe.gov.au/ley/contact/contact-form	Fed Gvt (NSW)
Member for Murray	Helen Dalton MP murray@parliament.nsw.gov.au	NSW Gvt
Member for Nicholls	Awaiting outcome of federal election (Damian Drum retired)	Fed Govt (Vic)
Member for VIC STATE	The Hon Jaclyn Symes jaclyn.symes@parliament.vic.gov.au	

Access to Medical Requirements

While it is acknowledged there is a shortage of medical practitioners in all rural areas, COVID-19 has highlighted the inequities in access to medical needs in general.

The National Rural Health Alliance notes three primary areas of concern:

As we move slowly through the phases of the pandemic, we have three major concerns for rural health.

First is equity, with people not being able to access services in an already sparse rural health system which is being diverted to emergency response.

Second is the state of the rural health workforce, with increasing pressure and fatigue being experienced by the rural practitioners and health professionals.

*Third, and most importantly, are high risk groups, with more vulnerable people living in rural and remote areas.**

* Fears grow for rural communities as COVID-19 spreads beyond Sydney – National Rural Health Alliance - <https://www.ruralhealth.org.au/news/fears-grow-rural-communities-covid-19-spreads-beyond-sydney> - accessed 07/01/2022

The Berrigan Shire has firsthand experience in inequitable distribution of medical supplies and access. When the initial outbreak of Delta was felt in Sydney, much needed vaccinations were diverted from our communities to those in Sydney. Weeks later regional areas were again allowed to travel, potentially exposing the population to the Delta strain and a substantially unvaccinated population at the time. The inequity led to a lower vaccination rate in rural and remote areas when compared to urban centres for an extended period of time. The same issue is now being felt for booster shots, where those in rural and remote areas, including Berrigan Shire are finding it almost impossible to access boosters as no clinics in the area are currently receiving sufficient vaccinations to allow for the new push for booster shots.

The same issues have occurred with hand sanitiser, personal protective equipment and now rapid antigen tests. As demand increases in urban areas, supplies to regional, rural and remote areas becomes more difficult and costly.

Strategic Partnerships with providers and suppliers across the health industry may assist Council to at minimum advocate more strongly for more equitable services.

Possible Strategic Partners

Group / Individual	Contact	Type
Murrumbidgee Local Health Network	Jill Ludford Jill.Ludford@health.nsw.gov.au	NSW Health
NCN Health	Dale Brooks (Chair) Jacque Phillips OAM (CEO) NCNHealth@ncnhealth.org.au	Vic Health Network
NSW Minister for Health	The Hon Brad Hazzard	NSW Govt

	https://www.nsw.gov.au/nsw-government/ministers/minister-for-health	
Vic Minister for Health	The Hon Martin Foley minister.health@health.vic.gov.au	Vic Govt

Tourism

Tourism and its supporting industries such as hospitality, have been the hardest hit sector during the pandemic. Although Council has provided a significant amount of infrastructure to support the tourism product in the Berrigan Shire, Council support to assist this industry will be imperative to the area's recovery from COVID-19.

SpendMapp data prior to the pandemic notes that 60% of the area's income is a direct result of visitor spend. Addressing that reliance on visitors will be part of Council's response to recovery efforts. Recovery response will need to include working closely with tourism industry business and peak tourism bodies as will the obvious need for our economy to diversify more broadly so that it is less reliant on single sector income into the future.

Council's engagement with Murray Regional Tourism, including the CEO being on the Board, will be an important part of ensuring Berrigan Shire's voice is included in the work being undertaken in the tourism sector to recover from the effects of the COVID 19 pandemic.

Council is undertaking a review of its Tourism Strategy as a direct result of the pandemic and outcomes from that review will certainly look towards the types of Strategic Partnerships that might be required to address recovery in this area.

Possible Strategic Partners

Group / Individual	Contact	Type
Murray Regional Tourism	Mark Francis ceo@mrtb.com.au	Govt Board Entity
RDA	Edwina Hayes edwina.hayes@rdamurray.org.au	Govt Department
Destination NSW Riverina Murray	Kate Shilling (Chair) Yvette Myhill (General Manager) info@destinationrm.com.au	NSW Govt
Sun Country on the Murray	Moira Shire Council staff	Moira Shire Council
NSW Minister Tourism and Sport	The Hon Stuart Ayres MP https://www.nsw.gov.au/nsw-government/ministers/minister-for-enterprise-investment-and-trade-tourism-and-sport-and-western-sydney	NSW Govt
Vic Minister Tourism, Sport and Major Events	The Hon Martin Pakula martin.pakula@parliament.vic.gov.au	Vic Govt

Cross Commissioner NSW	Border	James McTavish james.mctavish@regional.nsw.gov.au	NSW Gvt
Cross Commission Vic	Border	Luke Wilson enquiries@crossborder.vic.gov.au	NSW Gvt

Social Inequity

Social disadvantage increases with remoteness. Rural and remote communities in Australia exhibit lower socio-economic status when compared with city counterparts. Challenges including fewer job and education opportunities, and the effects of living and working in isolation are experienced in greater numbers where people live in rural and remote regions. These factors can seriously affect mental health and wellbeing.

Social inequities are not limited to access to health, though these are a major priority. Lack of access to banking, education, employment, transport, communications, support services and advice across a broad spectrum of social services mean those in rural and remote areas are not only subject to lower socio-economic outcomes; they are disadvantaged on several fronts, all of which lead to poorer outcomes for those living in our communities.

It is worth noting that many of the experiences of social inequity in the Berrigan Shire area may see positive movement with better access to communications, combined with access to a more mobile workforce.

A link to Council's Regional Banking Taskforce Submission is provided below and provides valuable information regarding the ways in which better access may positively affect the lives and livelihoods of our community.

[Include our Banking Submission in here....](#)

Possible Strategic Partners

Group / Individual	Contact	Type
National Rural Health Alliance	https://www.ruralhealth.org.au/	NGO
NSW Council of Social Services	John Robertson (Board President and CEO of Foodbank NSW & ACT) https://www.ncoss.org.au/about/our-team/ info@ncoss.org.au	Charitable Organisation
Intereach	Rob Brown (Chair) Yvette Buhagiar (CEO) contact@intereach.com.au	NGO
Centacare SW	Annemaree Binger (CEO) info@centacareswnsw.org.au	NFP Organisation
Rural Adversity Mental Health	Aimee Markham https://ramhp.com.au/find-ramhp-coordinator/?pc=2713#map	NSW Govt

Technology

Access to technology in general is essential for regional economic development in the 21st century. Key sectors such as agriculture, resources, energy, tourism, health and education are undergoing dramatic transformation globally and there are enormous opportunities for Berrigan Shire to leverage telecommunications and internet connectivity to increase productivity, diversify industries and access local, national and global markets.

In the last four years, Australians have increasingly taken up use of the internet, to the point where they are one of the highest user populations in the world, third after Sweden and the United States.

a Digital Divide in Rural and Regional Australia?, Current Issues Brief 1 2001-02 Parliament of Australia - https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/Publications_Archive/CIB/cib0102/02CIB01 - accessed 12/01/2022

As stated above, access to a more mobile workforce (such as provision of working from home functionality) will be instrumental in creating the opportunities required to diversity the workforce and / or assist with labour shortages and accessing skills specifically required for Council's and the community's workforce needs.

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Possible Strategic Partners

Group / Individual	Contact	Type
Minister for Infrastructure, Cities and Active Transport	The Hon Rob Stokes MP https://www.nsw.gov.au/nsw-government/ministers/minister-for-infrastructure-cities-active-transport	NSW Govt
Minister for Regional NSW	The Hon Paul Toole https://www.nsw.gov.au/nsw-government/ministers/nsw-deputy-premier	NSW Govt
Minister for Digital Economy	The Hon Jaala Pulford jaala.pulford@parliament.vic.gov.au	Vic Govt
Minister for Regional Development	The Hon Mary-Anne Thomas reception.thomas@minstaff.vic.gov.au	Vic Govt

Infrastructure

Digital Connectivity

Digital connectivity includes access to things such as Smart Phones, Internet of Things, digital health, artificial intelligence applications such as chat bots and virtual and augmented realities. None of those things are possible however without equitable access to the internet. Never has digital connectivity been so important to improving liveability and maintaining people in workforces in rural and regional areas.

Across all sectors, access to secure, high speed and quality internet is seen as a major obstacle for rural and remote communities.

*“While telehealth has been an important lifeline for people in rural, regional and remote Australia during the pandemic, connectivity remains a big issue in rural Australia, and we need to be improving internet infrastructure in the bush otherwise telehealth is difficult or impossible for patients and health practitioners to use,” said National Rural Health Alliance CEO, Dr Gabrielle O’Kane.**

Telehealth: the rural connectivity divide, Hospital and Healthcare - <https://www.hospitalhealth.com.au/content/technology/sponsored/telehealth-the-rural-connectivity-divide-91159390> - accessed 12/01/2022

Millions of children in Australia risk falling behind due to unprecedented school closures with unequal access to the internet, hurting low-income families as classes move online.... 88% of Australians living in major cities have internet access at home. However, about 77% of rural Australians living in remote areas have internet access at home.

COVID-19 exposes Australia’s digital divide, Teach Learn Grow - <https://teachlearnrow.org.au/tlg-leaflet/covid19-digital-divide> - accessed 12/01/2022

Include our findings into Internet options for the region and our recommendations.

Include our Submission into the Regional Telecommunications Review here and the finalised report once published...

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Possible Strategic Partners

Group / Individual	Contact	Type
Australian Communications Consumer Action Network	Deirdre O'Donnell PSM (Chair) Andrew Williams (CEO) ceo@accan.org.au	Federally Funded Member Organisation
Minister for Infrastructure, Cities and Active Transport	The Hon Rob Stokes MP https://www.nsw.gov.au/nsw-government/ministers/minister-for-infrastructure-cities-active-transport	NSW Govt
Minister for Regional NSW	The Hon Paul Toole https://www.nsw.gov.au/nsw-government/ministers/nsw-deputy-premier	NSW Govt
Minister for Digital Economy	The Hon Jaala Pulford jaala.pulford@parliament.vic.gov.au	Vic Govt
Minister for Regional Development	The Hon Mary-Anne Thomas reception.thomas@minstaff.vic.gov.au	Vic Govt

Energy

Renewable Energies are and will become increasingly important as we move our economy and delivery options towards the 2050 net zero emissions target. Much of the energy infrastructure in our area is fixed, costly and old. Currently we are facing the fact the infrastructure can no longer support growth in the area with Tocumwal already at capacity for its energy infrastructure. Finding solutions to our energy requirements, although not Council's normal remit, will prove imperative to ensuring our communities are able to continue to grow in a sustainable way.

With an abundance of land, it may be possible for Council to work with private investors to establish renewable energy sources in the area to ensure growth remains possible for the area.

[Include Council's Energy Strategy here](#)

Possible Strategic Partners

Group / Individual	Contact	Type
Essential Energy	Luke Jenner (Chief Operating Officer) luke.jenner@essentialenergy.com.au	Private Service Provider
Windlab	Lisa Mangelsdorf (NSW Community Relations & Partnership Manager) lisa.mango@windlab.com	Private Company
NSW Sustainable Councils and Communities Program	Lisa Miller Lisa.miller@environment.nsw.gov.au	NSW Govt
Minister for Infrastructure, Cities and Active Transport	The Hon Rob Stokes MP https://www.nsw.gov.au/nsw-government/ministers/minister-for-infrastructure-cities-active-transport	NSW Govt
Minister for Regional NSW	The Hon Paul Toole https://www.nsw.gov.au/nsw-government/ministers/nsw-deputy-premier	NSW Govt
Minister for Regional Development	The Hon Mary-Anne Thomas reception.thomas@minstaff.vic.gov.au	Vic Govt

Transport

Passenger transport is unavailable in the Berrigan Shire. Access to services outside of the Shire, and in some cases even in an adjacent town, is therefore exceedingly difficult for some of our most vulnerable residents. In this area, access to medical attention such as regular GP visits may be an area Council can advocate for better outcomes for the community. Given the fact that many of our community rely on access to the Victorian Health system, including the co-ordination issues that arise from those arrangements, it will be essential cross border considerations are included in any discussion regards passenger transport in and through the Berrigan Shire.

Possible Strategic Partners

Group / Individual	Contact	Type
Transport for NSW	Jennifer Travis (Director Customer Engagement and Delivery) freight@transport.nsw.gov.au	NSW Govt
Minister for Regional Transport and Roads	The Hon Sam Faraway MLC https://www.nsw.gov.au/nsw-government/ministers/minister-for-regional-transport-and-roads	NSW Govt
Minister for Infrastructure, Cities and Active Transport	The Hon Rob Stokes MP https://www.nsw.gov.au/nsw-government/ministers/minister-for-infrastructure-cities-active-transport	NSW Govt
Minister for Transport Infrastructure	The Hon Jacinta Allan jacinta.allan@parliament.vic.gov.au	Vic Govt

For personal forms of transport, the rise of Electric Vehicles (EVs) is inevitable, however again, the Shire has been completely left off the map of the NSW Electric Vehicle Strategy and of the Commonwealth's infrastructure planning.

The NSW Government has committed to rolling out 'EV Tourist Drives' with "ultra-fast chargers at 100km intervals across all major highways in NSW*". Whilst this sounds equitable, due to Berrigan Shire's geographically small size, all planned charging stations are to be installed in neighbouring Shires, which is good for them, but potentially disastrous for the Berrigan Shire.

* NSW Electric Vehicle Strategy - <https://www.environment.nsw.gov.au/topics/climate-change/net-zero-plan/electric-vehicle-strategy> - accessed 12/01/2022

To maintain access to our high volume tourist market, the offering of charging stations in Berrigan Shire is imperative otherwise those with EVs will not be able to stop nor stay in the area, being forced through to the stations planned on all sides of our Shire, but not in it.

Embed link to NSW Electric Vehicle Strategy here or provide link to full document.

Future Fuels and Vehicles Strategy (Comm Gvt) - <https://www.industry.gov.au/data-and-publications/future-fuels-and-vehicles-strategy>

Possible Strategic Partners

Group / Individual	Contact	Type
Infrastructure Australia	Col Murray (Chair) Romilly Madew AO FTSE (CEO) mail@infrastructureaustralia.gov.au	Fed Govt Department
Minister for Infrastructure Transport and Regional Development	The Hon Barnaby Joyce MP PO Box 6022 House of Representatives Parliament House Canberra ACT 2600	Fed Govt

Freight

With the closing of many rail links across Australia, increase in people moving regionally and population growth, Australia's freight task is growing rapidly. Road freight movements are not only expected to increase by 26% year on year through to 2026*, but the mass of those vehicles is also increasing to provide efficiencies to market.

** Australian Infrastructure Audit 2019*

The issues being faced by all Local Councils therefore is the increasing stress this is placing on road networks. In Berrigan Shire there are very few roads that are built to a standard that allows for heavy mass and over mass vehicles and yet, out of necessity, these vehicles are accessing our road network.

For Berrigan Shire, and others in the Murray Irrigation footprint, matters are further exacerbated by the fact that NONE of the bridges across the MIL footprint are rated for heavy vehicles, and yet they are on every primary, secondary and some tertiary roads throughout the network. Historical agreements have proved legally impossible to manage and so the risk is not extremely high that one of these bridges will fail, with potentially catastrophic results. Work with MIL has commenced to find a suitable solution to the management of these bridges but it will not be a simple, nor short term solution.

Further, the stress on the rest of the Berrigan Shire's road network means that roads are not able to cope with the traffic being put across them. This is leading to reduced life expectancy and an increasing demand from freight companies to upgrade the network to a suitable level to allow the transport that is required to services agriculture and other industries. For Council this is an extraordinarily complex matter as the cost of upgrading any road is substantial and requires considerable increase in service level, and therefore increase in costs to the ratepayers. An audit of our roads and a plan for their upgrade over time will need to be undertaken, however meeting the immediate and increasing needs of the freight sector will prove challenging for Council for a very long time to come.

[Insert RAMJO Freight Network Strategy here.](#)

Possible Strategic Partners

Group / Individual	Contact	Type
MIL	Gabrielle Cusack (General Manager Engagement, Policy and Compliance) gabrielle.cusack@murrayirrigation.com.au	NSW Govt Privatised Organisation
Transport for NSW	Jennifer Travis (Director, Customer Engagement and Delivery) freight@transport.nsw.gov.au	NSW Govt Department
NHVR	The Hon Duncan Gay (Chair) Sal Petrocitto (CEO) https://www.nhvr.gov.au/contact-us Tim Hansen Tim.Hansen@nhvr.gov.au	Statutory Authority
RAMJO	Nicola Gleeson-Coopes (CEO) nicola.gleesoncoopes@alburycity.nsw.gov.au	Joint Organisation (LG Member Funded)
Freight Group Working	In development	

Social Infrastructure

Compare with other Council owned infrastructure, individual social infrastructure assets may seem small and insignificant (i.e., local swimming pools, parks or single social housing dwellings). Together however, these assets form critically important networks that deliver significant benefits to the community, the economy and our environment and social outcomes.

Different social sectors are closely tied which tends to mean many people need multiple and overlapping services and facilities. The opportunity for Council to align with community groups and the private sector to achieve better outcomes, but also make the planning and management of social infrastructure possible, cannot be underestimated. It is primarily here that local memorandums of understanding with private industry and relevant community groups have the best chance of providing the scale and range of social infrastructure required by the Berrigan Shire community.

Group / Individual	Contact	Type
Sporties Barooga	Bobby Brooks (CEO) bobby.brooks@sporties.com.au	Private Organisation
Toc Golf and Bowls	Paul Gemmill (CEO) gm@tocumwalgolf.com	Private Organisation
Toc Foreshore Committee	Ross Bodey (President) judithcarlon@bigpond.com	Section 355 Committee of Council
Chambers of Commerce	Carla and Christine (BDDA Reps) bddasecretary@gmail.com John Bruce (President BAG) john.bruce5@bigpond.com Rick Shaw (President Finley) rick@finleycc.com.au Sergio Redigalli (President Tocumwal) elizmtrrc@optusnet.com.au	Community Groups
South West Arts Inc	Kerry-Anne Jones (Executive Director) eo@southwestarts.com.au	Local Government funded organisation

Water

Advances in technology, markets and planning will require changes in laws and regulations to unlock the benefits of water for our communities. The primary issue in this sector however is that water is poorly understood by users and many in the sector. Unreliable and incomplete evidence appears to continue to undermine the effectiveness of decisions and therefore community confidence in water managers. Overcoming these issues for our community will require a shift in planning and decision making to ensure the long-term interests of a range of stakeholders are protected and indeed voiced at the decision making tables.

Group / Individual	Contact	Type
Murray Darling Association	Mark Lamb (CEO) admin@mda.asn.au	NFP Representative Body
Murray Darling Basin Authority	Andrew Reynolds (CEO) https://www.mdba.gov.au/contact-us	Statutory Agency
Minister for Land and Water	The Hon Kevin Anderson MP https://www.nsw.gov.au/nsw-government/ministers/minister-for-lands-and-water-hospitality-and-racing	NSW Govt
Minister for Energy, Environment and Climate Change	The Hon Lily D'Ambrosio MP lily.dambrosio@parliament.vic.gov.au	Vic Govt
Minister for Resources and Water	The Hon Keith Pitt MP PO Box 6022 House of Representatives Parliament House Canberra ACT 2600	Federal Govt

Partnership Framework

This section will look to provide a framework to consider when deciding whether to enter a Strategic Partnership or not and how these partnerships might be utilised to the best effect. The underlying pretext of the Framework is that the partnership:

6. must be tied to the success of a core goal or objective of Council;
7. should be critical to the development or maintenance of core competencies;
8. mitigate risks noted in the body of the White Paper above and include in Council's risk register;
9. create or maintain a strategic advantage for the Berrigan Shire community; and
10. broaden Council's reach to engage more successfully with the community.

An overall concept of the Framework is provided below.



There are several types of strategic partnerships available with each offering their own benefits and risks. It may of course be possible that one partnership reaches across several categories depending on the nature of the relationship with Council and the reasons for engagement with that entity.

Prior to developing a Strategic Partnership with any entity, it will be important to consider the type of relationship required and the outcomes Council intends to achieve through that relationship.

Marketing Partnership

A Marketing Partnership would primarily hold the goal of helping both entities achieve specific outcomes whilst expanding their reach into new or different audiences.

To pursue a Marketing Partnership, Council will need to ensure the product(s) or service(s) being delivered compliment Council's own desired outcomes without competing with the other entity.

Marketing Partnerships will be best serviced through a Memorandum of Understanding that will need to include:

- A framework in which social media posts may be shared
- Provision of content for newsletters
- The ways in which each may mention the other entity on social media
- Development of an event(s) with the partner
- The ways in which we will celebrate the conclusion of any projects / success of any events

Product or Service Development Partnerships

Product or Service Development Partnerships will involve multiple entities working together with Council to achieve a singular outcome (for example: one finished project or the delivery of a specific requirement over time).

In these relationships Council will generally own the finished product so these relationships will focus on the timely delivery of that product. Supply Chains may include vendors, suppliers, developers, service providers, designers, consultants or any other professional and non-professional groups required to deliver specific outcomes required by Council.

In these relationships suppliers will need to be willing to work with Council to:

- assist Council in the development of products and services relevant to Council's output requirements. This may include the development of new products, ways of delivering product, or producing those products to achieve Council's desired outcomes.
- work with Council to develop the design of products and / or services to achieve required delivery outcomes (in this case the sharing of Intellectual Property may be required);
- assist Council in managing lead and lag times to ensure the timely delivery of product and / or services within agreed financial and scheduled timeframes
- develop with Council ways of measuring and assessing the success or otherwise of the supply chain to deliver the products and / services as required by Council
- all entities will be required to share information to ensure understanding of the delivery goals and to establish a framework in which the supply chain may exist.

Outsourcing Partnerships

Outsourcing partnerships offer a unique way for Council to obtain access to specific skills, knowledge, physical assets and operational scalability that would simply not be possible through reliance on inhouse abilities alone.

Council do not have the time nor resources to develop the necessary products or services to meet the changing needs of communities in a timely manner. Technology is simply changing too quickly for most humans to keep up with. Missing the first wave of opportunity that accompanies innovative technology usually means a diminished ability to access its potential later.

Even where Council is fortunate enough to have some skill or capability in house, partnering will usually offer the fastest way to develop a product or service offering required by the community.

To establish these partnerships Council will need to ensure:

- there is a realistically achievable outcome Council needs to deliver to ensure product and service provided to the community is of a currently acceptable nature and will meet future needs to a considerable extent.
- the partnership will assist Council to deliver a product or service Council has not been able to consider previously, or does not have the ability to deliver in house only;
- the partner will be willing to work with Council to adjust their product or service to meet the needs of the Berrigan Shire community
- the partner will be able to provide sound advice as to how their product will best meet the current and future needs of the Berrigan Shire community
- the partner should be able to customise their product or service to meet the needs of the Berrigan Shire but not so much that the product or service cannot be scaled should that prove optimal for Council
- the partner is willing to enter a formal arrangement with Council as to the delivery timeframes of its product or service and who will bear what costs in that delivery schedule
- Council will be able to meet the types of Commercial in Confidence requirements of many of the companies in this sector without breaching its own governance standards and requirements
- Council will be able to clearly understand the risks associated with either developing or providing the innovative technology

Add Machine Learning in Administrative Decision Making Document here as example

Establishment

Once Council has established that a Strategic Partnership will meet the needs of Council in the delivery of relevant products or services, it will be important to then decide the type of Strategic Partnership to best suit the situation being presented. The process for establishing

these relationships cannot be rushed as mutual understanding is core to the success of Strategic Partnerships.

In this way it will be especially important that Council consider the offering beyond what is being asked for and weigh the potential outcomes against Council's desire to deliver its strategic goals and outcomes.

Clear Aims and Objectives

The first step in developing a Strategic Partnership will be to quantify the value Council is seeking from the relationship, and equally the value Council believes it offers to our potential partner.

Once the value proposition is understood by both parties it will be easier for Council and their potential partner to be clearer about **why** we are seeking to enter into the agreement and the goals we might be able to achieve as a direct result of the partnership.

Research

For Council, it will be important to reach out to our networks, including contacting others who have dealt with the potential partner to ask questions and gather information about the potential partner; what they are like to deal with; the quality of their product or service, their responsiveness etc.

Whilst it is easiest for Council to enter into agreements with those we are most familiar with and those who offer products and services similar to our own, this may prove limiting. Where non-traditional sector partners are being considered, there may be scope to consider the complimentary qualities the potential partner brings to Council and the challenge they will present through their difference.

Negotiate

It is easy to skip this step when people believe they understand each other, however it will be during this phase the shared objectives and business alignments can be fleshed out. It is also in the negotiation phase where goals and measures will need to be agreed so the development of any form of agreement is then possible and less disruptive to starting the developing relationship.

Agreements

Informal and formal agreements are possible in Strategic Partnerships. Memorandums of Understanding are seen as the informal arrangement and will broadly set out the intent of the relationship, governance arrangements, roles and responsibilities of the relevant parties and any projects to be achieved as a result of the relationship.

Formal and legally binding agreements will however be required for more complex Strategic Partnerships so that each party fully understands the expectations of the other party or parties. Formal agreements will require individual development dependant on the type of relationship and the outcomes the partnership intends to deliver.

Whatever the agreement, it will be necessary to commit it to writing to provide transparency around the relationship and to provide a reporting mechanism to Council and the community.

Insert a MOU template here

Managing Relationships

Whilst the words in any agreement are an essential element of any Strategic Partnership, the relationship between the partners should be managed with the intent of the document in mind and not with the contract at the centre of every discussion. The Agreements should be undertaken to ensure understanding and to be referred to only where differences of opinion might lie.

Should Council decide it is in its best interests to pursue Strategic Partnerships in general, then Council will also need to consider the resources required to ensure the success of each Agreement and which employee will be responsible for which delivery elements of each agreement. Outcomes will therefore be best managed through delegations and regular reporting.

To allow for accurate and timely reporting on the success or otherwise of each Strategic Partnership the mechanisms for regular and meaningful contact and engagement between partners should form part of the Agreement.

By entering Strategic Partnerships Council is agreeing to:

- communicate often with each partner;
- be consistent and trustworthy;
- avoid gossip;
- support Council's employees in their endeavours to foster good relationships with our partners;
- remain positive in interactions with partners, even where relationships may at times be strained;
- know and understand the implications of government guidelines and the guidelines of our partners;
- support its employees in balancing the competing demands of managing strategic partnerships and relationships and that of delivery Council operations; and
- deliver quality work on time.

Conclusion

The development of Strategic Partnerships for and with Council may well provide opportunity for Council to be a broker or commissioner for the delivery of a broader range of products and services. Strategic Partnerships may offer Council broader reach and certainly share some of the risks Council generally bears alone with other service and delivery providers. The range of Strategic Partnerships possible however will need to be considered against Council's resource capability.

Recommendations

It is recommended Council consider the following as a result of the delivery of this White Paper:

1. direct the CEO to develop a Strategic Partnerships Framework and Policy
2. direct the CEO to implement Strategic Partnerships where relevant with the approval of Council with implementation of this outcome to be included in the CEO's next Performance Review

DRAFT



AUSTRALIAN
LOCAL GOVERNMENT
ASSOCIATION

PARTNERS IN PROGRESS

2022
NATIONAL
GENERAL
ASSEMBLY
19 - 22 JUNE 2022

RESOLUTIONS

1 City of Charles Sturt SA

This National General Assembly calls on the Commonwealth Government and both major political parties to support a referendum on financial recognition of local government in the Australian Constitution.

Carried

2 Newcastle City Council NSW

This National General Assembly calls on the Australian Government to:

- 1. Note, with disappointment, that local government remains unrepresented on the National Cabinet and requests that First Ministers review the decision to exclude local government from the national decision-making table;**
- 2. Recognise the importance of having local government representation on National Cabinet and the value of partnerships with councils in achieving the objectives of the National Cabinet and the national reform agenda; and**
- 3. Include a representative from the Australian Local Government Association on the National Cabinet, to ensure local government's interests are strongly represented at the national level.**

Carried

3 Canterbury Bankstown Council NSW

This National General Assembly calls on the Australian Government to reverse its decision to remove the Local Government Ministerial portfolio, and the position be reinstated in its entirety.

Carried

4 Gunnedah Shire Council NSW

This National General Assembly calls on the Australian Government to conduct a review into the local government Financial Assistance Grant Act 1995 and the basis on which grant funding for roads is allocated, to create a more equitable approach to allocations and one that recognises the infrastructure managed by local government in the rural, regional and remote regions of Australia.

Carried

5 Tweed Shire Council NSW

This National General Assembly calls on the Australian Government to significantly increase the roads component to an acceptable percentage of the council's cost of maintaining the local road network.

Carried

6 Northern Midlands Council TAS

This National General Assembly calls on the Australian Government to investigate a nationwide database of benchmarking projects for local government, where information can be stored and shared among local government organisations.

Carried

7 North Burnett Regional Council QLD

This National General Assembly calls on the Australian Government to provide local government communities classified as rural or remote that have limited capacity to raise or increase own source revenue outside current rating streams to have access to federal grant funding with a co-contribution of 10% or less for capital works projects including planning/scoping of these works.

Carried

8 Tenterfield Shire Council NSW

This National General Assembly calls on the Australian Government to provide grant funding in advance to regional and rural councils and not in arrears so as to avoid impacting unfavourably on said council's cash flow.

Carried

9 Tenterfield Shire Council NSW

This National General Assembly calls on the Australian Government to allow councils to use new grant funding opportunities for projects already contained within their operational plan that would have otherwise been funded from loans (currently they are excluded).

Carried

10 Canterbury Bankstown Council NSW

This National General Assembly calls on the Australian Government to increase the Roads to Recovery Program funding from \$500 million to \$1 billion per year and extend the program beyond 30 June 2024.

Carried

11 Bulloo Shire Council QLD

This National General Assembly calls on the Australian Government to review the Roads of Strategic Importance (ROSI) framework to ensure:

- 1. Improved opportunities for local government engagement;**
- 2. Transparency in corridor selection and development of works packages; and**
- 3. Regular and timely reviews and reporting of outcomes to all stakeholders.**

Carried

12 Frankston City VIC

This National General Assembly calls on the Australian Government to reduce the community risks associated with motorised bikes (monkey bikes) in public places:

- 1. Allocate appropriate resources to tackle and reduce the community risks associated with motorised bikes (monkey bikes) in public places except where they are specifically permitted in those public places;**
- 2. Implement clear legislation and appropriately equip state police to act and address monkey bikes in the community; and**
- 3. Facilitate a significant education campaign to highlight the rules around riding motorbikes in public places and the significant dangers and risks associated with riding dangerously and illegally.**

Carried

13 Brisbane City Council QLD

This National General Assembly calls on the Australian Government to review how importation regulations are being enforced in regard to non-compliant personal mobility devices (PMDs) being imported and used in Australia, and to facilitate harmonisation of road rules as they apply to PMDs across Australia.

Carried

14 Lake Macquarie City Council NSW

This National General Assembly calls on the Australian Government to accelerate the planning and implementation of faster rail corridors to support regional growth.

Carried

15 The Shire Yalgoo WA

This National General Assembly calls on the Australian Government to work with state and territories to immediately introduce legislation through the rail safety national law to improve safety lighting on trains and fund low-cost solar powered warning systems at passive level crossings.

Carried

16 Berrigan Shire Council NSW

This National General Assembly calls on the Australian Government to allocate further funding to allow regional and rural councils to address upgrade requirements for aerodrome facilities to support linkages between these areas and larger domestic and international ports.

Carried

17 Kingston City Council VIC

This National General Assembly calls on the Australian Government to commence a thorough review of the Airports Act 1996 and Airports Regulations 1996 and give specific consideration to:

- 1. The mechanisms needed in the legislation to ensure that airport strategic planning actively prioritises the protection of Commonwealth land for aviation-related purposes.**
- 2. The legislation embeds obligations on the Airport Lessee Company to ensure that aviation related businesses are prioritised to ensure commercial transactions on Commonwealth land cannot undermine existing businesses or the needs of aviation for the life of the established airport lease period.**
- 3. The views held by state or local government with respect to the land use planning implications on airport land are given a much more elevated level of consideration in determinations on draft major development plans or draft airport masterplans.**
- 4. The establishment of independent expert review processes to aid the Commonwealth Minister in considering draft major development plans or draft airport masterplans.**
- 5. Undertake a thorough review of all functions under the Airports Act 1996 and Airports Regulations 1996 requiring the Airport Lessee Company to provide advice, assess or determine any matters relating to considerations regarding the safety of Airfields and/or Development which is proposed to occur on them.**

Carried

18 Brimbank City VIC

This National General Assembly calls on the Australian Government to establish a policy framework and a funding mechanism to ensure that local communities directly impacted by aircraft noise and other impacts of major airport operations receive adequate support from a national community offset package.

Carried

19 Darebin City VIC

This National General Assembly calls on the Australian Government to partner with state, territory, and local governments to:

- 1. Invest in active and sustainable transport options, that can also stimulate emerging markets and low emission technologies;**
- 2. Position Australia as a leader in rapidly growing Electric Vehicle (EV) and transport markets by investing in local research and manufacturing opportunities and stimulating rapid uptake by users;**
- 3. Electrify the rail and bus networks;**

- 4. Support business to electrify freight transport;**
- 5. Provide infrastructure throughout local communities to transition to EVs and which leverage tourism opportunities;**
- 6. Implement policy settings to increase uptake of EVs; and**
- 7. Invest in infrastructure for walking and cycling.**

Carried

20 Livingstone Shire Council QLD

This National General Assembly calls on the Australian Government to fund a national rollout of electric vehicle charging stations for regional and remote local government areas.

Carried

21 Yarra City VIC

This National General Assembly calls on the Australian Government to provide greater national leadership to support the uptake of electric vehicles and market development across Australia by:

- 1. Agreeing and supporting a nationally consistent approach to EV taxes, levies and charges that provide long-term confidence for industry and consumers;**
- 2. Implementing best-practice national vehicle emissions standards;**
- 3. Providing incentives to businesses and private owners to purchase electric vehicles; and**
- 4. Significantly increasing investment in the installation of electric vehicle charging stations across Australia.**

Carried

22 Shire of Serpentine-Jarrahdale WA

This National General Assembly calls on the Australian Government to:

- 1. Classify telecommunications as an essential service;**
- 2. Establish clearly defined plans and accountabilities to address back-up power and resilience for telecommunications sites; and**
- 3. Invest \$80 million over four years in an expanded Mobile Network Hardening Program to markedly improve the resilience of Australia's telecommunications networks.**

Carried

23 Litchfield Council NT

This National General Assembly calls on the Australian Government to release its response to the 2021 Regional Telecommunications Review and to implement its recommendations, to ensure that the digital divide between Australians living in regional, rural, and remote areas and those living in metropolitan communities is reduced.

Carried

24 Campaspe Shire VIC

This National General Assembly calls on the Australian Government to amend the necessary legislation, regulations and/or contractual arrangements to ensure that both Telstra and NBN Co, their subsidiaries and contractors, cannot pass the cost of relocating their buried infrastructure on to local government if the publicly available 'as built' (or 'as laid') plans do not accurately record the location(s) of their assets.

Carried

25 Mitchell Shire VIC

This National General Assembly calls on the Australian Government to work in partnership with regional, rural, and interface councils to develop a holistic and integrated strategy to implement the Government's Regionalisation and Decentralisation Agenda.

Carried

26 Moreland City VIC

This National General Assembly calls on the Australian Government to:

- 1. Progress City Deals to achieve its Smart Cities Plan, to initiate a similar process to establish Regional Deals to drive national priorities tailored to local needs, develop plans for growth, and commit to the actions, investments, reforms, and governance required;**
- 2. Continue to support development and signing of City Deals across the nation, including to sign the north and west Melbourne City Deal to respond to the impacts of the COVID-19 pandemic and to expand the Western Sydney City Deal to include Blacktown City Council; and**
- 3. Unlock employment and economic development opportunities for the region that is**

home to 1 in 12 Australians, help create 300,000 new jobs and reboot business, boost social and economic inclusion, and leverage the regions' existing strengths in health, food production, manufacturing, and logistics.

Carried

27 Mitchell Shire VIC

This National General Assembly calls on the Australian Government to develop a new growth areas portfolio which will be responsible for developing and implementing a national response to the challenges and inequities faced by growth-area communities.

Carried

28 Melbourne City VIC

This National General Assembly calls on the Australian Government to establish a new dedicated fund that councils can access to enable their municipal communities' transition to renewable energy, through deployment of community-scale energy storage systems.

Carried

29 Lake Macquarie City Council NSW

This National General Assembly calls on the Australian Government to encourage and support councils to play a direct role in the adoption of hydrogen from renewable power sources and contribute to the development of domestic hydrogen capabilities.

Carried

30 Moorabool Shire VIC

This National General Assembly calls on the Australian Government to deliver better, more sustainable outcomes for the environment and local communities being affected by the delivery of new renewable energy infrastructure by developing a national policy for conducting and integrating community engagement findings when planning for and delivering renewable energy high-voltage transmission infrastructure projects.

Carried

31 Town of Gawler SA

That this National General Assembly, building on the 2021 National General Assembly resolution and progress to date towards clear and transparent rules for renewable electricity, calls for formal engagement with the Federal Government and Department of Industry, Science Resources and Energy to accelerate reforms for nationally legislated market-based greenhouse accounting and rules for renewable electricity and carbon offsets to be established in Australia.

Carried

32 Whitsunday Regional Council QLD

This National General Assembly calls on the Australian Government to host a national affordable housing summit to identify the regional, state, and national issues to be addressed to deliver housing solutions to communities through local, state, and federal government in a whole-of-government response to be tailored for respective community needs.

Carried

33 City of Mount Gambier SA

This National General Assembly calls on the Australian Government to:

- 1. Fund further national housing research, specific to understanding housing affordability, housing supply and demand, and housing accessibility across rural and regional Australia;**
- 2. Develop and implement a collaborative program, involving all levels of government, to address housing concerns in rural and regional Australia; and**
- 3. Commit to implementing a funding stream, specific to rural and regional local governments, allowing them to undertake LGA-specific housing research; and to prepare and implement LGA-specific housing plans (aligning to the relevant State Housing and Homelessness Strategies prepared under the NHHA).**

Carried

34 North Sydney Council NSW

This National General Assembly calls on the Australian Government to establish a Royal Commission into housing affordability.

That the terms of reference include consideration of the impacts of historical low housing affordability on productivity, intergenerational equity, public health including mental health, educational opportunities and equity.

Lost

35 Western Downs Regional Council QLD

This National General Assembly calls on the Australian Government to collaborate with state and local government areas to develop a strategy to build regional allied health precincts. These precincts would provide currently unavailable specialist services and provide outreach services to smaller rural communities, whilst assisting in the development of a local workforce. This strategy should include an action plan with aligned funding.

Carried

36 Parkes Shire Council NSW

This National General Assembly calls on the Australian Government to:

- 1. Provide for Australians to age within their communities (particularly small communities) by further funding existing aged care facilities and the Multi-Purpose Services (MPS) program and/or upgrading existing hospitals that fulfil the role of caring for aging Australians;**
- 2. Better define the responsibilities of the various agencies so there is no doubt who is responsible for the various services; and**
- 3. Work with state governments on a new approach that fundamentally addresses the widening gap between those living in regional Australia versus those living in metropolitan areas.**

Carried

37 Central Highlands Regional Council

The National General Assembly calls on the Civil Aviation Safety Authority to work with the Royal Flying Doctors Service (RFDS) to safeguard the ability of the RFDS to make use of Australia's road system as landing areas.

Carried

38 North Sydney Council NSW

This National General Assembly calls on the Australian Government to urgently establish a working group with the Federal Government to deliver local, affordable childcare in local communities, fully funded by the Federal Government and delivered on the ground by local government.

Carried

39 Isaac Regional Council QLD

This National General Assembly calls on the Australian Government to ensure federal funding and federal programs for mental health and related services are fit for purpose place-based models in small and medium-sized regional, rural, and remote areas of Australia.

Carried

40 Maribyrnong City VIC

This National General Assembly calls on the Australian Government to:

- 1. Establish a dedicated and ongoing Community Resilience and Fairness Response Package to ensure our most vulnerable community members are protected from the worst of the impacts of a prolonged pandemic, particularly the youth;**
- 2. Increase funding for mental health support services, local learning and job preparation programs, and initiatives designed to reduce unemployment; and**
- 3. Invest in and grow local manufacturing.**

Carried

41 Roper Gulf Regional Council NT

This National General Assembly call on the Federal Government to acknowledge the lack of services and infrastructure in Indigenous communities and the need to address the lack of:

- 1) Regional Health access to aged care, primary, specialist, and the National Disability Insurance Scheme**
- (2) Affordable Housing and Land availability**
- (3) Child Care access and affordability**
- (4) Skill shortage in regional areas**
- (5) Local skills and capability development**
- (6) Education system -School leavers not job-ready for local jobs as required and available locally; and**
- (7) Lack of coordinated governance across all tiers of government in regional areas.**

Carried

42 Balonne Shire Council QLD

This National General Assembly calls on the Australian Government to review current governance arrangements and commit appropriate levels of funding to provide improved operational and maintenance support to the owners of flood-warning infrastructure in order to minimise the impacts of natural disasters.

Carried

43 Newcastle City Council NSW

1 This National General Assembly calls on the Australian Government to work with ALGA and state and territory governments to urgently develop an additional, apolitical funding stream which provides local governments with the resources needed to mitigate the current and longer-term impacts of extreme weather events on local physical and social infrastructure.

2 Recognises the significant influence of climate change in natural disasters, and reaffirms its support of Australia's commitment to the Paris Agreement to limit global temperature increase to 1.5 degrees.

Carried

44 Shoalhaven City Council NSW

This National General Assembly calls on the Australian Government to establish a permanent Disaster Levy as an income tax levy, to establish a funding base to empower local government to support our communities with resilience and disaster recovery.

Lost

45 City of Whyalla SA

This National General Assembly calls on the Australian Government to introduce across all levels of government, departments and government agencies, a consistent hierarchy and classification of population places.

Carried

46 East Gippsland Shire VIC

This National General Assembly calls on the Australian Government to expand the scope, reduce the evidence required, implement fairer, and more consistent, processes between states for seeking funding under the Disaster Recovery Funding Arrangements.

Carried

47 Forbes Shire Council NSW

This National General Assembly calls on the Australian Government and Insurance Council of Australia to lobby for property insurance policies to retain a compulsory nominated amount to ensure the satisfactory demolition of the structure to better protect the public from ongoing derelict sites.

Carried

48 Shire of Morawa WA

This National General Assembly calls on the Australian Government:

1. To request that all state and territory governments fully implement recommendations 11.1 and 11.2 of the Royal Commission into National Natural Disaster Arrangements and provide further resources and assistance to local governments to increase their capacity and capability to effectively discharge the considerable emergency management

responsibilities devolved to them.

2. To provide leadership and coordination to state and territory governments in responding to recommendations 11.1 and 11.2 of the Royal Commission into National Natural Disasters.

Carried

49 Newcastle City Council NSW

This National General Assembly calls on the Australian Government to address the economic hardship people in rural and regional areas are experiencing due to the unique combined impacts of COVID-19, unprecedented bushfires, long-running drought and/or flooding by providing additional support for recovery. This relief would include:

- 1. Initiatives targeting the tourism and creative industries;**
- 2. An evaluation of and response to the youth and gender impacts of COVID-19;**
- 3. Initiatives that will boost jobs and long-term community resilience to climate; and**
- 4. Restoration of funding for local government Financial Assistance Grants to a level equal to at least 1 percent of Commonwealth taxation revenue.**

Carried

50 City of Stirling WA

This National General Assembly calls on the Australian Government to:

- 1. Work with state and territory governments to develop a sustainable, equitable and efficient national funding model for the implementation of coastal hazard management actions to mitigate coastal erosion and inundation; and**
- 2. Charge the Productivity Commission with undertaking an investigation into an appropriate funding framework that shares the cost of coastal hazard management appropriately among all levels of government and the community.**

Carried

51 Canterbury Bankstown Council NSW

This National General Assembly calls on the Australian Government to align with the NSW Government and resilient Sydney member councils' plans for reducing the impacts of climate change and provide an economic framework to drive achievable targets for carbon reduction by no later than 2050.

Lost

52 Gunnedah Shire Council NSW

This National General Assembly calls on the Australian Government to remove restrictions preventing the development of nuclear energy as a viable option in the production of base-load electricity following the decommissioning of coal-fired power stations throughout Australia.

Lost

53 Newcastle City Council NSW

This National General Assembly calls on the Australian Government to:

- 1. Formally recognise we are in a state of climate emergency;**
- 2. Appoint a minister for climate change/emergency to champion climate change efforts across the country;**
- 3. Establish a national climate change taskforce to enable a whole-of-government approach to climate action; and**
- 4. Commit to actively work with local government, industry, and communities to:**
 - a) reduce waste production;**
 - b) put in place interim targets and steep emissions reduction during this decade as part of the net zero commitment, and in line with global efforts to limit warming to 1.5 percent as agreed to at the United National Climate Conference, COP26 Glasgow**
 - c) support the development of renewable energy industries;**
 - d) provide incentives to all sectors to change to more efficient technologies;**
 - e) significantly increase urban vegetation cover and rehabilitate degraded rural environments;**
 - f) increase support for households to access energy efficient demands;**
 - g) adopt a partnership approach with local government to identify and invest in local**

climate change mitigation and adaptation projects, including through the creation of a new \$200 million Local Government Climate Change Response Fund; and

h) provide funding for a new Climate Change Disaster Fund, funded to a level equivalent to 10 percent of council operational budgets, to increase resilience of Australian local governments and their communities to the impacts of climate change.

Carried

54 Yarra City VIC

This National General Assembly calls on the Australian Government to:

1. Acknowledge and endorse ALGA's call for a Local Government Climate Response Partnership fund of \$200 million per annum over four years to help councils address the impacts of climate change in their communities;
2. Acknowledge that such a fund would create the multi-level governance called for in the Paris Agreement of 2015;
3. Note that significant funds and support for local government will be needed to prevent the worst impacts of climate change on local communities and so call on the Federal Government to create a local government climate response partnership fund, of at least \$200 million per annum, and work with local governments on existing and emerging local and regional projects to rapidly drive down emissions before 2030.
4. Put in place a climate action regulatory reform working group to remove regulatory, policy and other barriers to climate action for local governments and communities and ensure policy coherence and synchronisation at all levels of government and with relevant industry stakeholders.

Carried

55 East Arnhem Regional Council NT

This National General Assembly calls on the Australian Government to ensure collaboration of all levels of Government, including partnerships, policy and program development and implementation responsible for issues affecting Indigenous Australians. In addition, the National General Assembly reaffirms its commitment as a national priority to call on the federal, state and territory governments to commit to and progress nationally consistent recognition of Indigenous local government councils – where First Nations people are a majority presence on council and among electors – as Aboriginal Community Controlled local governments across Australia at all levels of government. The motion continues a shared value and commitment of the Australian Local Government Association (ALGA) that aligns with the Closing the Gap Agreement, policy development,

principles and practices of indigenous procurement and implementation affecting Indigenous Australians, Indigenous communities, and Indigenous Local Government Councils.

Carried

56 Newcastle City Council NSW

This National General Assembly calls on the Australian Government to continue to demonstrate strong leadership in support of Aboriginal and Torres Strait Islander Peoples by supporting a constitutionally enshrined voice to Parliament for Aboriginal and Torres Strait Islander peoples and endorsing the Uluru Statement from the Heart.

Request that the Australian Local Government Association work with the Uluru Statement from the Heart's campaign to develop a resource kit for councils seeking to host public forums to inform their communities about the proposed referendum.

Carried

57 Central Desert Regional Council NT

This National General Assembly calls on the Australian Government to allocate additional/continued funding towards remote community housing in the Northern Territory to address housing inequity and overcrowding.

Carried

Special urgent business submitted by the City of Wagga Wagga (NSW)

That the Australian Local Government Association makes representations to the Commonwealth Government with the aim of securing the following outcomes:

- 1. Confirm the support of local government authorities for the Inland Rail project.**
- 2. Inform the Commonwealth Government of the concerns of local government authorities in Queensland, New South Wales and Victoria about impacts of the project on the liveability of towns and cities and that these concerns are dismissed as being outside the scope of the Inland Rail project.**
- 3. Inform the Commonwealth Government of the concerns of local government authorities in Queensland, New South Wales and Victoria about a lack of meaningful consultation between entities engaged to deliver the project planning**

and those local government authorities.

4. Request that the Commonwealth Government create a dedicated forum for local government authorities in Queensland, New South Wales and Victoria to raise the impacts of the Inland Rail project on the current and future liveability of towns and cities in relation to issues which are currently dismissed as outside the scope of Inland Rail the project.
5. That the Commonwealth Government commit to developing and delivering the actions required to remove or mitigate the degradation of liveability in towns and cities along the route of the Inland Rail at agreed milestones.

Carried

Special urgent business submitted by the ALGA Board

We the delegates of the 2022 National General Assembly of Local Government stand in solidarity with the people of Ukraine and its legitimate elected democratic governments in seeking peace, security, and stability within the State of Ukraine.

Carried

The Assembly resolved that the following motions would be referred to the ALGA Board for consideration. Submitting councils will be advised of the outcome of their motion following the ALGA Board's July 2022 meeting.

Motion number 58 Darebin City VIC

This National General Assembly calls on the Australian Government to:

- 1. Continue advancing all co-design efforts to establish a National Indigenous Voice on behalf of Aboriginal and Torres Strait Islander Communities;**
- 2. Partner with the local government sector, through ALGA's national agreement on Closing the Gap Partnership, to help facilitate outcomes across the agreed Closing the Gap priority reform targets, including around education, employment, health, and wellbeing outcomes for Aboriginal and Torres Strait Island Communities; and**
- 3. Formally partner with ALGA and the local government sector, including through the establishment of an ongoing advisory or representative voice for local government comprising of Aboriginal and Torres Strait Islander peoples to guide the broad work relating to First Nations peoples, truth-telling sovereignty, and treaty-making.**

Motion number 59 Stonnington City VIC and Darebin City VIC

This National General Assembly calls on the Australian Government to:

- 1. Increase investment to support Australia's transition to a circular economy in order to reduce waste, improve the recovery of precious resources, and create new jobs;**
- 2. Turn off the 'tap' of waste by requiring and creating incentives for higher use of recycled materials and by phasing out problematic and unnecessary waste;**
- 3. Expand the product stewardship schemes and introduce a new materials levy to drive industry change;**
- 4. Ban the import and production of hard-to-recycle materials (except for essential needs such as some medical uses);**
- 5. Co-invest in new major regional waste facilities to help attract and build new markets;**
- 6. Prioritise job creation and industry transition through the circular economy as part of COVID-19 recovery efforts;**
- 7. Fund technology and research that leads to an advanced domestic circular economy sector and positions Australia as a leading expert in this new economic sector; and**
- 8. Partner with local government to help guide and inform federal policy and investment decisions around supporting circular economy, recycling, product packaging, and waste reform opportunities.**

Motion number 59.1 North Sydney Council NSW

This National General Assembly calls on the Australian Government to urgently step in to address the structural issues with waste and recycling as a result of the China Sword policy in order to promote and delivered a circular and sustainable waste practices.

Motion number 59.2 Mitchell Shire VIC

This National General Assembly calls on the Australian Government to support the establishment of recycling and reprocessing markets in Australia to support a true local circular economy where products and materials are kept in use throughout their product lifecycle and reuse of our precious resources is prioritised by building a demand and market for locally reusable and recycled products.

Motion number 59.3 Tamworth Regional Council NSW

That this National General Assembly calls on the Australian Federal Government to

consider additional funding programs to support the construction and on-going running costs associated with the Australian Government’s commitment to reduce food being landfilled through the National Waste Policy, and the associated national Waste Policy Action Plan (2019).

Motion number 60 City of Darwin NT

This National General Assembly calls on the Australian Government to direct and support investment in the development of small-scale waste management technologies, systems, and solutions specific to the needs of regional and remote communities, as an adjunct to existing efforts that rely on private industry participation leveraging the waste streams of large-scale population bases.

Motion number 60.1 Shoalhaven City Council NSW

This National General Assembly calls on the Australian Government to streamline process and directly allocate funding for circular economy projects that will allow councils to manage localised remanufacturing proposals and implement discounted buyback schemes for recycled products.

Motion number 60.2 South Burnett Regional Council QLD

This National General Assembly calls on the Australian Government to provide dedicated funding to support regional local governments to undertake targeted feasibility studies and business cases to explore existing and new opportunities to partner in and support the creation of a circular economy and create localised resource recovery practices.

Motion number 60.3 Central Desert Regional Council NT

This National General Assembly calls on the Australian Government to allocate funds towards water and waste recycling initiatives in remote communities.

Motion number 60.4 Tweed Shire Council NSW

This National General Assembly calls on the Australian Government to advocate for the continued development of national recycling initiatives.

Motion number 61 Randwick City Council NSW

This National General Assembly calls on the Australian Government to:

- 1. Establish a program to fund and support councils to transition their communities to a zero-waste circular economy, in which there is no place for incinerators (including waste to energy incinerators) or the incineration of medical waste; and**
- 2. Remove incinerators from the Australian Renewable Energy Target and remove native forest biomass as a renewable component of bioenergy/fuel and its eligibility for subsidy.**

Motion number 61.1 Inner West Council NSW

This National General Assembly calls on the Australian Government to say Yes to the Circular Economy and No to Incinerators.

Motion number 62 Town of Bassendean WA

This National General Assembly calls on the Australian Government to change the Australian Packaging Covenant to a mandatory product stewardship scheme, constituted under the Recycling and Waste Reduction Act 2020.

Motion number 62.1 City of Unley SA

This National General Assembly calls on the Australian, state and territory governments to jointly undertake an investigation of the adequacy of the current policy on packaging and product recycling information and to consider establishing a consistent national approach that mandates the provision of information and advice by all manufacturers or wholesalers/retailers regarding the relevant recycling stream for all packaging as well as products produced or sold in Australia.

Motion number 62.2 Yarra City VIC

This National General Assembly calls on the Australian Government to provide national leadership to grow the circular economy and reduce levels of household and commercial waste by:

- 1. Implementing a national ban on food waste going into landfill;**
- 2. Implementing stricter national sustainable packaging standards and a product**

stewardship scheme; and

3. Providing increased funding to industry and local government to support local processing solutions, sector innovation and market development.

Motion number 62.3 City of Mount Gambier SA

This National General Assembly calls on the Australian Government to establish a fund of \$100 million per annum, over four years, to support local government circular waste innovation projects.

A significant portion of the fund should be dedicated to supporting projects in regional areas. Due to resourcing constraints in regional areas, any grants provided through the program should not require matched funding.

Motion number 63 Gladstone Regional Council QLD

This National General Assembly calls on the Australian Government to amend the Competition and Consumer Act 2010 (Cth) to reduce barriers to local government jointly tendering for recyclables processing and innovative resource recovery services by exploring options to amend:

- 1. Sections 2BA or 2C to reduce the application of part IV for example, by removing recyclables processing or innovative resource recovery services, for which tenders are sought, from the definition of 'business'; or**
- 2. Section 51 of the Competition and Consumer Act 2010 (Cth) to introduce exceptions to part IV in circumstances where local governments:**
 - a. undertake joint tendering exercises for recyclables processing and/or innovative resource recovery services**
 - b. hold collaborative forums to discuss waste diversion, resource recovery and recyclables processing procurement strategy and initiatives.**

Motion number 64 Forbes Shire Council NSW

This National General Assembly calls on the Australian Government to implement a rebate system of 40 cents per litre for the use of S45R crumbed rubber bitumen in asphalt, construction seals and reseals.

Motion number 65 Blacktown City Council NSW

This National General Assembly calls on the Australian Government to remove the GST paid on sustainable and reusable alternatives to disposable and single-use products.

Motion number 66 South Burnett Regional Council QLD

This National General Assembly calls on the Australian Government to double the \$3.5 billion National Water Grid Fund towards the construction of new and augmented water infrastructure projects across regional Australia and provides annual competitive funding rounds for the acceptance of funding applications.

Motion number 66.1 Western Downs Regional Council QLD

This National General Assembly calls on the Australian Government to deliver a long-term, bulk water source for regional communities to enable economic development opportunities, including hydrogen and agriculture.

Motion number 67 Gunnedah Shire Council NSW

This National General Assembly calls on the Australian Government to commence a mature and informed discussion, inclusive of all relevant Commonwealth guidelines, on the use of wastewater for specific purposes other than parks and gardens and including road maintenance undertaken by local government.

Motion number 68 Wyndham City VIC

This National General Assembly calls on the Australian Government to provide additional funding for tree planting to:

- 1. Increase tree canopy cover;**
- 2. Reduce the impacts of a changing climate; and**
- 3. Improve biodiversity and create habitat for native fauna.**

Motion number 69 North Sydney Council NSW

This National General Assembly calls on the Australian Government to address, protect and increase tree canopy, particularly urban tree canopy and forest, to minimise the impacts of climate change and to protect biodiversity and habitat.

Motion number 70 Redland City Council QLD

This National General Assembly calls on the Australian Government to provide increased funding to support on-the-ground council activities aimed at protecting our local koala population, including:

- 1. The development of the Koala Watch app to a commercially viable standard enabling delivery of eco-tourism, citizen science and conservation benefits; and**
- 2. Supporting efforts (financially and via policy and legislative alignment) to combat disease and increase the understanding of koala population dynamics.**

Motion number 71 Bayside City VIC

This National General Assembly calls on the Australian Government to recognise the harmful impacts of second-generation rodenticides, prohibit their use in Australia, and promote alternative methods of rodent management.

Motion number 72 Bayside City VIC

This National General Assembly calls on the Australian Government to develop wildlife-friendly lighting standards.

Motion number 73 South Burnett Regional Council QLD

This National General Assembly calls on the Australian Government to partner with local governments to fund the establishment of regional biosecurity report cards designed to measure the extent and success of management programs that target new, emerging and established invasive species.

Motion number 74 Maribyrnong City VIC

This National General Assembly calls on the Australian Government to take a broader view in respect of economic recovery and growth to reduce the reliance on infrastructure and construction to drive job creation and economic recovery post-COVID.

This should include increased investment in skills and training, health, arts and agriculture, environmental restoration, supply chain improvements, and initiatives that further diversify the economy and improve Australia's self-sufficiency.

Motion number 75 Darebin City VIC

This National General Assembly calls on the Australian Government to:

- 1. Develop a national cultural plan to support the short, medium, and long-term needs of the creative and cultural sectors;**
- 2. Partner with local government to develop a creative sector federal investment strategy that directly invests in local creative and cultural industries as part of immediate COVID-19 recovery efforts;**
- 3. Expand eligibility and scale of existing federal government creative COVID-19 support programs, including the Restart Investment to Sustain and Expand (RISE) Fund, to continue providing increased support for more local artists, festivals, concerts, tours, exhibitions, visual, digital, creative, and cultural organisations;**
- 4. Expand representation of the Federal Government's COVID-19 Creative Economy Taskforce, by providing a seat at the table and representation for the local government sector;**
- 5. Prioritise new COVID-19 creative sector support investment towards sustaining and helping our most vulnerable artistic and cultural community cohorts, including Aboriginal, multicultural, the newly arrived, women and young creatives; and**
- 6. Ensure local government is directly provided with a fair and equitable share of new funding and resources to supporting local and regional creative activities, festivals, events, and organisations.**

Motion number 76 Wyndham City VIC

This National General Assembly calls on the Australian Government to increase needs-based funding for the construction of and upgrades to community, arts and culture and sports infrastructure.

Motion number 77 Melton City VIC

This National General Assembly calls on the Australian Government to provide increased funding for cultural and sporting infrastructure in line with projected growth and greatest need.

Motion number 78 Lake Macquarie City Council NSW

This National General Assembly calls on the Australian Government to create a dedicated funding stream to support councils to facilitate events at a community level to stimulate post-COVID economic recovery for businesses and individuals working in the tourism, hospitality, arts, and entertainment industries.

Motion number 79 Darebin City VIC

This National General Assembly calls on the Australian Government to:

- 1. Recognise the unprecedented impact the COVID-19 pandemic has had in compounding Australia's workforce shortages, particularly in the hospitality and agriculture sectors;**
- 2. Acknowledge the role that prolonged international and interstate border closures have had in compounding workforce shortages across the agriculture and hospitality industries which are generally highly dependent on backpackers, overseas students, and migrant workers;**
- 3. Respond to the changing nature of work across Australia as a result of the COVID19 pandemic, and the opportunities associated with working from home and the changing nature of workforce expectations amongst Australian workers;**
- 4. Invest in skills, training, and pathway opportunities to support more vulnerable community cohorts, including as a priority, socio-economic disadvantaged cohorts, longer-term unemployed and asylum-seekers, refugees to be connected to employment pathways across sectors experiencing genuine skills shortages;**
- 5. In reopening Australia's borders, prioritise opportunities to strategically increase Australia's humanitarian intake, particularly in the context of growing global tensions and displacement, to support more asylum seekers and refugees find a safe place to live, raise a family, and work; and**
- 6. Establish a national COVID-19 migration workforce and skills recovery taskforce, which is responsible for overseeing and coordinating all of these opportunities, and which provides ALGA and the local government sector with a seat at the table.**

Motion number 80 Shoalhaven City Council NSW

This National General Assembly calls on the Australian Government to address the need for recovery and skills shortages across the country by creating a national vocational training strategy and associated funding to increase the number of individuals participating in training across the country.

Motion number 82 Western Downs Regional Council QLD

This National General Assembly calls on the Australian Government to create incentives to attract and train qualified childcare staff.

Motion number 83 Murray River Council NSW

This National General Assembly calls on the Australian and relevant state governments to immediately relax the cross-border accreditation requirements for building surveyors to operate nationally under the Australian Building Code. Further to this, that the Federal Government introduces a rural/regional specific accreditation to ease the burden on regional councils.

Motion number 84 Newcastle City Council NSW

This National General Assembly calls on the Australian Government to:

- 1. Note that in some jurisdictions, councillors, mayors and lord mayors are not automatically entitled to the Superannuation Guarantee Contribution, despite Councillors being paid the appropriate superannuation entitlements in other jurisdictions;**
- 2. Note that in some jurisdictions, councillors, mayors and lord mayors have the option of 'opting-in' to receive the Superannuation Guarantee Contribution only following the successful passing of a motion requiring same, allowing the issue to be politicised in council meetings;**
- 3. Note that this sets a poor community standard and sends the wrong message to the community given that superannuation should be a universal mandatory system to support all workers in Australia; and**
- 4. Rationalise the superannuation system for elected representatives from the local government level and mandate that all councillors across Australia automatically receive the Superannuation Guarantee Contribution.**

Motion number 85 Brimbank City VIC

This National General Assembly calls on the Australian Government to:

- 1. Establish a dedicated and ongoing community resilience and fairness response package to ensure our most vulnerable community members are protected from the worst of the impacts of a prolonged pandemic, particularly the youth;**
- 2. Increase funding for local learning and job preparation programs and initiatives designed to reduce unemployment; and**
- 3. Reinvigorate, invest in, and grow local manufacturing.**

Motion number 86 South Burnett Regional Council QLD

This National General Assembly calls on the Australian Government to support rural and regional communities with increased funding and facilities to meet the growing needs of youth with mental health issues, including early intervention programs and ensuring equity of access to services.

Motion number 87 Cumberland Council NSW

This National General Assembly calls on the Australian Government to:

- 1. Create a local youth jobs program at the local government level;**
- 2. Establish a youth employment facilitator in each local government area;**
- 3. Provide a local youth employment recovery fund for each local government area; and**
- 4. Provide incentives for local employers to deliver well paid, meaningful, secure work for local youth.**

Motion number 88 Moreland City VIC

This National General Assembly calls on the Australian Government to:

- 1. Acknowledge the harm that gambling does across the country, the role that local government has in managing the impact of gambling harm on local communities and take practical action to minimise gambling harm;**
- 2. Ban all forms of gambling advertisements on broadcast and online platforms during live sports events;**
- 3. Establish and implement a national fund to invest in local community-based responses to gambling harm such as the successful Libraries After Dark program in Victoria; and**
- 4. Establish a national community divestment fund to assist local sporting clubs and community groups to transition away from electronic gambling machines as an income stream.**

Motion number 89 Darebin City VIC

This National General Assembly calls on the Australian Government to:

- 1. Permanently increase JobSeeker Payments to at least \$69 a day;**
- 2. Support increases to the minimum wage in line with the cost of living;**
- 3. Ensure that increases to JobSeeker and the minimum wage do not come at the expense of other vital supports provided to people experiencing disadvantage and hardship; and**
- 4. Partner with local governments to facilitate these measures, and to identify and invest in targeted measures that address and respond to socio-economic disadvantage and inequality across Australian communities.**

Motion number 89.1 Newcastle City Council NSW

This National General Assembly calls on the Australian Government to:

- 1. Note that the severe economic impacts of the COVID-19 pandemic have been cushioned by Commonwealth, state, and local policy interventions, including the JobSeeker and JobKeeper payments;**
- 2. Note that prior to the \$550 per fortnight increase in the JobSeeker payment in April 2020, the JobSeeker/NewStart rate had not been increased in real terms in 26 years.**
- 3. Note that in February 2021, the Commonwealth increased the JobSeeker rate by just \$50 a fortnight, to \$307 per week for a single adult, still well below the poverty line in Australia, and also coinciding with the end of the \$75 per week coronavirus supplement, which will leave recipients \$50 a week worse off than they currently are; and**
- 4. Call on the Prime Minister, Treasurer and Commonwealth Parliament to permanently raise the rate of JobSeeker by between \$185 per week and \$275 per week.**

Motion number 90 City of Charles Sturt SA

This National General Assembly calls on the Australian Government to advocate that both major political parties expand the scope of the National Disability Insurance Scheme (NDIS) to enable local governments to receive Commonwealth contributory funding. This funding would contribute to community facilities and assets in support of NDIS eligible recipients, and other community members who may benefit from them. For example, improved accessibility of recreational facilities and other infrastructure assets.

Motion number 90.1 South Burnett Regional Council QLD

This National General Assembly calls on the Australian Government for a continuation of funding for rural communities in addition to the identified funded programs under the National Disability Insurance Schemes.

Motion number 91 City of Norwood Payneham & St Peters SA

This National General Assembly calls on the Australian Government to:

- 1. Reaffirm its commitment to the National Strategy for Volunteering, and the ongoing monitoring of volunteer work through the Australian Bureau of Statistics; and**
- 2. Provide adequate funding to volunteer agencies, including local government, to support actions that increase volunteer participation and adapt volunteering programs in response to the COVID-19 pandemic.**

Motion number 92 Gunnedah Shire Council NSW

This National General Assembly calls on the Australian Government to delay any cut or suspension of the current fuel excise tax arrangements until such time as a genuine reform package can be legislated to replace the tax with a mechanism which distributes this vital road maintenance funding across all road users regardless of fuel type.

Motion number 93 Brighton Council TAS

THIS MOTION WAS WITHDRAWN AT THE REQUEST OF BRIGHTON COUNCIL.

This National General Assembly calls on the Australian Government to remove/exempt Fringe Benefits Tax on electric or zero emission vehicles where use is restricted to travel between home and work.

Motion number 94 Broken Hill City Council NSW

This National General Assembly calls on the Australian Government to create a regional tax incentive to equalise the current remote area Fringe Benefit Tax concessions from 50 percent to 100 percent to enable all employees residing in regional and remote communities across Australia access to the same allowances as their employers.

The tax incentive will assist to drive regional relocation, to smooth out the volatility of housing prices with the aim to address the regional housing affordability crisis across

Australia commencing with the six Australian Mining City Alliance (AMCA) councils as a test scenario.

Motion number 95 Inner West Council NSW

That this National General Assembly call on the Australian Government to change the taxation code to eliminate incentives that reward activities and purchases that are worse for public health, are more expensive for households, result in worse domestic energy security, and worsen climate change.

The Assembly calls on the Federal Government to change the taxation code to address this, including:

- 1. Support residential and commercial landlords to improve the health, comfort, and energy security of their tenants by changing the status of energy-efficient, water-efficient, and renewable appliances and structures so that they qualify for accelerated depreciation or extension of the Temporary Full Expensing Measures for Landlords for a period through to 2030;**
- 2. Amend the taxation system such that when a landlord replaces an appliance that has poor air quality outcomes with a cleaner system (e.g., gas cooktop with induction cooktop, or a gas heater versus reverse cycle air conditioner), this is also captured through the Temporary Full Expensing Measures for Landlords rather than a capital expense that is to be depreciated over its effective useful life;**
- 3. Increase the effective useful lives for those appliances that actively contribute to poor indoor air quality and worsened health outcomes such that the depreciation claim will be smaller in each year;**
- 4. Factoring in the weight and energy source of a vehicle when deciding the allowable depreciation, in recognition that the damage done to roads is proportional to the fourth power of the weight, and thus increases rapidly for heavier vehicles (using a different scale for electric vehicles);**
- 5. In order to improve public health due to air pollution and lack of physical activity, phase in changes to the way that motor vehicle expenses can be deducted to encourage the uptake of bicycles, e-bikes, and electric cargo bikes for commuting and business purposes, and in those cases where cars or other motor vehicles are required, make changes to ensure that electric vehicles are favoured over petrol and diesel vehicles; and**
- 6. Call on the Federal Government to make these amendments to the relevant tax legislation to give effect to these measures as soon as possible.**

Motion number 96 City of Holdfast Bay SA

This National General Assembly calls on the Australian, state, and local government associations to investigate and, where feasible, work with willing councils to trial innovative public governance models (including liquid democracy) to strengthen the connectivity and relevance of the local government sector into the future.

Motion number 97 Livingstone Shire Council QLD

This National General Assembly calls on the Australian Government to write to each state Premier, requesting that future COVID mandates that are likely to have negative impacts on local businesses and unvaccinated members of our communities be discussed with the ALGA Executive prior to introduction.

Motion number 98 Borough of Queenscliffe VIC

This National General Assembly calls on the Australian Government to adopt a unified approach to transitioning refugees on Temporary Protection Visas or Safe Haven Enterprise Visas to Permanent Protection Visas as quickly as possible.

Motion number 99 Newcastle City Council NSW

This National General Assembly calls on the Australian Government to:

- 1. Note that the 2017 United Nations Treaty on the Prohibition of nuclear weapons is the first treaty to comprehensively outlaw nuclear weapons and provide a pathway for their elimination. This Treaty entered into force on 22 January 2021 and all national governments have been invited to sign and ratify the treaty;**
- 2. Note that the Treaty entering into force is an important milestone on the path to a nuclear weapon-free world. It makes concrete the standard that nuclear weapons are illegal and illegitimate for all states, and a permanent part of international law; and**
- 3. Welcome the entry into force of the UN Treaty on the Prohibition of nuclear weapons on 22 January 2021, and sign and ratify the treaty.**

Motion number 100 Murray River Council NSW

This National General Assembly calls on the Australian Government to collaborate with local government to remove impediments within the National Construction Code Series (BCA) and associated Australian Standards, that dissuade industry from adopting 3D printing, and the Government provide instruments to incentivise private industry to develop 3D printing.

Motion number 101 Frankston City VIC

This National General Assembly calls on the Australian Government for funding support to help develop international municipal relationships such as sister cities.

Motion number 102 Break O'Day Council TAS

This National General Assembly calls on the Australian Government for a change in date for Australia Day.

Motion number 103 Greater Dandenong City VIC

Greater Dandenong City Council, as joint mover with Brimbank City Council, Darebin City Council, Monash City Council, Moreland City Council and Yarra City Council, moves that this National General Assembly:

- 1. acknowledges the Federal Government's swift and appropriate response to the Ukrainian crisis in taking refugees over the annual humanitarian visa program quota, to be settled in local government areas;**
- 2. acknowledges the contrasting Federal Government response to the recent crisis in Afghanistan, where Afghan refugees will be allocated spots within the existing annual humanitarian visa program, over a four-year period;**

In addition, Greater Dandenong City Council as secretariat of the local government Mayoral Taskforce Supporting People Seeking Asylum on behalf of the following Councils that are members:

- a. Executive Members' Brimbank City Council, Casey City Council, Darebin City Council, Hobsons Bay City Council, Hume City Council, Kingston City Council, Monash City Council, Moreland City Council, Yarra City Council;**
- b. General Members' Ballarat City Council, Banyule City Council, Bendigo City Council, Blue Mountains City Council, Canterbury Bankstown City Council, Cardinia Shire Council,**

Hawkesbury City Council, Inner West City Council, Leeton Shire Council, Maribyrnong City Council, Melbourne City Council, Moonee Valley City Council, Nillumbik Shire Council, Port Phillip City Council, Randwick City Council, Wagga City Council, Whittlesea City Council, Wyndham City Council; and

c. Supporter Councils' Bass Coast Shire Council, Greater Geelong City Council, Hobart City Council, Launceston City Council, Macedon Ranges Shire Council, Maroondah City Council, Mornington Peninsula Shire Council, Borough of Queenscliffe, Wellington Shire Council, and Whitehorse City Council;

Calls for a consistent approach from the Federal Government to taking humanitarian refugees from active conflict zones.

Motion number 104 Greater Dandenong City VIC

This National General Assembly:

1. Acknowledges and informs the Federal Government that the limited amount of support provided by the Federal Government to people seeking asylum who are awaiting their status determination is resulting in increased costs for local governments across Australia; and

2. Calls on the Federal Government to:

a. appropriately fund the Department of Immigration so that asylum applications and appeals can be urgently addressed through a single Refugee Status Determination process and an independent and fair merits review;

b. allow all such people to access without delay or condition, Australia's Centrelink services and Medicare benefits; and

c. provide TPV holders with a pathway to permanency.

(Ref: Local Government Mayoral Taskforce Supporting People Seeking Asylum (2022), <https://bit.ly/3vyLu8x>)

Motion number 105 Bathurst Regional Council NSW

This National General Assembly calls on the Australian Government to recognise the fact of frontier wars which occurred between First Australians and British forces during the colonisation of Australia.

Motion number 106 Parkes Shire Council NSW

This National General Assembly calls on the Australian Government to:

Provide strong structured VET support programs for training next generation workforce that will support the renaissance of manufacturing in Australia such as; automation, programable logic, self-guidance, robotics, and drone technology.



11 July 2022

Ms Karina Ewer
Chief Executive Officer
Berrigan Shire Council
56 Chanter Street
Berrigan NSW 2712
By email: mail@berriganshire.nsw.gov.au

Dear Ms Ewer

Motion submitted to 2022 National General Assembly of Local Government

Thank you for the following motion submitted by your council to the 2022 National General Assembly of Local Government (NGA):

Motion 81:

This National General Assembly calls on the Australian and state governments to work with local councils to assist with the identification of existing skills and the types of on the job training in local government that might meet micro-credentialling requirements and assist local councils to take up these options at the leading edge.

This motion was part of a group that were passed en bloc by the Assembly at the end of the debate on motions on Tuesday 21 June, and will now be considered by the ALGA Board at their next meeting on 28 July, alongside all other carried NGA motions. The ALGA Board is comprised of two representatives from every local government jurisdiction.

If endorsed by the Board, this motion will help shape ALGA's national policy positions and advocacy priorities.

While we set aside almost three hours for debate on motions at this year's NGA, unfortunately we were unable to separately consider all of the motions in the allocated time.

I understand councils invest significant time and resources developing NGA motions and travelling to Canberra to advocate for them.

We will review the process with a view to making improvements ahead of next year's NGA, including allocating more time during the event to the debate of motions.

Thank you once again for your support of the 2022 National General Assembly.

Yours sincerely

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

Matt Pinnegar
ALGA CEO

cc: Scott Phillips, CEO Local Government NSW



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Today councils from across Australia have come together at the 2022 NGA in Canberra to support the people of Ukraine, unanimously passing the following motion:

“We the delegates of the 2022 National General Assembly of Local Government stand in solidarity with the people of Ukraine and its legitimate elected democratic governments in seeking peace, security and stability within the State of Ukraine.”

The motion followed an address to the Assembly by the Ukraine Ambassador, His Excellency Vasyl Myroshnychenko.

ALGA President Linda Scott said the Ambassador was warmly received by almost 1,000 councillors and local government leaders.

“Councils around Australia – and the world – are committed to local democracy, and we have been horrified by the images we have seen and the reports we have read coming out of Ukraine.”

“As we gathered in Canberra today, we wanted to send a powerful and united message of support to the Ukraine people, and their democratically elected governments.”

Speaking to NGA delegates, the Ukraine Ambassador said he had been pleased by the support he had received from local governments.

“I have travelled extensively and met many mayors and lord mayors and I am amazed by all the people I have met. I have received many letters of support from local governments across the country,” Ambassador Myroshnychenko said.

“We need more support; the level of destruction is enormous. Hospitals, schools and important infrastructure have all been destroyed. It will take one to two generations to re-build.”

“Local governments can help mostly by connecting local services to those Ukrainians who have relocated into your communities, and by raising money to help Ukrainians rebuild critical infrastructure such as schools and hospitals,” he said.

Posted 21 June, 2022

NEWSLETTER

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23 June 2022

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Australian local governments stand in solidarity with Ukraine

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Australian Local Government Association

8 Geils Court
Deakin, ACT 2600
(02) 6122 9400

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20
22

NATIONAL GENERAL ASSEMBLY

PARTNERS IN PROGRESS

19 - 22 JUNE 2022 | CANBERRA

 AUSTRALIAN
LOCAL GOVERNMENT
ASSOCIATION

2022 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT COMMUNIQUE

Local government leaders from around Australia gathered in Canberra from 20 – 22 June 2022 for the 28th National General Assembly of Local Government (NGA).

This event was held on the traditional lands of the Ngunnawal people, and the Assembly paid its respects to their elders past, present and emerging, and acknowledged the vital and ongoing contributions First Nations peoples continue to make to our nation.

Around 1,000 delegates welcomed and congratulated the Albanese Government on being elected and thanked the many federal members of parliament who attended and spoke at the NGA or associated events, including Minister King, Minister McBain, Minister Watt, Minister Burney, Minister Rowland, Leader of the National Party David Littleproud, and Zali Steggall OAM.

All reaffirmed the importance of local government, and councils look forward to seeing action through better partnerships.

Local governments asked for a Minister in Cabinet and we welcome the appointment of Cabinet Minister King supported by former Bega Valley Shire Mayor Minister McBain.

The Assembly welcomed the announcement from Minister King that she would work with Minister McBain to re-establish the Australian Council of Local Governments and was encouraged by the Government's willingness to engage and partner with local councils.

In keeping with the theme of the Assembly 'Partners in Progress', councillors committed to partnering with the Australian Government to progress critical reforms, including national productivity, climate change transition, Closing the Gap, housing affordability including increased social housing, appropriate road safety reforms, restoring integrity of federal funding to local government, and improved local delivery of community services.

The Assembly committed to progressing the next step of Closing the Gap and passed a motion supporting the Uluru Statement from the Heart.

The Assembly heard from leading economists that local government is the most productive level of government yet collects just 4% of national taxation revenue. The Assembly agreed that councils need more sustainable and transparent formula-based funding to restore integrity to federal funding of local government.

Further, they noted the essential federal funding support to local communities and called on the Government to review Financial Assistance Grants and restore them to at least 1 percent of Commonwealth taxation revenue.

Delegates and speakers recognised the protracted challenges of the COVID pandemic, unprecedented droughts, bushfires, and recent floods, and commended the work of local councils, local communities and government agencies on their work on emergency response and recovery.

A number of flood affected leaders also met personally with the Prime Minister, and highlighted ways to better work together to prevent and prepare for natural disasters.

The Assembly warmly received Governor-General David Hurley and his comments on the vital role councils are playing supporting disaster impacted communities and will need to play in the future.

The Assembly noted however that more needs to be done on mitigation and the prevention of climate induced natural disasters.

The Assembly discussed the global challenges to democracy and the critical importance of local government. The Assembly reaffirmed its commitment to strong local leadership, transparency and public accountability, free and fair elections and local democracy.

After a stirring address from the Ukraine Ambassador, the Assembly passed a unanimous motion supporting the Ukraine people and their legitimate and democratically elected governments.

Other critical issues addressed at the Assembly included migration between cities and regions, housing affordability and the role councils can play in social housing in particular, critical workforce challenges and road safety.

Delegates agreed to continue to meet with their local federal members to highlight the importance of sustainable and transparent funding for local governments, and better partnerships that will help support progress in every community.

Convened by the Australian Local Government Association (ALGA) the NGA is the largest national gathering of democratically elected representatives in the nation. ALGA is the national voice of local government and will review more than 106 policy initiatives adopted by resolution of the Assembly in the coming months.

Access photos and videos from the 2022 NGA here:

https://drive.google.com/drive/folders/1zQvMtGiMrhT_ySKc0aRGGahj5N4Vx_HX?usp=sharing

To the Mayor of Berrigan Shire Council

The family have requested about utilising a plot in the Presbyterian Section of the Berrigan Cemetery for placing family ashes.

The Row is Row 6 Plot number 14 – between Phyllis ALBERT & Topsy BARCLAY.

They have requested that they would like to inter ashes into this vacant plot and utilise the space.

There are family members either side and it is unlikely that it will be utilised unless it is by them.

Also as a majority of burials are taking place in the Lawn Section it is highly unlikely that this space will be used unless it is used by the family.

Please have a look and let me know your thoughts.

Many thanks

Many thanks

Lawrence E Walsh

Berriquin Funerals

277-283 Murray Street

Finley, NSW. 2713



Policy

11 MONUMENTAL AND LAWN CEMETERIES

GENERAL INFORMATION AND REGULATIONS

The following information is furnished in respect of the operation of the Council's cemeteries.

1. General Control

The Council's General Manager shall have the control of all cemeteries, including the conduct of funerals, traffic, maintenance and visitors.

The General Manager has the authority to remove any trees, shrubs, plants, flowers, etc. from a cemetery or from any grave therein as soon as, in the judgment of the General Manager, they become unsightly, dangerous, diseased, or when they do not conform to the standard maintained or desired within the cemetery.

The Council reserves the right to remove:

- A. All wreaths and floral tributes from any grave after a period of seven days following interment;
- B. Any bottles, tins, cans or other article placed on a grave as a container for floral tributes, which may be detrimental to the appearance of the cemetery, including any vase or other container which has become broken or damaged.

The Council shall not be held liable, nor will it accept any responsibility for damage done for any reason or cause whatsoever or for the theft of any article placed upon a grave.

2. Lawn Cemeteries

No monumental work is permitted in the Council's lawn cemeteries. Only the bronze plaques arranged by the Council are permitted, i.e. 380mm x 280mm.

No planting of shrubs, flowers, etc. is permitted over grave sites.

The standard lawn plaque and headstone is included in the cemetery fees. There is a special plaque available which has provision for an additional



Policy

name to be added. This type of plaque is suitable for graves where double interment is to be made and is available in attractive designs. If the applicant desires to acquire a ceramic photograph for placement on a standard plaque, while it is not recommended, they may do so subject to acknowledgment that the Council will not be held liable nor accept any responsibility, for any damage to such a ceramic photograph or for any fading or deterioration in the visual quality of the ceramic photograph.

Plaques are of bronze, and polishing is prohibited as it damages the lettering. Furthermore, plaques should be left to age, as it is the practice with historical monuments.

In order that fresh floral tributes may be placed on the lawn cemetery memorials, special flower containers are incorporated, and these are the only type acceptable, accordingly **NO WREATHS ARE TO BE PLACED AND LEFT ON GRAVES WITHIN THE LAWN CEMETERY.**

NOTE: In any case where wreaths are left on graves either the Caretakers or the organisation responsible for maintenance retain the right to remove such wreaths at their discretion.

3. Memorial Walls

The reservation of a niche in a memorial wall can be made by appropriate application and payment of the fee as determined by the Council from time to time.

4. Monumental and Lawn Cemeteries Generally

Graves - Removal of Flowers and Wreaths

Flowers and plastic wreaths will be removed from new graves after an appropriate period, to allow filling and levelling, as normal subsidence of soil takes place.

It is suggested that following the initial burial, only fresh flowers be left at memorials and monuments. These may be removed generally on a weekly basis to enable mowing of lawns and tidying up, except where interments have recently taken place, in which case the flowers will be removed when withered.

Plastic flowers will be permitted on monuments in that section of the cemetery, and removal of these will be left generally to the discretion of the relatives, however the Council will retain the right to remove them as they reach a state of deterioration.



Policy

Interments

Ashes may not be a first interment in any monumental or lawn section.

Ashes may only be interred in a lawn or monumental grave subsequent to a traditional burial.

Ashes may be removed from a niche if required and interred with a burial in a monumental or lawn grave.

Where ashes are removed from a niche for interment with a burial the Council refund the cost of the niche reservation.

Other Regulations

- A. No person shall interfere with any plant, flower, shrub, tree or lawn or commit any nuisance
- B. Under no circumstances are any decorations to be fixed to headstones or monuments.
- C. Animals are not permitted in the cemetery grounds.
- D. Traffic speed limit is restricted to 10km per hour.

(Adopted by Council 21/11/1995)
(Amended 19/11/2003)

Council Meeting

20 April 2022

8.18 Social Media Management

Report by: Chief Executive Officer, Karina Ewer

Strategic Outcome: 2. Good government

Strategic Objective: 2.2 Strengthen strategic relationships and partnerships with community, business and government

Recommendation: that the Council:

1. complete a full review of its Social Media Policy prior to allowing comments to be “turned back on” on any of its Social Media platforms. That Policy should include a framework that will allow staff to decide how and when to moderate posts, how and when to remove posts and how any relevant records must be kept;
2. direct staff that on adoption of the reviewed Social Media Policy, Council allow comments to be “turned on” for relevant posts and during working hours (Monday to Friday). Where posting is turned off out of hours a message stating the following will apply: *We’ve closed comments as a moderator resource is currently not available. For more information: [a link to our Social Media Policy shall be provided]*;
3. direct staff to use relevant Social Media Platform screening practices to allow for the “tagging” of words or phrases that will ensure, as much as is possible, that any comment using those words or phrases will be immediately “hidden” until Council’s moderator is able to assess the post, noting that may not be for more than 72 hours should the post occur on a Friday afternoon and Monday being a public holiday;
4. delegate to the Communications Co-ordinator the ability to remove repeat offenders (those who continue to post defamatory or bullying style comments etc) from Council’s social media platforms as required; and
5. direct staff to investigate the costs of Social Media Monitoring and Management Software and provide a report to Council for consideration.

Report:

At Council’s October 2021 Ordinary meeting Council moved the following:

7.17 Social Media – Comments

- 255 **Resolved** Crs Traylor and Reynoldson that the Council,
1. Note the High Court of Australia’s findings in Fairfax Media Publications Pty Ltd v Voller:
 2. Direct the Chief Executive Officer to undertake a review of the Council’s exposure to liability via third-party comments left on its social media platforms including actions to mitigate this risk;
 3. Endorse the action of the Chief Executive Officer to temporarily disable the comments function on the Council’s Facebook and Instagram platforms - with comments to remain disabled until this review is complete and presented to the Council for consideration.

The Review of Council’s Social Media usage and risks is considered in the report attached at “Appendix 8.18-A”.

The purpose of this report is for Council to consider the Social Media Review and the risks highlighted within that document, and to seek Council’s permission to undertake the work associated with the recommendations as made in the Review. Council may choose to include timelines for each of the relevant recommendations to occur within.

Resolution:

- 106 **Resolved** Cr Cornwell McKean and Cr Taylor that the Council:
1. complete a full review of its Social Media Policy prior to allowing comments to be “turned back on” on any of its Social Media platforms. That Policy should include a framework that will allow staff to decide how and when to moderate posts, how and when to remove posts and how any relevant records must be kept;



SOCIAL MEDIA

REVIEW

BERRIGAN SHIRE COUNCIL



PURPOSE

At the October 2021 Ordinary Council meeting, motion 255 requested that Council:

1. Note the High Court of Australia's findings in *Fairfax Media Publications Pty Ltd v Voller*;
2. Direct the Chief Executive Officer to undertake a review of the Council's exposure to liability via third part comments left on its social media platforms, including actions to mitigate this risk; and
3. Endorse the action of the Chief Executive Officer to temporarily disable the comments function on the Council's Facebook and Instagram platforms – with comments to remain disabled until this review is complete and presented to the Council for consideration.

The purpose of this report is to review the current climate, Council's risk exposures and to make recommendations in consideration of those findings.

EXECUTIVE SUMMARY

Social media is used by Council as one of a range of community engagement tools. Whilst this is true, the risk at which it puts Council cannot be underestimated and therefore consideration of its future use forms part of the outcomes of this review.

The “Voller case” is a defamation case that challenged the way social media is used as an engagement tool. Specifically it is considered defamation. Defamation is a communication from one person to at least one other that harms the reputation of an identifiable third person, where the communicator (the publisher) has no legal defence. The law of defamation aims to balance the right of free speech with protecting a person’s reputation against harm. The “Voller case” findings will apply to all people and organisations that maintain their own websites and social media pages, including non-media companies, not for profits and government bodies; and all websites and social media pages, not just Facebook.

Currently social media posts primarily rely on the *Privacy Act 1988 (Cth)* which prevents the sharing of personal information in comments and messages, photos or videos. The *Social Media (Anti-Trolling) Bill 2022* (the Bill) was referred to the Legal and Constitutional Affairs Legislation Committee (the Committee) by the Senate for inquiry and report by 24 March 2022.

The Bill has two primary purposes:

- a) to respond to potential issues arising as a result of the High Court of Australia (High Court) in the *Voller* case; and
- b) to create additional mechanisms for social media users to identify an anonymous user who has posted potentially defamatory material for the purpose of potentially bringing a defamation action

Government-run social media channels create State records every day, including:

- posts
- comments
- analytics generated by the platform
- analytics, case notes and responses from social media management platforms

There are different requirements for keeping records, depending on which of the criteria they meet.

A number of Commonwealth and State agencies are responsible for considering social media and complaints made to them regarding how government agencies use and manage their social media presence.

For Council, the political considerations need to include:

- why certain social media and other web based platforms are used (who is the target audience);
- how those platforms are used;
- what the outcome of each interaction on those platforms is expected to be;
- who will manage the content and post responses appropriately and whether there are adequate resources to do so;

when certain posts, content or responses should be removed (including the framework which considers why some content is appropriate and others are not).

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CURRENT ENVIRONMENT

Whilst reading this document it is important remember that social media is used by Council as one of a range community engagement tools only. Whilst this is true, the risk at which it puts Council cannot be underestimated and therefore consideration of its future use forms part of the outcomes of this review.

What is Defamation?

Defamation is a communication from one person to at least on other that harms the reputation of an identifiable third person, where the communicator (the publisher) has no legal defence. The law of defamation aims to balance the right of free speech with protecting a person's reputation against harm.

“Voller” Case

Dylan Voller was a former detainee of the Northern Territory's Don Dale Youth Detention Centre. Mr Voller brought proceedings against three media companies (Fairfax Media, Nationwide News and the Australian New Channel) for alleged defamatory comments posted on Facebook by readers in response to articles placed on the media companies' respective Facebook pages. An essential element of Australian defamation law is that the material must be published before it can be defamatory.

Initially, Justice Rothman determined that media organisations were publishers of the material posted by third parties. That decision was appealed to the majority of the High Court with the appeals being dismissed.

The majority found that the media outlets had intentionally facilitated and encouraged third-party comments on their Facebook pages and therefore became publishers of each comment posted by a Facebook user at the moment they were posted. This finding has established that the online is different to previous defamation cases that involved billboards or physical walls that had been defaced by graffiti as in those cases, the defendant was found not to have played a role in facilitating the publication.

The fact that, at the time, Facebook's functionality did not include a mechanism enabling media companies to disable third party comments, or to subject all third party comments to pre-moderation, was held to be irrelevant to the question of whether the media companies were publishers (at [99])

Further, and more concerningly, the judgement has found that the defence of innocent dissemination in the context of online publication, requires the innocent dissemination to excuse the media companies from liability that they would otherwise have been liable for as a publisher (i.e. it would require finding that the publication of the third party comments did not occur).

Whilst the appellants in this case are media companies, and the relevant posts occurred on a Facebook page, the effect of this judgement extends well beyond Facebook and the media, and will apply to:

- all people and organisations that maintain their own websites and social media pages, including non-media companies, not for profits and government bodies; and
- all websites and social media pages, not just Facebook.

It has long been clear that an entity which provides a platform for third party comments who is notified of the defamatory nature, but fails to take the reasonable steps available to deal with those

comments, will be liable as a publisher. The *Voller* decision confirms that entities which provide the infrastructure for defamatory comments can be held liable as publishers, with or without notice of their defamatory nature.

The decision confirms that an organisation or person opening a site or post to comments by others may be liable for any defamation in the comments others then make. Larger organisations may be able to track, vet and remove problematic posts quickly, but for individuals and organisations without continuous site monitoring, their risk from third party posts might be more difficult to control or mitigate

Recommendations made by a number of lawyers during research for this Review, have suggested the following steps be immediately undertaken pending the outcome in particular of the Supreme Court decision above.

1. Businesses that provide platforms for forums for third-party comment, including via social media, should carefully consider the need to mitigate their risk of liability by proactively moderating content OR disabling the “comment” function altogether. A failure to do so may increase the risk of litigation and the prospect of such businesses being found to have facilitated, encouraged or procured the posting of comments by third-party users so as to render them liable as publishers of those comments.
2. Any operators of Facebook pages or other customer engagement platforms must react promptly to complaints or concerns notices received from parties claiming to have been defamed by third-party content on their pages. In these instances, time is of the essence and may be the difference between successful defence of innocent dissemination and a damaging and expensive defamation judgement.



Relevant Current Legislation

Currently social media posts primarily rely on the *Privacy Act 1988 (Cth)* which prevents the sharing of personal information in comments and messages, photos or videos. Advice from the Office of the Australian Information Commissioner and Australian Competition and Consumer Commissioner therefore relates more strongly to ensure publishers of content do not make misleading claims on social media, nor publish the private details of individuals that would not otherwise be publicly available.

Other legislation relevant to the management of social media in New South Wales (NSW) includes:

- *State Records Act 1998*
- *Defamation Act 2005*
- *Privacy and Personal Information Protection Act 1998*
- *Government Information (Public Access) Act 2009*
- *Copyright Act 1968 (Cth)*
- *Online Safety Act 2021 (Cth)*

No legislation currently enacted in NSW currently deals with the application of the *Defamation Act 2005* to social media. Application of defamation to social media was tested for the first time as outlined above in the *Voller* case.

Social Media (Anti-Trolling) Bill 2022

https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Anti-Trolling

The *Social Media (Anti-Trolling) Bill 2022* (the Bill) was referred to the Legal and Constitutional Affairs Legislation Committee (the Committee) by the Senate for inquiry and report by 24 March 2022.

The Bill has two primary purposes:

- c) to respond to potential issues arising as a result of the High Court of Australia (High Court) in the *Voller* case; and
- d) to create additional mechanisms for social media users to identify an anonymous user who has posted potentially defamatory material for the purpose of potentially bringing a defamation action.

The Law Council has noted its concerns that the Bill which is intended to focus on trolling, will do little to address defamation in that “*defamatory material comprises only a small component of trolling activity online and despite the proposed reforms, defamation law is likely to continue to be ... a relatively ineffective mechanism for seeking individual reputational redress and for reducing trolling activity on social media.*”

The report from the Committee has made the following recommendations to amend the Bill (*italics added for highlighting purposes*).

Recommendation 1

2.125 The committee recommends that the bill be amended so that a social media page owner may be liable for a poster’s defamatory material where the social media page owner:

- knowingly *encourages* the publication of a poster’s defamatory material; and
- has been notified or is aware of the poster’s defamatory material and has *failed to remove it promptly*.

Recommendation 2

- 2.126 The committee recommends that the bill be amended so that the complaints scheme provides that a social media service provider can ‘take down’ the poster’s alleged defamatory material, within 72 hours, without the poster’s consent, if such poster has been requested to remove the alleged defamatory material but has not responded.

Recommendation 3

- 2.127 The committee recommends that the bill be amended so that an end-user information disclosures (EIDO) should not be granted if the Court is satisfied that the disclosure of relevant contact details or country location data is likely to present a risk to the poster’s safety or any other person, such as in domestic violence situations.

Recommendation 4

- 2.128 Following the implementation of recommendations 1, 2 and 3, the committee recommends that the Senate passes the bill.

[https://parlinfo.aph.gov.au/parlInfo/download/committees/reportsen/024900/toc_pdf/SocialMedia\(Anti-Trolling\)Bill2022\[Provisions\].pdf;fileType=application%2Fpdf](https://parlinfo.aph.gov.au/parlInfo/download/committees/reportsen/024900/toc_pdf/SocialMedia(Anti-Trolling)Bill2022[Provisions].pdf;fileType=application%2Fpdf)

Record Keeping Requirements

Government-run social media channels create State records every day, including:

- posts
- comments
- analytics generated by the platform
- analytics, case notes and responses from social media management platforms

There are different requirements for keeping records, depending on which of the criteria they meet. For example, the following records should be kept using a records management tool for the appropriate set period of time:

- Councillor social media activity (during the Councillor’s term of office);
- replies to comments that involve complex answers (retention period varies); and
- any posts that have to be deleted, the reason for them being deleted and the policies or procedures that support comment / post deletion (retention period varies).

Some records are adequately kept on the social media platform they have been published to and do not need to be saved to a records management tool, for example:

- marketing and promotional posts;
- customer service interaction;
- general inquiries from customers and responses (though it is recommended the final trail be recorded in the Customer Request database); and / or
- community consultations, where a report is generated summarising the results.

Records generated using social media platforms may be covered by retention and disposal schedules issues by NSW State Archives and Records. These retention periods define how long social media records need to be retained.

NSW State Government recommends six criteria for archiving social media. Social media posts and responses should be recorded if they meet any of the following criteria:

1. are high risk, commercial or highly valuable to the Council;
2. communicate decisions, give advice or commit to an action or outcome;
3. are about sensitive or contentious issues;
4. generate great interest from the public or media;
5. contain information not communicated elsewhere; and / or
6. have a long-term retention period or are identified as State archives (a State record that the State Archives and Records Authority has control of).

Social media posts and associated comments that fit and of the above six criteria should be open by default (available publicly) for at least 2 years after publishing.



CONSIDERATIONS

A number of Commonwealth and State agencies are responsible for considering social media and complaints made to them regarding how government agencies use and manage their social media presence.

For Council, the political considerations need to include:

- why certain social media and other web based platforms are used (who is the target audience);
- how those platforms are used;
- what the outcome of each interaction on those platforms is expected to be;
- who will manage the content and post responses appropriately and whether there are adequate resources to do so;
- when certain posts, content or responses should be removed (including the framework which considers why some content is appropriate and others are not).

The answer to the above questions should form the basis of a sound Social Media policy. Council's current Social Media Policy has been reviewed in line with the current Office of Local Government guidance. Recent updates to that policy have been sent out (7 April 2022) and are being assessed against the findings of this document for completion purposes.

Council's Social Media Platforms

Council currently manages its Social Media across the following platforms:

- Berrigan Shire Council website – posting of external content is not permitted to this site
- Facebook – including all section 355 committees, Council Library, Visitor Information Service and any other Facebook pages for which Council would be liable or vicariously liable for the management of
YouTube

It is important to note there may be other channels used that are not listed above but that pose risk to Council. Future social media sites have also not been considered in this document.

RISK ASSESSMENT

A risk assessment of each exposure point of the use of Social Media and its management is assessed below in line with Council’s current Risk Management Policy and Framework.

The assessments below consider direct risk to Council, the do not consider indirect risks via section 355 Committees, or other online platforms that may be used for the purposes of Community Engagement as part of a Community Engagement Plan / Strategy. Those risks will need to be considered separately (i.e. as part of Council’s review of section 355 Committee Risks and / or as part of each Community Engagement Strategy as it is enacted).

Financial

Financial risk is considered both in the context of legal fees and compensation payouts for insufficiently managed defamatory, or cyberbullying occurrences, and the cost of adequately moderating Council’s various social media platforms from a resourcing perspective.

Fees and Compensation

Extensive financial loss (>25% annual budget)

Possible

Claims of defamation or cyberbullying have led to considerable legal compensation payouts in the past where the case against the defendant have been upheld.

	<i>Consequences</i>				
<i>Likelihood</i>	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

Resourcing

Negligible financial loss (<2.5% annual budget)

Almost Certain

It is expected new legislation being implemented, increased focus will be given to how Social Media platforms are managed across governments, including Councils. It is almost certain Social Media management platforms will be required to manage the records created for the purposes of the State Records Act. The cost of implementing a records management system to manage our Social Media records is not yet known but should not be more than the allocated amounts indicated above.

Further time will be required to actually moderate the platforms in a reasonable way. Until work commences however, we will not know if that interaction will require an increase in staff time (i.e. part time / full time staff member) or external consultants may be the better options.

	<i>Consequences</i>				
<i>Likelihood</i>	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

Council's Risk Appetite Statement notes Council is resistant to financial risk, though will accept some risk where potential gains might be worth that risk. In this instance the gains by exposing an individual to defamation or cyberbullying are non-existent so the Primary requirement would be to resist the financial risk as much as is possible. To that end Council do hold relevant insurance covers that would limit exposure to litigation and compensation payments.

It is therefore thought that Council's current financial management of the risk is appropriate.

With regards to resourcing, Council do have sufficient finances set aside for investment into our Information Technology landscape. It is anticipated a social media records management and monitoring system may be able to be implemented through this reserve. Should Council need to consider increasing staffing levels due to management of Social Media responsibilities, this matter would require further consideration by Council and is not anticipated by this review.

It is therefore thought that Council's risk for reward in this financial matter would allow for the introduction of appropriate software to assist with Social Media management.

Public Liability

Long term illness or serious injury resulting in permanent disability

Possible

The *Voller* case highlights the possible consequences of defamation (the defamation has made it impossible to reintegrate into society, seek employment etc which is seen as a permanent disability). Recent cases involving cyberbullying and harassment provide similar exposure risks.

	<i>Consequences</i>				
<i>Likelihood</i>	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

Council's Risk Appetite Statement notes Council is resistant to Public Liability risk, with no secondary appetite. As with the above financial statement, Council holds sufficient Public Liability insurance to minimise costs associated with Public Liability claims.

It is therefore thought that Council's current Public Liability risk management approach is appropriate.

Work Health & Safety

Single fatality and / or severe irreversible disability (>30%) to one or more persons

Possible

Staff have previously been attacked personally on Facebook and other Social Media platforms over Council projects and outcomes. The attacks have been targeted, consistent and over periods of time, thus meeting the standards of bullying. Consideration of Council's obligations to staff under Work Health & Safety Law are essential in this assessment.

	Consequences				
Likelihood	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

Council's Risk Appetite Statement notes Council expects staff to avoid all risks to our staff in Work Health & Safety matters. Attacks on staff through Social Media have occurred in the past making it possible they could or would occur in the future.

It is therefore noted that Council's management of its risk to staff remains unacceptable in this circumstance.

Professional Indemnity

Extensive litigation with possible class action; worst case loss to organisation; threat to viability of program or service

Possible

Stress claims (and those claims affecting mental health of the complainant) have high costs and tend to hold long term effects. Litigations and settlement amounts are therefore very high.

	Consequences				
Likelihood	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

Council's Risk Appetite Statement notes Council is resistant to Public Liability risk, with no secondary appetite. As with the above financial statement, Council holds sufficient Public Liability insurance to minimise costs associated with Public Liability claims.

It is therefore thought that Council's current Public Liability risk management approach is appropriate

Reputational

Extensive public outcry; potential national media attention

Likely

This section was assessed as if Council had been found guilty of defamation through Social Media. The outcomes of the costs to community would be significant in this case and certainly, media attention would be high and focused as these cases are tested in court.

	<i>Consequences</i>				
<i>Likelihood</i>	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

Council's Risk Appetite Statement notes that it is willing to Accept some risk with its reputation in order to achieve its strategic outcomes. Council has stated it will endeavour to select options based on an outcome delivery whilst maintaining a reasonable degree of protection. A risk assessment of Very High is therefore not appropriate in this circumstance.

It is thought to reduce reputational risk to within acceptable levels, Council should explore engaging with a range of providers to explore Social Media management software.

Legal

Major breach with fines and litigation; long term significance and major financial impact

Likely

These types of cases are lengthy and usually include appeals to higher courts. Court costs alone can be enormous and fines (as per the above) would be significant with long term effects on Council's budget.

	<i>Consequences</i>				
<i>Likelihood</i>	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

This risk is assessed as farthest from Council's Risk Appetite Statement, which notes Council as being resistant to taking or retaining legal risk. Council has only a small appetite for risk in this area and prefers safer options with only small amounts of adverse exposure.

Although insurance may assist with many of the financial risks associated with managing Social Media accounts, exposure to legal risk is not acceptable for Council in this matter.

It is thought Council engaging with Social Media management software, and the recommendations made below, will assist Council in mitigating much of the legal risk exposure noted above.

Positive Consequences

Significantly enhanced reputation, huge financial gain, significant saving in time

Likely

When used well and targeted correct, Social Media is a powerful tool that will reach a wider audience base than was traditionally possible through newspapers, newsletters, letterbox drops etc. As our demographic changes, it is imperative Council include communication tools that allow people to access Council's information how they want to.

	Consequences				
Likelihood	1	2	3	4	5
A	Medium	High	High	Very High	Very High
B	Medium	Medium	High	High	Very High
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

Council's Risk Appetite Statement indicates Council is receptive to the positive consequences of good Social Media management practices.

The recommendations made below should assist Council in continuing to engage successfully with its community, whilst mitigate the possible negative effects of legal and financial liabilities.



SOCIAL MEDIA MONITORING AND MANAGEMENT TOOLS

Social media is an essential communications tool in today's world. Social media can and does drive sales, develop customer relationship, build brand awareness, and enhance business credibility and overall reputation.

Unfortunately, Council does not have enough staff to constantly manage each Social Media tool and the responses made to each post. That would require the hiring of a dedicated person, even for our small Council. Social Media Managers however are software tools that allow Council to perform a number of roles in a more automated way. These software tools, will provide the ability to schedule posts at times when staff are available to monitor responses, monitor those responses and hold any that meet relevant criteria for assessment by a human before posting, and assist greatly with our records management obligations. Essentially, not everything will need to be left to a human, though a human will have final say over the content that is published and how it is managed.

RECOMMENDATIONS

Social Media remains an integral part of Council’s Communications Strategy. Social Media platforms will grow and change into the future and Council will need to continue to engage across a range of platforms.

Recommendation 1

That Council completes a full review of its Social Media Policy prior to allowing comments to be “turned back on” on any of its Social Media platforms. That Policy should include a framework that will allow staff to decide how and when to moderate posts, how and when to remove posts and how any relevant records must be kept.

Recommendation 2

On adoption of the reviewed Social Media Policy, Council allow comments to be “turned on” for relevant posts and during working hours (Monday to Friday). Where posting is turned off out of hours a message stating the following will apply:

We’ve closed comments as a moderator resource is currently not available. For more information: [a link to our Social Media Policy should be provided here]

Recommendation 3

Staff use relevant Social Media Platform screening practices to allow for the “tagging” of words or phrases that will ensure, as much as is possible, that any comment using those words or phrases will be immediately “hidden” until Council’s moderator is able to assess the post, noting that may not be for more than 72 hours should the post occur on a Friday afternoon and Monday being a public holiday.

Recommendation 4

Council staff be given delegation to remove repeat offenders (those who continue to post defamatory or bullying style comments etc) from their social media platforms as required.

Recommendation 5

Staff investigate the costs of Social Media Monitoring and Management Software and provide a report to Council for consideration.



Policy

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CCTV SURVEILLANCE

Strategic Outcome:	Good government	
Policy type	Statutory	
Date of Adoption:	17 August 2022	Minute Number:
Date for Review:	19 August 2026	
Responsible Officer:	Deputy Chief Executive Officer	
Document Control:	New policy	
Delivery Program Link:	2.1.3 Council operations and financial management support ethical, transparent, and accountable corporate governance	

1. POLICY STATEMENT

Council recognises crime can have a significant social, economic and environmental impact on the community. Hence, the need to ensure efforts are taken to prevent and reduce instances of crime. The CCTV Program has a range of benefits to the community and assists in identifying and reducing crime which can lead to enhanced public safety in particular locations or in a particular area.

This Policy has been developed in accordance with the provisions of the NSW Government Policy Statement and Guidelines for the Establishment and Implementation of Closed Circuit Television (CCTV) in Public Spaces (the Guidelines). The Guidelines were developed to support councils, transport providers and others who implement CCTV in public spaces to ensure compliance with relevant legislation.

2. PURPOSE

This policy provides a framework for the installation, management, and operation of a closed-circuit surveillance system comprising cameras and associated equipment, software and systems (CCTV Program).

3. SCOPE

This policy applies to CCTV established, operated or managed by, or on behalf of Council with Council's express consent.



Policy

This Policy does not apply to:

- a) any CCTV installed by a third party, such as a tenant or licensee of Council land and/or facilities;
- b) mobile cameras including dash cams, and body worn video cameras that are primarily used for Council activities associated with enforcement by authorised officers of Council in their delegated tasks or for personal safety;
- c) cameras attached to Council's garbage trucks for operational purposes

4. OBJECTIVE

This policy is developed to assist the Council with the Delivery Program Objective:

5. DEFINITIONS

CCTV television system that transfers images on a closed loop basis, where images are only available to those directly connected to the transmission system.

Public place: as defined in the *Local Government Act 1993* and specifically refers to public reserves and public roads. It also includes buildings and other assets located in public places.

6. POLICY IMPLEMENTATION

6.1 CCTV Program Development

Council staff must identify the outcome to be achieved, develop and document objectives for the establishment, operation and management of CCTV in a public space

CCTV will only be used in accordance with its established objectives and not for any other purpose.

Outcomes may include:

- To assist in the investigation and/or prosecution of civil and criminal offences in relation to the security of public places and Council's facilities/assets, or crimes against the person;
- Improving public confidence in the safety and security of public places;
- To deter anti-social behaviours in high-risk public places;
- To assist with the safety of Council staff or authorised contractors within public places;
- To assist with the management/operations or maintenance of public places, or monitoring their use; or
- Identifying potential environmental safety risks

6.2 Consultation



Policy

Per the Council's Community Engagement and Participation Framework Council staff when considering the establishment or significant expansion of CCTV council staff must ensure the relevant concerns of affected parties are documented and considered.

People or groups who may be affected by the proposal may include:

- Residents;
- Users of the public place;
- Local businesses;
- Police or other regulatory authorities; and
- Council staff

Information available through the consultation process will include the potential benefits of the scheme, possible costs involved, and privacy implications, including people's rights and Council's responsibilities.

6.2.1 Police

Council staff will therefore, collaborate/partner (refer to our Engagement Framework) with police to ensure the installation of CCTV fits within a broader crime prevention strategy and will meet the stated objectives for its installation

6.2.2 Council staff

While CCTV schemes installed in public locations and as part of Council infrastructure may incidentally capture Council staff performing work tasks, they are not intentionally designed as surveillance to monitor workforce productivity.

Consultation with Council staff will ensure compliance with the *Workplace Surveillance Act 2005* and ensure staff are given due notice prior to the installation of a scheme.

6.3 **Establishment**

Council staff will ensure that where CCTV in a public place is established, operated, and managed for crime prevention and community safety purposes, its implementation will be part of an integrated, multi-agency approach to crime control and community safety.

Hence, CCTV will only be considered as one part of a range of crime prevention measures, and not a stand-alone strategy, and prior to installation, a Crime Prevention through Environmental Design audit will be completed.

The audit will consider:

- whether the problem is on-going or the result of a one-off event;



Policy

- whether the perception of crime is supported by evidence and data;
- how the establishment, operation and management of CCTV fits within a broader crime prevention strategy;
- evidence as to the effectiveness of CCTV in addressing the identified crime;
- the lawfulness of the collection of personal information via CCTV; and
- the costs associated with establishing, operating and managing the CCTV.

6.4 Evaluation

Council staff will develop and implement an evaluation framework for each public place where CCTV is established to determine whether the CCTV is achieving its objectives.

The evaluation framework will provide guidance on appropriate mechanisms to enable Council staff to assess whether the CCTV scheme is:

- achieving its objectives (including an assessment of its impact upon crime and community safety, for those schemes implemented for crime prevention or community safety purposes);
- being used in accordance with its established objectives, and not for any other purpose;
- impacting on any groups;
- providing an overall benefit (after consideration of the costs involved in operating the scheme); and
- achieving its planned outcomes and if not, whether it requires changes to the extent or location of the cameras, or technology utilised.

6.5 Ownership

Council staff will ensure the ownership of public area CCTV schemes is clear and publicly known.

Council staff will erect signs informing the public of the existence of CCTV in a public place and will take steps to ensure the signs comply with relevant legislation such as the *Privacy and Personal Information Protection Act 1998*.

Furthermore, Council staff will maintain a public register of its CCTV schemes.

Council maintains ownership of, and has copyright of all data, recordings, photographs and documentation pertaining to the CCTV Program and the third-party release or distribution of data, recordings, photographs and documentation provided by Council is strictly prohibited without obtaining Council's written consent

6.6 Retention

The retention of, and access to, recorded data will only be for the purpose provided in this policy.



Policy

Council generally retains recorded data for a period of 30 days; however, retention of data is based on several variables which may result in shorter or longer retention periods. If in the rare circumstances of a technical failure and current recorded images are unattainable, all reasonable efforts to repair will be made. No backups or secondary copies are retained.

Appropriate security measures are taken to ensure data held by Council is secure and restricted to authorised Council officers only and must be in accordance with Councils CCTV Standard Operating Procedures.

6.7 Access

6.7.1 Public access

All requests for access to data held by Council must be made by way of application in accordance with the requirements set out in the *Government Information (Public Access) Act 2009* and the Council's Access to Information Policy.

An application for access to information will be appropriately assessed in accordance with this policy and relevant laws.

6.7.2 Police and law enforcement

Access and release of data held by Council will only be granted to a law enforcement agency for a lawful and permitted purpose and in accordance with the terms of this policy.

Where the Council has reported loss or damage to its own property, the Chief Executive Officer or delegate may authorise release of data relating to the matter to the relevant law enforcement agency.

In all other instances prior to any data or information being released, law enforcement agencies will be required to clearly identify the data required and the rationale for the requested release.

Any law enforcement agency that obtains data or information from the CCTV Program is responsible for ensuring they comply with any relevant laws including the *Privacy and Personal Information Protection Act 1998*.

6.8 Accountability and privacy

Council staff will ensure its CCTV schemes are open and accountable and operate with due regard for privacy and civil rights of individuals and the community, including:

- the recording and retention of images is undertaken lawfully;
- the purpose for which the information is being obtained is known;
- the information is not used for any purpose other than that stated;
- people are made aware they may be subject to CCTV surveillance; and



Policy

- the owners of the scheme are known and accountable for its operation.

Cameras will not be used to purposely monitor private property that may be captured within the view of a camera's view. Notwithstanding this, any data or information collected from the CCTV Program will be recorded and may be provided to a law enforcement agency for a lawful and permitted purpose.

6.9 Complaints

Complaints in relation to Council's establishment, management or operation of CCTV may be made through Council's existing customer contact processes. Complaints, except for those specified below, will be managed in accordance with Council's complaint management procedures.

Complaints in relation to Council's handling of a person's personal information will be managed in accordance with Council's Privacy Management Plan. Complaints of this nature may also be made to the NSW Information and Privacy Commissioner.

6.10 Review

Council staff will review its CCTV systems every four (4) years to assess compliance with this Policy and any associated procedures. The review will examine such matters as:

- Assessment of the scheme and any technological problems;
- Processes used to receive, access and process footage requests;
- Complaints received and responses provided;
- Compliance with relevant legislation, regulations and Australian Standards; and
- Whether the systems and processes utilised remain good practice

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 Legislation

- *Local Government Act 1993*
- *Privacy and Personal Information Protection Act 1998*
- *Workforce Surveillance Act 2005*
- *Government Information (Public Access) Act 2009*
- *Security Industry Act 1997*
- Privacy and Personal Information Protection Regulation 2005
- NSW Government policy statement and guidelines for the establishment and implementation of closed circuit television (CCTV) in public places (2014)

7.2 Council policies and guidelines

- Governance Policy



Policy

- Code of Conduct
- Privacy Management Plan
- Community Engagement and Participation Framework
- Records Management Policy
- Access to Information Policy

8. RECORDS MANAGEMENT

All Records must be kept in accordance with Council's Records Management Policy (currently under development) and destroyed as per the General Retention and Disposal Authority: Local Government Records (GA39).

9. REVIEW

This policy (procedure) will be evaluated and reviewed at least once every four (4) years as per Council's Governance Policy (currently under development) or as required.

10. DOCUMENT AVAILABILITY

A number of legislative instruments require Councils to have the policy available for inspection at Council's principal office (i.e. Policies made under Part 3, of the Local Government Act 1993). Each document should therefore state the ways in which the policy is available including any relevant fees and charges for access to such policy. An example of the required statement is provided below:

This policy will be available for inspection at Council's principal office during ordinary business hours as per the requirements of section 18 (c) of the *Government Information (Public Access) Act 2009* and section 167 of the *Local Government Act 1993*.

Access to the policy in digital format is free and is available on Council's website <https://www.berriganshire.nsw.gov.au/>

Printed copies of the document are available at Council's principal office (address noted below) and are subject to Council's Fees and Charges.

Berrigan Shire Council
56 Chanter Street
BERRIGAN NSW 2712

Ph: 03 5888 5100

Email: mail@berriganshire.nsw.gov.au

11. VERSION CONTROL



Policy

Version Number	Date	Summary	Responsible Officer
1.0	17.08.2022	New Policy document	Deputy Chief Executive Officer

APPENDICES

Nil

DRAFT

To Berrigan Shire Council

CEO Ms Karina Ewer

Councillors

30.06.2022

The Tocumwal War Memorial Hall Committee of Management has been responsible for the upkeep of the laundromat which is housed in the left hand shop front of the hall. This responsibility included the payment of Council rates and water rates, as well as the building maintenance. The income from the rental payments received meant that the Berrigan Shire Council's annual funding was a reduced amount. The net income since 2015 is approximately \$6000 which goes nowhere near to compensate for the loss of revenue for annual funding.

Which now brings us to the situation of the costs incurred by the Hall Committee for the renovation of the laundromat space. Whilst the Committee agrees that renovations were needed to bring the shop up to an acceptable standard, the extent of the work, or the expenditure, was not approved by a minuted meeting of the hall committee prior to or during the work. The work was undertaken without the approval of all of the hall committee at a final cost to hall committee funds of \$17,549.21 ex GST. (see attached).

The Tocumwal War Memorial Hall Committee would now like to seek some level of reimbursement from the Council, because we believe:-

- The Hall Committee does not benefit financially from these renovations, particularly now that the control of the laundromat has been handed back to the Council (as of 1st July, 2022)
- The renovations were not adequately overseen by the relevant Berrigan Shire building authority after the initial inspection of the work on 10th December 2020. Under Item 7.7 in the Section 355 Committees Guide to Operations it states that capital works over \$10,000 should be overseen by Council as the project manager.
- The Hall Committee believes the majority of these works were capital works, and not day to day maintenance for which the Committee is responsible.

The Committee appreciates that the new look laundromat is an important asset to the town and hopefully will be a long term tenant, which the Shire will now have the benefit of with appropriately increased rental rates.

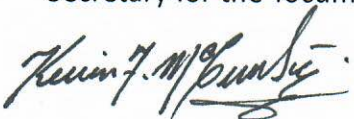
In support of our request for reimbursement we include the Laundromat expense account from our records. Other documentation is available if required.

We look forward to your response and a favourable outcome.

Yours faithfully

Margaret Close

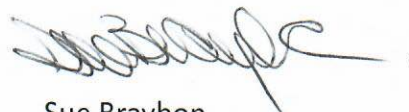
Secretary for the Tocumwal War Memorial Hall Committee of Management



K McCumstie
President



Margaret Close
Secretary



Sue Braybon
Treasurer

President: G. Hunt

Secretary: A. Noble

24th June 2022

Dear Councillors,

BAROOGA AQUATIC AND RECREATION CENTRE – BERRIGAN SHIRE COUNCIL AND BAROOGA SPORTS CLUB OPERATIONAL PARTNERSHIP AGREEMENT

Thank you again for accepting our invitation to a recent tour and presentation relating to BARC.

The \$600,000 in major capital works undertaken with the funding of support of Council and the NSW Stronger Country Communities Program is almost complete and has been really well received by all of the users. It certainly is a key step in ensuring the Centre's sustainability from an asset management perspective.

BARC is still the only year round, heated indoor pool for around an hour's drive in all directions and as such Berrigan Shire residents continue to use the facility as individuals and families for a whole raft of activities such as rehabilitation, aqua aerobics, lap swimming and learn to swim, while it is the winter home for all of the municipalities swimming clubs, many schools prefer to use it for their learn to swim programs due to it being more reliable for planning and use in any weather and many other sporting clubs, such as football netball clubs use the pool for alternative training sessions.

As you know, due to the high cost of provision, maintenance and operating, aquatic facilities such as BARC are effectively only ever provided by Council's, generally as part of their suite of assets and programs linked to liveability and community health and wellbeing. We cannot find another example of a community Club like ours providing such a facility. There certainly is no other example we are aware of in this region, and this is something of which our members, our staff and our Board are extremely proud.

As we highlighted, the last 2 years has really been devastating for the whole aquatics and recreation industry as well as highly challenging for the Sporties other key business areas of hospitality and tourism, and while we are starting to see some green shoots appearing and are feeling optimistic, we still see some uncertainty in the future. In addition to COVID, it now incorporates some concern with the economy. Cost of living hikes through home loan interest rate increases, costs of fuel, food and energy among other things as well as significant drops in many people's superannuation all mean our planning is both cautious and conservative and budgeting extremely difficult.

A decorative graphic consisting of several overlapping, curved green lines that sweep across the bottom left corner of the page.

Sporties Barooga
ABN 96 001 757 491
Burkinshaw Street (PO Box 138)
Barooga NSW 3644
P 03 5873 4448
F 03 5873 4660
E admin@sporties.com.au

Sporties Health & Fitness
Snell Road
Barooga NSW 3644
P 03 5873 4644
F 03 5873 4763
E gym@sporties.com.au

Sporties Barooga Bowls
Snell Road
Barooga NSW 3644
P 03 5873 4178
F 03 5873 4182
E barooga.bowls@bigpond.com

We have highlighted that ever changing environments, competition and operating climates have meant that we have had to constantly evolve and move to ensure that our member-based community not for profit can continue to survive and hopefully thrive for another 30 years. This has led to a number of really difficult decisions, such as the closure of the Golf Club Building as well as development of some exciting and innovative developments such as the mini golf, indoor simulators, the Festival of Golf incorporating the most significant professional golf event on the Murray and the \$1.3m Bullanginya Daborra Dunggalla lagoon walk incorporating the Patterns of Nature Light and Sound Show, to be opened prior to Christmas. We continue to be one of the area's largest employers and supporters of many other sporting, schools and community groups. All of these responsibilities we take very seriously.

Together we can achieve many things that on our own we cannot and many of these things are pivotal to making our towns such great places to live. It is in this context, that we see the partnership between the Sporties Group and the Berrigan and Moira Shire Council's being more important than ever and are requesting the extension of our current BARC partnership for a further 3 years. We are requesting that combined the Council's continuing to provide \$100,000 in operational funding, unless the EBITA for BARC is able to be reduced to under \$200,000, (not including the revenue from the Council funding) in which case we request it be funded 50/50 between the Sporties and the Councils (i.e. Sporties 50% and the two Councils together 50%). Under this model, the Sporties group will always remain the main source of financial support as well as continuing to provide the day-to-day management and ownership of BARC.

Should any further information be required or if you would like to meet to discuss this further, we will endeavour to address as a matter of priority.

Warm Regards,

A handwritten signature in black ink, appearing to read "Bobby Brooks".

Bobby Brooks
Chief Executive Officer

A decorative graphic consisting of several thin, curved green lines that sweep across the bottom left corner of the page.

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F 03 5873 4763
E gym@sporties.com.au

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Snell Road
Barooga NSW 3644
P 03 5873 4178
F 03 5873 4182
E barooga.bowls@bigpond.com

Memorandum of Understanding

Berrigan Shire Council

and

Sporties Barooga



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Date: 7 June, 2022

This is a Memorandum of Understanding (MOU) between:

Berrigan Shire Council, ABN 53 900 833 102 of 56 Chanter Street Berrigan NSW 2712 (referred to in this document as the Council) and

Sporties Barooga, ABN 96 001 757 491 of Burkinshaw Street, Barooga NSW 3644 (referred to in this document as Sporties).

Duration of the MOU

This is a non-binding MOU between the Council and Sporties.

The MOU will apply from [insert date] and will continue to apply until [insert date] or until the termination of the MOU by either party on the giving on one (1) month's written notice to the other.

Scope

The Council and Sporties are committed to maintaining a positive and co-operative working relationship.

The Council and Sporties are committed, where practicable to work collaboratively to:

- identify key mutual outcomes for the region (with particular focus on tourism, employment, infrastructure, services and population growth);
- apply for and deliver mutually beneficial government grants and other funding opportunities;
- share data that is mutually beneficial to both parties;
- promote and facilitate cross border events and opportunities; and
- develop for our youth a collaborative approach to education, training, employment and wellbeing opportunities through the use of available facilities and programs
- Maintain and enhance the liveability of the Berrigan Shire, with particular focus on the township of Barooga

As part of the parties' mutual commitment, the Council and Sporties will act in accordance with the spirit and intent of this MOU, even though neither party intends that it be legally binding.

Goals and Objectives

For the term of this MOU, the Council and Sporties agree to work together to achieve:

- agreed upgrades to, and ongoing maintenance of, the Barooga Aquatic and Recreation Centre facility;
- the re-development of the Barooga Sports Recreation Precinct in line with the adopted Master Plan;
- the linking of club grants to Council strategic plans (e.g. health and wellbeing / youth programs etc);

- recognition of the in-kind support Sporties provide the Barooga Recreation Reserve through watering etc;
- implementing the Burkinshaw Street landscaping master plan initiative; and
- the maintenance of the Cobram Barooga Golf Club (CBGC) as a destination golf course, supporting both local participation as well as golf tourism

For the term of this MOU, the Council and Sporties agree to investigate any opportunities associated with:

- developing the capabilities of sporting precincts in other townships in the Shire;
- tourism and visitor information services;
- utilising treated wastewater for the Golf Course;
- building a case for tourism projects / investment in the Shire;
- build and grow and Events Program including Berrigan and Moira Shires; and
- engaging with accommodation providers to improve their offerings;
- a process / mechanism to better navigate through multiple cross-border issues and political management;
- identifying the most appropriate “on-course” land for residential / tourism
- the repurposing of the old CBGC Clubhouse

Roles and Responsibilities

The parties will nominate at least two members each to form an advisory group, which has the following responsibilities:

- to plan, implement and evaluate the obligations under the MOU;
- to develop procedures and guidelines where required;
- to meet at a frequency set out in the MOU to discuss the implementation of its responsibilities

Council will also ensure a nominated Councillor attend relevant meetings.

Meetings

Meeting in relation to the subject of this MOU will be held every two months at the Sporties complex in Barooga.

Meetings will be chaired by a Council Representative

A quorum will be half the number of the advisory group plus one.

Meetings, agendas and minutes will be prepared by the Council.

Meeting agendas will be circulated to the advisory committee no later than two days prior to the scheduled meeting.

Meeting minutes will be circulated no later than one week after the scheduled meeting.

Reporting

Reporting will be made to the Sporties Barooga Board and the Berrigan Shire Council regarding any matters that require decisions of those entities where they arise from the enactment of the MOU.

Procedures and Guidelines

The parties agree to comply with and direct their staff members to comply with all procedures and guidelines developed under this MOU.

Advertising and Announcements

Unless required by law, an announcement, circular or other public disclosure, including promotional materials such as newsletters, brochures, flyers or annual reports, referring to the contents or subject matter of this MOU, must not be made or permitted by a party without the prior written approval of the other party.

Confidentiality

The parties acknowledge that information disclosed by one party to the other (the disclosing party) in the course of the subject matter of this MOU, may be confidential and, unless required by law must not be disclosed to a third part, except with the prior written consent of the disclosing party.

Dispute Resolution

If a dispute or difference arises between the parties out of, or in connection with, this MOU, either party may give the other a written notice specifying the dispute or difference.

Within 7 days of the date of the notice, a person holding a position of senior management of each party, must meet and undertake negotiations in good faith, in line with the Scope of this MOU, and on a without prejudice basis with a view to resolving the dispute or difference.

Variation

The parties may agree to vary any of the requirements of this MOU. Such agreement must be in writing and signed by both parties.

Signatures

Signed for Berrigan Shire Council by its authorised representative in the presence of:



Signature of witness

Bianca Bourke

Name of witness

Date: 7.6.2022.

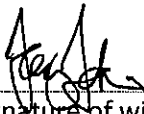


Signature of authorised representative

Chief Executive Officer, Karina Ewer

Name and title of authorised representative

Signed for Sporties Barooga by its authorised representative in the presence of:



Signature of witness

TONY TRANTER

Name of witness

Date: 7.6.2022



Signature of authorised representative

Chief Executive Officer, Bobby Brooks

Name and title of authorised representative

Council Meeting

18 May 2022

8.11 Uluru Statement from the Heart

Report by: Chief Executive Officer, Karina Ewer

Strategic Outcome: 3. Supported and engaged communities

Strategic Objective: 3.2 Support community engagement through life-long learning, culture and recreation

Recommendation: that the Council support the requests for reform as outlined in the Uluru Statement from the Heart attached as “**Appendix 8.11-A**”

Report:

The following is taken from the Parliament of Australia website cited as “Uluru Statement: a quick guide.”

The Uluru Statement from the Heart is included as “**Appendix 8.11-A**”.

Convened by the bipartisan-appointed Referendum Council, the First Nations National Constitution Convention met over four days from 23 to 26 May 2017 to discuss and agree on an approach to constitutional reform to recognise Aboriginal and Torres Strait Islander peoples. Delegates were selected from participants in regional Dialogues held around the country.

Discussions at the Convention built upon a discussions paper produced by the Council (and published in more than ten traditional languages) and reflected the diversity of views raised by Aboriginal and Torres Strait Islander communities in consultative Dialogues with the Referendum Council over six months. As participation in the Dialogues and Conventions was by invitation, there has been some criticism about the representatives of the Dialogues, and, by implication, the Uluru Meeting. Amnesty International wrote a submission to the Referendum Council stating:

We understand that participants at the regional dialogue meetings were invited in what was perceived as an exclusive process. We also understand that some people who attended those meetings then have an opportunity to attend the Uluru meeting, whereas those not included do not.

The Referendum Council acknowledged participation in the Dialogues was by invitation on its website.

The Convention also drew upon work done over the past few years by the Expert Panel on Constitutional Recognition of Indigenous Australians and the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples.

While the majority of delegates at the Convention backed the Uluru Statement, a small number walked out in opposition before the final consensus resolution was passed.

Uluru Statement

The Uluru Statement states two broad objectives for reform as agreed to by Aboriginal and Torres Strait Islander leaders at the Convention—the establishment of a First Nations Voice and a Makarrata Commission. These objectives reflect the nature of reform desired rather than specifying the fine detail of any proposed changes to the *Australian Constitution*.

The positions in the Uluru Statement do, however, reflect some of the ideas and proposals advanced by Indigenous and political leaders, and constitutional experts over many years. In articulating two positions which have broad support, it is hoped that they can become the foundations of a renewed conversation with the whole Australian community about constitutional reform and recognition of Aboriginal and Torres Strait Islander peoples and the precise form that will take.

In addition to these two proposals, the Uluru Statement affirms the sovereignty, and long and continuing connection of Aboriginal and Torres Strait Islander peoples with the land. It also comments on the social difficulties faced by Aboriginal and Torres Strait Islander peoples and the structural impediments to the real empowerment of First Nations Peoples.

The Uluru Statement sets up a position that strongly contrasts with that taken in the campaign for symbolic constitutional recognition advanced by the *Recognise* campaign. The Uluru Statement echoes a 2015 online survey conducted by IndigenousX which found that 58 per cent of Indigenous respondents did not support *Recognise*. The same survey found that 62 per cent did not believe Indigenous Australians would be better off recognised in the *Constitution*, but 54 per cent supported the construction of an Indigenous parliamentary body. That the Convention at Uluru was to come to a more robust conclusion was hardly a surprise given that most of the regional Dialogues had rejected a minimalist or symbolic model of Indigenous constitutional recognition in favour of more substantial reform.

First Nations Voice

The Uluru Statement calls for the ‘establishment of a First Nations Voice enshrined in the Constitution’. This has been interpreted in light of past suggestions put forward for the establishment of some form of representative body for Aboriginal and Torres Strait Islander peoples. There is no definitive statement about the form such a body would take, but proponents of the idea (such as Noel Pearson, who sits on the Referendum Council) have previously propounded that such a body would sit alongside Parliament to provide non-binding advice on legal and policy matters affecting Aboriginal and Torres Strait Islander peoples.

A proposal for an Indigenous body in the *Constitution* was mooted in 2014 as part of a submission by the Cape York Institute to the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples inquiry. An elaboration of this idea

in terms of constitutional text was subsequently drafted by constitutional law expert Professor Anne Twomey. This was later supported by Noel Pearson and the Cape York Institute.

It is envisaged that such a body will provide a constitutionally entrenched institution which enables Aboriginal and Torres Strait Islander peoples to be formally consulted on legislation and policy affecting their communities.

Makarrata Commission

The Uluru Statement seeks 'a Makarrata Commission to supervise a process of agreement-making between governments and First Nations and truth-telling about our history'.

Makarrata is a word from the language of the Yolngu people in Arnhem Land. As Noel Pearson has explained:

The Yolngu concept of Makarrata captures the idea of two parties coming together after a struggle, healing the divisions of the past. It is about acknowledging that something has been done wrong, and it seeks to make things right.

The word 'Makarrata' has often been used instead of 'treaty', and gained wider currency in the 1980s when the National Aboriginal Conference (NAC) adopted the word. In a letter from the National Aboriginal Conference Secretariat 'to all Aboriginal Organisations' Jim Hagan (the then chairman of the NAC) wrote 'using the word Makarrata makes it clear this is intended to be an agreement within Australia, between Australians'.

The call for a treaty has existed for some time. The Barunga Statement, presented in 1988 to Prime Minister Bob Hawke, called for a treaty with the Commonwealth of Australia. In response, Bob Hawke promised to negotiate a treaty 'between the Aboriginal people and the Government on behalf of all the people of Australia' before the end of the current session of Parliament. Though it did not eventuate, calls for a treaty have persisted.

A Makarrata Commission would likely be tasked with seeking Makarrata agreements between Aboriginal and Torres Strait Islanders and the federal government.

Are there any constitutional implications?

First Nations Voice

The *Constitution* can only be changed by the Australian people. Any move to enshrine a 'voice' for Aboriginal and Torres Strait Islander peoples in the *Constitution* would need to be passed at a referendum. Details of the changes would have to be agreed by Parliament before being presented to the people for a vote.

A change would only come into effect if the proposal receives the support of a majority of voters in a majority of States. There have been 44 referendums since 1901, of which only eight have succeeded. The most successful attempt to change the *Constitution* was the 1967

referendum in which over 90 per cent of the population voted to allow the counting of Aboriginal and Torres Strait Islander peoples in the Census, and the federal government to make laws for Aboriginal and Torres Strait Islander peoples.

Makarrata Commission

A Makarrata Commission and any agreements or statements endorsed by such a body would likely not require any constitutional change. However, creating such a commission would most likely require legislation passed by Parliament. A commission could also be established by letters patent granted with the prerogative powers of the Governor-General on the advice of the Prime Minister, though this is not likely.

It is unclear what constitutional or legal consequences would flow from any Makarrata agreement or treaty reached between governments and Aboriginal and Torres Strait Islander peoples. An analysis of the potential effects would be subject to the detail of any final proposals.

Resolution:

Moved Cr Cornwell McKean and Cr Marriott that the Council support the requests for reform as outlined in the Uluru Statement from the Heart attached as “**Appendix 8.11-A**”.

The motion was withdrawn.

136 Resolved Cr Marriott and Taylor that the Council defer its decision on this item and hold a future discussion on this item at a future Strategic & Policy Workshop and invite a representative to speak on this topic at that meeting.

137 Resolved Cr Cornwell McKean and Cr Marriott that Council prepare a Reconciliation Action Plan for Berrigan Shire.



Australian Government
National Indigenous
Australians Agency



Indigenous Voice

Indigenous Voice Co-design Process

Final Report to the
Australian Government

July 2021



Indigenous Voice Co-design Process Final Report to the Australian Government

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ISBN 978-1-925364-73-6 Indigenous Voice Co-design Process Final Report to the Australian Government (print)

ISBN 978-1-925364-72-9 Indigenous Voice Co-design Process Final Report to the Australian Government (online)

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Enquiries regarding this document are welcome at:

National Indigenous Australians Agency

Voice Secretariat

PO Box 2191

Canberra ACT 2600

Email: Co-designVoice@niaa.gov.au

Website: voice.niaa.gov.au

Acknowledgement

We acknowledge the traditional owners and custodians of country throughout Australia and acknowledge their continuing connection to land, waters and community.

We pay our respects to the people, the cultures and the elders past, present and emerging.

We acknowledge that many individuals refer to themselves by their clan, mob and/or country.

About the artist and cover artwork

Keisha Leon is an artist and designer that uses narratives to reflect her own experiences; and connecting conceptual design with social outcomes, to change the narrative for the future.

Keisha is a proud Waanyi and Kalkadoon woman, building her design around her connections to her continual navigation of her identity and life.

In reflecting on an Indigenous Voice, Keisha's cover artwork aims to capture the complexity and diversity of communities with a design that is organic and fluid in movement to reflect the ever-changing nature of diversity and change, reflecting the natural occurrence of saltwater and freshwater coming together, as symbolic of new partnership. It also represents growth and empowerment through communities having greater say in their futures.



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List of Abbreviations

AAC	Aboriginal Advisory Council
ACCO	Aboriginal community-controlled organisation
AIATSIS	Australian Institute of Aboriginal and Torres Strait Islander Studies
ANTaR	Australians for Native Title and Reconciliation
ANU	Australian National University
ATSIC	Aboriginal and Torres Strait Islander Commission
ATSIEB	Aboriginal and Torres Strait Islander Elected Body
COAG	Council of Australian Governments
CSI	Centre for Social Impact
CWP	Community Working Parties
FPAV	First Peoples' Assembly of Victoria
IPO	Indigenous Peoples' Organisation
LGA	Local government area
NCARA	NSW Coalition of Aboriginal Regional Alliances
NIAA	National Indigenous Australians Agency
PBC	Prescribed body corporate
PSM	Public Service Medal
TSRA	Torres Strait Regional Authority
UNDRIP	United Nations Declaration on the Rights of Indigenous People

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Foreword

Across Australia, momentum is strong for an Indigenous Voice to the Australian Parliament and Government. Aboriginal and Torres Strait Islander peoples want a greater say on the laws, policies and programs that affect our lives and non-Indigenous Australians support that call. In this Final Report of the Indigenous Voice co-design groups, we present our proposal for realising this urgent solution to the ongoing predicament of Indigenous Australians with a robust and feasible means of improving outcomes.

In October 2020, we presented the Indigenous Voice Co-design Process Interim Report to the Australian Government. Since the release in January 2021 of proposals for an Indigenous Voice in the Interim Report, Australians from across the country have taken the opportunity to provide their feedback. Over 9,400 people and organisations participated in a consultation process led by co-design members. This marks one of the most significant engagements with the Australian community on Aboriginal and Torres Strait Islander affairs in recent history.

Over 4 months, we had conversations with people and organisations across urban, regional and remote Australia. As a group, we were fortunate to engage with people through 115 community consultation sessions in 67 diverse communities and more than 120 stakeholder meetings around the country.

We also gathered feedback online, with more than 4,000 submissions and survey responses put forward by both Aboriginal and Torres Strait Islander and non-Indigenous individuals, communities and organisations.

The feedback provided tremendous support for an Indigenous Voice at the local and regional, and national levels. The core proposals set out in the Interim Report were affirmed, demonstrating the value of co-design to achieve effective outcomes. The feedback also helped improve proposals, with the National Voice membership model changed to increase the focus on remote people and communities.

We propose a strong, resilient and flexible system in which Aboriginal and Torres Strait Islander peoples and our communities will be part of genuine shared decision-making with governments at the local and regional level and have our voices heard by the Australian Parliament and Government in policy and law making. A voice to the Australian Parliament and Government would complement and amplify existing structures, and would not replace the role for these structures to continue to work with Government within their mandates.

An Indigenous Voice will provide the right mechanism, working with and strengthening existing arrangements, for the voices of Aboriginal and Torres Strait Islander peoples to be heard on issues that affect us. The consideration of our vast experiences and diverse perspectives will lead to better policy outcomes, strengthen legislation and programs and, importantly, achieve better outcomes for our people.

Now, what lies before us could be the most significant reform in Aboriginal and Torres Strait Islander affairs for generations. We heard in chorus—from our own people, along with non-Indigenous Australians—how much it would mean for Aboriginal and Torres Strait peoples to have our voices heard. The importance of what we propose cannot be understated.

There was also strong feedback that an Indigenous Voice must be secure and enduring, and appropriately protected. While consideration of legal form was outside our co-design responsibility, we were not surprised by the growing support for constitutional enshrinement that was particularly evident in submissions. We heard many practical and principled reasons supporting the enshrinement of an Indigenous Voice in the Australian Constitution, including that it would be the best way to protect an Indigenous Voice against abolition, enhance its effectiveness and recognise the unique place of Aboriginal and Torres Strait Islander peoples in our nation. Security and longevity for an Indigenous Voice were crucial elements of feedback received across the consultation process. The task for government is to consider how the Indigenous Voice will be protected.

As we deliver this Final Report, we are extremely proud of the efforts of the 52 co-design group members from across the country, who worked in partnership over the past 18 months—and through a global pandemic—to develop these final proposals for an Indigenous Voice. Together we listened, contested ideas and challenged ourselves to determine what might work best. On each issue, the co-design groups came to either a consensus or clear majority view. The results of this rigorous process are now presented for the Australian Government to consider in this report.

It is very clear that an Indigenous Voice is a necessary, pragmatic and natural step for our country as we work towards creating a better shared future for all Australians.

We commend this Final Report to the Australian Government with optimism that the proposals will be taken forward. A commitment to implementing these proposals will see conversation and co-design continue with communities across the country and involve governments at all levels coming together and working with us in partnership. This would provide a strong and lasting voice for Aboriginal and Torres Strait Islander peoples and be an historic step for our nation.



.....
Professor Dr Marcia Langton AO
Co-Chair, Senior Advisory Group



.....
Professor Tom Calma AO
Co-Chair, Senior Advisory Group

2018 Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples: Final Report

Recommendation 1

In order to achieve a design for The Voice that best suits the needs and aspirations of Aboriginal and Torres Strait Islander peoples, the Committee recommends that the Australian Government initiate a process of co-design with Aboriginal and Torres Strait Islander peoples. The co-design process should:

- consider national, regional and local elements of The Voice and how they interconnect;
- be conducted by a group comprising a majority of Aboriginal and Torres Strait Islander peoples, and officials or appointees of the Australian Government;
- be conducted on a full-time basis and engage with Aboriginal and Torres Strait Islander communities and organisations across Australia, including remote, regional, and urban communities;
- outline and discuss possible options for the local, regional, and national elements of The Voice, including the structure, membership, functions, and operation of The Voice, but with a principal focus on the local bodies and regional bodies and their design and implementation;
- consider the principles, models, and design questions identified by this Committee as a starting point for consultation documents; and
- report to the Government within the term of the 46th Parliament with sufficient time to give The Voice legal form.

Joint Select Committee principles for the design of the Indigenous Voice

- Most significant is the strong support for local and regional structures.
- The members of the Local & Regional Voice should be chosen by Aboriginal and Torres Strait Islander people rather than appointed by the government.
- The design of the Local & Regional Voices should reflect the varying practices of different Aboriginal and Torres Strait Islander communities—a Canberra-designed ‘one-size-fits-all’ model would not be supported.
- There should be equal gender representation.
- The Indigenous Voice at the local, regional, and national level should:
 - be used by state, territory and local governments as well as the federal government
 - provide oversight, advice and plans but not necessarily administer programs or money
 - provide a forum for people to bring ideas or problems to government and government should be able to use the Indigenous Voices to road test and evaluate policy. This process should work as a dialogue where the appropriateness of policy and its possible need for change should be negotiable.
- Consideration must be given to the interplay of any Indigenous Voice body with existing Aboriginal and Torres Strait Islander organisations at both local and national levels (in areas such as health, education and law) and how such organisations might work together.
- Cross-border communities should be treated as being in the same region where appropriate.
- Advice should be sought at the earliest available opportunity.

Executive Summary

Aboriginal and Torres Strait Islander peoples have long called for a greater say on the services, policies and laws that affect their lives to overcome their present level of exclusion from decision-making about the matters that affect them. This Indigenous Voice Co-design Process Final Report to the Australian Government is the culmination of a robust and contested process to design the details of an Indigenous Voice, as recommended by the 2018 Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples.

This Final Report marks a milestone in the co-design of an Indigenous Voice. The proposals from the Indigenous Voice Co-design Process Interim Report to the Australian Government, developed in stage one of the co-design process, have been tested and refined through a significant public consultation engaging more than 9,400 people and organisations, in stage two of the co-design process. The final proposals and recommendations in this report are the product of a genuine and thorough co-design, led by Aboriginal and Torres Strait Islander people and undertaken in partnership with Government.

This Final Report presents the proposals and recommendations for an Indigenous Voice—a cohesive and integrated system comprised of Local & Regional Voices and a National Voice—with connections to existing Aboriginal and Torres Strait Islander bodies. This Final Report also presents considerations for implementing an Indigenous Voice and details the consultation and engagement process.

This Final Report summarises the work of the 3 co-design groups throughout the co-design process spanning 18 months, focusing on the consultation and engagement recommended in the Interim Report. The 52 co-design group members, most of whom are Aboriginal and/or Torres Strait Islander people, brought a remarkable range of experience and expertise to their roles. As part of working together with government, representatives of the National Indigenous Australians Agency (NIAA) were included in the membership of co-design groups. The Chief Executive Officer and Deputy Chief Executive Officer Operations and Delivery were co-chairs of the National and Local & Regional Co-design Groups, respectively. The NIAA also provided secretariat support to co-design members throughout the process.

The Local & Regional Co-design Group's role was to articulate effective regional mechanisms for improved local and regional decision-making by Aboriginal and Torres Strait Islander people in partnership with governments, including building on what is already working well in regions across Australia.

The National Co-design Group's role was to develop models for a National Voice, including how it should link to Local & Regional Voices.

The Senior Advisory Group's role was to guide the process, including the public consultation process and to provide advice to the co-design groups as they developed the proposals.

Using the proposals in the Interim Report as a foundation, the co-design groups developed the final proposals for Local & Regional Voices and a National Voice with careful deliberation, allowing the views of all members to be raised, discussed and considered. Co-design members led the public consultation and engagement process on the proposals and considered feedback as it emerged throughout the process. The final proposals represent either the unanimous or clear majority view of the co-design groups.

Throughout the co-design process, and as detailed in Chapter 4 of the Interim Report, the co-design groups were conscious of learning from preceding Aboriginal and Torres Strait Islander bodies with advisory and advocacy functions, for example, the Aboriginal and Torres Strait Islander Commission and the National Congress of Australia's First Peoples. Throughout consultation, people recalled the strengths and achievements of these bodies but also reflected on their shortcomings and disappointments. The co-design groups continued to reflect on the learnings from these previous arrangements in developing the final proposals.

A Senior Officials Group comprised of representatives from each state and territory government, the Australian Local Government Association, and the Australian Government as represented by the NIAA, was linked to the co-design process. The Senior Officials Group acted as a forum for governments to contribute input and advice to inform the co-design process, particularly in relation to the implications of Local & Regional Voices. It was also a forum to provide officials from the non-Commonwealth levels of government with information about the co-design process, reflecting the vital importance of Local & Regional Voices being a voice from local Aboriginal and Torres Strait Islander people to all levels of government.

Local & Regional Voices

The approach for Local & Regional Voices presented in the Interim Report was strongly supported throughout the consultation and engagement process. The flexibility to tailor Local & Regional Voices to local circumstances, guided by a principles-based framework, resonated strongly throughout the community consultation sessions. Flexibility was seen as essential to ensure that Local & Regional Voice arrangements can respond to the great diversity of Aboriginal and Torres Strait Islander cultures and communities across Australia. The need for all levels of government to participate in Local & Regional Voice arrangements as set out in the Interim Report was further reinforced and emphasised throughout consultation. There was a high level of awareness in community consultation sessions that the policies, programs and services of all governments affect communities and that they would all need to be engaged in Local & Regional Voice arrangements.

Given the strong support for the overall approach during consultation and engagement, the final proposal for Local & Regional Voices represents a refinement rather than a significant change from what was proposed in the Interim Report.

A principles-based framework for Local & Regional Voices across Australia, as proposed in this Final Report, is predicated on recognising that the enhanced arrangements for local and regional decision-making and regional governance would be the key to the success of the Indigenous Voice proposal overall. This was strongly affirmed throughout the consultation process. The framework, with 9 guiding principles, builds on existing arrangements across Australia and provides flexibility to accommodate the diversity of Aboriginal and Torres Strait Islander cultures and communities. Local & Regional Voices would be community-led¹, community-designed and community-run. The proposal articulates the need for communities to be supported to act as an independent voice for Aboriginal and Torres Strait Islander people working with governments. *Respectful long-term partnerships*—one of the 9 principles in the framework—was also strongly supported throughout the consultation process. Most people acknowledged the need for change so that government officials engage in partnerships across governments and portfolios and with Aboriginal and Torres Strait Islander peoples.

Local & Regional Voices would undertake community engagement, provide advice to, and work in partnership with all levels of government. They would work together to set strategic directions to improve policy, program and service delivery outcomes for communities in the region and provide joint advice about how investment can be better aligned to local priorities and strategies (referred to as ‘shared decision-making’). A flexible approach allows the breadth of functions, membership and governance arrangements to be decided locally, providing they are consistent with what is set out in the framework. The arrangements would evolve in line with community preferences and capacity. Local & Regional Voices would work cooperatively with and not displace or undermine existing bodies. Local & Regional Voices would also provide clear links for Aboriginal and Torres Strait Islander peoples to be involved in government decision-making at the local and regional level. Local & Regional Voices could also play a key practical role in communities to support improved outcomes, in line with the Closing the Gap agenda.

All Aboriginal and Torres Strait Islander residents (including both historical residents² and traditional owners) of a region would have the opportunity for their voices to be heard. The final proposal recommends the following guiding principles that would apply both to Local & Regional Voices and government at all levels, including across all portfolios.

- *Empowerment*
- *Inclusive Participation*
- *Cultural Leadership*
- *Community-led Design*
- *Non-duplication and Links with Existing Bodies*
- *Respectful Long-term Partnerships*
- *Transparency and Accountability*
- *Capability Driven*
- *Data and Evidence-based Decision Making.*

¹ The term ‘community’ in this report refers to all Aboriginal and Torres Strait Islander residents in a geographic area.

² ‘Historical residents’ commonly refers to all residents who are not traditional owners of the given area, irrespective of when they moved to that community.

The final proposal for Local & Regional Voices to be established at the regional level is intended to maximise efficiency and effectiveness. At the same time, connection to the community level would be essential to ensure local people and communities can provide input to decisions about local issues.

The Interim Report proposed that feedback be sought on a range of region numbers—25 as a minimum and 35 as a maximum. Based on strong support during consultation for a greater number of regions within this proposed range, the members agreed that 35 regions across Australia would be necessary to accommodate the complexities of implementing the Indigenous Voice proposals. Consultation feedback confirmed it was important for communities to be involved in further discussions about the configurations of regions.

In line with this feedback, the final proposal provides for detailed boundaries to be determined by communities and governments at the beginning of the implementation phase. Boundaries would be determined within the agreed numbers and considering factors such as cultural groupings, existing regional arrangements, demographics and geography.

The final proposals for Local & Regional Voices, including further detail on the recognition process and deliberations of the Local & Regional Co-design Group, are presented in Chapter 1 of this report.

National Voice

The proposal for a National Voice was strongly supported during the consultation and engagement process. Key considerations raised during consultation included how membership for the National Voice would be determined, the number of members on the National Voice and the link between the Local & Regional Voices and the National Voice.

As a result of the consultation and engagement process and resulting deliberations, key refinements are presented for the proposed National Voice.

The final proposal for the National Voice is for a small national body of Aboriginal and Torres Strait Islander members tasked to advise the Australian Parliament and Government. The National Voice would provide the mechanism to ensure Aboriginal and Torres Strait Islander peoples have a direct say on any national laws, policies and programs affecting them.

The National Voice would provide advice to both the Australian Parliament and Government. This is important because it allows the National Voice to engage fully with laws and policies at different stages of development. This dual advice function reflects the different roles of Government and Parliament in making laws and policies. This does not diminish from the role of providing a voice to Parliament; it strengthens and integrates advice, ensuring early engagement before bills are introduced to Parliament. By providing for a voice to both Parliament and Government, the National Voice would engage fully with policy of different kinds and at different stages of development.

The National Voice would advise on matters of national significance to Aboriginal and Torres Strait Islander peoples relating to their social, spiritual and economic wellbeing. This is to ensure that the diverse perspectives of Aboriginal and Torres Strait Islander peoples are considered in key areas of legislation and policy development. The relationship between the Australian Parliament and Government and the National Voice would be a two-way interaction, with each able to initiate advice or commence discussion around relevant policy matters.

The proposed model for the National Voice includes a set of consultation standards for when, how and on what types of matters the Australian Parliament and/or Government should consult with the National Voice. Engagement with the National Voice would ideally occur early in the development of relevant laws and policies to allow for a partnership approach. The Australian Parliament and Government would be 'obliged' to ask the National Voice for advice on a defined and limited number of proposed laws and policies that overwhelmingly affect Aboriginal and Torres Strait Islander peoples. There would also be an 'expectation' to consult the National Voice, based on a set of principles, on a wider group of policies and laws that significantly affect Aboriginal and Torres Strait Islander peoples.

The proposed model for the National Voice also includes a set of complementary transparency mechanisms situated in the Parliament to provide for public accountability and enhance the ability of the National Voice to be heard. Importantly, these are based on existing parliamentary mechanisms and practices.

A key element of the consultation standards is the general expectation that Parliament and Government would engage the National Voice at the earliest opportunity when developing policies and proposed laws that have a significant impact on Aboriginal and Torres Strait Islander peoples. The result of this early engagement would mean that by the time a bill is finalised, the National Voice should already have been engaged and given the opportunity to provide considered formal advice.

The consultation standards and transparency mechanisms must be flexible enough to address the full range of possible circumstances, particularly concerning timing. In some cases, consultation with the National Voice may be built in from the early stages. In other cases, legislative changes may be time-sensitive, and a shorter amount of time might be provided for consultation with the National Voice. The proposed consultation standards and transparency mechanisms do not take a prescriptive approach to this. Instead, they support partnership and dialogue that can facilitate change.

How membership of a National Voice is determined is a crucial matter for Aboriginal and Torres Strait Islander peoples. During community consultation sessions, a significant topic of discussion—especially in the most disadvantaged areas—was the need for greater representation at a national level to ensure the most marginalised and excluded voices have the opportunity to be heard, particularly those of people living in remote areas and those of people who are not members of an Aboriginal or Torres Strait Islander organisation. As a result of this, and through careful deliberation, the final proposal for a National Voice is a 24-member model including 5 members representing remote regions, and one member representing the significant number of Torres Strait Islanders living on the mainland. This is a critical refinement from the proposal in the Interim Report that each state and the Northern Territory have 2 members, and the Australian Capital Territory and the Torres Strait Islands each have one or 2 members, for a maximum of 18 members. In both the interim and final proposals, there is also an option for the joint appointment of up to 2 additional members if a particular skill set is required and this is agreed upon between the National Voice members and the Minister for Indigenous Australians.

The National Voice membership would be structurally linked to Local & Regional Voices. Members of the Local & Regional Voices within each state and territory would collectively determine National Voice members from their respective jurisdictions. This membership model draws on the strength, legitimacy and authority of Local & Regional Voices, particularly as developed under the principles of Inclusive Participation and Cultural Leadership. This would embed community voices and ensure the diversity of Aboriginal and Torres Strait Islander communities is connected to the National Voice. This membership model provides flexibility and opportunity for the involvement of jurisdiction-level Aboriginal and Torres Strait Islander representative assemblies, where they exist, and elections if the Local & Regional Voices and Aboriginal and Torres Strait Islander people of the relevant jurisdiction agree.

The final proposals for the National Voice and the deliberations of the National Co-design Group are further detailed in Chapter 2 of this report.

An Indigenous Voice as an integrated system

While the final proposals include models for both Local & Regional Voices and a National Voice, the co-design groups recognised that an Indigenous Voice must be an integrated system in which Aboriginal and Torres Strait Islander peoples' perspectives are appropriately heard at all levels. Consultation feedback demonstrated that local communities want their distinct voices heard by the Australian Parliament and Government, which confirmed the need for such an integrated approach. The present levels of exclusion from decisions made about, and the current absence of a coordinated and integrated mechanism for Aboriginal and Torres Strait Islander peoples to have a say as individuals, communities or organisations was also keenly felt throughout consultation.

The final proposals also provide a system-wide approach in which Local & Regional Voices and the National Voice complement and support each other to ensure the best outcomes. The design of the final proposals provides for this through both structurally linked membership and a two-way formal advice link between Local & Regional Voices and the National Voice.

Working with existing bodies

In developing the proposals for Local & Regional Voices and the National Voice, the co-design groups considered the range of existing Aboriginal and Torres Strait Islander peak bodies and organisations at the local, national and international levels. The Interim Report noted the significant strengths present in many existing arrangements. Feedback from the consultation process, particularly submissions and community consultation sessions, suggested that an Indigenous Voice should not duplicate or usurp existing bodies. However, it also noted an absence of existing opportunity for all members of a community to be represented or participate and identified areas where existing arrangements could improve and evolve with the implementation of an Indigenous Voice.

The final proposals for Local & Regional Voices would see existing Aboriginal and Torres Strait Islander organisations and individuals involved in their Local & Regional Voice arrangements. Each Local & Regional Voice would be a mechanism to bring together views from a range of local people and stakeholders within their region, including members of community-controlled organisations, service providers, business, advisory bodies, statutory bodies, educators and others whose participation in these arrangements is vital. State, territory and local government participation in Local & Regional Voices would be crucial, as would building on existing arrangements for shared decision-making. These intersections are detailed in Chapter 1 of this report.

It would also be essential that the National Voice engage with existing bodies and organisations when developing its advice to the Australian Parliament and Government. There has been some concern expressed that a National Voice might lead to overlap and differing views on matters being presented on a given topic. The view of the majority of members of the co-design groups is that the National Voice would be well placed to amplify and support the views of existing bodies. However, there may be times when views may differ given the extensive range and scope of consultations that will be undertaken by National and Local & Regional Voices.

It is essential to acknowledge the existing effective relationships between Aboriginal and Torres Strait Islander peak bodies and organisations and government, including the historic National Agreement on Closing the Gap (National Agreement) between the Coalition of Peaks and all Australian governments. Implementation of

an Indigenous Voice will complement existing arrangements such as the National Agreement, building on the strengths of what is in place.

The final proposals in this report underline the importance of relationships and highlight how an Indigenous Voice would work with existing structures, and also consult with people who are not members of any Aboriginal and Torres Strait Islander organisations to gain their perspective. As the Indigenous Voice arrangements mature, their alignment with existing arrangements would also evolve.

Consultation and engagement

Stage two of the co-design process offered a unique opportunity for the Australian public to be a part of co-designing an Indigenous Voice. The consultation and engagement process sought to build an understanding of the co-design process and the proposals for both the Local & Regional Voices and a National Voice and seek feedback on how the proposals could work in practice and be improved.

More than 9,400 people and organisations participated in the consultation and engagement process, which ran over 4 months from 9 January 2021. People from across the country participated through community consultation sessions, submissions, surveys, webinars and stakeholder meetings, supported by a range of educational resources explaining the purpose of an Indigenous Voice and the proposals. The feedback from consultation was invaluable in testing the Interim Report proposals and directly influenced the design of the final proposals to the Australian Government detailed in this Final Report.

Alongside strong support for an Indigenous Voice, several key themes emerged from consultation and engagement. These themes included a sense of momentum and urgency and a need to move quickly; a desire for consultation and co-design to continue through implementation; validation of the core proposals put forward by the co-design groups; and calls for security and longevity for an Indigenous Voice. Notwithstanding that the purpose of the co-design process was to design the details of an Indigenous Voice, it is important to note that throughout the consultation and engagement phase, there was strong support for the enshrinement of the Indigenous Voice in the Australian Constitution.

The stage two consultation and engagement process is detailed in Chapter 3 of this report.

Transition and implementation

The importance of effective implementation of the final proposals was emphasised by the co-design groups, including the need to act promptly to progress implementation while ensuring co-design processes with Aboriginal and Torres Strait Islander people continue. A transition and implementation working group was formed to consider what steps would be necessary to support the implementation of the proposals and what this would entail.

2 options are put forward for progressing implementation. Both focus immediately on establishing Local & Regional Voices, with options on the timing for establishing a National Voice. One option is to establish the National Voice once the majority of Local & Regional Voices are in place, and another is to establish an interim body while Local & Regional Voices form.

These considerations are detailed in Chapter 4 of this report.

Report summary

This Final Report builds on the proposals in the Indigenous Voice Co-design Process Interim Report to the Australian Government, available at voice.niaa.gov.au

The preliminary sections introduce this Final Report. They include the Foreword, Executive Summary and visual guides to the key elements of the final proposals.

Chapters 1 and 2 detail the proposals for a principles-based framework for Local & Regional Voices and a National Voice, respectively. These chapters explore how stage two feedback influenced the final proposals and explain the intersections the National Voice and Local & Regional Voices would have with each other and with a range of stakeholders and existing arrangements.

Chapter 3 details the stage two consultation and engagement process, including detailed statistical information and broad insights. This chapter also explains the process undertaken by the co-design groups to consider feedback and addresses additional themes that emerged from consultation and engagement.

Chapter 4 details a range of transition and implementation considerations, including the potential pathways to new arrangements, includes the Senior Advisory Group's reflections on the co-design process and deliberations and describes the recommendations.

Recommendations

The Senior Advisory Group acted as a peer review group for the co-design groups throughout the process. The co-design groups worked iteratively, presenting emerging proposals to the Senior Advisory Group for testing and feedback. This process allowed for ideas and proposals to be contested, improved and resolved. Throughout this process, the Senior Advisory Group offered key observations and helped to build momentum and craft proposals that reflected and responded to the feedback of all Australians.

The Senior Advisory Group recommends that the Australian Government:

1. Progress an Indigenous Voice by implementing the Local & Regional Voices and National Voice proposals as set out in the Final Report.
2. Recognise the importance of involving all levels of government in Local & Regional Voices and seek to negotiate formal commitments as soon as practical. This will demonstrate the commitment of governments to working in partnership to deliver on the significant structural Indigenous Voice reform.
3. Recognise the importance of ensuring sustainability and security for an Indigenous Voice. This requires the provision of funding certainty and appropriate safeguards as part of any enabling legislation, including the establishment of the National Voice as a new independent Commonwealth entity.
4. Recognise the need to continue to work in partnership to progress implementation. This includes further conversations and co-design to ensure the effectiveness and legitimacy of the Indigenous Voice.
5. Recognise the need for a comprehensive communication strategy to support community understanding, ensure transparent and consistent messages and prepare for implementation.
6. Note the support for the enshrinement of the Indigenous Voice in the Constitution that was expressed particularly through the submissions received as part of the consultation process.
7. Release the Final Report to the public.

These recommendations and further reflections from the Senior Advisory Group are in Chapter 4 of this report.

Conclusion

Throughout the consultation and engagement process, we noted a strong desire for Aboriginal and Torres Strait Islander peoples to have a voice, and this was also supported by the wider Australian community.

Hearing the advice and perspectives of Aboriginal and Torres Strait Islander peoples and listening to their views would see improved outcomes, more effective, productive and fairer laws, policies and programs. The final proposals for an Indigenous Voice would provide a coordinated, integrated, system-wide mechanism to engage with Aboriginal and Torres Strait Islander peoples; such a mechanism does not currently exist.

The final proposals for an Indigenous Voice have brought together various views and perspectives through robust and rigorous co-design and consultation processes. If implemented, the final proposals outlined in this report would lay a solid foundation for Aboriginal and Torres Strait Islander peoples to work in partnership with all levels of government and have a greater say in legislation, policies, programs and service delivery.

It is inevitable and imperative that an Indigenous Voice continues to evolve, as both local and regional and national arrangements take shape and mature. For now, we offer heartfelt thanks and respect to the many Australians who contributed their thoughts, hopes and ideas to the co-design process. They have been inspirational, invaluable and boosted our confidence to push forward on this journey.



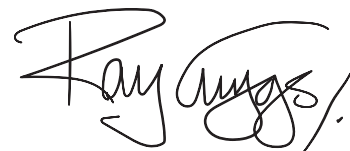
Professor Dr Marcia Langton AO
Co-Chair, Senior Advisory Group



Professor Tom Calma AO
Co-Chair, Senior Advisory Group



Dr Donna Odegaard AM
Co-Chair, National Co-design Group



Mr Ray Griggs AO CSC
Co-Chair, National Co-design Group



Professor Peter Buckskin PSM FACE
Co-Chair, Local & Regional Co-design Group



Ms Letitia Hope
Co-Chair, Local & Regional Co-design Group

Principles-based framework for Local & Regional Voice

What is the Local & Regional Indigenous Voice Framework?

Purpose

To enable Aboriginal and Torres Strait Islander people in every community to have a greater say in public policy, programs and service delivery affecting their lives through shared decision making in partnership with governments.

How will it be achieved?

Regional governance structures are established as Local & Regional Voice, building on what exists and works well. There are ways for local communities across a region to lead on their local priorities and link up with region-wide work.

Local & Regional Voice works in partnership with all levels of government. They provide advice and engage in planning and 'shared decision making' on policies and programs affecting communities, based on community aspirations and priorities. Detail in Scope below.

Context

The *Joint Select Committee on Constitutional Recognition* found Local & Regional Voice should provide a forum for dialogue between Indigenous Australians and governments on policy, programs and services, and draw on the varying practices of communities rather than a 'one size fits all' model.

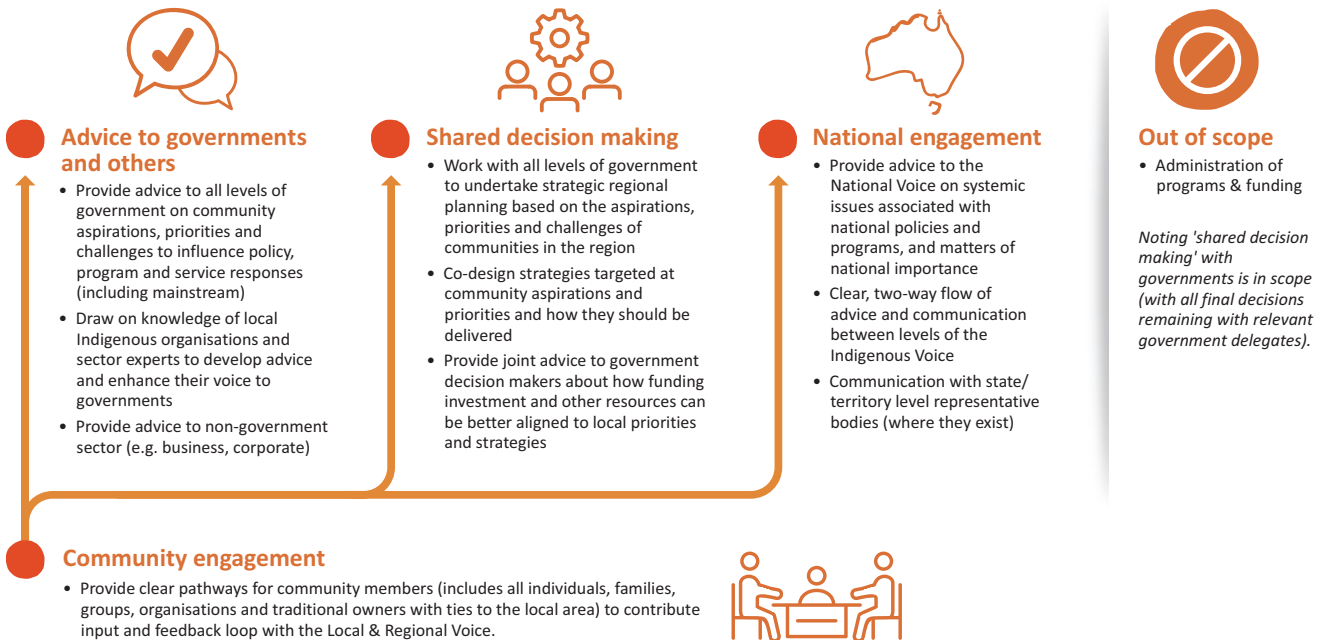
The Local & Regional Co-design Group's task is to articulate preferred approaches to improved local and regional decision making and Indigenous regional governance, and provide advice on preferred options.

To achieve this, the Group has developed this principles-based framework that:

- draws on what is working well in local and regional decision-making across the country
- is flexible enough to build on these approaches and accommodate diverse communities
- provides a platform for enhanced, effective and sustainable engagement between communities and governments on the ground
- connects communities and regions to a National Voice
- embeds respectful and culturally safe arrangements for all involved – community members and governments alike.

Scope

Functions of Local & Regional Voice are expected to evolve over time along this spectrum, depending on their preferences and capacity.

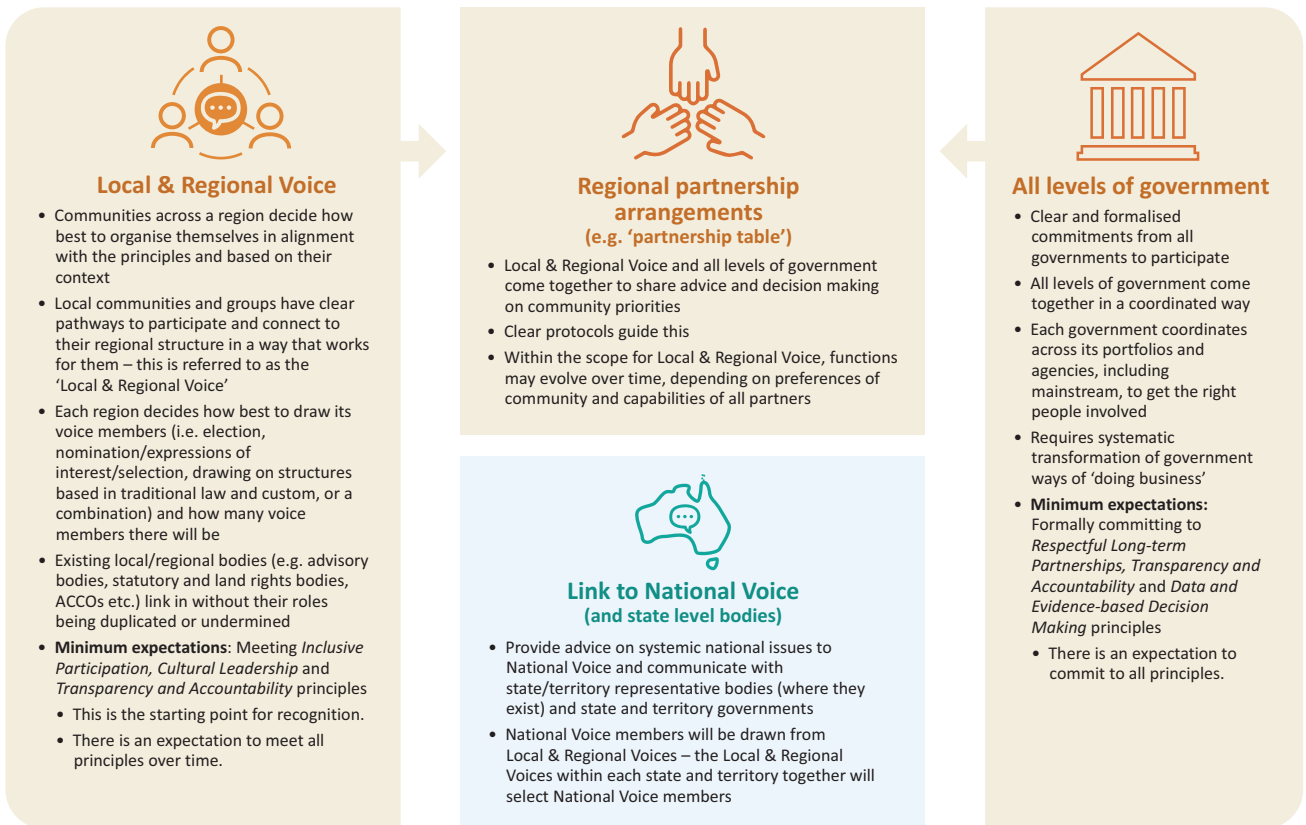


Principles

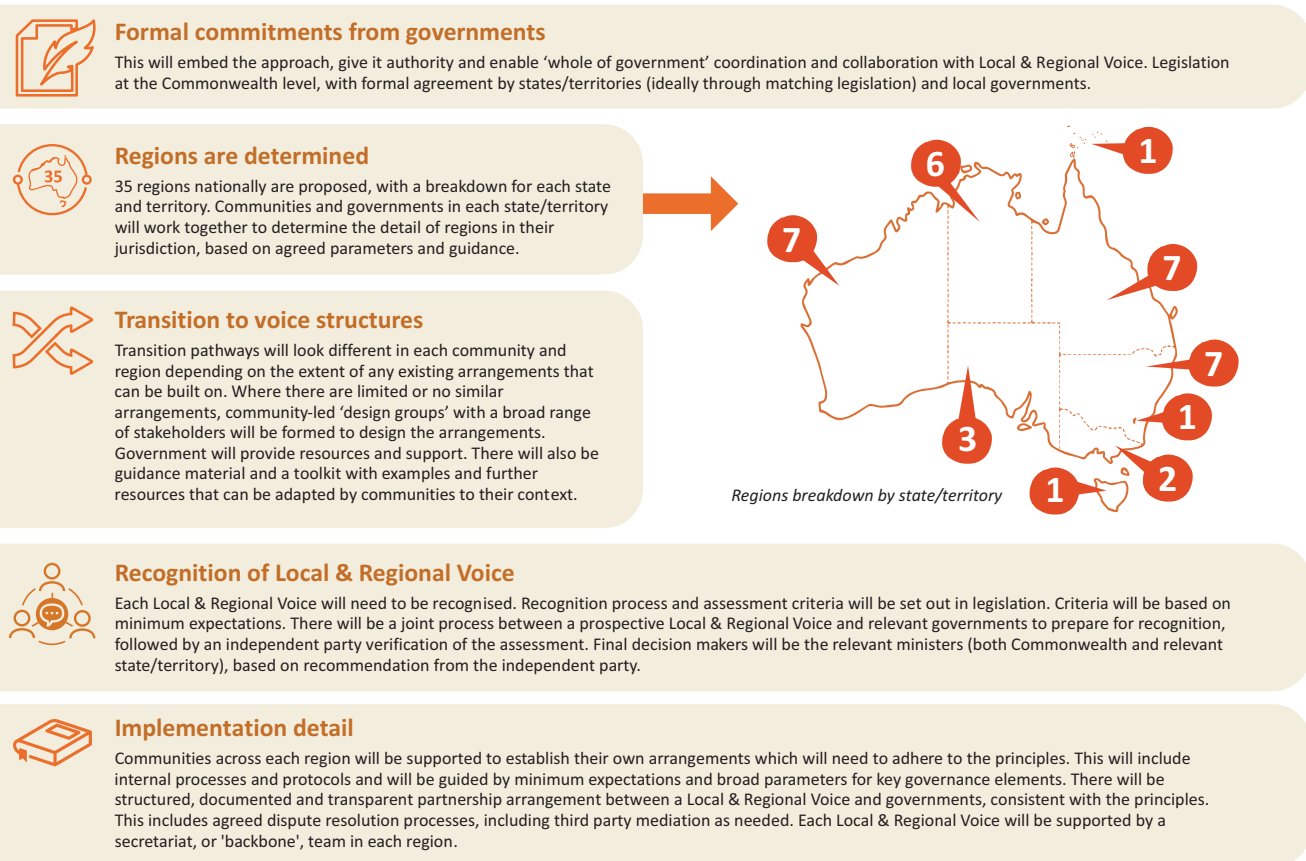
These guide Local & Regional Voice, government arrangements, and the partnership interface arrangements.

- ★ **Empowerment**
 - Aboriginal and Torres Strait Islander Australians have greater control and voice in their own affairs – a self-determination approach. Governments shift to an enabling role. Arrangements are culturally safe.
- ★ **Inclusive Participation**
 - All have the opportunity to have a say, including traditional owners and historical residents. Arrangements are broad-based and support respectful engagement across a diversity of voices – individuals, communities and organisations. This includes 'unheard' community members that have been historically excluded, or who face unique barriers to participation.
- ★ **Cultural Leadership**
 - Local & Regional Voice arrangements strongly connect to cultural leaders in a way that is appropriate for each community and region. Communities determine how this principle interacts with the Inclusive Participation principle in their context.
- ★ **Community-led Design**
 - Arrangements are determined by communities according to local context, history and culture. Community ownership gives authorisation and mandate to Local & Regional Voices. Communities determine implementation pace; governments support and enable this.
- ★ **Non-duplication and Links with Existing Bodies**
 - Local & Regional Voices build on and leverage existing approaches wherever possible, with adaptation and evolution as needed to improve the arrangements. Voices link to other existing bodies, not duplicate or undermine their roles.
- ★ **Respectful Long-term Partnerships**
 - Governments and Local & Regional Voices commit to mutually respectful and enduring partnership, supported by structured interface. Governments are responsive and proactive. Governments support building capacity and expertise of Local & Regional Voices and implement system changes.
- ★ **Transparency and Accountability**
 - Governments and Local & Regional Voices adhere to clear protocols and share responsibility and accountability, especially downwards to communities.
- ★ **Capability Driven**
 - Local & Regional Voice arrangements match the unique capabilities and strengths of each community and region. Governments and communities both build their capability to work in partnership and support local leadership development.
- ★ **Data and Evidence-based Decision-Making**
 - Data is shared between governments and communities to enable evidence based advice and shared decision-making. Communities are supported to collect and manage their own data.

How does this work in practice?



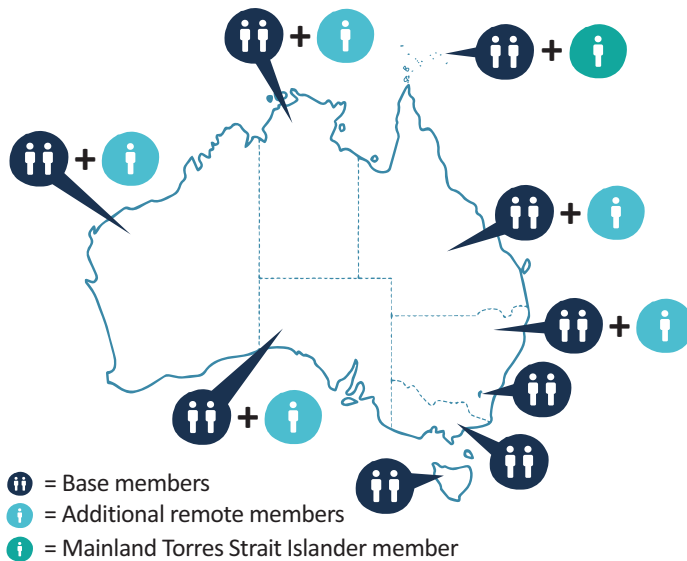
What are the steps to get there?



National Voice overview

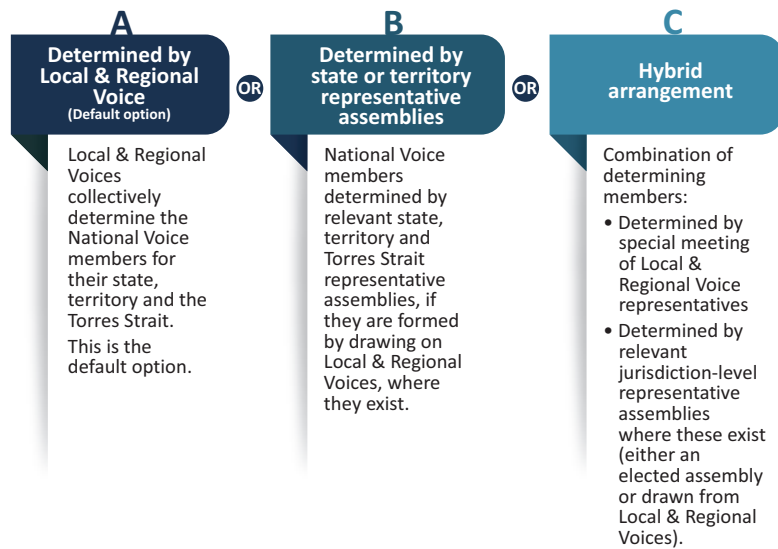
Structure and membership

24 Members



- There would be two members from each state and territory, as well as the Torres Strait Islands.
- There would also be a third member for remote representation for NSW, NT, QLD, WA and SA and one member for mainland Torres Strait Islander people.
- Gender balance would be structurally guaranteed.
- Option for two additional members jointly appointed between the National Voice and the Government.

Membership structurally linked to Local & Regional Voice



Role of members

Members would represent the diverse perspectives of all Aboriginal and Torres Strait Islander people at the national level. Part of the role is to represent the views of Local & Regional Voices in their state, territory or the Torres Strait Islands.

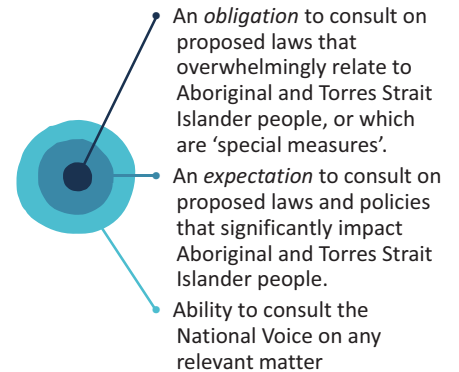
Membership features

- Members would have four year staggered terms (maximum two consecutive terms).
- Members would select two full time co-chairs of different gender from among themselves.
- Members would be subject to eligibility requirements (age, Indigenous identity, criminal conviction and bankruptcy), and a fit and proper person assessment. Eligibility issues would be subject to review on the advice of an independent Ethics Council.
- A member could be removed from their position for misconduct, subject to a review process and a two-thirds super-majority vote of the membership.

Parliament and Government

Consultation standards

The proposed standards set out when and how the National Voice should be consulted by Parliament and Government including:



Transparency mechanisms

- A statement would be included with bills that would explain consultation with the National Voice.
- The National Voice would be able to table formal advice in Parliament.
- A parliamentary committee would consider tabled advice and engagement with the National Voice, and enable parliamentarians to hear directly from the National Voice.

All elements would be non-justiciable, meaning that there could not be a court challenge and no law could be invalidated based on whether there was alignment with the consultation standards or transparency mechanisms.

Policy and expert input

Two permanent committees, separate to the membership:

- A Youth Permanent Advisory Group
- Disability Permanent Advisory Group

The National Voice would be able to establish other committees and draw on expert advice at any time.

Corporate form

The National Voice would be a new, independent Commonwealth entity. The National Voice members would be supported by its own Office of the National Voice to provide policy and administrative support.

Functions

Role of the National Voice

On behalf of Aboriginal and Torres Strait Islander people, the National Voice would have a responsibility and right to advise the Parliament and Australian Government on national matters of significance to Aboriginal and Torres Strait Islander people.

Core function

Advise on matters of national significance relating to the social, spiritual and economic wellbeing of Aboriginal and Torres Strait Islander people.



Advice function scope

- Advice would be both proactive and responsive. The National Voice would be able to initiate advice, as well as respond to referrals from the Parliament and Australian Government.
- The National Voice would determine which issues to advise on. There would be no restriction on this. Advice would focus on national level issues.
- The National Voice would prioritise to focus resources on what it sees as most important.
- Advice would be provided to both the Parliament and the Australian Government.

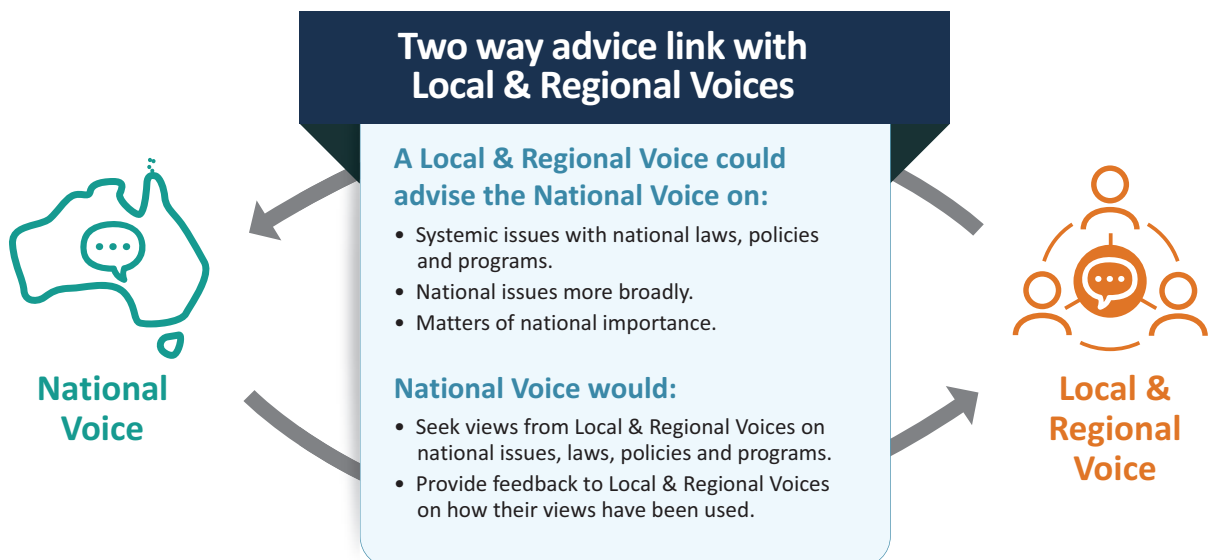
Advice function features

- Two-way interactions between the National Voice and the Parliament and Australian Government. The National Voice may ask for advice and information.
- Advice can be requested by the Parliament or Australian Government but the National Voice would not be required to provide advice.
- Advice would generally be public, with discretion for informal discussions where appropriate.
- Advice would present a clear position where possible, with flexibility to reflect diverse or dissenting views where necessary.

Engagement with other Aboriginal and Torres Strait Islander organisations


The National Voice would engage and link with other Aboriginal and Torres Strait Islander organisations. It would not replace or undermine existing bodies.

Links



The National Voice would not:

- ✗ deliver Government programs.
- ✗ provide mediation or facilitation between Aboriginal and Torres Strait Islander organisations.
- ✗ replace existing organisations.
- ✗ be an escalation point for local and regional operational issues, nor mediate between government and Local & Regional Voices.
- ✗ be a clearing house for research.
- ✗ undertake program evaluation, but could identify matters where evaluation may be needed, or how evaluations could be more effective.



Chapter
1

Local & Regional Voices

1.1 Introduction

The approach to Local & Regional Voices developed by the Local & Regional Co-design Group would enhance local and regional decision-making and transform the way Aboriginal and Torres Strait Islander peoples and governments work together on the ground. It is about locally led solutions and action and community voices influencing decision-making. It is about making a positive change in the daily lives of Aboriginal and Torres Strait Islander peoples and the families and communities that make them strong.

This is an empowerment approach that builds on what is already working well in communities. It is based on the recognition that better outcomes are achieved when decisions that affect the daily lives of Aboriginal and Torres Strait Islander peoples are made as close to the ground as possible and in partnership with those most affected. There is a large body of evidence that shows that local empowerment leads to better outcomes in all social indicators. It also provides a clear pathway for community voices to be considered in the advice that can inform decisions made at the national level.

The approach proposed in this report aligns with recommendations from the 2018 Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples (Joint Select Committee) that Indigenous Voice arrangements should have a principal focus on the local and regional bodies. It is also based on the Local & Regional Co-design Group's understanding that communities want to move beyond transactional engagement with governments. They are looking for genuine, constructive and long-term partnerships that do not just address current priorities and needs but also rise up to meet opportunities and aspirations for the future.

This approach has been well supported across all methods of consultation. It draws on the strengths of Aboriginal and Torres Strait Islander people and their communities and builds on and learns from both previous and current initiatives. Significant headway has been already made in some places, but there remains scope to make broader progress. A key feature is the expectation for all levels of government to work together better as well as in partnership with Aboriginal and Torres Strait Islander peoples. The aim is for communities to be supported in defining and reaching their aspirations for better futures through a greater level of ownership, agency, leadership and capability.

Having considered the consultation feedback, the Local & Regional Co-design Group has settled the final proposal for a Local & Regional Indigenous Voice framework (the framework). This chapter sets out its main components and highlights further steps needed should the government support the proposals in this report.

The proposed Local & Regional Voice approach is one part of an integrated 2-part system for an Indigenous Voice. The second part, addressing the National Voice, is detailed in Chapter 2.

1.2 Key features

Overview

The **framework** for a Local & Regional Voice provides the overarching set of arrangements for **Aboriginal and Torres Strait Islander people and communities** (including individuals and a broad range of stakeholders at the local and regional level such as Aboriginal community-controlled organisations (ACCOs) **to work with all levels of government** through a common approach.

A **flexible, principles-based** approach accommodates the **diversity of communities** and **builds on arrangements already in place** across Australia.

Local & Regional Voice

- **Local & Regional Voice** will be one of the 2 parts of the Indigenous Voice, along with the National Voice.
- Each Local & Regional Voice will comprise a **broad range** of Aboriginal and Torres Strait Islander **people, family groups, communities, organisations and other stakeholders**.
- Each Local & Regional Voice will be a **governance arrangement in each region**. As part of this, there will be **clear pathways** and mechanisms for **local communities and groups to participate in its work** and enable **local issues to be dealt with at the local level**.
- Local & Regional Voice arrangements will be **designed and led by communities**, according to local context, history and culture in a way that is consistent with the principles. Guidance materials and a resource toolkit will assist in this process.
- Each Local & Regional Voice will need to meet a set of **minimum expectations based on principles** and be formally recognised. The recognition process and assessment criteria will be set out **in legislation**.
- A key focus for each Local & Regional Voice will be to **work with all levels of government** through a structured partnership arrangement such as a **partnership table**. To do this, a Local & Regional Voice will work with communities and a broad range of stakeholders across the region to identify the priorities, needs and aspirations of local people and bring these to the partnership table.
- **Communities will determine** the implementation **pace** and their preferred **governance**. **Governments will resource, support and enable** this.
- Local & Regional Voice will undertake community engagement, provide advice to governments, undertake and facilitate shared decision-making with governments and engage with the National Voice.
- Within this scope of functions, the breadth of specific functions undertaken by each Local & Regional Voice will be decided locally and is likely to evolve in line with community preferences and capacity.
- Local & Regional Voices will **not displace or undermine bodies** with existing statutory roles or specific functions but **provide links for involvement**.
- All Local & Regional Voice arrangements must **align with the guiding principles**. In line with the **Inclusive Participation** principle, all Aboriginal and Torres Strait Islander residents of a place (historical residents³ and traditional owners alike, as well as those who currently do not feel represented) will have an opportunity to have their voices heard.
- The principle of **Cultural Leadership** connects Local & Regional Voice to those with responsibility for cultural law/lore and customs in each place to ensure legitimacy and relevance.
- The starting point will be different for all. Some regions (where no similar governance arrangements exist) may need more time to establish new or build on existing arrangements.

³ 'Historical residents' commonly refers to all residents who are not traditional owners of the given area, irrespective of when they moved to that community.

Each Local & Regional Voice will be different but all will be **community-designed and led**.

Broadly, each is expected to include:

- **a leadership group at the regional level** (the size, composition and method of representation will be decided by communities and stakeholders across the region), which will:
 - work with communities and stakeholders across the region
 - engage directly with all levels of government through a partnership table—to provide advice and work together with government representatives to set strategic directions and provide joint advice to government decision-makers about better aligning investment to local priorities and strategies (shared decision-making)
 - provide advice to the National Voice.
- **local community-based groups and arrangements**, designed locally, which will:
 - support the broad and inclusive involvement of local people in determining priorities at the local level
 - take the lead on local decisions and feed into regional priorities and advice
 - link up with the regional-level leadership group through agreed processes and representatives.
- **Secretariat ('backbone') team** resourced by government at the regional level, which will facilitate and support all aspects of Local & Regional Voice work, including enabling and assisting community-level groups and arrangements as needed.

Whole of Government Approach

- The participation of **all levels of government** is **fundamental** to this approach. Buy-in from all tiers of government is viewed as crucial and **must include both targeted and mainstream policies, programs and services**.
- **Legislation (at both Commonwealth and state and territory levels) and cross-jurisdictional agreements** will be needed to set out governments' commitments and enable Local & Regional Voice arrangements, including collaboration across the levels of government. This will be progressed through intergovernmental discussions.
- Governments will need to enable **capability building** and provide **support and resourcing**, both during the establishment/transitional period and for ongoing operations.

Regions

- **35 Local & Regional Voice regions** across Australia are proposed (with a nominal breakdown per jurisdiction set out in section 1.12).
- The details, including the boundaries of these regions, will be determined by communities and governments after the Australian Government decision has been made.
- Consideration of detailed boundaries will be based primarily on **cultural groupings** and **existing regions**. Regions will generally align with state/territory boundaries, but **cross-border arrangements will be considered** where needed.

1.3 Historical context

Feedback from consultation has confirmed that Aboriginal and Torres Strait Islander participation at the community level is essential to achieve positive change and more sustainable outcomes. Partnerships between communities and governments are considered a key ingredient in improving outcomes for Aboriginal and Torres Strait Islander peoples, with a number of relevant initiatives implemented over recent decades.

The Aboriginal and Torres Strait Islander Commission (ATSIC) (1989 to 2004) included a structured regional governance framework, regional priority setting and decision-making about appropriated funding at the local and regional level.

Most regional governance structures ceased following the dissolution of ATSIC, with a few exceptions, such as the Murdi Paaki Regional Assembly. The Torres Strait Regional Authority, which operated alongside ATSIC from 1994, also continues to operate under federal legislation.

Initiatives such as the Council of Australian Governments (COAG) Trials (2002–04), Shared Responsibility Agreements (2003–07) and the National Partnership Agreement on Remote Service Delivery (2009–14) have all aimed to increase local input into government decisions and improve the effectiveness of the way governments coordinate with each other to work with communities.

In many cases, current regional governance and decision-making initiatives, supported by various levels of government across Australia, represent an evolution of these approaches. For example, the Murdi Paaki region, now involved in the New South Wales Local Decision Making initiative, and a number of Empowered Communities regions, were also ATSIC regions and COAG Trials sites, as well as Remote Service Delivery communities.

In recent years, the focus on getting decision making as close to the level of impact as possible—and the importance of partnerships to enable this—has connected to broader discussions about an Indigenous Voice. Alongside views on the role of a National Voice, submissions to the Joint Select Committee emphasised the need to support local and regional decision-making and regional governance.

The National Agreement on Closing the Gap (July 2020) is regarded as a landmark step towards a genuine partnership with Aboriginal and Torres Strait Islander community-controlled peak organisations in relation to service delivery aimed at Closing the Gap. It includes commitments to priority reform areas, including Aboriginal and Torres Strait Islander people being empowered to share decision-making authority with governments to accelerate progress on Closing the Gap through formal partnership arrangements. The National Agreement builds on other work and collaboration between governments and Aboriginal and Torres Strait Islander organisations, such as the Aboriginal and Torres Strait Islander Health Partnership Forums⁴ and the 2008 Close the Gap Statement of Intent on health equality.⁵ These developments follow the Australian Government’s commitment to move away from top-down approaches to Indigenous policy and service delivery to work with Aboriginal and Torres Strait Islander people in *‘deciding together how future policies are developed—especially at a regional and local level’*.⁶

This commitment has been reflected in the establishment and work of the Local & Regional Co-design Group as part of the broader Indigenous Voice co-design process. Proposals developed by the Local & Regional Co-design Group have included careful consideration of lessons learned over successive decades of experience with the approaches outlined above. The proposals deepen and expand the commitment to a partnership with all Aboriginal and Torres Strait Islander communities and individuals beyond the community-controlled service delivery sector.

⁴ For details of these regular collaborative forums between the Australian Government, state and territory governments, and jurisdictional Indigenous health peak bodies see: <https://www1.health.gov.au/internet/main/publishing.nsf/Content/Indigenous-health-commonwealth-update>

⁵ <https://humanrights.gov.au/our-work/close-gap-indigenous-health-equality-summit-statement-intent>

⁶ Liberal Party of Australia, *Our Plan to Support Indigenous Australians*, 15 May 2019, p. 3.

1.4 Rationale for a Principles Based Framework

The Local & Regional Co-design Group was tasked with articulating effective regional mechanisms for improved local and regional decision-making by Aboriginal and Torres Strait Islander people in partnership with governments. Further detail on the Local & Regional Voice co-design task has been included in section 1.20.

Consistent with its terms of reference, the Local & Regional Co-design Group considered a principles-based framework and agreed it represents the best approach to achieving improvements in local and regional decision-making.

Early in stage one, the Local & Regional Co-design Group determined not to pursue alternatives to a principles-based framework. This was based on the Local & Regional Co-design Group's view that any approach applying a specific, uniform model across the country would undermine the flexibility needed to enable tailored, place-based approaches that accommodate the diverse cultures, needs and aspirations of Aboriginal and Torres Strait Islander communities across Australia. A uniform model would also undermine existing arrangements that are working well and cut across legitimate state and territory jurisdiction. This view was overwhelmingly supported in the consultation feedback, which particularly valued flexibility and the ability for communities to design their own arrangements in line with the principles provided by the framework.

A key expectation—and one reinforced throughout the stage two consultations—is that proposals developed by the Local & Regional Co-design Group will accommodate and enhance (not duplicate or undermine) existing initiatives. The proposals must also support the broad diversity of Aboriginal and Torres Strait Islander communities across Australia. At the same time, the Local & Regional Co-design Group agreed that some adaptation, evolution and, in some cases, more fundamental reforms to representation would be needed to enhance and improve arrangements across the country overall. It is likely that all relevant regional governance structures would need some form of adaptation.⁷ These issues have also been highlighted in the consultation feedback.

The Local & Regional Co-design Group placed a high priority on ensuring their proposal builds on:

- lessons learned, key themes and principles underpinning historical and existing place-based arrangements aimed at engaging Aboriginal and Torres Strait Islander peoples in decision-making
- the current landscape of existing Indigenous bodies (e.g., those with statutory and advisory functions)
- submissions to, and reports of, the Joint Select Committee
- feedback from consultations.

Papers providing background and synthesising key themes were considered by the Local & Regional Co-design Group in their first meeting and subsequent working groups. These papers provided an in-depth overview of relevant models, bodies and structures, both existing and historical, Australian and international, at the local, regional and national level. Of particular relevance to the work of the Local & Regional Co-design Group were local decision-making approaches and various regional governance arrangements supported by different governments, land councils and land rights bodies, and other statutory and non-statutory bodies.

⁷ 'Relevant structures' means existing models and arrangements with purpose and functions similar to a Local & Regional Voice, for example NSW Local Decision Making initiative.

In designing the framework, the Local & Regional Co-design Group considered common themes and features of several models and initiatives, including:

- Australian Capital Territory Aboriginal and Torres Strait Islander Elected Body
- Barkly Governance Table/Barkly Regional Deal/Tennant Creek Cultural Authority
- Dilak Council
- Empowered Communities model
- First Peoples' Assembly of Victoria (and Victorian Treaty Act Guiding Principles)
- Murdi Paaki Regional Assembly
- New South Wales Local Decision Making initiative
- Northern Territory Local Decision Making initiative
- Pama Futures model
- Pilbara Aboriginal Voice
- Queensland Local Thriving Communities design
- South Australian Aboriginal Regional Authority Policy (2016–18)
- Torres Strait Regional Authority
- Western Australian Aboriginal Empowerment Strategy
- Yarrabah Leaders' Forum.

More detail on most of these models and initiatives was included in the Environmental Scan in the Interim Report.

The Local & Regional Co-design Group was also informed by submissions to and reports of the Joint Select Committee. These emphasised the importance of practical action and arrangements at the local and regional level that shift towards Aboriginal and Torres Strait Islander communities working in genuine partnership with governments to enhance decision-making at the local level.

The Local & Regional Co-design Group noted variations in the nature, purpose and scope of existing Aboriginal and Torres Strait Islander local and regional models and structures. For some models (e.g., New South Wales Local Decision Making initiative), local decision-making is the primary purpose and function. However, for other bodies, shared decision-making with governments may form part but not the major component of their work. Bodies such as land councils perform specific statutory functions, while others primarily focus on providing advice to governments or service delivery.

The members of the Local & Regional Co-design Group discussed their own experiences and analysis of current and historical models and highlighted the diversity of both existing arrangements and the communities in which they operate across the country. They noted that local and regional structures supporting Indigenous ownership of the strategies and action at the community level are vital to ensuring relevance, community buy-in and effectiveness.

The Local & Regional Co-design Group focused on ensuring the framework approach could be used to facilitate improved place-based and shared decision-making between Aboriginal and Torres Strait Islander communities and governments. The framework is designed to achieve this by building on and extending the work of existing local and regional decision-making arrangements (e.g., New South Wales Local Decision Making initiative and Empowered Communities model).

It will not displace, duplicate or undermine:

- bodies with existing statutory roles or cultural authorities (such as land councils, traditional owner groups and the Torres Strait Regional Authority)
- bodies with a specific purpose (such as state and territory treaty entities).

In stage one, the Local & Regional Co-design Group considered the overall alignment between the proposed approach and a range of existing local and regional governance and decision-making arrangements. The analysis showed the purpose, scope and principles aligned well with current initiatives. The Local & Regional Co-design Group agreed that a principles-based framework approach was sufficiently flexible to encompass existing arrangements. It would also allow for the community-led design of arrangements, tailored to the specific community context.

The Local & Regional Co-design Group also concluded that a consistent principles-based framework for Local & Regional Voices across Australia would be the best way of improving local and regional decision-making and Indigenous regional governance. The Local & Regional Co-design Group considers this approach to be broad enough to accommodate existing and future models and arrangements with purpose and functions similar to a Local & Regional Voice while also providing consistent guidance for shared decision-making with governments.

The proposed principles-based framework aims to provide the flexibility for communities to enhance their own existing governance arrangements or design new ones. This will allow them to fit local cultures, needs and aspirations, consistent with the agreed purpose, scope and principles set out in the framework. It will also allow for arrangements to evolve.

Local & Regional Co-design Group members have acknowledged and paid respect to the broad range of traditional Aboriginal and Torres Strait Islander systems of law that have operated for many thousands of years. These systems continue to give unique shape to many aspects of communities' lives today, as well as their aspirations for the future. Across the country, the ways in which traditional law, lore, customs and decision-making continue to apply and shape social, economic and cultural life differ across locations and cultures.

Local & Regional Co-design Group members agreed it is essential that Local & Regional Voice arrangements do not disrupt or encroach on the ongoing role of these systems based on traditional law, lore and custom. Rather, Local & Regional Voices will need to draw on them as appropriate. The principles-based framework has been designed flexibly to ensure these systems can be connected to or form the basis of Local & Regional Voice structures in ways that are appropriate to each place and work effectively for the relevant communities.

The Local & Regional Co-design Group carefully considered the feedback provided during consultation. It determined that, overall, the feedback validated the design of the Local & Regional Voice as proposed in the Interim Report. Given that, members agreed to retain all of the key features of the proposal, with some refinements to respond to feedback. The Local & Regional Co-design Group also developed further policy detail for topics identified in the Interim Report. These refinements and policy detail are set out throughout this chapter.

1.4.1 Consultation feedback

The primary sources of substantive feedback on the Local & Regional Voice proposal were the community sessions and key stakeholder submissions. The surveys, in the main, provided more general views on the overall approach and some design elements.

Local & Regional Voice proposals were a key topic at the 115 community sessions conducted in 67 locations across Australia. The vast majority of the 2,607 participants in community consultation sessions were Aboriginal and/or Torres Strait Islander people.

A total of 1,017 of the 1,127 (90 per cent of the total) online survey responses commented explicitly on the Local & Regional Voice proposal. Submissions mainly focused on a National Voice, but 362 of the 2,978 (12 per cent of the total) submissions specifically commented on the Local & Regional Voice proposal. These included significant stakeholders such as state and territory governments, advisory bodies, Indigenous organisations and land councils.

Overwhelmingly, survey and submission respondents agreed there was a need to give Aboriginal and Torres Strait Islander people and communities a greater say. At most of the community sessions, the Local & Regional Voice was of keen interest, with participants canvassing how the framework might be put into practice in their communities and region. This included strong support for the Indigenous Voice overall to be grounded in the local community level. A sense of urgency to 'get moving' to implement the new arrangements was also a common theme.

• Many participants expressed the view that there needs to be a Local Voice for community, embedded within community to help direct decision-making from the ground up.

– Palm Island community consultation session summary, April 2021

• 'I am affected every day by day to day policies and procedures, legislation and the rest. Having hope in knowing that there will be an Indigenous voice both local and regional and national to assist in the way Indigenous people's lives are managed from a more close-range means that my children and all Indigenous children from then on will not have to extensively endure the struggles of everyone before them.'

– Anonymous, survey, February 2021

• 'Having a place where Aboriginal and Torres Strait Islander Peoples can have their say and actually be listened to, would be life changing for so many people ... Aboriginal and Torres Strait Islander People need to be involved in decisions affecting them.'

– Katherine S, survey, February 2021

• All participants agreed on the need for a Voice as there was a need for a stronger voice. This proposal appeared to be the way to get this stronger voice. Many participants also stated there is a sense of urgency to do this now. Participants said they are getting older and really need this proposal to work.

– Coffs Harbour community consultation session summary, March 2021

• 'We need to grab this opportunity and we need to stand together. Every issue affects each and every one of us in some form, I hope this goes further.'

– Cairns community consultation session summary, April 2021

• 'Time is of the essence in moving to actually establish local and regional and national 'voices' as the absence of such voices hampers on the ground progress in communities and regions, and makes consultation and input on significant national issues slow and cumbersome.'

– Boston Consulting Group, submission, April 2021

The proposed approach for Local & Regional Voices was strongly supported across all consultation methods, with 87 per cent of surveys and submissions that mentioned Local & Regional Voice supportive of a principles-based framework that would underpin the Local & Regional Voice arrangements. The flexibility to tailor Local & Regional Voices to local circumstances also resonated strongly with respondents.

The Local & Regional Voice was the main topic of conversation at the vast majority of face-to-face community consultation sessions. Flexibility again was highlighted as a particularly crucial feature; indeed, it was seen as the only way to ensure that Local & Regional Voice arrangements can meet the great diversity of Aboriginal and Torres Strait Islander cultures and communities across Australia.

● *'To me one of the most important features of the proposal is the fact that it gives the reins to the people in the communities and regions, allowing them to take control and be their own voice on what their individual community or region needs.'*
— Lachlan T, survey, April 2021

● *'I think the flexibility around having different structures based on what works best is vital to successful outcomes in each individual community.'*
— MidCoast Council and Biripi Community, survey, March 2021

● *'The flexibility around a framework is crucial in stepping away from systemic approach[es]. Giving more space for culture to be included in the framework.'*
— Jenny H, survey, January 2021

● *One participant commented they support a flexible process of setting up Local & Regional Voices, where it is being led by communities, as opposed to being government-led, and that this would assist with setting up sustainable structures.*
— Rockhampton community consultation session summary, April 2021

A small percentage of surveys and submissions were considered neutral or against the Local & Regional Voice proposal (13 per cent of relevant surveys and submissions combined). Examples of these views include:

- existing arrangements and organisations already provide a representative voice of Aboriginal and Torres Strait Islander people
- criticism of the co-design approach/and consultation process
- perceived complexity and high cost (e.g., too unwieldy).

Similar views were expressed by a few participants in some of the community consultation sessions.

In addition, across all the consultation methods, particularly in face-to-face sessions, participants expressed scepticism about whether governments would undertake the necessary reforms and engage in good faith. There was a general distrust of government. However, the majority of participants in face-to-face sessions who expressed this view were still supportive of the need for a Local & Regional Voice and felt it was important to both 'give it a go' and 'get on with it'.

1.5 Whole of Government approach

A genuine partnership between communities and all levels of government was a core consideration of the Local & Regional Co-design Group in developing the approach for a Local & Regional Voice. The Local & Regional Co-design Group noted several key aspects of the role of governments that will be essential for the effective operation of a Local & Regional Voice:

- Many policies, programs and service systems Aboriginal and Torres Strait Islander peoples seek to influence fall within the remit of states and territories, with states and territories also responsible for more than half of relevant expenditure.⁸
- Decisions at the local and regional level also concern local governments. While the co-design process itself has been driven at the Australian Government level, to be effective, all Local & Regional Voice arrangements will require engagement and partnership from across all tiers of government.
- It is estimated that the vast majority of expenditure on Aboriginal and Torres Strait Islander peoples/affairs comes from mainstream programs.⁹ This means all government portfolios and agencies need to be included in these arrangements, not just those specifically targeted to Aboriginal and Torres Strait Islander peoples.
- Governments are at their best when coordinating effectively across different portfolios and with each other. As highlighted in the consultation feedback, from the community perspective, all governments still have a way to go in that regard. Working to enhance this would improve collaboration, reduce duplication and empower communities to build local solutions to local issues and chart their own futures.
- The type of partnership the framework calls for will require a fundamental, systemic change to the way governments and communities engage with each other. This cannot be restricted to Aboriginal and Torres Strait Islander-specific portfolios, policies and programs, but must also include mainstream services and funding, where the majority of government expenditure and service delivery occurs.

The members of the Local & Regional Co-design Group designed the framework, including the principles, to be compatible with existing policy directions across all states and territories to maximise the potential for cross-government agreement.

A Senior Officials Group was convened at the start of the co-design process with representatives from the NIAA, all state and territory governments and the Australian Local Government Association to provide input and be informed about key issues in the local and regional co-design.

The Senior Officials Group is chaired by the NIAA. It met several times during stages one and two, both as a whole and in bilateral meetings with NIAA officials.

Discussions through the Senior Officials Group noted the alignment between the proposed principles-based approach for Local & Regional Voices and existing/emerging initiatives and policy directions in states and territories, including the importance of:

- grounding the approach in empowerment, self-determination and inclusive participation;
- building on and enhancing existing arrangements that are working well
- providing flexibility to allow place-specific arrangements that reflect the diversity of communities and a range of existing approaches.

⁸ 56 per cent of expenditure on Aboriginal and Torres Strait Islander affairs is from state and territory governments—Productivity Commission, *Indigenous Expenditure Report* (PC IER), 2017.

⁹ 80 per cent is from mainstream expenditure – PC IER 2017

Existing local and regional decision-making models and policies supported by state and territory governments include Local Decision Making in New South Wales and the Northern Territory; and Local Thriving Communities in Queensland.

- In New South Wales, Local Decision Making is implemented at the regional level, where governance structures called Aboriginal Regional Alliances engage with the New South Wales Government to negotiate formal accords that commit the parties to jointly address agreed priorities for the region.
- In the Northern Territory, Local Decision Making takes a more localised approach, with formal arrangements entered into between community groups or organisations, the Northern Territory Government, and in some instances, the Australian Government and/or relevant local government to focus on an identified sector or service-specific issue.
- In Queensland, Local Thriving Communities policy is in the early stages of implementation and will operate at the local level, initially across the state's 19 discrete communities.¹⁰

Each of these models aims to shift the way governments work with communities towards a partnership approach and shared decision-making that promotes empowerment by ensuring communities have a genuine say on local priorities, programs and service delivery.

Several other states and territories are also currently considering and working through the development of local and/or regional governance approaches. Several Senior Officials Group members noted the value of bringing together in each region Aboriginal and Torres Strait Islander people, residents, leaders of key community organisations and sector experts to set priorities, plan and make decisions with governments on local and regional issues through a coordinated effort.

Some states and territories are exploring the establishment of regional arrangements as part of the design of Aboriginal and Torres Strait Islander representative bodies at the state or territory level, aiming to create a clear connection from local communities and regions to the representative bodies and ensure local perspectives inform state-level or territory-level representation.

Senior Officials Group discussions indicated general support for a principles-based framework for Local & Regional Voices, given its flexibility and alignment with a range of existing initiatives. Members also noted that to be effective, Local & Regional Voice arrangements will require a place-based partnership model that involves a coordinated set of arrangements for collaboration and shared decision-making between all levels of government and Aboriginal and Torres Strait Islander communities (such as 'partnership tables').

Consultation feedback strongly validated the approach adopted by the Local & Regional Co-design Group. The importance of all governments working in partnership with local communities, and each other, was seen as a necessary feature of the Local & Regional Voice arrangements if real improvement in outcomes on the ground were to be realised. This was coupled with a clear sense that this will require significant reforms to the way governments work with each other, across multiple portfolios and with communities. Further detail about the consultation feedback is provided below.

Given the critical importance of support from all levels of government for Local & Regional Voices, the Local & Regional Co-design Group believes it will be crucial for the Australian Government to formally engage with the other levels of government on these matters as early as possible. A crucial part of these discussions will need to be options for formal authorisation of the framework by governments, such as through legislation, including matching legislation in different jurisdictions, in a way that ensures adequate traction across all portfolios and all levels of government. The Local & Regional Co-design Group noted these should occur with some urgency, as soon as possible after the Australian Government decision, given formal commitment from all levels of governments will be essential before moving to implementation. This is discussed further in Chapter 4.

¹⁰ The term 'discrete communities' as described in: Queensland Productivity Commission, 2017, *Service delivery in Queensland's remote and discrete Aboriginal and Torres Strait Islander communities: final report*, Brisbane, Australia. <https://qpc.blob.core.windows.net/wordpress/2018/06/Service-delivery-Final-Report.pdf>

1.5.1 Consultation feedback

There was overwhelming support across all consultation methods that all levels of government need to be engaged with Local & Regional Voices.

● *'A Local & Regional Voice would provide representation to local and regional government addressing real issues of the populace. They need to be flexible and influential to speak to and achieve targets with all levels of government from the Local Government Authorities to the Federal Government.'*

– Dennis F, survey, January 2021

● *'State and Territory Governments will be absolutely critical to making this work...'*

– Boston Consulting Group, submission, April 2021

The relationship with local government was also frequently raised, with many comments about how this could be improved with the establishment of a local Aboriginal and Torres Strait Islander-led voice.

● *'Partnership with state and local governments and local community groups would ensure that important local issues are prioritised. This would need to involve strong collaboration that truly values the importance of local Indigenous leadership and is not just tokenistic.'*

– Geoff A, survey, March 2021

● *'Directions Health would support a framework which provides clear pathways for community members to contribute inputs and feedback loop with the Local & Regional Voice; and a commitment from local and state governments to empower the Local & Regional Voice to influence decisions on investment and service delivery.'*

– Directions Health Services, submission, April 2021

The community sessions and key stakeholder meetings raised some significant scepticism about the level of commitment from governments as a whole, with many expressing their general frustration resulting from discussions of these issues over many years but without enough action. Across all consultation methods, people were keen to ensure longevity to the approach and that the Indigenous Voice is not easily undone.

● *Participants were concerned about the longevity of Indigenous Voice arrangements, noting the history of governments disbanding Aboriginal and Torres Strait Islander representative bodies.*

– Tamworth community consultation session summary, March 2021

● *A couple of participants were doubtful that government would take action on these proposals and noted that they had heard too many empty promises from politicians before.*

– Bunbury community consultation session summary, April 2021

● *Participants expressed scepticism at the potential for the Indigenous Voice to influence government both at the territory and federal level. One participant said that 'the government has to change the way they operate for us to feel that this stuff here is something we look forward to in the future'. Participants agreed that integrity and trust go both ways.*

– Tennant Creek community consultation session summary, May 2021

Capability building was also consistently raised as a critical issue for communities and governments. There was a strong view in the community consultation sessions in particular about governments needing to change the way they work so that they enter into genuine collaboration and partnerships with each other and the community. The need for systemic reform was also emphasised.

● *It was noted that if the Indigenous Voice were to be established, governments would need to change the way they work with communities, but that this would be an opportunity for all parties to learn and grow, building better working relationships.*

– Alice Springs community consultation session summary, May 2021

● *'For the co-design process to be successful, there also needs to be an adjustment in the way governments do business. As we have seen with the Empowered Communities sites, the business of government has not shifted enough to deal with this devolved way of working and decision-making. Commonwealth power has not been delegated to those who are tasked with making decisions.'*

– Uphold and Recognise, submission, January 2021

• *‘Work by all government agencies is also needed to ensure engagement with local and regional voices are culturally safe, appropriate and respectful. In order for the proposal to be successfully implemented, leaders need to work to educate themselves and their organisation, to champion cultural safety.’*

– Anonymous, survey, April 2021

• *Governments need to work together through the same approaches, not have different ways in which they each work with, and partner with, communities ... ‘If this proceeds, then it needs government reform to go ahead—this will be hard, as hard for the public sector as it is for community.’*

– Launceston community consultation session summary, May 2021

Formal submissions received from state governments indicated support for a principles-based framework and emphasised the importance of non-duplication with existing bodies, particularly in relation to state-led initiatives and representative bodies.

1.6 Details of principles-based framework

The Local & Regional Co-design Group designed the framework in stage one as an approach that builds on and adopts lessons from previous attempts and existing efforts, including the recommendations of the Joint Select Committee. It is flexible and accommodates both the diversity of Australia’s Aboriginal and Torres Strait Islander communities and the range of arrangements already in place across Australia. A key feature is an expectation for all levels of government to work more effectively together and in genuine partnership with Aboriginal and Torres Strait Islander communities.

The framework aims to provide consistent guidance for both advice to governments and for enhanced shared local decision-making with governments across all Aboriginal and Torres Strait Islander communities. At the same time, it allows flexibility for Local & Regional Voices to be designed and operate in ways tailored to specific cultural contexts, geography, opportunities, priorities and aspirations.

As highlighted in the previous section, this overall approach was strongly supported across all forms of feedback during the stage two consultations.

The final framework proposal comprises several interconnected parts: purpose, scope and principles; governance structures (including further detail and operational guidance developed in stage two); and approach to regions, minimum expectations and the recognition mechanism (details and final approach developed in stage two).

1.6.1 Purpose

Final proposal

The Local & Regional Co-design Group has articulated the Purpose of Local & Regional Voices: ‘to enable Aboriginal and Torres Strait Islander people in every community to have a greater say in public policy, programs and service delivery affecting their lives through shared decision-making in partnership with governments’.

Rationale

The interim proposed purpose and need for Local & Regional Voices were strongly supported by feedback during the consultation phase, as indicated above in section 1.4.1.

This statement of purpose draws on the Local & Regional Co-design Group’s Terms of Reference (Appendix B), ‘to articulate preferred approaches to improving local and regional decision-making and Indigenous regional governance’. Its development included the careful analysis of historical approaches, the personal experiences of Local & Regional Co-design Group members and what is already working well across key existing models (e.g., New South Wales Local Decision Making initiative and Empowered Communities arrangements).

Members considered it essential that Local & Regional Voices encompass all people in the community and are not limited to any particular groups or sectors. In particular, the Local & Regional Co-design Group agreed it was fundamental to the design that these arrangements enable people—individuals and families that make up the community—not just local organisations, to have their say and their voices heard.

This has been further drawn out in the articulation of the 9 guiding principles for the Local & Regional Voices in section 1.6.5.

• Another community member agreed and added that they want to be able to talk to governments from here, in the community, driving change on the ground rather than having it driven from elsewhere. Community members generally agreed with this sentiment.

– Woorabinda community consultation session summary, April 2021

• ‘I particularly support the objectives that Aboriginal and Torres Strait Islander peoples have access to the tools and resources we need to have greater control over our futures and make better informed decisions for ourselves and our communities...’

– Ganur Maynard, submission, April 2021

1.6.2 Scope — Functions of a Local & Regional Voice

Final proposal

The Local & Regional Co-design Group proposed the following scope of functions for Local & Regional Voices:

1. Community engagement
2. Advice to governments and others
3. 'Shared decision-making' with governments
4. National engagement

The breadth of functions within this scope will be decided by each Local & Regional Voice based on their preferences and capacity. Functions are expected to evolve along this spectrum.

Out of scope: administration of funds and programs.

Interim Report

The Interim Report proposed that a Local & Regional Voice would undertake community engagement, provide advice to governments and other stakeholders, undertake and facilitate shared decision-making with governments and engage with the National Voice.

Rationale

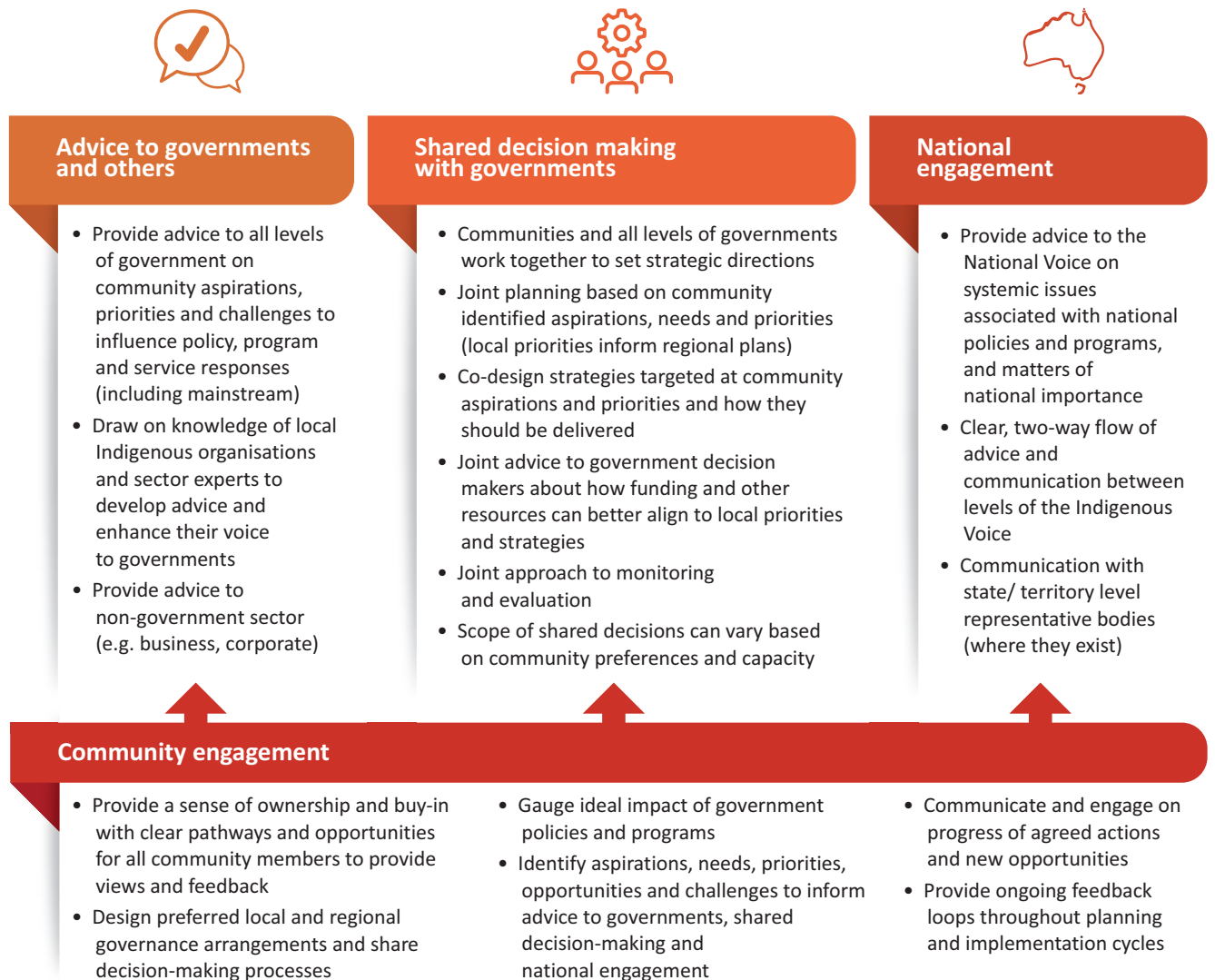
The scope of functions was designed to enable Local & Regional Voices to fulfil their purpose effectively. Given broad support across all forms of consultation feedback for all aspects of the proposed functions, the Local & Regional Co-design Group agreed to retain in the final proposal the scope of Local & Regional Voices put forward in the Interim Report.

- *Community engagement* would underpin all aspects of work undertaken by a Local & Regional Voice. The Local & Regional Voice would build broad local and regional ownership and buy-in and provide clear, accessible ways for all community members who wish to get involved to participate in the work of the Local & Regional Voice.
- *Advice to governments (and others)* on local and regional aspirations, needs, priorities, opportunities and issues of concern: this can include advice about local application and impact of particular programs and policies, including recommendations for change or improvement. Advice would be provided to local, state, territory and federal governments on areas relevant to their responsibilities and aim to cover the interests of all resident Aboriginal and Torres Strait Islander people. Advice to others would include engagement with and advice to the non-government sector, including philanthropic, business, corporate and academic sectors.
- *Shared decision-making*: a Local & Regional Voice and representatives from all levels of government would work together to set the strategic direction and operational priorities to improve policy, program and service delivery outcomes for communities in the region. It covers mainstream services, programs and funding, as well as those targeted to Aboriginal and Torres Strait Islander peoples.
 - The scope of shared decision-making could vary between regions, according to capability, readiness and community preferences.
 - It is likely to be a gradual and iterative process, with each Local & Regional Voice shaping its own approach in partnership with governments.
 - It will build on the provision of advice about local aspirations and needs, and include:
 - agreeing priorities and long-term plans
 - co-designing strategies targeted at community aspirations and priorities and how they should be delivered
 - providing joint advice to government decision-makers about how funding investment and other resources can be better aligned to local priorities and strategies.

- This work would be undertaken through a partnership interface such as a partnership table, which would include Local & Regional Voice and government representatives jointly considering key matters such as how existing funding can be better targeted at local priorities to deliver better outcomes.
- It could also include a joint approach to monitoring and evaluation, with ongoing feedback throughout implementation to inform continuous improvement.
- **National engagement:** a Local & Regional Voice would provide views to the National Voice on systemic issues associated with national policies and programs and matters of national importance to inform their work and advice to the Australian Parliament and Government. Local and regional issues that go to the day-to-day operation of a Local & Regional Voice and the partnership interface would not be escalated to the national level.
- **Out of scope:** the Local & Regional Co-design Group agreed that administration of funding and programs are out of the scope of Local & Regional Voice functions (noting that providing joint advice with government partners on priority setting, improving service delivery, better aligning investment to priorities and procurement planning are within the scope; with all decisions remaining with relevant government delegates).

While the key focus for the National Voice would be to provide advice to the Australian Parliament and Government, the range of functions in scope for a Local & Regional Voice goes beyond this to also include shared decision-making with all levels of government.

Figure 1.1: Local & Regional Voice—Scope



This reflects that enhanced local and regional decision-making in partnership with governments is a core part of the Local & Regional Co-design Group's terms of reference. This approach is also consistent with a range of government commitments, existing initiatives and policy directions, including the Priority Reforms in the National Agreement on Closing the Gap,¹¹ such as Priority Reform One—Formal partnerships and shared decision-making.

In designing the proposed scope of functions, the Local & Regional Co-design Group drew on lessons learned from a range of existing arrangements that operate in this way or are well along this path, as well as the experience of several members. The Local & Regional Co-design Group also took the view that the scope needs to be empowering for those regions where similar arrangements are not in place.

In considering the scope, the Local & Regional Co-design Group drew on a range of existing models, as well as the ATSIC experience, where the process of regional planning and setting local strategic priorities through community engagement was considered a key strength. Also in line with these lessons, the proposed scope of functions for Local & Regional Voices explicitly excludes administration of programs and funding (while noting it does include joint planning and informing government funding decisions based on community priorities).

Consultation feedback

There was general support across all consultation feedback methods for the overall scope of functions for Local & Regional Voices as set out in the Interim Report.

Communication and engagement with the community in an open and inclusive manner was identified as crucial across all feedback methods.

The function of providing advice to governments and others was often referred to in surveys and submissions. Respondents cited engaging all levels of government, local businesses, mainstream providers and the wider community as being important. Many non-Indigenous survey respondents saw value in having a Local & Regional Voice to engage with and improve relationships at the local level, especially in relation to schools and local councils.

Shared decision-making was referenced across all consultation feedback methods. There was strong agreement in the community sessions that Local & Regional Voices needed to go beyond simply providing advice to having some genuine authority to drive change, with support for the concept of shared decision-making.

In the survey and submission feedback, there was broad support for shared decision-making as both appropriate and empowering. The commentary also pointed to it as a means to achieving better and more tailored outcomes for Aboriginal and Torres Strait Islander peoples.

There was also strong support for an advice link with the National Voice across all consultation feedback methods.

No concerns were raised about Local & Regional Voices not managing programs and funding, as per the out-of-scope element of the proposal.

¹¹ <https://www.closingthegap.gov.au/priority-reforms>

• I believe a strong emphasis should be put on community involvement and consultation. Consistent community communication is important. Close, strong and mutual partnership with community, Local and Regional Voices is important.'

– Darkinjung (Central Coast), survey, March 2021

• A participant queried how community will know how the Voice has handled their questions and input. Voice members will need to feed back to community so they know they are being heard.

– Dubbo community consultation session summary, March 2021

• 'The people that represent my community must engage on a regular basis to gauge the views of community people around the issues that really affect the lives of Aboriginal people.'

– Wayne C, survey, March 2021

• 'Respect and influence is given when the voice provides advice to all levels of government about what's important to communities in the region.'

– Aaron N, survey, March 2021

• 'It would be important that the Local & Regional Voice talk to every level of government and sit down with governments at a shared decision-making table.'

– Aurukun community consultation session summary, April 2021

• 'It [Local & Regional Voice] would create a shared responsibility for Indigenous issues to drive realistic, on the ground changes instead of "best efforts" and dubious Government-led initiatives.'

– Anonymous, survey, March 2021

• Participants were supportive of shared decision-making and noted that too many decisions are made for community instead of by community.

– Maningrida community consultation session summary, May 2021

• There was a general view that empowerment is key, but for this to be real, access to resources is needed. The scope of the Local & Regional Voice should not be just coordinating services, but also involvement in decisions on how funding is allocated.

– Adelaide community consultation session summary, February 2021

'The link between the local and regional voices to the national voice allows continuity to flow up to government so they are presented with an accurate representation of what is wanted and needed in these communities.'

– Anonymous, survey, March 2021

1.6.3 Principles

There was general support across all consultation feedback methods for the overall scope of functions for Local & Regional Voices.

Final proposal

The Local & Regional Co-design Group proposes 9 principles to guide both the Local & Regional Voices and government arrangements for engaging with them (the partnership interface):

- *Empowerment*
- *Inclusive Participation* (refined based on consultation feedback)
- *Cultural Leadership*
- *Community-led Design*
- *Non-duplication and links with existing bodies* (refined based on consultation feedback)
- *Respectful, Long-term Partnerships* (refined based on consultation feedback)
- *Transparency and Accountability* (refined based on consultation feedback)
- *Capability Driven*
- *Data and Evidenced-based Decision Making*

Interim Report

The Interim Report proposed the same 9 principles set out above.

Rationale

The 9 principles are designed to guide the establishment and operations of the Local & Regional Voice arrangements overall for both communities and governments.

They are consistent with the purpose and scope and aim to enable all Aboriginal and Torres Strait Islander people to have a say in decisions that affect them.

Principles

These guide Local & Regional Voice, government arrangements, and the partnership interface arrangements.

★ Empowerment

- Aboriginal and Torres Strait Islander Australians have greater control and voice in their own affairs – a self-determination approach. Governments shift to an enabling role. Arrangements are culturally safe.

★ Inclusive Participation

- All have the opportunity to have a say, including traditional owners and historical residents. Arrangements are broad-based and support respectful engagement across a diversity of voices – individuals, communities and organisations. This includes ‘unheard’ community members that have been historically excluded, or who face unique barriers to participation.

★ Cultural Leadership

- Local & Regional Voice arrangements strongly connect to cultural leaders in a way that is appropriate for each community and region. Communities determine how this principle interacts with the Inclusive Participation principle in their context.

★ Community-led Design

- Arrangements are determined by communities according to local context, history and culture. Community ownership gives authorisation and mandate to Local & Regional Voices. Communities determine implementation pace; governments support and enable this.

★ Non-duplication and Links with Existing Bodies

- Local & Regional Voices build on and leverage existing approaches wherever possible, with adaptation and evolution as needed to improve the arrangements. Voices link to other existing bodies, not duplicate or undermine their roles.

★ Respectful Long-term Partnerships

- Governments and Local & Regional Voices commit to mutually respectful and enduring partnership, supported by structured interface. Governments are responsive and proactive. Governments support building capacity and expertise of Local & Regional Voices and implement system changes.

★ Transparency and Accountability

- Governments and Local & Regional Voices adhere to clear protocols and share responsibility and accountability, especially downwards to communities.

★ Capability Driven

- Local & Regional Voice arrangements match the unique capabilities and strengths of each community and region. Governments and communities both build their capability to work in partnership and support local leadership development.

★ Data and Evidence-based Decision-Making

- Data is shared between governments and communities to enable evidence based advice and shared decision-making. Communities are supported to collect and manage their own data.

The 9 principles developed in stage one were drafted to ensure consistency with the range of existing arrangements in states and territories and to support a flexible, community-driven approach. They were subsequently tested during the stage two consultations, with strong positive feedback overall.

The principles are intended to guide the formation and operation of the Local & Regional Voices and government arrangements for engaging with them (the partnership interface).

Consultation feedback

Feedback during the stage two consultation and engagement process indicated strong support for all 9 proposed principles.

While all principles were well received across the consultation feedback, some received more attention than others.

In the submissions and surveys the most frequently discussed principles were *Community-led Design*, *Inclusive Participation*, *Empowerment*, and *Non-duplication and Links with Existing Bodies*. *Community-led Design* and *Inclusive Participation* were a key focus in most of the community sessions and accounted for more than half of all references to principles in surveys and submissions.

Community-led Design was the most frequently supported principle in surveys and submissions. At the community sessions, there was also an overwhelming agreement that local people are best placed to design and lead Local & Regional Voice arrangements that would work in their communities.

Some responses from Aboriginal and Torres Strait Islander people focused on the connection between *Community-led Design* and enabling communities to come together, work together and heal. The differentiation between the proposed community-led approach and historical, top-down initiatives led solely by governments was also highlighted as positive.

In terms of *Inclusive Participation*, there was strong support for arrangements to reflect diversity and represent both traditional owners and other Aboriginal and Torres Strait Islander people residing in the region. Discussions indicated a strong view that a strong commitment to *Inclusive Participation* would be essential to the success of the Local & Regional Voice arrangements. There was also support for gender balance in membership arrangements and representation of youth, those with disability and LGBTIQ+ people, as included in the description of this principle in the Interim Report.

Broad support for *Empowerment* as the way for Aboriginal and Torres Strait Islander peoples to take greater ownership of decisions that affect them was expressed in many community consultation sessions. A number of surveys and submissions identified a sense of empowerment or 'having a say' as a basic human need, essential to the health and wellbeing of all people.

In addition to the principles outlined above, the community sessions also strongly referenced *Transparency and Accountability*, especially in relation to decision-making, with a strong level of recognition that transparency in this regard will be vital to ongoing legitimacy and support for Local & Regional Voices. All forms of feedback included support for the *Cultural Leadership* principle, verifying the importance of involving traditional owners and cultural leaders in Local & Regional Voice arrangements, noting this will need to be balanced with *Inclusive Participation* in each location.

Support for the principle of *Respectful, Long-term Partnerships* included a focus on partnership to ensure strategies, programs and policies are well informed and have a better chance of success. Others noted an existing deficit of trust between communities and governments and the need to ensure clear arrangements for how the partnership will operate.

The *Data and Evidence-based Decision Making* principle was not mentioned in a large number of written submissions and surveys. However, the importance of data to inform decision-making was discussed by participants in several community sessions. Participants were supportive of the principle, noting that communities will need adequate access to data held by governments to engage in shared work with them in an informed way. Others emphasised the importance of meaningful data at the local level and that, in some cases, information to contextualise government data needs to flow upwards from communities.

Similarly, the *Capability-driven* principle was broadly supported in feedback, with the issue of capability building and/or the related need for adequate resourcing raised at the majority of community consultation sessions. There was a general consensus among participants that Local & Regional Voices must be established with a view to long-term sustainability, including strengthening local capacity, particularly that of young people who will continue the work into the future.

Some consultation sessions, as well as surveys and submissions, highlighted challenges associated with the practical application of the principles, including noting appropriate resourcing and capability building would be essential. This is further explored in section 1.7.3.

• Several participants commented that they agree with all the principles and see a principles-based framework as a useful tool for decision-makers in the various levels of government, as well as for people working in service delivery organisations, to be guided by in their work and engagement with Aboriginal and Torres Strait Islander people and communities.

– Townsville community consultation session summary, April 2021

• ‘The 9 guiding principles enunciate very deeply held First Nations cultural values that give all of us hope that the contents of this report will be listened to and will form the basis of a reliable, ongoing seat at the table of government for our First Nations Peoples so long excluded.’

– Women’s Reconciliation Network, submission, March 2021

• ‘Community led is the only way we just need to come together and show Government that we as First Nations People can work together in achieving to be self-sufficient of Government funding, stop our in-fighting and bringing each other down—we are the only ones who can do this.’

– Anonymous, survey, January 2021

• ‘Clear and responsive governance that ensures true community voice that is transparent and accountable. Should always provide recognition of Traditional Owners but not leave rest of community behind.’

– Anonymous, survey, January 2021

• A participant emphasised the importance of separating native title from the Voice proposals, noting that the Local and Regional Voice should represent everyone, including traditional owners and other residents.

– Port Hedland community consultation session summary, April 2021

• A lot of discussion about how diversity is picked up—youth, elderly, people with disability, LGBTIQ+—important to ensure that there are broad avenues for diverse groups of people to get involved.

– Adelaide community consultation session summary, February 2021

• ‘The involvement of young people is about Empowerment—arming people for the future.’

– Mount Gambier community consultation session summary, March 2021

• ‘Empowering the community to take control and ensure Aboriginal and Torres Strait Islander communities are heard will make our communities stronger and ensure Indigenous ideas and practices and people are not only listened to and adopted but celebrated.’

– Wayne M, survey, April 2021

• ‘When community is empowered, we can do great things.’

– Canberra community consultation session summary, April 2021

• ‘Inclusive representation across the whole region or community, including young people, people with disabilities and people otherwise marginalised from being able to have a say or be heard.’

– Jim M, survey, March 2021

• ‘There should be ongoing consultation and feedback so local people know what’s happened with that advice.’

– Tamworth community consultation session summary, March 2021

• ‘Respectful and genuine engagement and partnerships established with realistic timeframes, transparency and accountability frameworks and practices implemented to ensure equitable outcomes.’

– Anonymous, survey, March 2021

• Participants were drawn to the principle of respectful, long-term partnerships, noting that all levels of government would be at the table with communities and regions, negotiating formalised agreements to work together.

– Alice Springs community consultation session summary, April 2021

• ‘Key enabler will be access to good data not just to monitor progress/success but to make informed decisions. The opportunity to come from a strength based position in the future is empowering.’

– Ruth Fagan, submission, April 2021

• One participant commented that while data-driven decision-making is highly desirable, there are critical data that can only be obtained at the community level, which is currently missing from government decision-making processes.

– Rockhampton community consultation session summary, April 2021

• One participant said that we need to build a model that is scalable for our next generation and build the capability of our next generation and hand it down to the youth.

– Cairns community consultation session summary, April 2021

• ‘Local Communities [need] ongoing opportunities and support to develop and enhance local (not blow-ins) leadership and build their capability to engage in effective partnership.’

– Anonymous, submission, January 2021.

1.6.4 Refinement of 4 principles

Given the overwhelmingly positive response to the principles overall, the Local & Regional Co-design Group agreed not to make substantive changes to the proposed principles articulated in the Interim Report.¹² However, feedback did indicate that 4 principles (Inclusive Participation, Non-Duplication and Links with Existing bodies, Respectful Long-term Partnerships and Transparency and Accountability) would benefit from some refinement to ensure clarity and provide further guidance. These changes are summarised below.

Inclusive Participation

There was very strong support for this principle overall. One key theme prevalent in the feedback was the need for and importance of supporting youth participation, pointing to a need to draw this out further in the description of this principle.

The feedback also highlighted the need to ensure a particular focus on unheard voices and specific groups that were not explicitly referenced in the Interim Report. Additional groups that were identified as often unheard or at risk of being marginalised included people who are not members of specific community organisations, members of the Stolen Generations, those without a high profile or formal education, people in contact with the justice system and Torres Strait Islander people residing on the mainland.

In many sessions, there was also discussion about challenges involved in bringing people together, given divisions within some communities. The importance of cultural safety was raised in this context to address concerns about lateral violence, which can cause some people to be reluctant to become involved.

The Local & Regional Co-design Group have refined and expanded the articulation of the principle of *Inclusive Participation* (see section 1.6.5) to reflect this feedback.

¹² Throughout the Local & Regional Group’s discussions members focussed on the importance of clarity of language, noting that some terms may mean different things to different audiences. For example, ‘transparency’ could be interpreted as only applying to Aboriginal and Torres Strait Islander people. It is important to note that in the Local & Regional Voice proposal, ‘transparency’ applies equally to government participation in the process, partnership arrangements between governments and communities, and Local & Regional Voices.

Participants in a Perth consultation session agreed that they want to see youth and young people involved in this process: ‘We’re here for the next generation and need to support their future’. One participant felt there was a lack of existing opportunities for youth to learn and participate in community decision-making processes. They advocated for young people to be emphasised in the proposals.

– Perth community consultation session summary, April 2021

Participants discussed the need to capture the voices of different generations. All participants agreed on the need to include young people and youth in the Voice.

– Yarrabah community consultation session summary, April 2021

‘The quiet voices are just as important, to make it fair. We need to ensure those voices are heard because there needs to be local endorsement of the Voice.’

– Cairns community consultation session summary, April 2021

The importance of Voices for people who do not have a voice was raised, including members of the Stolen Generations.

– Port Augusta community consultation session summary, April 2021

‘I think it would work well in my region if all community have the chance to have their say, not just Traditional Owners or members of community controlled organisations.’

– Anonymous, survey, March 2021

‘To ensure all the community gets a voice, there are still voices that are not heard within the current local community structures.’

– Trudy H, survey, March 2021

‘Things that need to be consider[ed] ... cultural safety to speak up, find productive solutions to current barriers, representation from emerging leaders, and community members.’

– Sarah H, survey, March 2021

Many participants spoke about barriers and lateral violence between different groups in the community and wanted to break these down. Participants saw the voice proposals as an opportunity to achieve this by bringing together different groups and organisations.

– Port Hedland community consultation session summary, April 2021

Non-duplication and Links with Existing Bodies

There was general support for this principle, and the imperative not to ‘reinvent the wheel’ or undermine the statutory or well-established roles of existing organisations was well received.

Articulation of this principle in the Interim Report also provided for some adaptation and evolution as needed to improve the existing arrangements. However, feedback from the consultation process indicated that, in some cases, more significant changes might be needed, particularly in circumstances where community members do not feel represented by or have a voice in the existing arrangements.

There was also some genuine concern about the potential for governments to ‘wedge’ community through multiple structures to obtain the answer they want, rather than receiving the advice being given by community. The Local & Regional Co-design Group acknowledged that the system as a whole should be able to evolve to improve arrangements overall and provide one effective set of representative arrangements for local people, working with all levels of government.

A number of respondents highlighted the need to ensure that Local & Regional Voice arrangements do not work only to reinforce existing ‘loud voices’ or power structures, particularly where these do not promote broad and diverse inclusion. This included participants in some consultation sessions emphasising that individuals or families who are not members of existing local organisations should not be excluded from full participation in Local & Regional Voices.

There was also an understanding that arrangements should be able to evolve in response to changing circumstances. That is, while alignment with the principle of *Inclusive Participation* will remain essential, putting it into practice may require different strategies as needs, aspirations and demographics in communities across the region change.

In considering this feedback, the Local & Regional Co-design Group noted the proposed Local & Regional Voices would be well positioned to address these identified gaps in representation at the local level while ensuring the mandate, roles and work of a range of existing bodies and organisations is respected and not undermined. This is more fully articulated in the description of the *Non-duplication and Links with Existing Bodies* principle in section 1.6.5.

The Local & Regional Co-design Group agreed to update the articulation of this principle to emphasise that its application did not diminish the need for all Local & Regional Voices to meet the minimum expectations, including those based on the *Inclusive Participation* principle.

● *‘There are examples across the country of existing arrangements working well in Aboriginal and Torres Strait Islander communities. Building on existing arrangements will enhance decision-making capabilities and encourage partnerships between different levels of government and local and regional representatives.’*

—Reconciliation Australia, submission, March 2021

● *‘It’s important that the voice would work with existing bodies, structures and organisations.’*

— Anonymous, survey, March 2021

● *‘The Interim Report has particular strengths, including the strong commitment to avoiding duplication.’*

—Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS), submission, May 2021

● *There are communities with already established bodies with cultural authority; these would need to be navigated carefully to ensure communities have clear understandings of the various levels of decision-making in their regions and ensure Local & Regional Voices work alongside these established bodies and are not duplicative and do not undermine them.*

— Alice Springs community consultation session summary, May 2021

● *Some participants observed that it is important not to assume all families and people on the ground have their voices heard through Aboriginal community-controlled organisations. The design of the Indigenous Voice needs to ensure the voices of individuals and families are able to be heard through a ground-up approach.*

— Rockhampton community consultation session summary, April 2021

● *‘The extent to which the Local and Regional Voices will be truly representative of First Nations political objectives, rather than revert to pre-existing structures and organisations for this purpose. Delegates at the Regional Dialogues were very clear that they felt these organisations did not represent them politically, and the danger of this model is they will be reverted to: further silencing voices who have told us they are not being heard.’*

— Dr Dani Larkin, submission, March 2021

● *At the Albany community consultation session summary, it was acknowledged that once designed, the Indigenous Voice structures will need to be periodically reviewed and may continue to evolve.*

— Albany community consultation session summary, April 2021

● *Participants felt it was important to ensure the Indigenous Voice was adequately protected so it can have time to evolve: ‘If there are teething problems in the first couple of years, it has to keep going. You can’t give up too soon. If it doesn’t work straight away, it might take longer.’*

— Angurugu Groote Eylandt community consultation session summary, May 2021

Respectful Long-term Partnerships

As highlighted above under *Inclusive Participation*, the importance of ensuring that Local & Regional Voice arrangements are culturally safe was raised in a number of community consultation sessions. This included partnership with governments and between all partners. While cultural safety was explicitly referenced in the *Empowerment* principle in the Interim Report in relation to partnership arrangements, it was not included in the description of the *Respectful Long-term Partnerships*.

The Local & Regional Co-design Group agreed to update the description of the *Respectful Long-term Partnerships* principle to explicitly acknowledge that cultural safety will be an essential part of creating a solid foundation for long-term, respectful partnerships.

● *‘Partnership and engagement with governments at various levels should be done in a culturally appropriate manner.’*

— Dorotyya, survey, March 2021

● *Participants discussed the need for culturally safe environments, especially for their young leaders.*

— Port Augusta community consultation session summary, April 2021

Transparency and Accountability

There was a strong focus on the importance of this principle for ensuring genuine and effective Local & Regional Voice arrangements. While this principle accounted for only 7 per cent of mentions in surveys and submissions, it was a common theme in most community sessions. *Transparency and Accountability* was identified as essential across all aspects of the proposed arrangements, such as between governments and Local & Regional Voices; Local & Regional Voices and their communities; and the 2 parts of the Indigenous Voice. The importance of clear and transparent communication between Local & Regional Voices and the communities, families and individuals they represent was especially highlighted in community sessions.

Communication was often discussed as an essential part of downward accountability to the community level. This included a sense that the workings, processes and decisions made by Local & Regional Voices need to be clearly communicated and easily accessible to community members.

The Local & Regional Co-design Group agreed to expand the description of the Transparency and Accountability principle to make explicit the expectation that Local & Regional Voices take a proactive approach to communicating with their members and communities and making relevant documentation easy to understand and access.

- *Participants felt that outcomes need to be clearly communicated and easy to find, for example, a community report card.*
– Campbelltown community consultation session summary, May 2021
- *Another participant queried how community will know how the Voice has handled their questions and input. Voice members will need to feed back to community so they know they are being heard.*
– Dubbo community consultation session summary, March 2021.
- *‘Perhaps there is an additional requirement for all community members within a region to have access to a survey once a year that is then reviewed by the region to ensure all voices are heard, not just those who shout loudest.’*
– Anonymous, survey, February 2021
- *A participant said that communications must be ‘simple, user friendly and done in such a way that all families can see it’.*
– Thursday Island community consultation session summary, May 2021

Figure 1.2: Scope and Principles



1.6.5 Local & Regional Voice Principles

An overview and detailed description of each of the 9 finalised principles follows.

Empowerment

Aboriginal and Torres Strait Islander peoples have greater control and voice in their own affairs: a self-determination approach. Governments shift to an enabling role.

The principle of Empowerment:

- is the foundation for the framework and all Local & Regional Voice arrangements.
- recognises that better public policy, program and service decisions are made when the people most affected have a say.
- recognises the strengths and unique position of Aboriginal and Torres Strait Islander peoples to take control of their own futures, drive progress and sustain outcomes for their communities.

What will it look like?

- Aboriginal and Torres Strait Islander peoples are enabled to develop ways to meet their aspirations through solutions that work in their local contexts.
- Aboriginal and Torres Strait Islander peoples have increased agency, autonomy and influence in public policy, program and service delivery decisions that affect their lives.
- Communities are supported to bring their aspirations, priorities and strategies to the partnership table with governments and influence how funding and service delivery can respond to this.
- Aboriginal and Torres Strait Islander peoples have access to the tools and resources they need to have greater control over their futures and make better informed decisions for themselves and their communities.
- Partnership arrangements are built on mutual respect and are culturally safe for all participants.
- Governments' systems change to support community involvement in decision-making; processes allow time for sharing information, genuine conversation and understanding.
- Aboriginal and Torres Strait Islander peoples are supported to forge partnerships that contribute to their wellbeing and prosperity, including with corporate and academic sectors, businesses and other parties.

Inclusive participation

All Aboriginal and Torres Strait Islander people have the opportunity to have a say. Local & Regional Voice arrangements are broad-based and promote respectful and culturally safe engagement across a diversity of voices, including those often not heard.

The principle of Inclusive Participation:

- provides the opportunity for all people living in a community¹³ to influence decisions that affect them and their families.
- recognises there is a range of views and perspectives in every community and supports arrangements that reflect and embrace this diversity. As each community is unique, practical application will look different in each place.
- recognises the potential for exclusion of some groups and actively supports unheard members of the community that have been historically excluded or who face unique barriers to participation.
- makes space for contributions of leaders from across the community who wish to work for the public good.
- is to be considered alongside the principle of *Cultural Leadership*. The appropriate interaction between these 2 principles will be determined by each community.

What will it look like?

- Local & Regional Voices are broad-based, equitable and inclusive, reflecting the diversity in each community.
- All community members and family groups—historical residents as well as traditional owners—can participate or ensure they are represented.
- There are ways for all communities in a region to be involved at the regional level and make or inform decisions on their local issues.
- There is a balanced representation of men and women, youth and elders when addressing citizen-based matters (such as priority setting, programs and services). This does not encroach on *Cultural Leadership*, practices and protocols.
- There are effective strategies to ensure strong youth participation, including capability development for leadership roles, noting the importance of emerging young leaders having opportunities and being encouraged to get involved in Local & Regional Voices and also in the National Voice.
- All community members can see themselves in their Local & Regional Voice, and there are ways for all to be involved or represented. This includes a focus on groups who may have been excluded or marginalised, such as:
 - people living with disability
 - those identifying as LGBTIQ+
 - people who are not members of organisations
 - members of the Stolen Generations
 - those without a high profile or formal education
 - people who have had some contact, either currently or previously, with the justice system
 - Torres Strait Islander people living on the mainland
- There are mechanisms to maximise individual participation and encourage broad reach, including attention to engaging people who may not use conventional means such as community meetings.
- Local & Regional Voice arrangements are culturally safe and support respectful engagement and decision-making across a diversity of views, families, groups and individuals.
- There are fair and transparent ways (such as mediation) to resolve any internal disputes.

¹³ Includes all individuals, families, groups, organisations and traditional owners with ties to the local area.

Cultural Leadership

Local & Regional Voice arrangements strongly connect to those responsible for upholding and maintaining cultural law, lore and customs in a way that is appropriate for each community and region.

The principle of Cultural Leadership:

- is essential to ensure Local & Regional Voices have legitimacy.
- accommodates each community and region's unique system of *Cultural Leadership*.
- is to be considered alongside the principle of *Inclusive Participation*. The appropriate interaction between these 2 principles will be determined by each community.

What will it look like?

- Local & Regional Voices are endorsed by and/or connected with cultural leaders in a way that respects how cultural leadership and authority operates in that region.
- Guidance from communities about how cultural leadership works in their location and how best to reflect it informs how the Local & Regional Voice operates.
- Systems and structures based in traditional law, lore and custom are drawn on or incorporated in the Local & Regional Voice arrangements, as appropriate to each region.
- There are clear pathways for cultural leaders and traditional owners to be involved in the work of their Local & Regional Voice.
- The Local & Regional Voice arrangements do not encroach on the specific remit of cultural leaders over traditional law, lore, custom and cultural matters.
- Governments respect cultural leaders connected to Local & Regional Voices and their roles.

Community-led Design

Local & Regional Voice arrangements are determined by relevant communities, according to local context, history and culture. Communities determine implementation pace and governance structures. Governments support and enable this.

The principle of Community-led Design:

- is central to creating arrangements that meet local needs and aspirations.
- builds local ownership and gives authorisation and mandate to Local & Regional Voices.
- will result in a diverse range of governance and operating arrangements for Local & Regional Voices.

What will it look like?

- Communities across each region decide how best to organise themselves as a Local & Regional Voice, including ways to connect local communities with Local & Regional Voice arrangements at the regional level.
- Communities shape arrangements in line with their local context, history, culture and aspirations for the future. This includes adopting, building on or adapting existing arrangements, as appropriate.
- Communities, in consultation with governments, determine the detail of geographic areas to come together as regions (using the agreed parameters and processes).
- Priorities, agenda and pace of implementation are set by each Local & Regional Voice.
- Governments support and enable communities to establish their arrangements and progress their priorities and aspirations.

Non-duplication and Links with Existing Bodies

Local & Regional Voices build on and leverage existing approaches wherever possible, with adaptation and evolution as needed to improve the arrangements. Local & Regional Voices link to other existing bodies and do not duplicate or undermine their roles.

The principle of Non-duplication and Links with Existing Bodies:

- recognises a broad range of existing arrangements, bodies and structures working to build positive futures for Aboriginal and Torres Strait Islander people and their communities.
- represents the flexibility of the framework to accommodate, build on and enhance—rather than displace or duplicate—existing arrangements and work already underway.

What will it look like?

- Existing structures with similar purposes and functions are used as the basis for a Local & Regional Voice, evolving as needed to align with the principles.
- A Local & Regional Voice brings together and enhances the voices of a broad range of Aboriginal and Torres Strait Islander stakeholders, including Aboriginal community-controlled organisations, land councils and other bodies and groups.
- Local & Regional Voices deepen and expand governments' commitment to partnership with all Aboriginal and Torres Strait Islander communities and individuals beyond the service provider sector.
- This approach does not encroach on or undermine the mandate of existing bodies with statutory roles or specific functions but provides appropriate links for their involvement in the Local & Regional Voice.
- Existing local and regional decision-making structures covering smaller geographical areas will need to 'feed in' to broader Local & Regional Voice arrangements.
- This approach does not diminish the need for Local & Regional Voices to meet *Inclusive Participation* requirements, to ensure all local people are truly represented and have the opportunity to be involved in these arrangements.

Respectful Long-term Partnerships

Governments and Local & Regional Voices commit to mutually respectful and enduring partnerships supported by a structured interface. Governments are responsive and proactive. Governments support building capacity and expertise of Local & Regional Voices and implement system changes.

The principle of Respectful Long-term Partnerships:

- recognises the need for clear commitments from governments and communities.
- recognises the need for improved coordination between and within levels of government, including government system changes, to shift to a partnership approach.
- supports establishing interface arrangements in each region, tailored to the specific community context in each place.
- recognises that relationships and underpinning structures evolve and mature as the partnership strengthens.

What will it look like?

- Defined, structured mechanisms and processes are in place for partnerships between each Local & Regional Voice and all levels of government (such as a 'partnership table').
- Roles, responsibilities and expectations for all partners are clear and documented.
- Relationships between all partners are based on a strong foundation of cultural safety, mutual respect, good faith, trust and transparency.
- Communication and engagement between partners are responsive, regular and consistent.
- Governments work together across levels, portfolios and jurisdictions to engage proactively and responsively with the Local & Regional Voices.
- Governments support communities to build capacity and expertise and draw on community expertise to support two-way learning. Both sides share their different capabilities, skills and experiences to build and enhance an effective partnership.
- Regular 'health checks' of the state of the partnerships assist to identify and address any issues or concerns in a proactive way.
- Mutually agreed mediation and dispute resolution processes assist partners to work through and resolve any disputes or conflicts.

Transparency and Accountability

Governments and Local & Regional Voices adhere to clear protocols and share responsibility and accountability, including downwards to communities.

The principle of Transparency and Accountability:

- is critical to the success of partnerships between Local & Regional Voices and governments.
- recognises responsibility for the partnership and associated outcomes is shared by all partners.
- is essential between Local & Regional Voices and the communities they represent, for their legitimacy and long-term sustainability.

What will it look like?

- All parties agree and adhere to clear protocols to support transparency and accountability (e.g., public reporting, monitoring and evaluation).
- Local & Regional Voices are supported to implement best practice governance, including documented codes of conduct and protocols for managing conflicts of interest, fit and proper person checks, and mechanisms for removing members in the event of misconduct or loss of community confidence.
- Local & Regional Voices develop, agree, document and are transparent about decision-making processes (e.g., consultations and consensus/majority) and follow-up actions.
- Activities of the partnership interface are transparent (including to communities), with timely information flows and follow-up by all parties.
- Arrangements support shared accountability and responsibility between governments and Local & Regional Voices, including downward to the community level.
- Local & Regional Voices communicate effectively with their community members to ensure all internal processes, decision-making, reporting and advice are transparent, easily understandable and accessible, with feedback loops to ensure ongoing engagement.
- Data and information sharing protocols are agreed by all parties.
- Administrative arrangements are regularly reviewed to ensure they are practical and proportionate.

Capability Driven

Local & Regional Voice arrangements match the unique capabilities and strengths of each community and region. Governments support leadership and capability building.

The principle of Capability Driven:

- acknowledges that communities will be at various stages of Local & Regional Voice readiness and capability.
- recognises Local & Regional Voices will need capability support from governments.

What will it look like?

- Local & Regional Voice arrangements are fit for purpose and underpinned by practices that promote good governance.
- Local & Regional Voices evolve the scope of their functions and activities according to their strengths, capability and preferences.
- Communities have ongoing opportunities and support to develop and enhance local leadership and build their capability to engage in effective partnerships.
- Governments develop their capability to engage in partnership arrangements and allow space and authority for communities to perform Local & Regional Voice functions.
- Governments and communities embrace opportunities to work together on capability development to strengthen the partnership and build shared skills for effective collaboration.
- Local & Regional Voices are supported to share good practices and relevant expertise with each other.

Data and Evidence-based Decision-making

Data is shared between governments and communities to enable evidence-based advice and shared decision-making. Communities are supported to collect and manage their own data.

The principle of Data and Evidence-based Decision-making:

- recognises effective decision-making requires access to meaningful data and evidence.
- provides for local and regional decision-making to be informed by relevant data, research and best practice evidence from Australia and internationally.

What will it look like?

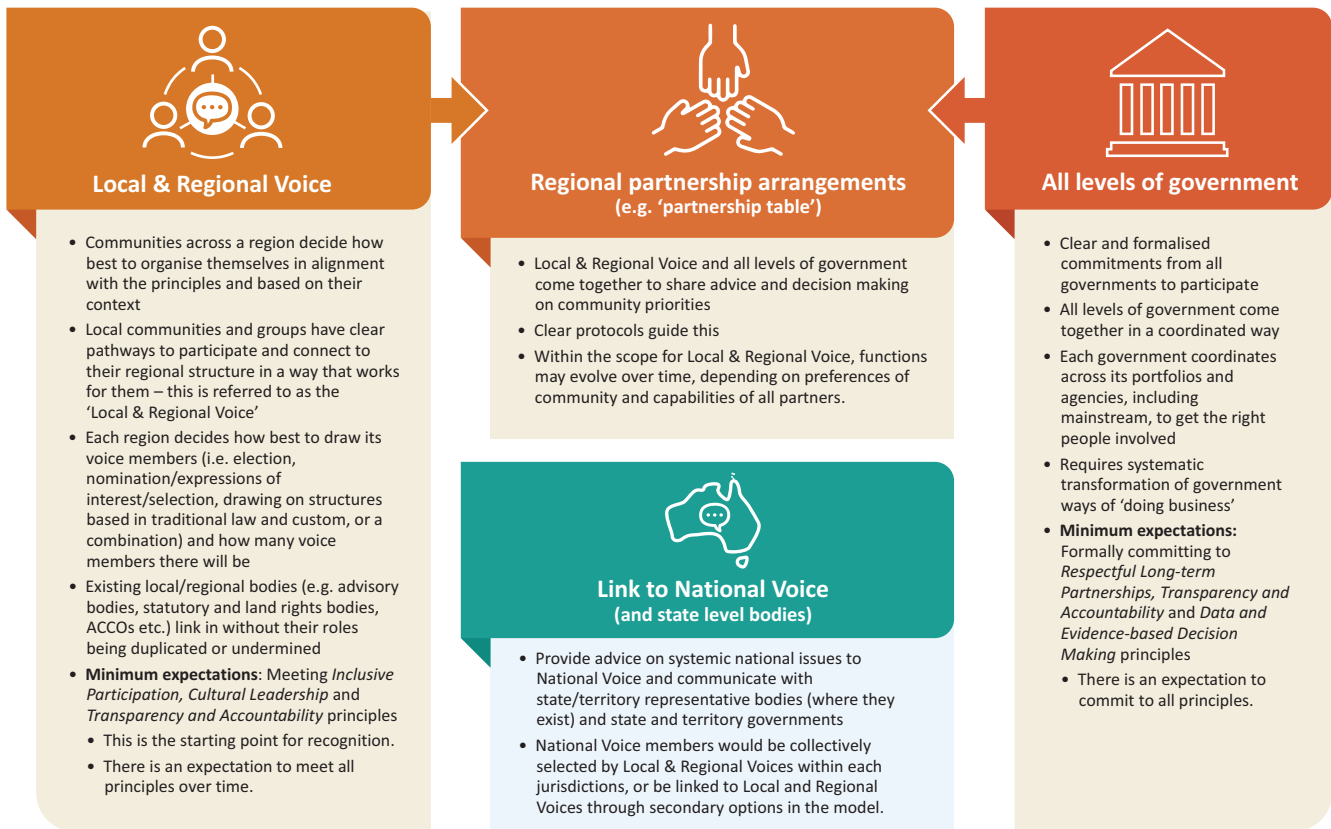
- Local & Regional Voices have access to the data and evidence they need to provide informed advice and make informed decisions.
- Governments and communities collaborate and share data collection and analysis expertise. Communities are supported to build their data capability.
- Regional planning activities include robust data, monitoring and evaluation strategies co-designed by communities and governments.
- Government systems support data and information sharing with Local & Regional Voices.
- Government Aboriginal and Torres Strait Islander data collection activities are informed by local and regional priorities. Data is meaningful to communities and shared in user-friendly, flexible formats.
- Local & Regional Voices are supported to undertake and manage their own data collection and analysis activities.
- Strategies to enable 'real time' learning and adaptation are built into Local & Regional Voices and partnership interface activities.

1.7 Governance Structures

Governance structures include community-led Local & Regional Voice structures, arrangements within and between governments and the partnership interface between the Local & Regional Voice and governments.

Each region will be able to design or enhance its own governance arrangements to fit local cultures, needs and aspirations, consistent with the agreed purpose, scope and principles set out in the framework.

Figure 1.3: Governance structures



1.7.1 Local & Regional Voice governance arrangements

Final proposal

- A Local & Regional Voice will be a governance arrangement in each region. It will comprise a broad range of Aboriginal and Torres Strait Islander people, family groups, communities, organisations and other stakeholders.
- Local & Regional Voice will be at a regional level, but there will be clear pathways for local communities and groups to participate in its work and enable local issues to be dealt with at the local level.
- Each region will be able to design its arrangements to fit local cultures, needs and aspirations, consistent with the Purpose, Scope and Principles.

Interim Report

Same approach as outlined above for the final proposal.

Rationale

Governance arrangements should be designed and led by Aboriginal and Torres Strait Islander peoples, with the flexibility to tailor them to local circumstances, consistent with the Principles.

The framework allows for flexibility and tailored arrangements in each region to accommodate the diversity of Aboriginal and Torres Strait Islander communities and a range of existing governance arrangements.

Each region will be able to decide the membership of their Local & Regional Voice in whichever way best fits their context. This can be through members being elected (e.g., at public meetings); communities, groups and organisations nominating or selecting members; self-nomination through an expression of interest process (with an independent assessment); or building on or incorporating into the Local & Regional Voices traditional decision-making and governance structures. There can also be various hybrid arrangements drawing on all of these elements.

Communities within each region will also decide how many members their structure will have and its composition. This means Local & Regional Voices will be set up in different ways and look different across the country, including variations in the number of members, make-up and organisational detail, depending on what communities in a given region decide best suits their circumstances, histories and cultures. The only requirement will be for each Local & Regional Voice to meet the requirements under the principles, starting with minimum expectations for formal recognition (see sections 1.8 and 1.9 for more detail).

Consultation feedback

There was strong support across all consultation methods for governance arrangements to be designed and led by Aboriginal and Torres Strait Islander peoples, with the flexibility to tailor to local circumstances. Many participants in the community consultation sessions also recognised the challenges involved with establishing good regional governance that would bring diverse groups and stakeholders together. The need for capability development and support, guidance and tools to support implementation was noted by many as being important. Appropriate resourcing for the Local & Regional Voices was considered crucial, as was the need to provide dispute resolution support (see sections 1.10 and 1.13 for more detail).

• *The most important aspect of the proposal is the ability to create a structure specific to our local community which is designed to satisfy our local community needs and demands.'*

– Anonymous, survey, March 2021

• *'Observing and respecting traditional cultural governance systems will likely play an important part in the effective functioning of the National and Local & Regional Voice. Western and cultural systems of governance do not always align, and meaningful systemic and institutional change needs to occur for empowerment to be achieved.'*

– KPMG Australia, submission, March 2021

• *There was a view that capacity and capability building would be needed to support local people to represent their communities at the regional and national levels, as most people would be comfortable talking for their families but would need support to step into broader representative roles.*

– Coober Pedy community consultation session summary, May 2021

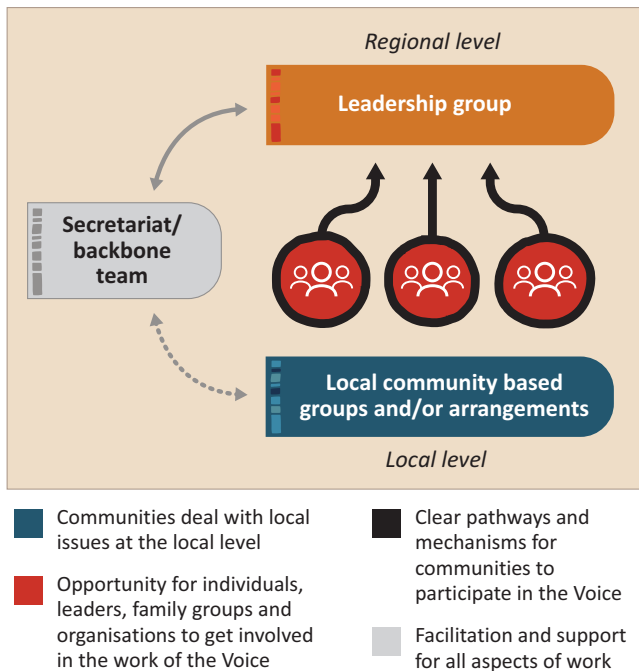
• *'Guidance on the interaction between the principles of cultural leadership and inclusive participation in practice would be useful as part of the stage two "best practice implementation" guidelines. These should be developed in close consultation with Aboriginal and Torres Strait Islander people as local solutions are explored.'*

– AIATSIS, submission, May 2021

Local & Regional Voice—Overview

A Local & Regional Voice described in this report will be an Aboriginal and Torres Strait Islander governance arrangement at the regional level. It will connect to and draw its members from local communities, groups and organisations across the region.

Figure 1.4: Local & Regional Voice



The Local & Regional Co-design Group agreed that aggregation to a regional level will be important for sustainability and efficiency. At the same time, appropriate community-level arrangements will be essential to support effective local engagement across each region. These arrangements will need to provide clear pathways for local communities and groups to participate in the work of the Local & Regional Voice. This will be in line with the goal of making decisions closer to where they impact and ensuring decisions about local issues involve the people, families and communities most affected.

In each region, communities will decide how to come together at the regional level and also how to work together locally. All arrangements will need to align with the Local & Regional Voice principles, and each Local & Regional Voice will need to meet minimum expectations based on the principles. The process for recognition of Local & Regional Voices will be set out in authorising legislation, with minimum expectations used as assessment criteria. This will provide assurance for communities and governments that there is a consistent baseline standard for all Local & Regional Voices across the country.

The design of each Local & Regional Voice will be flexible and community-led, but broadly each is expected to include:

- a leadership group at the regional level (size and composition to be decided by communities in the region, consistent with the principles) which would:
 - engage directly with all levels of government through a partnership table
 - work with communities and stakeholders across the region
 - provide advice to the National Voice
- local community-based groups and arrangements, designed locally, which would:
 - support broad and inclusive involvement of local people in work on priorities at the local level
 - take the lead on local decisions and feed into regional priorities and advice
 - link up with the regional-level leadership group through agreed mechanisms, for example, representatives
- a secretariat ('backbone') team resourced at a regional level to facilitate and support all aspects of Local & Regional Voice work, including enabling and assisting community-level mechanisms as needed.

Each Local & Regional Voice would engage with all levels of government through a structured platform such as a partnership table. These arrangements would be jointly agreed by all partners, and be consistent with the framework principles. They would support a collaborative approach and shared decision-making on significant matters affecting communities in the region, for example, identifying priority areas for action and how existing funding could be better targeted at local priorities to achieve better outcomes.

Consistent with the flexible framework approach, there is no specific model for how communities across a region should design their local to regional connections. These arrangements would be decided as part of the design of each Local & Regional Voice, with the principles guiding all aspects of the design.

However, the Local & Regional Co-design Group noted that providing existing examples of how such arrangements can work would be useful. These illustrate how local groups can form, meet and be involved in local priority setting and decisions and contribute to a regional context. Some examples are outlined below.

- Community Working Parties (CWPs)—Murdi Paaki Regional Assembly, other Local Decision Making regions. These groups provide government and non-government agencies a key point to consult and engage with while setting priorities and addressing social issues for their community. In Murdi Paaki region, each CWP elects a representative to the Regional Assembly.
- Local Management Committees—East Kimberley Empowered Communities region. These are made up of Chairs and CEOs of local ‘opt-in’ organisations in specific locations; they play a key role in engaging at the local community level to identify local priorities and connect with the broader regional arrangements.
- Family/tribal groups—Pama Futures, Cape York. Described as ‘campfire governance’ arrangements, these groups are intended to allow local decision-making in a manner that responds to traditional approaches and connect upwards to the regional structure.
- Existing organisations—Three Rivers Regional Assembly. Membership in this model is comprised of a combination of Local Aboriginal Land Councils representing some communities, alongside several CWPs in other communities.

Some models also incorporate task-based groups, with additional local arrangements made on an as needed basis to undertake specific tasks on matters relevant to the community.

It is anticipated that Local & Regional Voices could draw on some of these or other ideas to develop their own local mechanisms that connect and engage with communities in a way that is fit for purpose in their context.

Section 1.16 illustrates possible ways communities could choose to come together as a Local & Regional Voice. These examples have been developed drawing on available information about some existing local and regional governance arrangements around Australia. They are not intended to be prescriptive, nor are they exhaustive of all the possible ways communities could choose to come together as a Local & Regional Voice. However, they may provide a useful starting point for communities’ consideration of possible ways their governance arrangements could be designed.

Balancing the principles of *Inclusive Participation* and *Cultural Leadership*

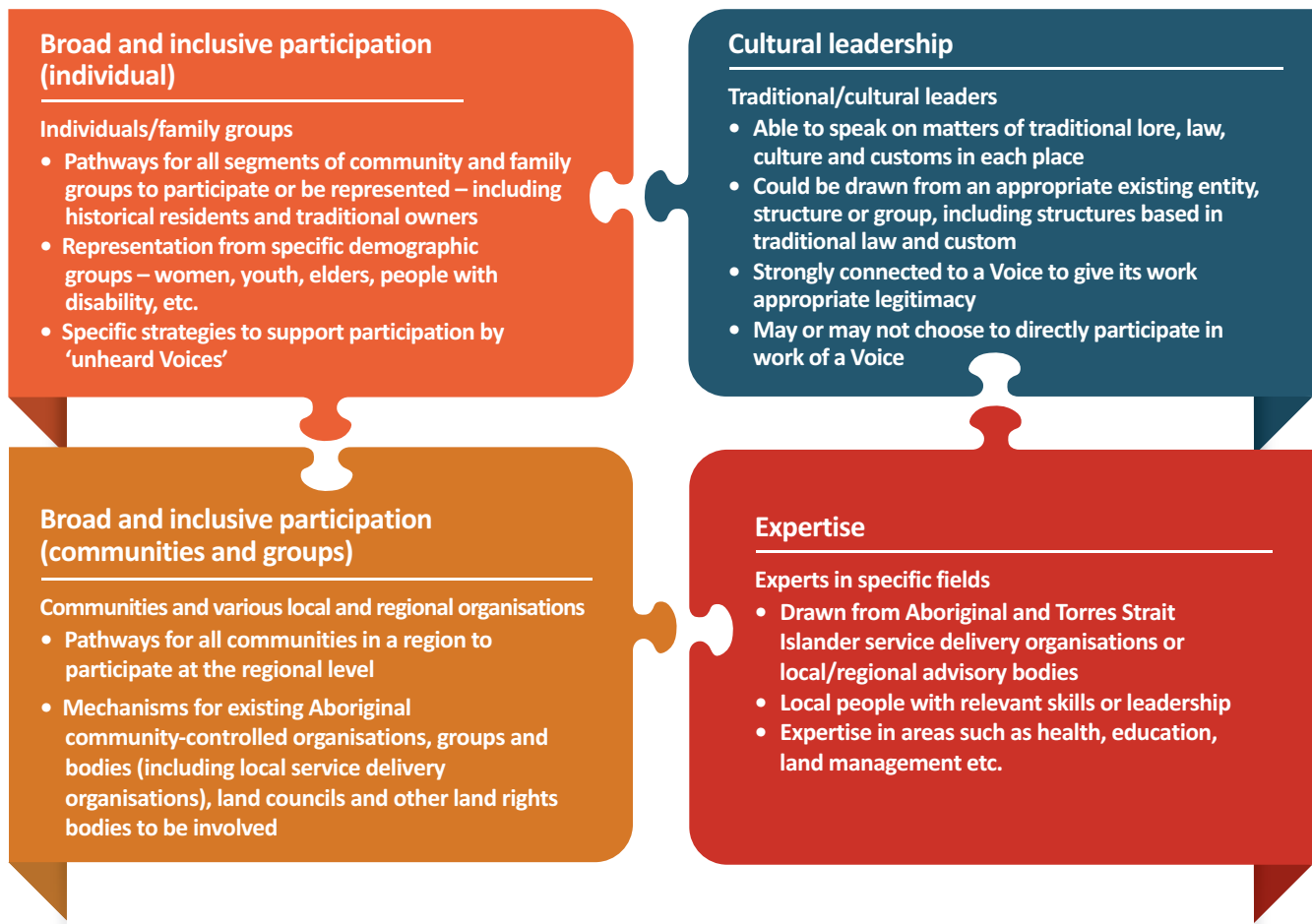
The Local & Regional Co-design Group highlighted *Inclusive Participation* by all Aboriginal and Torres Strait Islander people—traditional owners and historical residents alike—as a key principle to guide all Local & Regional Voice governance arrangements. Such inclusivity is seen as essential given the functions to be undertaken by a Local & Regional Voice (i.e., advice to and collaboration with governments on policy, programs and services, not cultural business) and the diverse responsibilities, connections and mobility of the Aboriginal and Torres Strait Islander population across Australia.

The Local & Regional Co-design Group also highlighted the need to consider factors such as age, gender, sexuality and disability, use strategies to promote broad accessibility and participation, and pay special attention to unheard voices and community members that might struggle to participate under ordinary circumstances.

At the same time, the Local & Regional Co-design Group agreed that Local & Regional Voices need to be appropriately connected to those with responsibility for cultural law, lore and customs in each place. Connection to or incorporation of traditional culturally appropriate decision-making systems in the Local & Regional Voices is essential for decision-making to be considered legitimate.

The Local & Regional Co-design Group also agreed that the interaction between these 2 principles of *Inclusive Participation* and *Cultural Leadership* will look different in various communities and regions, reflecting the diverse cultures, histories and current circumstances of communities across the country.

Figure 1.5: Local & Regional Voice composition



1.7.2 Engagement with other Aboriginal and Torres Strait Islander stakeholders

One of the fundamental issues considered by the Local & Regional Co-design Group in its deliberations was the existing mosaic of organisations, groups, bodies and structures with a range of remits that exist at the local and regional level. Part of that examination was to look closely at their functions to ascertain the extent to which any proposed new arrangements could add value and improve the existing system overall. These issues were examined early in the co-design process, as highlighted in section 1.4.

This analysis has shown that the vast majority of existing organisations and bodies have a very specific set of functions—for example, service delivery or statutory responsibilities—with a smaller number of arrangements that aim to bring local people and communities together with governments to enable partnerships to progress local aspirations and priorities (see Environmental Scan in the Interim Report).

The local and regional co-design has deliberately set out to develop an approach that accommodates and builds on this existing work and draws lessons from these experiences. The Local & Regional Co-design Group drew on existing approaches across states and territories to develop the purpose, principles and scope of the proposed framework. This will enable models that are working well to be included in and enhanced by the Local & Regional Voice approach rather than being displaced.

The approach proposed by the Local & Regional Co-design Group aims to improve on what currently exists by bringing together a broad range of local stakeholders and their expertise to work on a common agenda. It aims to amplify their voices without undermining their existing roles. This is clearly articulated in one of the 9 guiding principles for Local & Regional Voices: the *Non-duplication and Links with Existing Bodies* principle.

By creating platforms for local-level partnerships between communities and governments, the proposed Local & Regional Voices will contribute to work related to progressing the Priority Reforms in the National Agreement on Closing the Gap¹⁴. For

¹⁴ <https://www.closingthegap.gov.au/priority-reforms>

example, in implementing on the ground Priority Reform One – *Formal Partnerships and Shared Decision-making*, and local action on Closing the Gap targets.

To adhere to the *Non-duplication and Links with Existing Bodies* principle, Local & Regional Voices in all regions will need to bring together and engage with a broad range of local and regional Aboriginal and Torres Strait Islander stakeholders.

This will include ACCOs, land councils and other groups bringing in expertise from their respective fields and perspectives of their members.

At the same time, Local & Regional Voices will not displace or undermine the current roles and responsibilities of bodies with existing statutory or other specific functions such as service delivery. Instead, they will provide appropriate links for their involvement in the Local & Regional Voices’ work.

These organisations will also continue connecting in their own right with other stakeholders, including, where relevant, their peak bodies at the state, territory and national levels that will interact with the National Voice (and any state- or territory-level bodies).

At the same time, Local & Regional Voices will deepen and expand governments’ commitment to a partnership with all Aboriginal and Torres Strait Islander communities and individuals beyond the service provider sector.

Consultation feedback has highlighted the importance of this principle. It also indicated that its application will need to be given careful consideration in the next phase of this work, as Aboriginal and Torres Strait Islander communities, organisations and other stakeholders look at designing their specific local arrangements. As is the case with the flexible framework approach overall, there is no one prescribed model for how this principle will work in practice; it will be up to local people, local ACCOs, land councils and others to discuss and agree on what will work best in their communities.

Figure 1.6: Engagement with stakeholders



1.7.3 Resourcing

Final proposal

The Local & Regional Co-design Group considers that governments need to provide adequate, secure and long-term resourcing to enable the effective establishment and ongoing work of Local & Regional Voices.

Resources would cover a secretariat ('backbone') team in each region (to provide administrative,

logistical, capability and other support, e.g., data and research capability) to enable local communities and leadership groups to engage in Local & Regional Voice activities, including extensive community engagement and involvement in partnership arrangements with governments.

Interim Report

The Interim Report indicated that government resourcing would be needed for Local & Regional Voices at the regional level to undertake their functions.

Rationale

Consultation feedback emphasised the critical importance of long-term sustainability for Local & Regional Voices. Ensuring adequate resourcing and support needs to be commensurate to the proposed purpose and

functions of the Local & Regional Voice. This was consistently highlighted during the consultation process as crucial to ensuring Local & Regional Voices can meet the expectations both of governments and communities.

The Interim Report indicated that Australian Government resourcing will be needed for Local & Regional Voices at the regional level to undertake their functions. It also noted that this would be expected to primarily cover the costs of a small support secretariat team in each region to support Local & Regional Voice leaders and members.

Drawing on the consultation feedback, the Local & Regional Co-design Group agreed that each Local & Regional Voice region will need adequate, secure and long-term resourcing. This will be essential to the effective establishment and ongoing work of Local & Regional Voices. These resources will need to cover administrative, logistical, capability and other support (e.g., data and research capability) for the local communities and leadership groups to engage in the wide range of Local & Regional Voice activities, including extensive community engagement and involvement in partnership arrangements with governments.

It is envisaged that these resources will cover a secretariat, or 'backbone' team in each region. Such teams will work under the direction of the leadership group in each region and be independent of government.

The Local & Regional Co-design Group agreed that it will be important for this secretariat or 'backbone' team not to be attached to any existing body with other specific roles (at least from when

the Local & Regional Voice has been formally recognised). This is to ensure it works under the sole direction of the Local & Regional Voice collective leadership and is independent of individual existing stakeholders.

The Local & Regional Co-design Group agreed that it will be essential for resourcing to be available from the early implementation stage to support community engagement in designing and establishing the preferred governance arrangements in the first instance, in line with the *Community-led Design* principle.

The Local & Regional Co-design Group also agreed that parity of funding across the regions will be of critical importance. The group noted that there may be scope for additional regions to be negotiated in response to any proposals from states and territories but that resourcing would need to be made available in any such cases on the same basis as for the other regions. This is discussed further in section 1.12.

Key features of the approach to the resourcing of Local & Regional Voices arising from these deliberations are summarised below.

- Resourcing to be provided by the Australian Government on a per-region basis from the early implementation stage.
- Resourcing needs to be adequate, secure and long term.

- Resources will go towards administrative, logistical, capability and other support (e.g., data and research capability) and secretariat ('backbone') teams.
- Teams will be independent of governments and work under the direction of the Local & Regional Voice leadership group.
- There needs to be funding parity across regions where any additional regions are negotiated with states or territories, and any shared funding arrangements in a jurisdiction must not disadvantage any regions nor result in cost-shifting between levels of government.

Consultation feedback

The need for appropriate resourcing for Local & Regional Voices was strongly supported by the consultation feedback and identified as a key theme in the community sessions, submissions and survey responses. Critically, many argued the need to ensure there is longevity and security of funding. The need to provide capability support was another key theme, recognising the challenges involved in setting up the Local & Regional Voice arrangements.

A number of comments were made about the need to recognise the time and commitment required of Local & Regional Voice members. There were also some specific suggestions about what needs to be considered in looking at the level of resourcing, such as remoteness and the need to build the capability of local people.

- *'The Indigenous Voice would be a highly challenging enterprise to set up and maintain, that would require a considerable amount of funding in order for it to be able to deliver—without enough funding would make it very difficult for grassroots voices to find an avenue through to the Australian Parliament.'*

– Toowoomba community consultation session summary, March 2021

- *'It is essential that they [the Local & Regional Voices] are guaranteed tenure, independence and the resources necessary to ensure their authority and capacity to speak and represent Aboriginal and Torres Strait Islander peoples ... The Government should work to ensure that the funding model adopted guarantees the viability and sustainability of the Voice in the long term.'*

– Australians for Native Title and Reconciliation (ANTaR), submission, March 2021

- *'Local & Regional Voices need to be resourced so they can link back to community—this is essential and needs funding/resourcing—the Voice cannot involve voluntary participation from community members if the government is serious.'*

– Adelaide community consultation session summary, February 2021

1.7.4 Guidance for communities

The Interim Report identified a range of key design aspects for further development in stage two. The Local & Regional Co-design Group also agreed that additional guidance and a range of resources should be developed and made available to assist communities and regions to build arrangements consistent with the principles.

During stage two, the Local & Regional Co-design Group settled broad parameters for the key governance elements for Local & Regional Voices. Consistent with the principles-based approach, these are not intended to be prescriptive. They explain the approach in relation to each element as the basis for communities to develop their own arrangements. The parameters draw on the principles and the existing resources and best practice approaches in Indigenous governance.

As part of this work, the Local & Regional Co-design Group considered whether the member eligibility criteria needed to align with the National Voice member eligibility. Members agreed that consistency with the Local & Regional Voice principles should be paramount and that broad parameters agreed by the group would work in concert with the minimum expectations to guide the communities to develop their own arrangements consistent with the principles. The group considered the local people would be best placed to determine what specific criteria would be appropriate in each region in line with the principles.

The Local & Regional Co-design Group also noted broad consistency between eligibility criteria in the 2 parts of the Indigenous Voice would be expected, given the need for Local & Regional Voices to adhere to the principles. They also noted that, in some cases, local people may have higher expectations for their Local & Regional Voice members than the National Voice criteria. If Local & Regional Voice members are selected to the National Voice and do not meet one or more of the national criteria, this would be dealt with on a case-by-case basis and could be referred to the proposed National Voice Ethics Council, as appropriate.

Parameters for key governance elements for Local & Regional Voices

A. Member eligibility

Eligibility

- Eligibility for members of a Local & Regional Voice governance structures will be based on the following 3 requirements. To be eligible, a person must be:
 - an Aboriginal and/or Torres Strait Islander person;
 - recognised/accepted by community as an Aboriginal and/or Torres Strait Islander person;
 - a resident of the region where they are seeking nomination; and
 - a ‘fit and proper’ person.
- In addition, consideration may need to be given as to whether a minimum age should be included as a requirement and what this may be—noting the strong focus on including young people in the Indigenous Voice arrangements.
- In line with the community-led design approach, regions will also be able to agree additional requirements that reflect their specific circumstances, as long as these are consistent with the principles.
- Guidance for a ‘fit and proper’ person check will be included in the implementation toolkit. This could cover some identified threshold issues and behaviours that may prevent an individual from being eligible to be a member, such as:
 - conviction for certain serious offences, e.g., punishable by imprisonment of a period greater than 12 months or other offences involving dishonesty that are punishable by imprisonment of at least 3 months;
 - breach of a civil penalty provision; and
 - deemed to repeatedly break the law.

Threshold for removal of members in cases of misconduct

- Guidance will be developed regarding expectations of members and what should be covered by a code of conduct for Local & Regional Voices. Each region would tailor this to its circumstances.
- The code of conduct would include the threshold causes for removal. Broadly, these may fall into the following categories:
 - legal reasons (e.g., a failure to disclose a conflict of interest);
 - operational (e.g., a failure to meet member obligations such as consistently failing to engage in the work of the Local & Regional Voice); or
 - other matters such as loss of community confidence in a member.
- The detail of each threshold cause for removal will be supported by guidance for the process for removal. This process should include the following steps:
 - alerting the member to the issue that may lead to the removal;
 - alerting the member to their risk of removal and the process that will now be followed;
 - consideration of the issue and a decision made on whether to remove;
 - opportunity for the member to address the issue;
 - steps put in place to mitigate the issue if required or remove a member; and
 - review processes that would give an opportunity for the member to seek review of the decision, in line with protocols agreed for the region.
- In line with the *Transparency and Accountability* principle, the threshold for what is deemed a cause for removal will need to be adopted at the outset in each region, consistent with the principles and guidelines. This will need to be available to all members and broader communities in the region as part of the overall arrangements.

B. Nomination of members

Nomination process

- The nomination process will need to adhere to the *Inclusive Participation* principle and consider how to encourage a broad pool of nominees representative of the region. It is expected that the pool of nominees would reflect all ages and genders, as well as diverse segments of the population, as appropriate in each region.
- Nomination of candidates for selection consideration could be done through:
 - self-nomination through an expression of interest process (that could be assessed independently);
 - nomination by others, e.g., at public meetings; communities, groups and organisations nominating members;
 - by drawing on traditional decision-making and governance arrangements; or
 - a combination of some or all the above.
- The nomination and selection process will need to meet the principle of *Transparency and Accountability*, with agreed upfront, clear and publicly accessible information for how the nomination and selection process works.
- There may also be a case for criteria for nominations to outline the desirable attributes, skills and experiences that are being sought in nominees. This will need to consider the *Capability-driven* principle and provide an opportunity to support local leadership development.

Length of terms

- No set length of terms is being proposed for members of Local & Regional Voices; rather, this is to be left open for community consideration as part of the design of the structure.
- Some guidance on the practical effects of different terms and various arrangements (e.g., staggered terms) with examples would be included in the toolkit. This recognises that term lengths will be influenced by the size of each Local & Regional Voice, any subgroups, the size of the region and the number of local communities involved, and operational arrangements.
- There may also need to be consideration of how best to align with the National Voice terms.
- In line with the *Transparency and Accountability* principle, there will need to be clear and publicly accessible information available regarding the detail of membership terms.

C. Member numbers/size of Local & Regional Voice bodies

Number of members

- No set number of members is proposed for Local & Regional Voices, noting there will be practical considerations to ensure the arrangements are workable.
- The number of members for each Local & Regional Voice should be sufficient to represent both genders, a balance of ages, an appropriate geographical and cultural representation from across the region, as well as diverse groups and stakeholders.
- The number of members will be influenced by the geographical nature of the region and the number of stakeholders to be included, e.g., size of the region, how many communities, number and type of groups/organisations across the region.
- The number of members will need to be flexible to allow for change over time as the Local & Regional Voice matures and the regional context changes.
- Guidance will be developed to help Local & Regional Voices consider how best to ensure membership groups are not too large to be impractical or too small so as not to be representative.

D. Legal form of Local & Regional Voice governance structures

Legal form of Local & Regional Voices

- In line with the principles, to ensure communities can tailor arrangements to their local circumstances, it is not proposed to prescribe a legal form for Local & Regional Voices. However, a Local & Regional Voice may choose to become a legal entity, such as an incorporated organisation.
- In such cases, there are guiding rules associated with incorporation under specific legislation around issues such as eligibility of members, member numbers and reporting obligations, which will need to be observed by the Local & Regional Voice.
- In cases where Local & Regional Voice governance structures decide not to incorporate, resourcing allocated for the secretariat support function would need to be provided to an incorporated legal entity to ensure appropriate accountability and probity.
 - Whichever legal form is used, it is recommended that the support function is not attached to any existing body with other roles (at least after the Local & Regional Voice goes through the formal recognition process). This will ensure it works under the sole direction of the Local & Regional Voice governing structure and is independent of existing stakeholders.
- Guidance on these issues would be included in the implementation toolkit.

The Local & Regional Co-design Group agreed on the approach to developing an implementation toolkit, which would guide the establishment of the Local & Regional Voices. These guidance materials will explain the framework in detail and include resources to assist communities in developing their own arrangements. Local & Regional Voices would be able to tailor the supporting resources to suit their circumstances in line with the framework principles.

The group agreed that the implementation toolkit should be developed in consultation with Aboriginal and Torres Strait Islander stakeholders and experts following the government decision, should the government agree to support the final proposals. It should be based on existing good practice advice and materials such as the Indigenous Governance Toolkit from the Australian Indigenous Governance Institute and relevant resources from the Office of the Registrar of Indigenous Corporations.

The co-design process for the further development of these resources and materials would draw on subject matter experts and key Indigenous stakeholders and governments. The group agreed on the topics to be covered in a Local & Regional Voice implementation toolkit as outlined in section 1.17.

1.8 Minimum expectations

In stage one, the Local & Regional Co-design Group agreed that it is important for all Local & Regional Voices to meet a set of minimum expectations. This will provide assurance to communities and governments that there is a consistent baseline standard applying to all Local & Regional Voices across the country. These minimum expectations should require Local & Regional Voices to align with the key principles in the framework relating to good governance, as outlined below.

This approach has been confirmed for the final proposal, with further detail developed in stage two.

Proposed minimum expectations for Local & Regional Voices

- Minimum expectations for Local & Regional Voices will be based on sufficient alignment with the framework principles related to key aspects of **good governance**: *Inclusive Participation, Cultural Leadership* (including the appropriate balance of these 2 principles according to context) and *Transparency and Accountability*.
- Both existing and newly created governance structures will be required to demonstrate how they meet these requirements.
- Minimum expectations will be **broad rather than prescriptive**, allowing for variation in how communities can meet them according to their context.

As arrangements mature, Local & Regional Voices will be expected to develop beyond these minimum expectations to embody best practice approaches across all principles. Guidance on pathways to achieving the best practice application of all principles will be developed in preparation for implementation.

The Local & Regional Co-design Group also emphasised that it is essential for the effectiveness and sustainability of the Local & Regional Voice approach that governments commit to meeting the minimum expectations for their participation in regional partnership arrangements.

Minimum expectations for governments would relate to the key framework principles relevant to their role and involvement in the Local & Regional Voice arrangements. Depending on the mechanism used to formally authorise the approach across governments, this commitment may be achieved through legislation that articulates the commitment to the framework or through intergovernmental agreements.

Proposed minimum expectations for governments

- Governments will be expected to commit to meeting minimum expectations as part of their formal commitment to implementing the framework.
- Minimum expectations for governments will relate to the key framework principles *Respectful, Long-term Partnerships* and *Transparency and Accountability*, along with *Data and Evidence-based Decision-making*, noting some systemic changes may be required to achieve this.
- The way in which governments' commitment to meeting the minimum expectations is formalised will depend on the authorising environment (i.e., it could be through legislation or intergovernmental agreements).

1.8.1 Consultation feedback

There was not much specific feedback on minimum expectations. In a few community sessions, there was explicit support for the 3 principles proposed as the basis for the minimum expectations for Local & Regional Voices. There was also general support for a capability-building approach as Local & Regional Voices work and evolve from minimum expectations to best practice.

However, there were significant discussions and strong support for the 3 principles themselves. In particular, the need for strong accountability and transparency for both governments and communities was a reoccurring theme across the consultation meetings. The community consultation sessions and some submissions also highlighted the need for governments to meet the minimum expectations.

- *Participants said the government needs to be accountable, but community also needs to be accountable.*
 - Coffs Harbour community consultation session summary, March 2021

- *Accountability within the region is necessary to ensure there is cultural leadership, inclusive participation and transparency.*
 - Ceduna community consultation session summary, April 2021

- *'The interim report includes "proposed minimum expectations" for governments and their Indigenous partners under the Local & Regional Voice arrangements, but this is one of our areas of greatest concern. This is an area that will require an ongoing focus in the lead up to the transition period, during the transition, and beyond.'*

– Empowered Communities, submission, March 2021

During stage two, the Local & Regional Co-design Group also developed further detail on what would be expected under each of the 3 principles identified as the basis for minimum expectations for Local & Regional Voices and how this would be demonstrated.

Table 1.1: Minimum expectations for each principle

Principle	What would be expected (i.e., recognition criteria)
<p>Inclusive Participation</p> <p>(Community-led Design also relevant)</p>	<ul style="list-style-type: none"> • General support from, authorisation by and broad representation of communities and groups in the region • Confirmed consensus across the region on membership composition, member eligibility and selection method, including how these will address gender balance, the inclusion of youth and elders, and the involvement of a broad range of organisations and individual stakeholders • Mechanisms available across the region for local community members to participate in the Local & Regional Voice and make or inform decisions on local issues, e.g., regular community and regional forums, local-level committees/working groups/panels • Pathways to involve particular groups within communities (such as people with disability or identifying as LGBTIQ+)
<p>Cultural Leadership</p>	<ul style="list-style-type: none"> • Clear connections to cultural leaders and pathways for cultural leaders and traditional owners to be involved in the work of the Local & Regional Voice • Existing systems of cultural leadership and/or traditional law, lore and custom can be drawn on or incorporated into the Local & Regional Voice operations, as appropriate to the region’s context and agreed by relevant leaders, traditional owners and community members.
<p>Appropriate interaction of Inclusive Participation and Cultural Leadership</p>	<ul style="list-style-type: none"> • Demonstrated broad-based agreement of cultural leaders, traditional owners and community members that the way <i>Inclusive Participation and Cultural Leadership</i> principles interact in the design of the Local & Regional Voice is appropriate for their region (e.g., membership composition overall and method of connecting to the cultural leaders in the operational arrangements).
<p>Transparency and Accountability</p>	<ul style="list-style-type: none"> • Operational arrangements that promote transparency and keep the Local & Regional Voice and members accountable to communities which: <ul style="list-style-type: none"> – may take the form of a terms of reference or charter of governance developed in consultation with community members – should include agreed methods of choosing Local & Regional Voice members, agreed behaviours for members (i.e., codes of conduct and conflict of interest procedures), clear and transparent rules for decision-making, fair and transparent dispute resolution and complaints handling procedures, strategies for communications and engagement with communities, formal and informal systems and processes for community members to provide input

How this would be demonstrated

- Prospective structures provide:
 - information on how they meet the criteria, including their proposed design and operational arrangements and how they consulted and engaged with communities and a broad range of groups and stakeholders across the region in the design process
 - evidence of developed operational arrangements
 - evidence of community support, e.g., views shared in community meetings and other input from community members
 - for relevant criteria, evidence of support from cultural leaders or traditional owners, e.g., records from meetings
- Communities have opportunities to engage with the process and provide feedback relevant to these criteria, independent to that provided by the structure (note: there will be public notification of the process, including opportunities to engage and provide input, see section 1.9).

1.9 Recognition mechanism

Final proposal

A 3-step process for the formal recognition of Local & Regional Voices, to be set out in relevant Commonwealth and state/territory legislation:

1. collaborative and iterative assessment process between potential governance structure and relevant governments to prepare for formal recognition.
2. independent verification of the joint assessment against the recognition criteria (based on minimum expectations) and recommendation to final decision-makers.
3. recognition sign off by the relevant Australian and state/territory government ministers.

Interim Report

The Interim Report proposed 2 options:

1. Joint assessment—under which prospective structures would work with relevant governments to jointly assess their eligibility to become Local & Regional Voices, using the minimum expectations as criteria.
2. Independent assessment—under which prospective structures would seek to be formally recognised by an independent body. This body would assess the eligibility for becoming a Local & Regional Voice, using the minimum expectations as criteria.

The final approach adopted would be included in the legislation to support transparency.

Rationale

The final proposal combines the collaborative aspect of the joint assessment with the rigour of the independent assessment option. This will enable local communities and governments to work together from the start, fostering arrangements consistent with the

Respectful, Long-term Partnerships principle. Including the independent verification step offers integrity and probity, providing a strong foundation for public legitimacy and sustainability.

The Local & Regional Co-design Group agreed there should be a mechanism to formally recognise structures as a Local & Regional Voice, using the minimum expectations as criteria. This can provide certainty and clarity for community members, governments and the Local & Regional Voice itself. One member did not agree that minimum expectations should be subject to external scrutiny believing that standards should be set and upheld internally by the membership; this view was not supported by other members.

In the Interim Report, the Local & Regional Co-design Group identified 2 options as possible mechanisms for recognising Local & Regional Voices, outlined below.

The Local & Regional Co-design Group agreed that the process for recognition should be included in legislation to support transparency. The Local & Regional Co-design Group also noted the need for a simple and streamlined process.

Table 1.2: Recognition options in the Interim Report

	Option 1: Formal recognition by an independent body	Option 2: Joint assessment
Description	<ul style="list-style-type: none"> Existing or newly created structures seek to be formally recognised/registered with an independent body (this may be a different body in each state/territory). The independent body assesses the eligibility for becoming a Local & Regional Voice, using the minimum expectations as criteria. Community members/groups and governments can make submissions as part of that process. 	<ul style="list-style-type: none"> Prospective structures work with governments to jointly assess their eligibility to become Local & Regional Voices, using the minimum expectations as criteria (Australian Government and state/territory governments are involved in each jurisdiction, as well as the relevant prospective structure). Community members/groups can provide input as part of this process. Relevant state/territory and Australian government ministers endorse structures, with decisions made public.
Common features	<ul style="list-style-type: none"> The criteria and process will be outlined in legislation. The minimum expectations will be used as criteria. Community members/groups can provide their views and input to the recognition process. The key details of recognised Local & Regional Voices (e.g., the name and region of operation) are made publicly available. 	

The recognition options for Local & Regional Voices were mentioned in very few submissions or surveys, and the topic was not explicitly raised during many of the community consultation sessions.

In stage two, the Local & Regional Co-design Group considered these options further and settled on a preferred approach. The Local & Regional Co-design Group appreciated the cooperative approach associated with the joint option, and considered it consistent with the broader partnership approach. This option would enable Local & Regional Voices and governments to start working together from the outset, building a platform for a shared commitment to and responsibility for success. At the same time, the Local & Regional Co-design Group noted the value of an independent assessment from a probity and transparency perspective.

In this context, the Local & Regional Co-design Group agreed to a ‘hybrid’ option, which combines elements of both approaches. The final approach involves a collaborative process between prospective Local & Regional Voices and relevant governments to prepare for recognition, combined with a final independent verification of the assessment. In agreeing on this option, the group considered the state and territory governments’ involvement in the recognition process was an essential part of the design. They also noted that this issue will need to be covered early on in intergovernmental discussions, as soon as possible following the Australian Government decision.

Table 1.3: Final recognition mechanism proposal

Local & Regional Voices recognition mechanism	
Summary of approach	<ul style="list-style-type: none"> Community stakeholders and relevant governments work in partnership to support the design of a Local & Regional Voice and agree when it is ready for recognition. All relevant information is provided to an independent party to verify the assessment against recognition criteria; the independent party then provides a recommendation to the decision-makers, who would be the relevant Australian and state/territory ministers.
Independent panel	
Panel	<ul style="list-style-type: none"> A panel of Aboriginal and Torres Strait Islander people with relevant skills and experience would be responsible for independent assessment/verification. The method and criteria for appointment to the independent panel would be included in the legislation. One assessor from the panel would undertake each assessment/verification process. An assessment would include an examination of supporting documentation provided by the prospective structure and engagement with relevant communities, governments and other key stakeholders as needed. This will support the assessor to form a view about whether the proposed arrangements meet the minimum expectations for Local & Regional Voices recognition under the legislation. The assessor would then provide formal advice to the relevant ministers, who would make the final decision on whether to formally recognise the Local & Regional Voice.
Rationale	<ul style="list-style-type: none"> A panel established under the legislation would be a practical, cost-effective and flexible approach to bringing together independent expertise to undertake the recognition task. It would not require setting up an additional standalone body with the associated administrative and cost burden, or possibly trying to allocate the recognition task to an existing independent statutory body that would then undertake it in addition to its core responsibilities. However, the respected individuals it would draw on could potentially include existing statutory officeholders, but in an individual capacity. Given the intermittent and time-limited nature of the task, i.e., the 2- to 3-year implementation period, it will not be practical nor cost-effective to establish a new statutory body for this function. Adding the recognition function to the work of an existing statutory body may be less resource intensive. However, finding an appropriate existing body where this role could fit with core functions would likely be challenging.

1.10 Dispute resolution

Final proposal

Proposed dispute resolution mechanisms focus on prevention and resolution between parties wherever possible. Options for third-party mediation, where all reasonable efforts to resolve matters internally fail, are also provided. Where mediation is also unsuccessful, parties may opt for an independent review and recommendation before progressing to a final decision if needed.

Dispute resolution processes must be consistent with the principles, in particular *Inclusive Participation* and *Respectful, Long-term Partnerships*, with a key focus on maintaining the ability of all partners to work together constructively. Mediation support will be available from the beginning of the implementation phase.

- A consistent approach is proposed for all disputes between Local & Regional Voices and governments.
- Each Local & Regional Voice will be able to develop its own approach to internal disputes and disputes with its communities, provided they are consistent with the principles. Guidance and examples will be included in the implementation toolkit.

Interim Report

The Interim Report noted that mediation and dispute resolution mechanisms will be needed for both disputes internal to Local & Regional Voices and disputes between them and the governments. These were to be developed in stage two.

Rationale

The proposal is consistent with the principles. The focus on preventing and resolving disputes between parties is designed to support respectful, long-term relationships and partnerships between all parties.

The Interim Report noted the need to establish a dispute resolution mechanism (such as mediation) for disputes internal to communities, between community and government, and across government partners.

In stage two, the Local & Regional Co-design Group developed details of these mechanisms. Members also agreed that dispute resolution support should be available from the early stages of implementation. This would ensure the appropriate support is in place during the design, implementation and operation of arrangements.

The dispute resolution mechanisms respond to a common theme in community sessions about the need to address challenges arising from divisions in the community and associated lateral violence—from the early stages of design and through to the ongoing operations of Local & Regional Voices.

• One participant expressed concern about the potential for lateral violence and perceived nepotism. They commented that the Voice needs to be transparent and have appropriate mechanisms to manage these risks.

– Perth community consultation session summary, April 2021

• One participant spoke of the violence in the community and the need for a Local & Regional Voice to help stop that, to help maintain the peace.

– Aurukun community consultation session summary, April 2021

It is proposed that the Local & Regional Voice dispute resolution processes set out in the table below apply from the beginning of implementation. In the early stages, it will be available to support discussions about regions and the design, establishment and recognition of Local & Regional Voice arrangements.

There is also likely to be some need for assistance to address any disagreements in the early phases of governments and community-led 'design groups' developing their 'rules of engagement', for example, as those groups work towards the recognition of the Local & Regional Voice. There will also need to be early clarity about processes to follow in cases of any disputes between community-led 'design groups' and governments, with access to external mediation as needed.

Table 1.4: Summary of Local & Regional Voice dispute resolution processes¹⁵

Between Local & Regional Voices and governments	Local & Regional Voices dispute resolution	
	<ul style="list-style-type: none"> • Key features include: <ul style="list-style-type: none"> – prevention (in the first instance, through a partnership approach, sharing responsibility for building constructive relationships and effective communication, and regular partnership ‘health checks’) – resolution between parties (through clear, documented dispute resolution processes co-designed and agreed between each Local & Regional Voice and relevant government partners at the outset) – third-party mediation (where all reasonable efforts to resolve matters between parties are unsuccessful). • The majority of issues would be resolved through prevention and agreed resolution processes between partners. However, on occasions where these are unsuccessful, third-party assistance may be needed. 	
	Options for third-party mediation	
	<p>Local & Regional Voices and government partners could choose from the options below, based on the nature of the matter to be resolved and the type of expertise they think will be needed. Alternatively, elements of both options could be used in combination, e.g., starting with a peer mediation process and moving to external mediation if the matter is unable to be resolved.</p>	
	<p>Peer mediation pool</p> <ul style="list-style-type: none"> • Nominees from each Local & Regional Voice and each government would be trained and supported as required. They will then be included in a ‘peer mediation pool’. • Peer mediators acceptable to both parties involved in the dispute (one or 2 as appropriate, e.g., could be one Local & Regional Voice and one government peer mediator) would be deployed where disputes are identified as requiring third-party assistance. • In each instance, peer mediators would be independent of the dispute in question (i.e., issue does not involve their Local & Regional Voice or government). 	<p>Independent external mediator</p> <ul style="list-style-type: none"> • An external mediator would be engaged who is mutually agreed upon and respected by both parties. • Minimum requirements for mediators could include relevant negotiation/mediation skills and Indigenous affairs experience. • Mediators would be contracted on an as needed basis. Facilitation/procurement could be undertaken by NIAA or equivalent state and territory agencies, as agreed. • There may also be scope for accessing professional mediators from the private sector on a pro bono basis.
Outcomes		
<p>A. Mediated Resolution: Where mediation is successful, both parties come to agreement about how to manage the disputed issue, including any steps required to address behaviours and/or improve systems to prevent the issue reoccurring.</p> <p>B. Independent Review and Recommendation: If parties are unable to come to an agreement through the mediation process, the mediator/s would provide a report documenting the process and explaining that parties were unable to come to a resolution. This report would be referred for an independent review. An agreed list of individuals with appropriate experience and expertise to provide this service would need to be established. 2 reviewers could be appointed to consider the report and other information from the mediation and provide a recommendation guided by the framework principles. In each case, at least one of the reviewers should be an Aboriginal or Torres Strait Islander person in each case. Recommendations made by the independent reviewers would be submitted to all parties for their agreement and implementation.</p> <p>C. Decision: If one or both parties do not agree to the independent reviewers’ recommendation/s, the case would be referred to a final decision-maker for a final resolution/decision. All decisions would need to be guided by the framework principles, including transparency. Another possible option if mediation (a) fails—and both parties agree—could be to bypass the independent review (b) and proceed straight to a decision (c) as articulated here.</p> <ul style="list-style-type: none"> • Feedback included a suggestion that the final decision-maker in these circumstances could be the relevant minister or ministers (Commonwealth with state/territory) alongside 2 respected, independent Aboriginal or Torres Strait Islander people. 		

¹⁵ A flowchart setting out the proposed dispute resolution process is presented in section 1.10.

- There will be flexibility for each Local & Regional Voice to develop its own approach to managing internal disputes (such as between members or between Local & Regional Voices and specific groups within communities) according to its local and regional context, in line with the framework principles and drawing on a range of resources that would be provided as part of the implementation toolkit.
- Having a clear, accessible and documented approach for resolving internal disputes will form part of the minimum expectations for Local & Regional Voice recognition.
- The toolkit will reference culturally appropriate resources to assist the Local & Regional Voices in developing dispute resolution procedures and implementing their own approaches, including options for third-party mediation.
- These guidance materials and resources, along with capability support, will be essential to enable effective implementation.
- The guidance will draw out the importance of a preventative approach to dispute resolution.
- The guidance will also indicate Local & Regional Voices should focus their dispute resolution processes on matters directly related to their work. That is, mediating or managing broader ongoing or historic community disputes or issues would generally be out of scope.
- However, depending on the gravity and effect of any such dispute on the Local & Regional Voice's operations, there may be scope to include them on a case-by-case basis, e.g., if a community dispute is creating a barrier for certain families or sections of the community to participate in the work of a Local & Regional Voice.

1.11 Partnership interface

The Local & Regional Co-design Group confirmed the partnership interface approach proposed in the Interim Report as its final proposal.

These arrangements will require Local & Regional Voices and all levels of government to establish mechanisms at the regional level that will also connect to communities (for matters that are in scope for Local & Regional Voice arrangements).

These mechanisms will bring the parties together to put a shared commitment to partnership into practical action. The Local & Regional Co-design Group agreed there should be flexibility for regions and governments to design interface arrangements that are effective in their specific context as long as they align with the principles.

Some communities or regions with local and regional decision-making arrangements already in place, such as partnership tables, will be well placed to commence shared, cross-government work in line with the framework relatively quickly. Others will require time to establish governance arrangements that work for them, noting within the framework there is also flexibility for the arrangements to evolve.

On the community side, the design of governance structures for a Local & Regional Voice will need to make space for a broad range of individuals, leaders and organisations to participate or be represented, including those who may not have been involved previously. This will require balancing more established, historically influential ‘voices’ and those new and emerging to ensure all who wish to contribute can do so. It will be important that these arrangements do not create a closed system but one that is sufficiently dynamic and open to involving all relevant stakeholders keen to have a say in the decisions that affect their community.

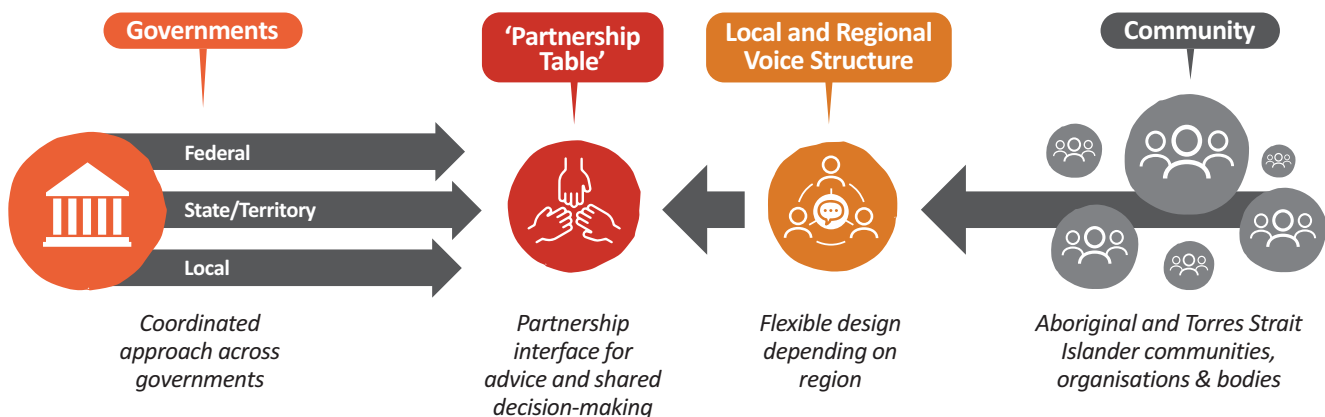
Australian, state and territory and local governments will need to work together to establish effective arrangements across portfolios and with each other. This will provide a coordinated point for place-based collaboration with Aboriginal and Torres Strait Islander communities.

The Local & Regional Co-design Group noted this will need to be progressed through intergovernmental discussions. The Local & Regional Co-design Group also noted that, in many instances, governments will need to undertake considerable systems reform to establish effective mechanisms to support this approach.

The group agreed there will need to be further guidance on how to put the partnership interface arrangements into practice, including examples and sample protocols. This will be a key topic in the implementation toolkit outlined in section 1.17.

Feedback from consultations indicated there was widespread support for shared decision-making between the Local & Regional Voice and governments, but not a broad understanding or commentary about how this could occur. While there was minimal feedback on the *Partnership*

Figure 1.7: Partnership interface



Interface as a concept, there was strong support for partnership arrangements generally and the need for governments to change the way they work with communities and each other.

• *‘Working in partnership with all governments to make plans on how to meet community aspirations and deliver on local priorities is the most important feature [of the Local & Regional Voice proposal]. It will enable us to have our needs met by governments.’*

– Anonymous, survey, February 2021

• *‘Each Local & Regional Voice would provide clear ways for local Aboriginal and Torres Strait Islander people, communities and organisations in the region to get involved and have their say ... They would allow for local priorities to be addressed at the local level. They would provide an agreed way to work together in partnership with governments (for example through regular partnership meetings). We need ground-up solutions, not Canberra-down ones.’*

– Helen C, survey, March 2021

• *‘Aboriginal and Torres Strait Islander people must be able to have their say, but equally important is that there must be obligations on governments, at all levels, to follow and enact this advice. It is not enough just to be heard; if what is said and advised is just ignored then there is no improvement for Aboriginal and Torres Strait Islander people at all.’*

– Anonymous, survey, April 2021

• *‘The structural change to put in place a new partnership under the Voice is absolutely required, but the change that then must occur under the new structure in terms of how Indigenous Australians work together and with Government is nothing short of a seismic shift.’*

– Jawun, submission, March 2021

1.12 Regions

Final proposal

- There be 35 regions overall, with state/territory breakdown.
- Details of regions and boundaries are to be determined at the beginning of the implementation phase, in consultation between all levels of government and communities.
- Cultural groupings and existing regional arrangements will be the primary factors in determining regions.
- The notional breakdown per jurisdiction considers population numbers, geographic spread and historical approaches.
- Possible cross-border arrangements can be considered where needed and will be worked through with relevant communities and governments in the implementation phase.
- Any proposals by states/territories for a higher number of regions in their jurisdiction may be considered at the beginning of implementation; however, a strong commitment to sustainability and ongoing resourcing for any additional regions, at a level that ensures funding parity, would be required.
- Regional boundaries will be reviewed over time as circumstances change.

Interim Report

The Interim Report proposed between 25 and 35 regions across Australia. Regional boundaries were to be determined at the beginning of the implementation phase in consultation with all levels of government and communities.

Rationale

The proposed approach is pragmatic and builds on the proposal outlined in the Interim Report. There was significant discussion about regions and boundaries in the consultation process, with a strong preference for a higher number of regions within the range proposed in the Interim Report.

The Local & Regional Co-design Group agreed that Local & Regional Voices should be established at the regional level to maximise efficiency and practicality. At the same time, each region will need to have clear pathways for local communities and groups to participate and local engagement mechanisms to ensure decisions about local issues involve local people and communities.

In stage one, the Local & Regional Co-design Group developed the proposed approach to determining regions by drawing on lessons learned from previous and existing arrangements. The group finalised it, having considered consultation feedback on options presented in the Interim Report. The final proposal balances practical considerations (such as resourcing and long-term sustainability) with accommodating contextual factors (such as cultural groupings, population number, geographic spread and historical and existing governance approaches). It is also consistent with the framework principles.

A summary of the final proposal is below, with the detailed proposal set out following the consultation feedback section.

Regions are determined



35 regions nationally are proposed, with a breakdown for each state and territory. Communities and governments in each state/territory will work together to determine the detail of regions in their jurisdiction, based on agreed parameters and guidance.

1.12.1 Consultation feedback

Consultation feedback was supportive of the proposed approach to determining regions, with a strong focus on the need for communities to be involved in deciding the details of boundaries.

- ● *'It can't be decided in Canberra what region you come under.'*
– Ngukurr community consultation session summary, April 2021
- ● *All participants agreed regions should reflect what community think.*
– Coffs Harbour community consultation session summary, March 2021

Participants at many community consultation sessions were focused on the complexity of assigning boundaries, noting the broad range of factors that need to be considered, e.g., cultural connection, population, remoteness and how services are delivered.

There was strong support for cultural groupings to be a primary factor in determining regional boundaries.

- ● ● *'Regional bodies should resemble traditional cultural boundaries to ensure appropriate representation of communities.'*
– World Vision, submission, April 2021
- ● ● ● ● *'When designing the structures that underpin the Local & Regional Voice, it is crucial that Region boundaries follow traditional boundaries as closely as possible ... This approach encourages cohesive decision making based on traditional cultural connections.'*
– La Perouse Aboriginal Community Alliance, submission, April 2021

Additionally, there were strong views from some stakeholders in relevant areas that cross-border arrangements needed to be considered where there are cultural groupings that cross state/territory borders. Examples include the ACT and the tristate area of WA, SA and the NT.

- ● ● ● ● *'Representation should not be constricted by colonial state borders. True First Nations representation should reflect cultural groupings in all cases.'*
– Anonymous, survey, March 2021
- ● ● ● ● *'Where the boundaries for traditional lands cross state/territory borders, governments need to fully consider flexibility and collaboration to ensure effectiveness of representation.'*
– KPMG Australia, submission, March 2021
- ● ● ● ● ● ● *'A larger number of smaller regions that may ignore existing State/Territory borders assembled around existing community/family networks is more likely to capture the diversity and richness of knowledge and experience to reflect up to the National Voice.'*
– Peter W Tait, submission, March 2021
- ● ● ● ● ● ● *'The main model proposed in your Interim Report, including splitting regional voices by state boundaries does not align with the notion of one regional Voice for Anangu across the tristate region.'*
– NPY Women's Council, submission, March 2021

- *‘For the ACT there also needs to be consideration of an expanded Regional Voice that includes the Aboriginal and Torres Strait Islander communities in the Canberra Region extending into NSW.’*
- ACT Government, submission, April 2021

A number of submissions and community consultation sessions provided feedback on specific regional groupings they considered to be appropriate. For example, a submission from the La Perouse Aboriginal Community Alliance put forward a view that the La Perouse community aligned better with the Wollongong and the Illawarra region than with other communities in Sydney¹⁶

There was an overwhelming preference across surveys, submissions and community consultation sessions for a larger number of regions (35) rather than any lower number of regions within the proposed range.

- *‘35 regions are needed in order to ensure that the diversity of Aboriginal and Torres Strait Islander people is recognised and respected.’*
- Aaron N, survey, March 2021

- *‘My sense is that the Local and Regional Voices should number at least 35 to enable the best possible participation.’*
- Judith Newcombe, submission, March 2021

- *‘Capping the number of Local and Regional Voices at around the upper limit set out in the interim report of 35 will ensure that regions are not forced together where there is no natural affiliation.’*
- Empowered Communities, submission, March 2021

- *‘The maximum considered number of 35 Voice Regions is supported to maximise the scope and benefits to Aboriginal people from the Indigenous Voice process in other regions of the Northern Territory and Australia.’*
- East Arnhem Regional Council, submission, May 2021

- *‘Within the Regional options proposed, the IPO supports the larger regional representative model of 35, which reflects and recognises the greater populations of Aboriginal and Torres Strait Islander peoples in NSW and Queensland, while also reflecting the larger geographic regions of Western Australia and the Northern Territory.’*
- Indigenous Peoples' Organisation, Australia, submission, May 2021

Some suggestions favoured a far greater number of regions, potentially based on nations or local government areas, which would have resulted in a region number in the hundreds.

- *A participant commented that an amalgamation of local voices into regional structures was at odds with the Empowerment principle, and proposed that if there are 250 Indigenous nations, this should guide regional boundaries.*
- Canberra community consultation session summary, March 2021

- *‘I would encourage a far higher number of local and regional voices. In NSW a number of local government areas (LGAs) have Aboriginal Advisory Committees that could form the basis of a local level of governance that could feed into a Regional level Voice or Voices.’*
- Tara A, survey, May 2021

- *A participant suggested regions could be based on local government areas, noting there are over 500 local councils across the country, with 79 in Victoria.*
- Melbourne community consultation session summary, April 2021

Additionally, several smaller local communities presented a case for being standalone regions. These included Central Coast NSW, the Jervis Bay Territory, Woorabinda and Palm Island.

There were some mixed views across consultation feedback about the possible breakdown of regions per state/territory and the rationale for how this has been derived. Some respondents felt relative population numbers were most important in determining the breakdown, while others felt the geographic size or number of cultural groups were more important.

3 state government submissions argued for more regions in their jurisdiction than provided for within the breakdown, citing population numbers and existing arrangements.

¹⁶ La Perouse Aboriginal Community Alliance, submission, April 2021.

Similar sentiments were expressed in a number of community consultation sessions, including questions about how existing or proposed regions based on jurisdictional arrangements would link with the smaller number of regions under the Local & Regional Voice proposals.

• *‘The interim report suggests there are between 25 and 35 regions nationwide, and between 5 and 7 in NSW ... If the higher (and more realistic) estimate of 35 regions is used, and that one-third (33 per cent) of Aboriginal and Torres Strait Islander people in Australia are resident within NSW, this equates to 11 or 12 regions in NSW.’*

– NSW Government, submission, April 2021

• *‘Regarding the specific models for a Victorian Local & Regional Voice proposed in the Interim Report, the Victorian Government considers that the proposal for Victoria to have 2 regions is incompatible with current, community-determined arrangements. The Victorian Government strongly recommends that any regional or sub-regional approach in Victoria must align with the Assembly’s 5-region structure, as well as any ongoing representative structures at the regional and local level established through Victoria’s treaty process.’*

– Victorian Government, submission, April 2021

• *‘The WA Government strongly recommends an increase in the number of regions identified for WA as part of the Local and Regional Voice proposal, from 7 regions to 9. The rationale for this increase is to allow alignment with the 9 regions currently represented by the membership of the [WA Aboriginal Advisory] Council.’*

– Western Australian Government, submission, June 2021

A final significant theme, particularly from community consultation sessions, was the desire to ‘get on with it’ and move quickly to the implementation of Local & Regional Voices.

• *‘I endorse the Local & Regional Voice idea. Don’t know how to mark the regions—that’s a broader community discussion. But we haven’t had a voice for so long—we need to hurry and make decisions about regions—because something is better so we can get a voice happening, even if it doesn’t look exactly as everyone wants.’*

–Tamworth community consultation session summary, March 2021

• *Participants expressed some frustration at the pace of progress but also optimism that it was occurring: ‘We’re all frustrated with the incremental steps we’re taking, but things are changing. It takes time. We’ve got to have some hope that we are moving things forward. Not as fast as we think, but forward no less.’*

–Port Augusta community consultation session summary, April 2021

• *A participant said that you can never set up something that is perfect, but that is ok, ‘It will evolve and change once we start.’ They said we need to start discussing this now.*

– Devonport community consultation session summary, May 2021

1.12.2 Overall number of regions

In stage one, the Local & Regional Co-design Group proposed a range of between 25 and 35 regions across Australia. This range took into account the need for the number of regions to be sustainable and reflective of existing cultural identities and regional groupings. 3 sets of potential numbers of regions per state/territory based on the overall range were also provided (see Table 1.5). These breakdowns took into account relative population numbers, geographic spread and historical approaches.

The Local & Regional Co-design Group also proposed that the exact number of regions and nominal breakdown by state and territory be finalised following stage two. This would draw on feedback received through community consultations and be included in the Final Report for the Australian Government’s decision.

Drawing on consultation feedback, the Local & Regional Co-design Group agreed to put forward 35 regions as the proposed overall number of Local & Regional Voice regions across Australia.

Figure 1.8 sets out the proposed nominal breakdown of regions per state/territory based on this number.

Table 1.5: Initially considered potential number of regions

Jurisdiction	25 regions	30 regions	35 regions
ACT	1	1	1
NSW	5	6	7
NT	4	5	6
QLD (exc. Torres Strait Islands)	5	6	7
Torres Strait Islands	1	1	1
SA	2	3	3
TAS	1	1	1
VIC	2	2	2
WA	4	5	7

This proposal is based on the Local & Regional Co-design Group’s view that it would be impractical for smaller communities to be supported as standalone regions. However, there is scope for more localised arrangements to support smaller areas and communities to handle local matters.

The Local & Regional Co-design Group has also noted that there may be scope to consider any proposals by state or territory governments for a greater number of regions in their jurisdiction, following the final decision by the Australian Government. Any such proposals would also need to have the support of Aboriginal and Torres Strait Islander communities in the relevant state or territory.

Intergovernmental negotiations about any such proposals with relevant state and/or territory governments would need to occur promptly following an Australian Government decision ahead of the broader processes for determining regional boundaries with communities.

Noting the critical importance of long-term sustainability for Local & Regional Voices, the Local & Regional Co-design Group considered that any agreement to additional regions would need to be subject to strong commitments to ongoing support and resourcing by the relevant state or territory government, at the same level as that to be provided by the Australian Government for the proposed 35 regions, to ensure appropriate parity across all regions. In addition, any such agreement would need to be on the basis of arrangements in those regions having to meet the Local & Regional Voice framework objectives, including alignment with the Purpose, Scope and Principles.

Figure 1.8: Map with proposed number of regions per state/territory



1.12.3 Determining regions

In stage one, the Local & Regional Co-design Group proposed that, within the final number overall and for each state and territory, the detailed regional boundaries would be co-designed between communities and governments at the beginning of the implementation phase.

Firstly, key Aboriginal and Torres Strait Islander community groups and stakeholders in each state and territory would come together with the Australian Government, the relevant state or territory government and the peak local government association to agree on the proposed regional groupings for their state or territory at a broad level, taking account of the number of agreed regions for that jurisdiction. While there would be a number of factors to consider, this would enable a coordinated approach across all tiers of government and maximise opportunities for aligned arrangements supported by all governments.

The proposed regional boundaries would be informed by feedback received in stage two and based on the overall number of regions for that state or territory. Where there are existing regions, providing they are considered to work well, these would be used as the starting point, with cultural groupings another primary factor. Regions would align with state/territory boundaries; however, cross-border arrangements would be considered on a case-by-case basis.

Secondly, communities and stakeholders in each proposed region would be consulted on the proposed groupings and boundaries.

Thirdly, the initial group of government and key Aboriginal and Torres Strait Islander community stakeholders would draw on community feedback to finalise the details.

Following consultation feedback and their own further deliberations, the Local & Regional Co-design Group proposed to retain this approach to determining regions, with the following refinements:

- Both cultural groupings and existing regions under relevant arrangements would be primary factors in determining regional boundaries.
- Alignment with state/territory boundaries would be retained as a general approach, but there would be a stronger focus on possible cross-border arrangements where a sufficiently strong case exists. The detail of these arrangements would be further worked through with relevant communities and governments during the early implementation stage.

Table 1.6 sets out the details of the final approach agreed by the group.

In its stage one proposal, the Local & Regional Co-design Group noted the importance of regional boundaries being formally agreed and made publicly available, with periodic reviews to assess if any adjustments may be needed. These reviews would consider a range of factors that may affect the effectiveness or sustainability of the regional arrangements, such as shifts in population size, economic activity or changes to the government administrative boundaries. Reviews would be undertaken in consultation between communities, Local & Regional Voices and governments, with further operational details to be developed ahead of implementation.

This approach has been confirmed in stage two. The Local & Regional Co-design Group agreed that the regional boundaries should be reviewed over time to reflect changes in circumstances, noting the importance of taking a data-informed approach.

Table 1.6: The final approach

Foundations of approach	
<ul style="list-style-type: none"> Each region will have a clearly defined boundary that will not overlap with any other region (noting in some cases coordination arrangements across regions will be needed where there are strong cultural, historical, economic or service links that go outside the regional boundaries). Specific regional boundaries will be determined by communities and governments in line with the steps outlined above, balancing the key considerations below in the context of each region to ensure arrangements are practical, sustainable and effective. Lessons learned from previous and existing arrangements will inform the approach. 	
Key parameters of approach	Guidance to inform the approach
<ul style="list-style-type: none"> 35 regions across Australia. Both cultural groupings and existing regions under relevant arrangements will be primary factors in designing each region Regions should generally align with state/territory boundaries; however, cross-border arrangements will be considered where needed and agreed upon between relevant governments and communities. 	<ul style="list-style-type: none"> Communities and governments will consider how to achieve appropriate and effective composition of each region, considering aspects such as population number and geographic size. This includes considering how to ensure local communities within the region can be equitably represented at the regional level. Communities will work with governments to consider whether and how best to align regional boundaries to relevant government administrative arrangements (e.g., LGAs and service delivery regions).

1.12.4 Rationale

The Local & Regional Co-design Group’s final position is based on a balance of original considerations and the key messages from consultation feedback around the importance of having more rather than fewer regions and the communities’ desire to ‘get on with it’.

During its deliberations, the Local & Regional Co-design Group agreed that an unlimited or undefined number of regions across Australia would not be practical from a sustainability, resourcing or timeliness perspective. While the Local & Regional Co-design Group was not opposed to a small number of additional regions, its primary concern was the long-term stability and sustainability of Local & Regional Voices.

Recommending the higher end within the 25 to 35 regions range proposed in the Interim Report responds to feedback that a greater number of regions can better address the diversity of communities.

Based on the feedback that communities want to move quickly to implementation, the Local & Regional Co-design Group considered whether there would be other options that would help to settle the details of regions sooner. In this

context, the group considered whether it would be appropriate to propose old ATSIC regional boundaries in the Final Report. However, on balance, the Local & Regional Co-design Group strongly agreed that consistency with the framework principles, especially the principle of *Community-led Design*, should be paramount. The group also noted that the feedback received indicated that ATSIC boundaries would be polarising for some communities, while others may view them as a good starting point. It noted further that the agreed approach will allow for the old ATSIC regions to be used as an input or starting point in places where communities agreed this is appropriate.

Another crucial consideration in the final approach adopted by the Local & Regional Co-design Group was to ensure that both governments, at the state and federal level, and communities engage in the process of determining regions. This is consistent with the Community-led Design principle and the partnership approach between communities and governments and is considered to provide a solid foundation for local legitimacy and long-term support for Local & Regional Voice arrangements. It will also allow the composition of regions to be based on their current situation, including cultural groupings, existing regions and population numbers.

1.13 Transitional arrangements

Final proposal

The final proposal puts forward an inclusive, community-led process to design and establish Local & Regional Voices.

The proposal recognises there are a number of starting points and possible pathways for Local & Regional Voices, depending on what already exists in a region.

Community-led 'design groups', comprising a broad range of Aboriginal and Torres Strait

Islander stakeholders from across the region, will work with individuals, families and other groups to design, establish and progress formal recognition of Local & Regional Voices.

All regions will be supported to progress to Local & Regional Voice recognition as quickly as possible. The community-led 'design groups' will cease once the Local & Regional Voice has been formally recognised.

Interim Report

The Interim Report proposed the same broad approach as above, with 2 refinements made in the final proposal. The interim proposal suggested that the community-led 'design groups' could deliver some limited functions of a Local & Regional Voice, as needed. This has been removed in the final proposal to enable 'design groups' to focus solely on their core task and assist communities to establish their arrangements as soon as possible.

The Interim Report also suggested that setting timeframes for the community-led 'design groups' could be considered to ensure the design, establishment and recognition process moves efficiently. However, the Local & Regional Co-design Group agreed that limiting the scope of functions of the 'design groups' to their primary task would be a more appropriate approach to achieving timely implementation.

Rationale

The proposal is consistent with the principles, with a particular focus on *Community-led Design*. It is also consistent with the consultation feedback that highlighted a strong desire for communities to be supported to get together as soon as possible to start progressing this work.

Limiting the 'design group' functions to the design, establishment and recognition task will reduce the potential for distraction and associated delays. It will also be important for the long-term legitimacy of Local & Regional Voices.

The Local & Regional Co-design Group considered practical aspects necessary to support the implementation of the Local & Regional Voice proposal. The flexible nature of the framework means many different specific approaches are possible. This makes implementation guidance essential to supporting communities to consider what arrangements would work best in their context and where to start.

In stage one, the Local & Regional Co-design Group developed a range of scenarios to illustrate possible pathways for transitioning to Local & Regional Voice arrangements. They were included in the Interim Report and are also intended to be a part of the implementation toolkit discussed in section 1.17. These scenarios aim to help Aboriginal and Torres Strait Islander people and communities around the country to see themselves in the framework, but without prescribing a specific approach. They are intended to help Aboriginal and Torres Strait Islander people understand what it could mean for them and their community, and how they can be involved.



Transition pathways will look different in each community and region depending on the extent of any existing arrangements that can be built on. Community-led ‘design groups’ with a broad range of stakeholders will be formed to design the arrangements. Government will provide resources and support. There will also be guidance material and a toolkit with examples and further resources that can be adapted by communities to their context.

The Local & Regional Co-design Group noted there will be a number of possible starting points and pathways for Local & Regional Voice arrangements for communities around the country. This is because some regions already have arrangements in place for bringing people together to work towards a common agenda, while others do not or have only limited or ad hoc mechanisms.

For example, Local Decision Making regions in New South Wales and Empowered Communities regions across the country are already working in a way similar to that envisaged for Local & Regional Voices (noting they currently do not incorporate all tiers of government). Regions operating under these arrangements will be well positioned to move quickly to transition to Local & Regional Voice arrangements, starting with consideration of any adjustments needed to ensure consistency with the principles. However, this is not the case everywhere.

In this context, the Local & Regional Co-design Group agreed on a default approach as a guide to illustrate how communities can be supported through the process of building Local & Regional Voices. It is acknowledged that regions will require time to establish governance arrangements that work for their communities and that the arrangements will evolve. It is also recognised that it will be important for all Aboriginal and Torres Strait Islander people to consider how the arrangements may apply in their community and region.

In stage one, the Local & Regional Co-design Group proposed forming local groups with the involvement of a broad range of Aboriginal and Torres Strait Islander stakeholders drawn from across a region. The primary role of such community-led ‘design groups’ would be to work with communities to develop Local & Regional Voices, and it had also been suggested they could undertake some limited Local & Regional Voice functions in the interim.

1.13.1 Consultation feedback

During the consultations, there was broad recognition that designing and establishing the Local & Regional Voice governance arrangements must be community-led at the local and regional level. In particular, in the community consultation sessions, there was significant discussion about the complexities in establishing Local & Regional Voice arrangements and needing to consult widely and openly. Consultation feedback also strongly reaffirmed that while the work must be community-led, it should be supported by governments—the future partners of Local & Regional Voices. There was also a strong view expressed that work should commence as quickly as possible to enable communities to have a voice sooner rather than later.

‘Indigenous voices are powerful and can do it, it will be the matter of unpacking principles— what does it look like at the local level; won’t get it right from start but need to do it, it is practical.’

— Adelaide community consultation session summary, February 2021

‘How do we come together and be a unified voice? A voice isn’t about a whole lot of different people talking different messages— we have to come together to unify that voice.’ Participants broadly agreed that the proposed Local & Regional Voice model is a good starting point for coming together.

— Tonnant Creek community consultation session summary, May 2021

Participants agreed that it is critical community designs the Local & Regional Voice but require resourcing to come together.

— Coffs Harbour community consultation session summary, March 2021

1.13.2 Community-led Design of Local & Regional Voices

Based on the consultation feedback, the Local & Regional Co-design Group confirmed its proposed approach to assist communities in designing their arrangements.

For places with existing effective mechanisms, the process will involve building on, enhancing, adjusting or expanding what is in place to create arrangements consistent with the Local & Regional Voice principles. This work may be facilitated by existing structures, but (as for regions with no existing arrangements) it will need to draw in a broad range of stakeholders across the region. This will ensure that input into the design process is inclusive and reaches beyond groups and individuals already involved in existing arrangements.

The Interim Report flagged the scope for the community-led ‘design groups’ to undertake some limited Indigenous Voice functions during the transitional phase. However, drawing on consultation feedback about the communities’ desire to ‘get on with it’, the Local & Regional Co-design Group’s final proposal recommends that functions of the ‘design groups’ should focus solely on their primary task of facilitating the design process. This will allow the process of establishing recognised Local & Regional Voices to move as quickly as possible. It will also provide a strong foundation for their long-term legitimacy since the initial ‘design groups’—which are not fully established or recognised—would not undertake any of the Indigenous Voice functions. This, in turn, will have a flow-on effect on ensuring the legitimacy of the linked National Voice arrangements (see Chapter 2).

In stage one, the Local & Regional Co-design Group considered it would be important that these ‘design groups’ do not become long term and there is continual progress (driven by local people) towards a permanent, recognised Local & Regional Voice.

While the Interim Report noted that specific time limits for local ‘design groups’ could be considered, the Local & Regional Co-design Group has now agreed this would not be appropriate, noting the varied circumstances across the regions. Rather, setting a clear focus on design only is considered the most effective strategy for ensuring quick progress. This recognises that each region will be different. In locations where existing arrangements are used as a basis, this process will likely progress relatively quickly, possibly within 12 months or fewer. In other

places, with little or no existing relevant governance platforms, the design work will need to be more in-depth and would be expected to take longer, potentially up to 3 years. It is also noted that it will be important for the Australian Government and state and territory governments to work together to facilitate the establishment of Local & Regional Voices as soon as practical.

Key features of the proposed ‘design group’ approach agreed by the Local & Regional Co-design Group are set out below.

One member expressed a concern the transitional arrangements would be unnecessarily complex and proposed a direct election approach, which was not supported by other members of the Local & Regional Co-design Group.

Proposed community-led ‘design groups’

Community-led ‘design groups’ would be established to progress the design and establishment of Local & Regional Voices. In locations with relevant existing arrangements, these groups could be facilitated by existing structures, noting this would need to include engaging with communities and a range of stakeholders to ensure broad-based support for the Local & Regional Voice.

Functions

- Engage with local communities and governments to design Local & Regional Voice arrangements according to the community’s aspirations, priorities and strengths.
 - Where there are existing arrangements with similar functions, this would involve community engagement to establish if and how these arrangements might be built on to form a Local & Regional Voice that meets the minimum requirements for recognition.
- Engage with all stakeholders to test/verify proposed Local & Regional Voice arrangements have an appropriate level of support.
- Work towards establishing the agreed Local & Regional Voice arrangements, including assistance with the recognition process.

Composition

- Membership to be consistent with the framework principles, in particular, the principles of ‘Inclusive Participation’ and ‘Cultural Leadership’, to ensure:
 - representation of traditional owners and historical residents alike
 - appropriate gender and age balance in each region, and broad inclusiveness
 - appropriate geographic and cultural representation from across the region
 - appropriate balance between existing (e.g., organisation based) voices, and those who are not involved in any existing groups but who wish to participate.
- To be developed in consultation with a wide range of community members, family groups, leaders and existing Aboriginal and Torres Strait Islander groups, bodies and organisations in relevant locations (such as land councils, ACCOs and other bodies and groups).
- Membership to be inclusive, drawn from individual community members as well as the existing groups across the region, ensuring there are pathways for all who want to have a say (e.g., through open meetings or other mechanisms as appropriate), particularly those whose voices have been historically marginalised or who are often unheard.

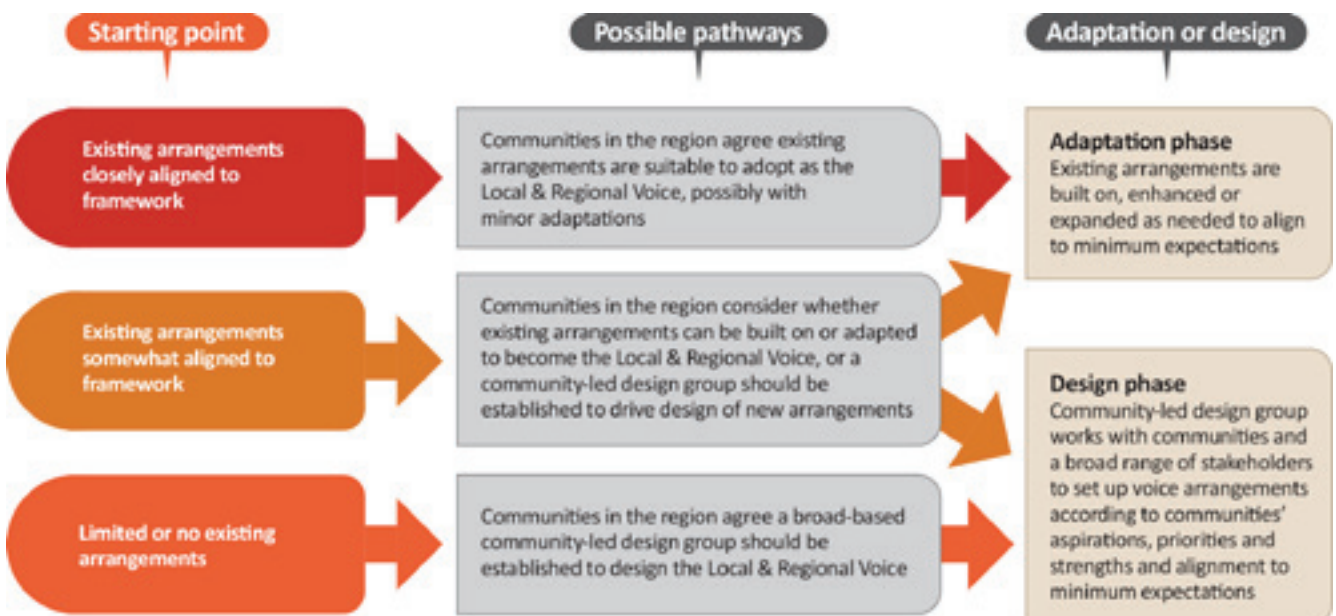
Support

- Support and resourcing will be needed for ‘design groups’ to carry out their work. While work would be community-led, governments will need to play an enabling role.

Community-led ‘design groups’ will be used to support the design of Local & Regional Voice arrangements.

The aim is to provide a way for communities to have a Local & Regional Voice as soon as practicable, in line with their own priorities and aspirations.

Figure 1.9: Transitional pathways



1.14 Linkages

1.14.1 National Voice

The National Co-design Group agreed that the membership model for the National Voice will be structurally linked to the Local & Regional Voices; that is, the National Voice members would be collectively selected by Local & Regional Voices within each jurisdiction, or be linked to Local & Regional Voices through secondary options in the model. This is discussed in more detail in Chapter 2.

In stage one, the Local & Regional Co-design Group agreed that the advice flow and two-way communication between the local and regional, and national parts of the Indigenous Voice will be essential. Links between the 2 parts should function in a way that enhances the effectiveness of the overall Indigenous Voice arrangements but not impinge on the functions of each of the respective levels as they both fulfil their distinct but complementary roles.

The Local & Regional Co-design Group agreed that advice from the Local & Regional Voices to the National Voice should be focused on:

- systemic issues associated with national policies and programs—for example, matters associated with local and regional effects of broad-based, national schemes (e.g., employment programs), if they cannot be resolved locally
- local and regional input on the development of national policies and programs to help ground advice from National Voice to the Australian Parliament and Government in local and regional expertise and lend weight to the legitimacy of the National Voice
- matters of national importance where they impact Aboriginal and Torres Strait Islander communities to a significant degree, and would benefit from a national, coordinated response (e.g., COVID-19 response).

The Local & Regional Co-design Group agreed that focusing advice from Local & Regional Voices to the National Voice on systemic issues is essential to ensure the National Voice does not become an escalation point for local issues that should be addressed at the local level. This view is in line with the core premise of local and regional decision-making. Equally, this will be important to ensure the National Voice can remain focused on national-level issues.

1.14.2 State and territory governments' representative and advisory bodies

Several states and territories have their own Indigenous representative or advisory bodies in place, which are set up in different ways. Some already comprise or are in the process of moving towards more representative arrangements. The Local & Regional Co-design Group agreed that where these exist, it will be important for Local & Regional Voices to link with these state- and territory-level bodies, including to provide advice on issues relevant to that level of government.

This advice would focus on systemic issues and state- or territory-wide policies and programs that fall within state or territory responsibility, in the same way as articulated above for advice on national issues to the National Voice.

It will be important for Local & Regional Voices to have two-way communication and information flow with any such state- or territory-level bodies, irrespective of whether there is a structural membership link between them.

The Local & Regional Co-design Group noted that where such bodies do not exist, it will be appropriate for advice on systemic, state- or territory-wide issues to be provided directly to the relevant state or territory government.

Given the nuances of state and territory responsibilities under the Australian Constitution, the Local & Regional Co-design Group also noted that on some issues it will be appropriate for the Local & Regional Voice to provide advice to both the state or territory body (or government) and to the National Voice. For example, in areas such as health, where both the Australian Government and states and territories are active, it would be appropriate for advice to flow to both tiers of government.

1.15 Next steps

The Local & Regional Co-design Group noted several streams of work that will need to be further developed ahead of implementation.

As outlined above, the NIAA has continued to work with states and territories through the Senior Officials Group to share key policy considerations and discuss opportunities for aligning possible future Local & Regional Voice arrangements with their existing and emerging models and policy directions.

This includes appropriate authorisation of the framework, such as via legislation and cross-jurisdiction agreements, which the Local & Regional Co-design Group notes will need to be progressed through intergovernmental engagement.

Further work will also be needed to develop the implementation toolkit, as well as final details of the recognition and dispute resolution mechanisms ahead of them being set up.

Further guidance may also be needed on aspects of the *Transparency and Accountability* principle such as public reporting, monitoring and evaluation measures.

1.16 Governance structures – examples

Figure 1.10: Governance structure example 1

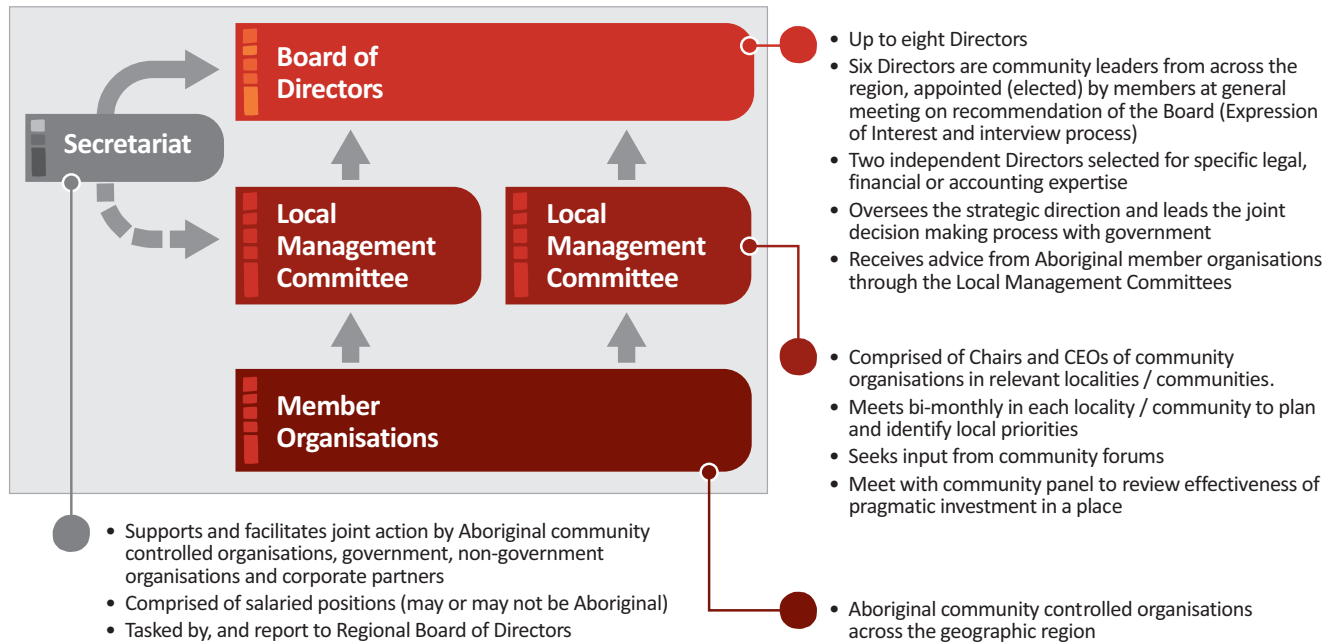


Figure 1.11: Governance structure example 2

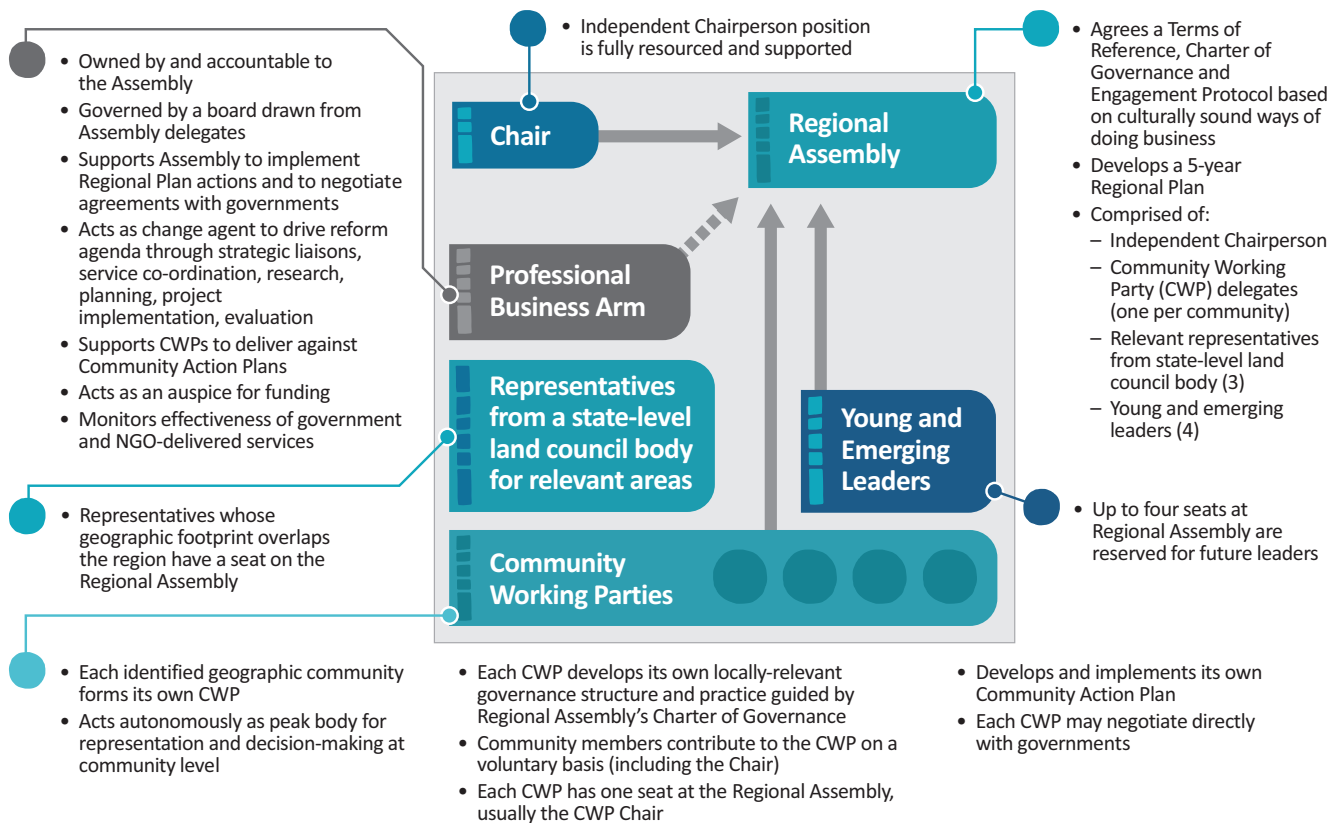


Figure 1.12: Governance structure example 3

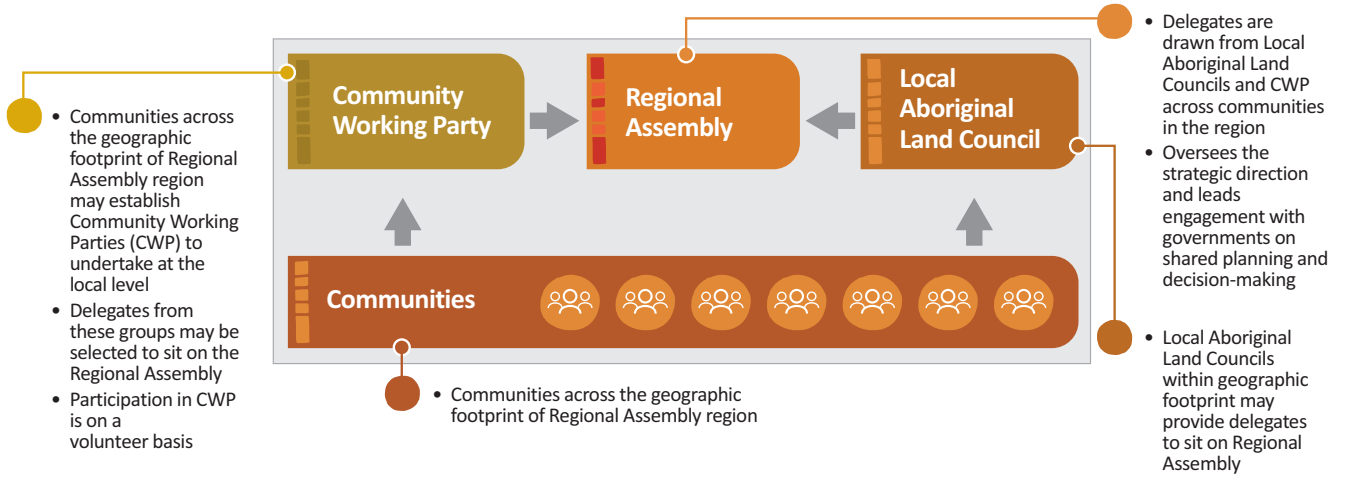


Figure 1.13: Governance structure example 4

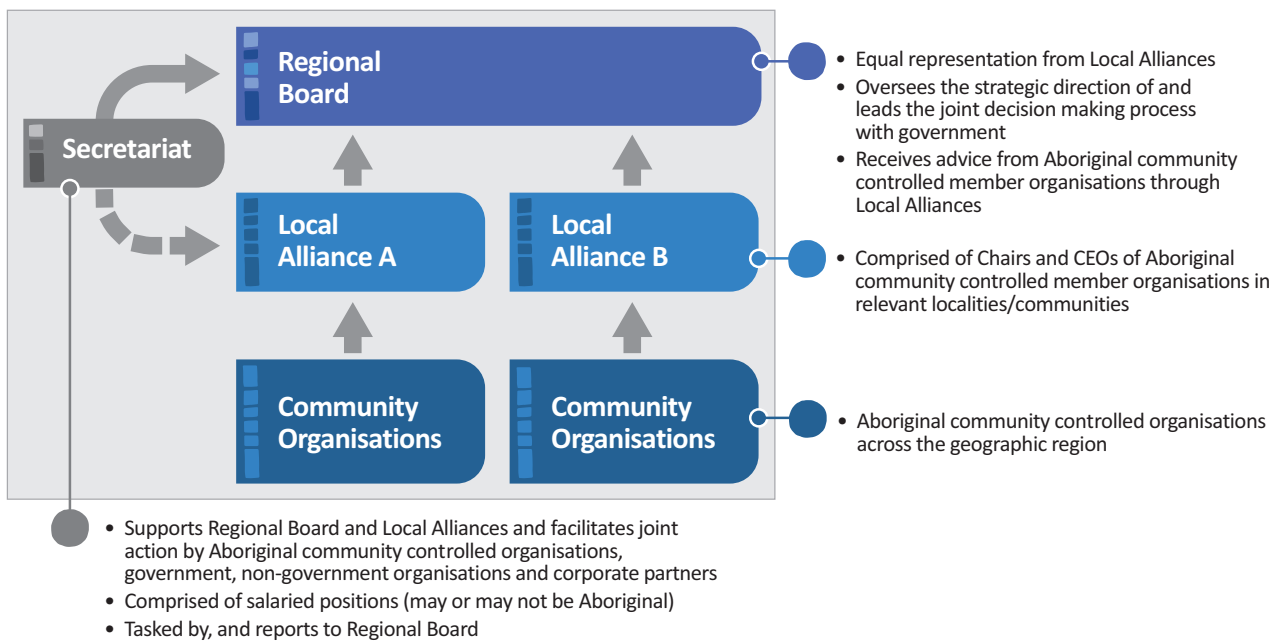


Figure 1.14: Governance structure example 5

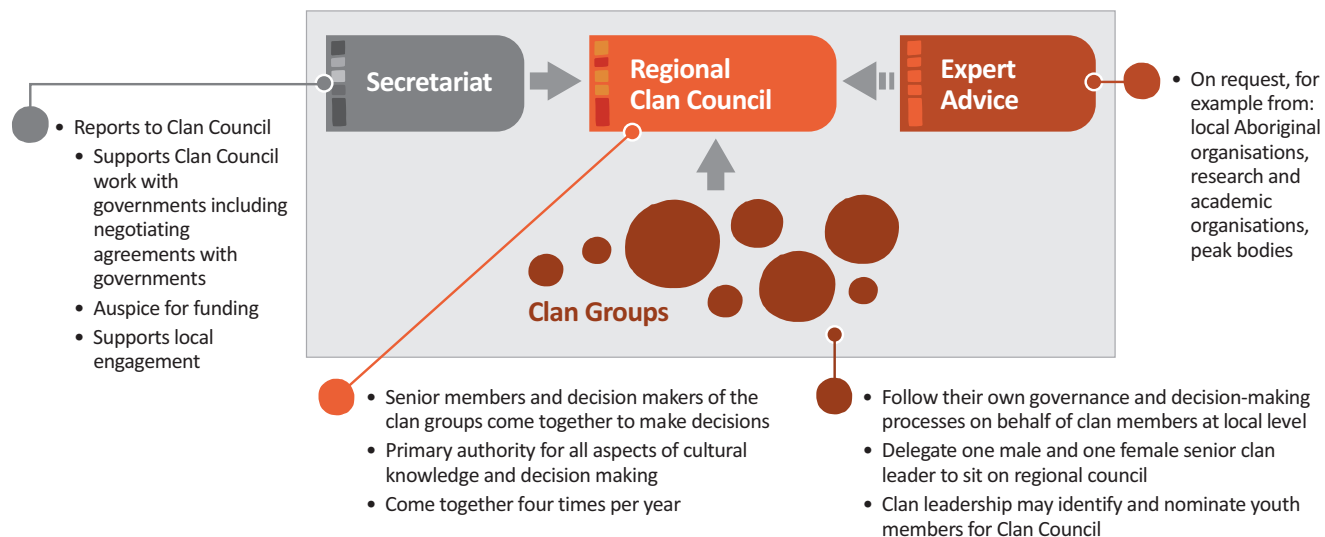
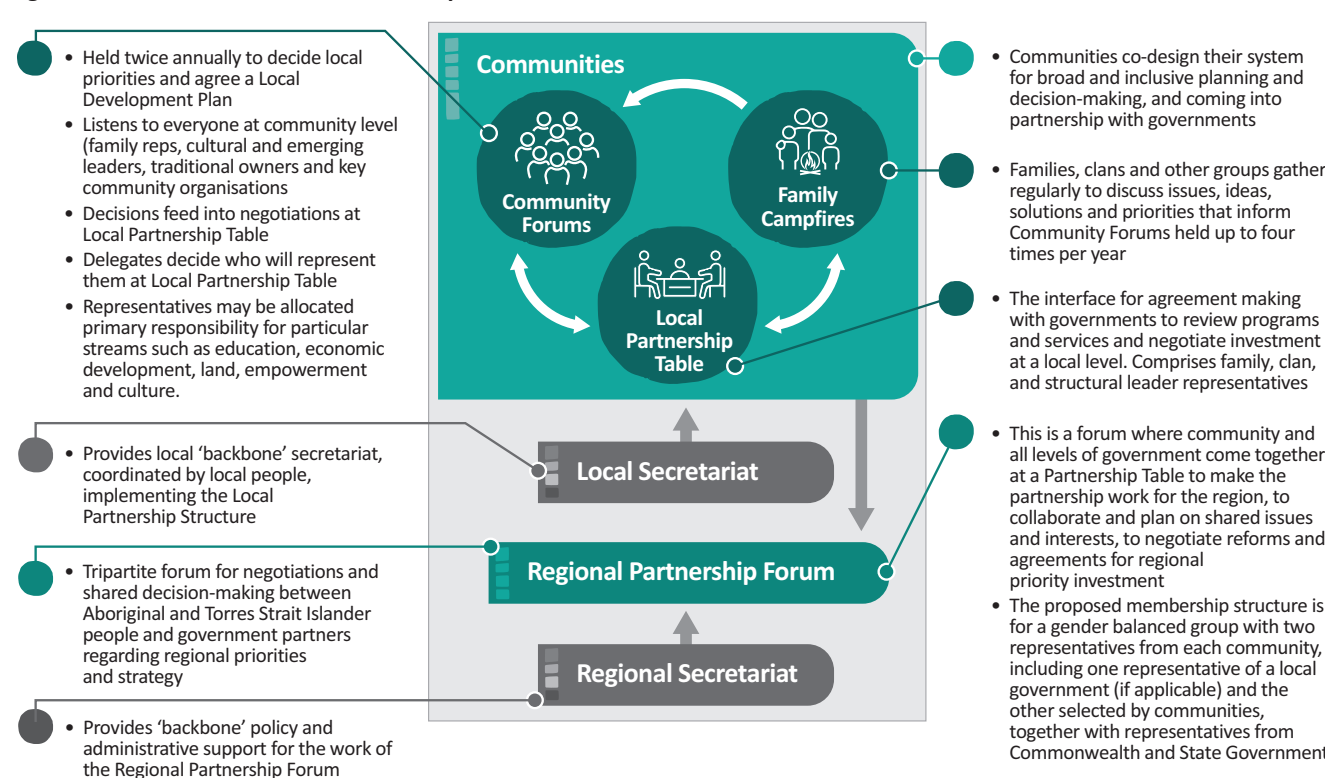


Figure 1.15: Governance structure example 6



1.17 Outline for a Local & Regional Voice implementation toolkit

Implementation toolkit outline

Overarching guiding documents

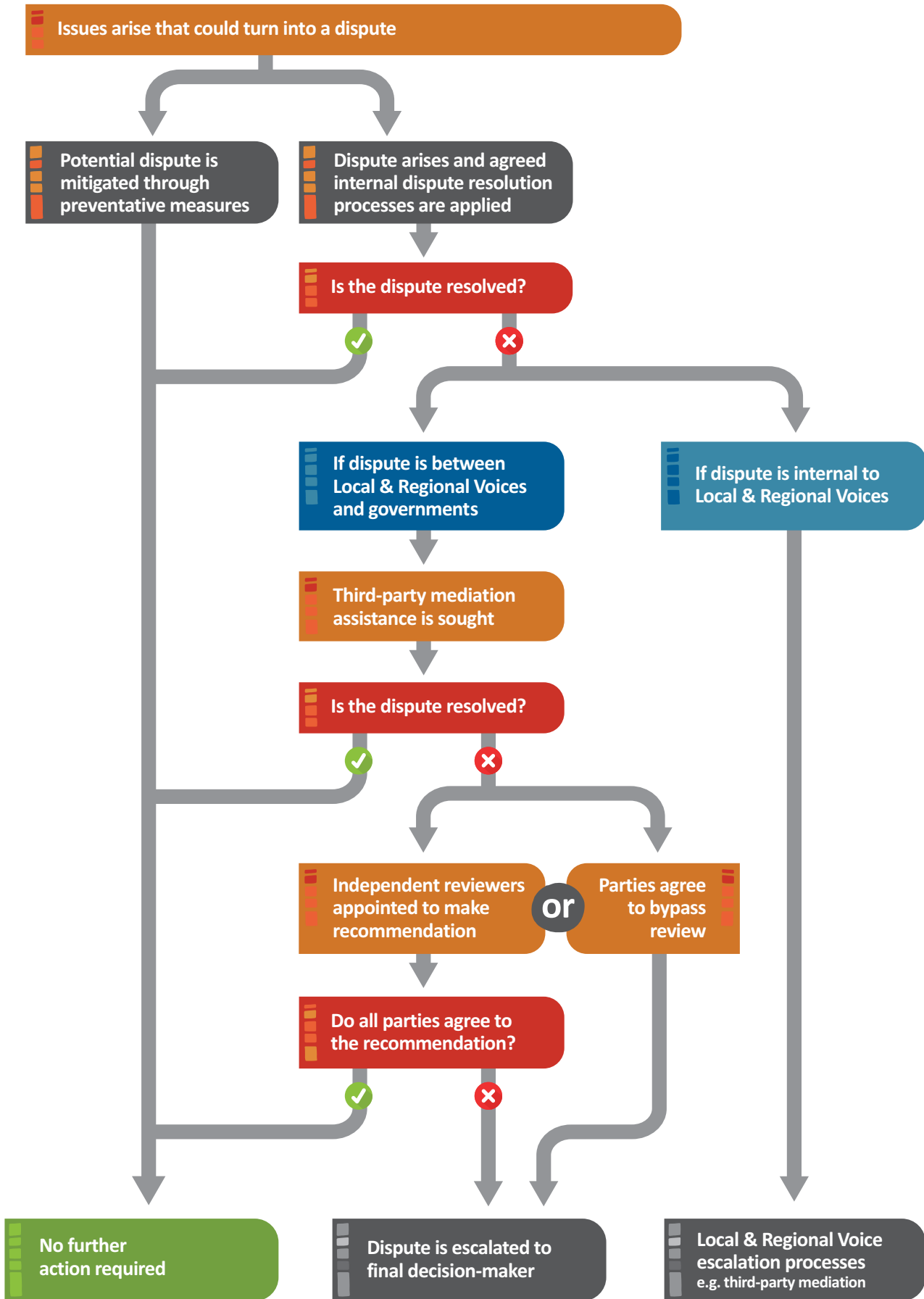
- Local & Regional Voice Framework
- Purpose, scope and principles
- Governance structures:
 - roles and functions (including transitional groups)
 - composition (e.g., guidance and examples in respect of the *Inclusive Participation* principle, including gender and age inclusivity)
 - local to regional connections
 - examples/case studies
- Partnership interface to include:
 - examples of the partnership interface
 - examples of supporting protocols
- Recognition process:
 - minimum expectations/assessment criteria
- Regional boundaries (once determined):
 - set out relevant cultural areas, LGA areas and communities
- Dispute resolution processes
- Member eligibility and mechanisms for removing members
- Member numbers/size of local and regional bodies
- Nomination/selection process and length of terms
- Legal form of Local & Regional Voices

General guidance, examples and resources

- Code of conduct/ethics
- Conflict of interest procedures
- ‘Fit and proper’ person checks
- Decision-making process (internal to Local & Regional Voices)
- Dispute resolution and complaints management
- Communication and engagement
- Monitoring, reporting and evaluation

1.18 Dispute resolution process

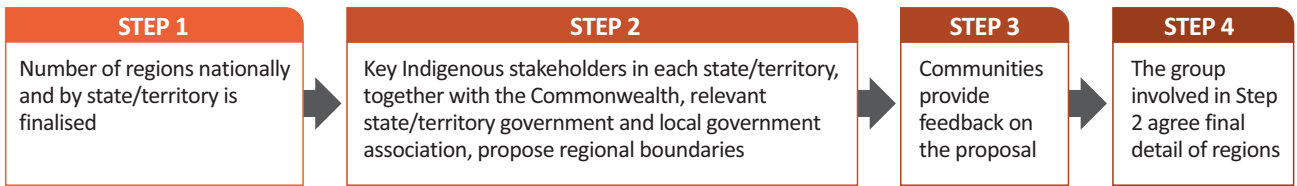
Figure 1.16: Dispute resolution process flowchart



1.19 Implementation flowchart and scenarios

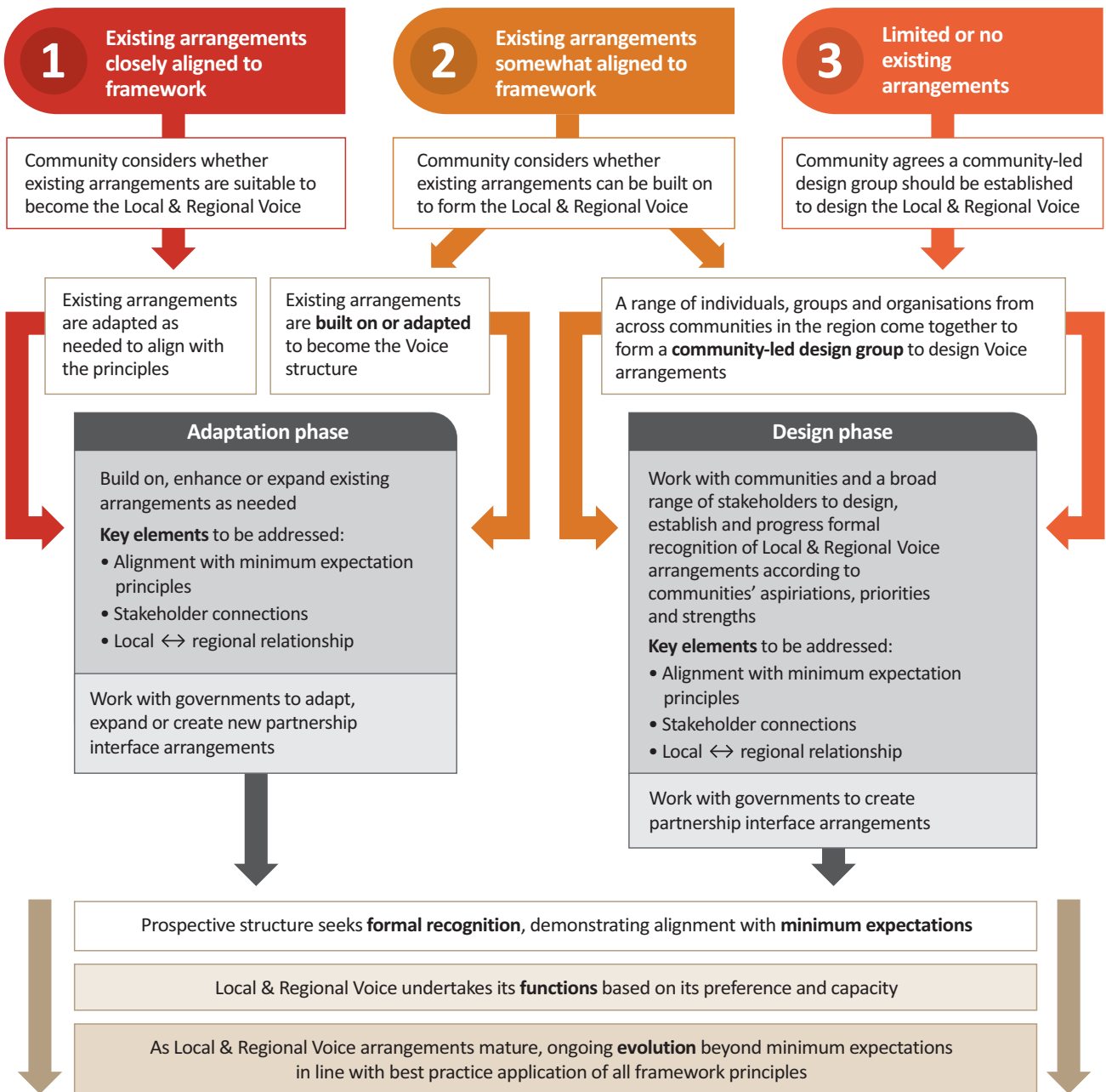
Figure 1.17: Implementation flowchart

Determining Regions



Transitional Pathways

Each region's pathway to setting up their Local & Regional Voice will be different depending on what governance arrangements already exist for bringing people together. Below are some possible ways this might work:



Scenario 1: Urban area in NSW with mature existing arrangements

- This is a primarily urban area in NSW with almost 6 million residents, of which approximately 1.5 per cent or close to 90,000 people are Aboriginal and Torres Strait Islander people.
- There are multiple traditional owner groups within the region, and it is home to a large number of non-traditional owner residents with longstanding ties to communities within the region.
- Though no overarching arrangements cover the entire region, there are governance structures and partnership arrangements specific to 2 NSW Local Decision Making sites and one Empowered Communities site covering some communities within the region. These arrangements involve shared decision-making and priority setting with either the NSW Government (in the Local Decision Making sites) or the Australian Government (in the Empowered Communities site).
- There are also hundreds of Aboriginal and Torres Strait Islander community groups and organisations across the region, including land councils, service delivery organisations and advisory bodies across a range of sectors.

Establishing a region

- Representatives from key existing state-level Aboriginal and Torres Strait Islander bodies, including the NSW Coalition of Aboriginal Regional Alliances (NCARA), the Coalition of Aboriginal Peak Organisations and other bodies from across NSW as appropriate, will be involved in discussions to design NSW's regional groupings. They will join in discussions with the NSW and Australian governments and possibly Local Government NSW (the NSW peak local government association).
- A broad proposal for regional groupings will be developed based on the overall number of regions for NSW and the key parameters and guidance in the framework.
- This area is likely to form a standalone region for Local & Regional Voice purposes given its high population density, distinct cultural and community groupings and alignment with administrative boundaries.
- The representatives from this area will facilitate conversation on the proposal with their communities using existing local engagement mechanisms where possible. This may involve a round of community forums or targeted discussions with a broad range of key groups.
- The representatives will then take community feedback back to the discussion with governments and Aboriginal and Torres Strait Islander representatives from other areas to inform the final details.

Default starting point and transition approach

- The Aboriginal and Torres Strait Islander governance structures operating in some parts of this region under NSW Local Decision Making and Empowered Communities initiatives are closely aligned to the proposed framework.
- These bodies are at varying stages of maturity. Some have strongly articulated priorities, are engaging in long-term joint planning with governments and have clear links connecting local communities to a 'regional' level established (noting existing 'regions' are smaller than this region will be). Others are developing their approach.
- The region can draw on the experience of these existing arrangements in considering a broader, region-wide approach (starting point 1).
- The existing structures can lead broad engagement across all communities in the region, alongside leaders and community representatives from other parts of the region, to identify how governance should be adapted to design a regional-level approach. This would include considering how to enable all relevant communities, including those not covered by an existing arrangement, to participate equitably in a regional structure, as well as any other shifts required to create an inclusive approach that meets the aspirations of the broader region.
- Resourcing would be required from governments to support this engagement and design. This could include funding a coordinator (embedded in a non-government host organisation) to convene community meetings and facilitate discussion to develop the approach.

Key elements of Local & Regional Voice design, evolution and adaptation

Alignment with the principles

- The existing structures and the communities in this region will consider the shifts needed to become 'fit for purpose' as a broader Local & Regional Voice. This includes considering how alignment with the framework principles can be strengthened.
- As the existing structures currently in broad terms align with the framework's principles, this will focus on ensuring meeting minimum expectations as arrangements expand across the whole region and addressing identified gaps or areas for improvement consistent with the principles.

Connections to other stakeholder groups

- The communities and existing structures will need to consider how best to link all key stakeholder groups across the region to its regional Indigenous Voice arrangements. This would include ACCOs and other service providers, advisory bodies across various sectors, local land councils and traditional owner groups.
- Some of the existing governance structures currently enable local organisations, leaders, elders and individual community members in each participating community to be involved in their work. This occurs through formal means (such as ensuring representation from specific groups) and less formal arrangements (such as encouraging community leaders and members to participate in a panel to undertake shared decision-making with government).
- The learnings from these processes and the suitability of similar arrangements for other communities in the region will be tested with community and key stakeholder groups. This will include considering how well these arrangements are currently operating, how best each group should link in depending on their priorities and functions, and how to involve organisations and community groups from across the region, both those operating locally and those with a regional focus.
- In this process, it will be useful to draw on the expertise of organisations and community members with experience in successfully bringing stakeholder groups together within the region.

Relationship between local communities and their Local & Regional Voice

- The existing governance arrangements operating in some parts of this region allow for the priorities identified by local communities to be captured in regional planning, while enabling local communities to engage directly with government on issues specific to the local area.
- It will be important to include this approach in the design of the broader regional structure to ensure it continues. Though existing arrangements covering smaller areas will feed up to the broader regional level, they will not be dissolved or displaced.
- Consultation with communities will determine how best to ensure effective engagement between local communities and the proposed Local & Regional Voice, including any potential adaptations of the current approaches to tailor to the needs of particular communities.

Partnership interface arrangements

- The negotiation tables and partnership arrangements in some communities in this region would likely provide a starting point for an interface with all levels of government for Local & Regional Voice purposes.
- Some adaptation of these arrangements will be necessary, given the existing structures currently engage primarily with either the NSW or the Australian Government and only cover some specific communities within the broader region.
- This will require governments to work together with the existing governance structures and other communities in the region to coordinate arrangements and find an approach to partnership that can work effectively for all.
- Aligning this region with local government boundaries may assist in facilitating the involvement of relevant local government representatives.

Existing functions

- While the broader Local & Regional Voice governance is being designed, the existing arrangements will continue their functions and work in partnership with governments as usual.

Minimum expectations and recognition of a Local & Regional Voice

- Once designed, the new structure will need to demonstrate its ability to meet the minimum expectations in a way that is appropriate to its context and to be recognised as a Local & Regional Voice.
- Given the array of bodies and organisations in the region and the variety of demographics within it, a particular focus will be ensuring there are opportunities for inclusive participation across all of these groups. This includes cultural leaders and those not currently involved with any Aboriginal and Torres Strait Islander organisations.
- Following community consultation, the prospective structure will engage in a joint assessment process with the NSW and Australian governments to be recognised as a Local & Regional Voice.
- Once formally recognised, the Local & Regional Voice can begin engaging in functions within the scope outlined in the framework, as appropriate to community preferences and capability. In this region, given there is substantial experience across many communities with similar approaches, it may be able to engage in shared decision-making with governments from the outset as well as providing advisory functions. Embedding community engagement mechanisms may take time in the communities without existing approaches for bringing various community stakeholders together.

Scenario 2: Remote area in the NT with some existing arrangements

- This is a large remote area in the NT with a population of around 8,000 people, of which a significant majority, approximately 72 per cent, are Aboriginal and Torres Strait Islander people.
- A formal partnership arrangement is in place between Aboriginal and Torres Strait Islander and non-Indigenous community members in this area and the relevant local government, the NT Government and the Australian Government to oversee a mainstream joint investment plan that aims to improve economic development and social outcomes.
- A governance group is a key community partner in the arrangement, comprising traditional owners and representatives of the main local language groups.

Establishing a region

- This area is likely to form a standalone region for Local & Regional Voice purposes, given its geographical size, population composition and history.
- The existing governance group will be drawn on to provide representatives from this area to be involved in discussions to design NT's regional groupings, alongside representatives of other communities/regions, the NT and Australian governments and possibly the Local Government Association of NT.
- This group of key stakeholders will develop a broad proposal for the NT's regional groupings, based on the overall number of regions for the NT and the key parameters and guidance in the framework.
- The representatives from this area will then use existing community engagement mechanisms to facilitate consultation on this proposal, possibly through a round of community forums that enable broad participation across demographic and language groups.
- The representatives then take the community's feedback back to the discussion with governments to inform the final details.

Default starting point and transition approach

- The existing governance group could provide a starting point to be built on to create a Local & Regional Voice, with some adaptations required to make it fit for purpose (starting point 2).
- As a first step, the group will consult broadly across communities in the region, including with individuals, cultural leaders, groups and organisations, to determine whether the existing group can be used as a starting point for a Local & Regional Voice. If agreed, this consultation process can identify any adaptations needed to bring it in line with community aspirations for how their Local & Regional Voice should operate.
- If community considers substantial adjustments to the governance group or an entirely new structure are required, community members can set up a community-led 'design group' to lead the design of a Local & Regional Voice for the region.
- Resourcing would be required from governments to support this engagement and design. This could include funding a coordinator (embedded in a non-government host organisation) to convene community meetings and facilitate discussion to develop the approach. Once the initial consultations have indicated a way forward, further support can be considered—additional resourcing will likely be required if the region decides a 'design group' should be set up to design new arrangements.

Key elements of Local & Regional Voice design, evolution and adaptation

Alignment with the principles

- As the community and the existing governance structure consider the shifts needed to adapt to make it fit for purpose as a Local & Regional Voice, they will need to ensure its alignment with the framework principles is strengthened.
- A key focus for this region will be achieving the appropriate balance between the *Inclusive Participation* and *Cultural Leadership* principles, as the membership of the current governance group is based on traditional owner groups. It will also be important to ensure there are mechanisms in place to ensure transparency and

accountability to community and that appropriate links are developed with other existing bodies in the region.

Connections to other stakeholder groups

- The existing governance group will need to work with the range of Aboriginal and Torres Strait Islander stakeholder groups in this area to consider how to appropriately connect them to the Local & Regional Voice. This includes local and regional service providers, ACCOs across sectors, local authorities, the relevant land council, prescribed bodies corporate (PBCs) and advisory bodies.

Relationship between local communities and Local & Regional Voice

- The existing governance group includes representatives from each of the main language groups in the region, which ensures it is informed by local perspectives.
- Consultation with community is needed to determine whether this arrangement sufficiently balances *Inclusive Participation* and *Cultural Leadership* principles and provides all local people across the region with a connection to the existing structure. This includes considering whether there are opportunities for people living in all of the communities in the region and individual community members who are not part of the main language groups to be involved, as well as traditional owners and cultural leaders.
- Additional mechanisms may be needed to create clear pathways for local people and communities to engage with governments on local issues directly.

Partnership interface arrangements

- The existing partnership structure is likely to provide a starting point for an interface with governments under the Local & Regional Voice arrangements.
- The existing governance group will collaborate with the local, NT and Australian governments and other local stakeholders to consider how best to leverage the strengths of the existing partnership arrangements and what adaptation is needed to make these ‘fit for purpose’.
- Some adaptation of these arrangements is likely to be necessary, given the shift in scope (i.e., it currently relates only to a specific set of initiatives for which investment is already allocated, and it is not an Indigenous-specific arrangement).

Existing functions

- While the Local & Regional Voice arrangements are being designed, the existing governance group can continue its functions and work in partnership with governments as usual.

Minimum expectations and recognition of a Local & Regional Voice

- Once the design is adapted, the governance group will need to demonstrate its ability to meet the minimum expectations in a way that is appropriate to its context to be recognised as a Local & Regional Voice.
- A particular focus will be ensuring the proposed Local & Regional Voice meets and effectively balances the principles of *Inclusive Participation* and *Cultural Leadership* in a way that is appropriate to this region’s context, as the governance group’s current membership is based on traditional owners and language groups.
- The prospective structure will engage in a joint assessment process with the NT and Australian governments.
- Once formally recognised, Local & Regional Voices can begin engaging in functions within the scope outlined in the framework, as appropriate to community preferences and capability. In this region, given there is substantial recent experience in working in partnership with all levels of government, the Local & Regional Voice may be able to engage in shared decision-making with governments from the outset as well as providing advisory functions. Community engagement mechanisms, particularly with individuals, communities and groups not closely linked to the governance group to date, may take time to develop and be embedded.

Scenario 3: Urban and regional area in WA with limited or no existing regional governance arrangements

- This large urban and regional area in WA has over 50,000 Aboriginal and Torres Strait Islander residents, who comprise approximately 2.5 per cent of the overall population of around 2 million.
- The area does not have an existing governance platform or mechanisms for partnership with governments that can be directly built on or adapted to form a Local & Regional Voice.
- There has been a recent comprehensive land settlement that will involve governance arrangements, which are currently emerging. Ensuring an appropriate connection and a complementary approach between these arrangements and a Local & Regional Voice will be a key design consideration.

Establishing a region

- WA's state-level Aboriginal Advisory Council (AAC), currently undergoing reforms to become an elected representative body at the state level, is likely to be a key Aboriginal group involved in initial discussions with the WA Government and the Australian Government to broadly design the regional groupings for WA, based on the agreed number of regions for WA (subject to becoming an elected body by then). The AAC includes representatives from across different geographic areas of WA, including this area. The WA Local Government Association may also be involved in these discussions.
- The AAC and governments would then consult with communities and stakeholders in each region on the broad proposal.
- The community feedback will inform further discussions between AAC and governments to confirm the final regions and boundaries.
- Given the geographical size, population composition and history of this area, it is likely to form a standalone region for Local & Regional Voice purposes (or a substantial part of a larger region). A key consideration will be whether it is most appropriate to align the regional grouping to the area of the recent land settlement.

Default starting point and transition approach

- As there is no existing governance arrangement in this area, the communities in the region will need to establish a community-led 'design group' as a starting point for designing a Local & Regional Voice (starting point 3).
- Governments will need to play an enabling role to support this process to begin. For example, government will provide resourcing for a coordinator (hosted within a non-government organisation in the region) to convene the community forums and public meetings required to draw a range of community members and relevant organisations together and seek nominations to form the 'design group'.
- The 'design group' will need to involve members from across the wide range of existing Indigenous groups and organisations in the area, including service providers, ACCOs, native title settlement groups, local and regional advisory bodies in various sectors, and the local emerging leadership group. Other local leaders and individual community members not aligned to any existing group or organisation will also need to be included.
- In line with the principles, the 'design group' will be inclusive, reflecting a balance of gender, age, geographic spread and cultural leaders among its membership. This is particularly important for regions like this, where there are no existing arrangements to build on.
- Once it is formed, the 'design group' will begin designing the Local & Regional Voice (key elements for consideration in the design are outlined below).
- It is likely this design process will take considerable time (longer than regions where existing arrangements can be built on or adapted). There will be regular review points (eg., 6 monthly), with government support and resourcing provided to assist.
- The 'design group' will need to demonstrate steady progress, for example, indicating the steps it has taken to develop the design until the Local & Regional Voice is established.

Key elements of Local & Regional Voice design, evolution and adaptation

- To design a Local & Regional Voice for its region, the 'design group' will draw on the perspectives and experience of existing bodies and organisations as well as community members, consider how best to leverage the strengths of the region and its cultural and historical approaches and ensure new arrangements are fit for purpose and align with the framework.

Alignment with the principles

- As it develops up the new structure, the 'design group' will consider how to embed alignment with the principles in its design. It will focus in particular on the *Inclusive Participation*, *Cultural Leadership* and *Transparency and Accountability* principles, which form the basis for the minimum expectations required for recognition as a Local & Regional Voice.

Connections to other stakeholder groups

- The 'design group' will consider how best to link the range of key stakeholders across the region to the new structure, including ACCOs, other service providers, the local land council and native title settlement groups, advisory bodies and the local emerging leadership group. The way each of these bodies links to the Local & Regional Voice will depend on their roles, expertise and priorities.
- For this region, it is particularly important to engage with the groups involved in the recent comprehensive land settlements in the area to ensure the governance arrangements emerging from these are effectively connected to the Local & Regional Voice and that these arrangements are developed to complement each other.

Relationship between local communities and a Local & Regional Voice

- The 'design group' will consider how to ensure local perspectives are included at the regional level by creating pathways for local people and communities to drive engagement and decisions on local issues.
- There may be relevant localised mechanisms for governance or partnership with governments already in place that can support the development of the regional approach.

Leveraging relevant emerging policy directions

- Emerging policy directions at the state level may provide opportunities for the 'design group' to leverage in designing the Local & Regional Voice arrangements, particularly the reform of the AAC to develop a more representative structure for regional engagement and decision-making and the development of an Aboriginal Empowerment Strategy.

Partnership interface arrangements

- While designing and building up the new structure, the 'design group' will also work with governments to start developing partnership interface arrangements. Once the Local & Regional Voice is established, it will continue and finalise this work.
- Given that the concurrent reforms to the AAC focus on regional engagement and decision-making, the 'design group' and then the Local & Regional Voice will likely also be involved in some state-wide engagement related to this region.
- There may be existing government–community engagement mechanisms in some parts of the region that can facilitate these discussions or provide a model that can be adapted to suit the Local & Regional Voice context.

Minimum expectations and recognition of a Local & Regional Voice

- The 'design group' will test the final design of the Local & Regional Voice with all communities and relevant stakeholders in the region to seek their endorsement.
- Once the communities in the region have agreed to a design, the structure can be established. It can then seek formal recognition as the Local & Regional Voice for this region.
- The prospective Local & Regional Voice will engage in a joint assessment process with the WA and Australian governments.
- This will involve the proposed Local & Regional Voice demonstrating how it meets the minimum expectations in a way that is appropriate to this context. Appropriately balancing *Inclusive Participation* with *Cultural Leadership* will likely be a key focus, including in relation to how it links with the structures emerging from the land settlements in this area (noting that it will not encroach on their functions and responsibilities).
- Once formally recognised, the Local & Regional Voice can begin engaging in functions within the scope outlined in the framework, as appropriate to community preferences and capability. In this region, the new Local & Regional Voice may choose to focus initially on building up robust community engagement mechanisms to begin considering the region's strategic priorities and providing advisory functions to government while it embeds its operations, before moving to shared decision-making with governments as the arrangements mature.

1.20 Local & Regional Voice co-design task

The Local & Regional Co-design Group was tasked with articulating effective regional mechanisms for improved local and regional decision-making by Aboriginal and Torres Strait Islander people in partnership with governments. In doing so, the Local & Regional Co-design Group was expected to:

- draw on the existing local and regional decision-making and Indigenous regional governance models and work of the Joint Select Committee
- articulate how existing regional mechanisms and Indigenous governance structures can give effect to the notion of a Local & Regional Voice
- identify options, such as principles and a framework for local and regional decision-making and Aboriginal and Torres Strait Islander regional governance, which could underpin implementation across the country
- consider the effects of the possible future arrangements on the existing regional models and how these could be encompassed within the improved approach.

The Local & Regional Co-design Group is composed wholly of Aboriginal and Torres Strait Islander leaders and experts, with a non-government co-chair and a government co-chair. While many members hold leadership positions in their communities or Aboriginal and Torres Strait Islander organisations, including in the community-controlled sector, they participated in the Local & Regional Co-design Group in a personal capacity. The Local & Regional Co-design Group members bring a substantial body of experience and subject matter expertise.

The Local & Regional Co-design Group met for the first time in March 2020 to start developing a possible framework and guiding principles. The Local & Regional Co-design Group also established working groups to undertake detailed design work on the key elements of the framework. There were 6 full Local & Regional Co-design Group meetings in stage one, and 7 working group meetings on:

- The **framework** (8 April 2020) to consider overall design, including proposed purpose, scope and principles
- **structures and interface** (16 April 2020) to look at Indigenous governance structures and interface with governments
- **regions** (19 June 2020) to consider an approach to determining regions
- **linkages** (20 July and 17 August 2020) to design options for linking Local & Regional Voice with state and territory bodies and the National Voice, alongside members from the Senior Advisory Group and National Co-design Group
- **impact** (24 and 28 July 2020) to analyse the potential impact of the proposed framework on a range of existing arrangements and consider transitional arrangements.

In stage two, many of the Local & Regional Co-design Group members led community consultation sessions around the country. The Local & Regional Co-design Group also further developed policy detail for topics flagged in the Interim Report and considered the feedback from consultations. Members of the group also participated in a working group on transition and implementation that included members from the National Co-design Group and the Senior Advisory Group. There have been 4 full Local & Regional Co-design Group meetings in stage two on:


- **dispute resolution, minimum expectations, recognition process** (12 February 2021) to consider further design details identified in the Interim Report
- **parameters for key aspects of governance structures** and an approach to developing **guidance resources** (13 April 2021) to consider further design details identified in the Interim Report
- **consultation feedback** and **stage two policy work** (16 June 2021) to settle key design elements for the final proposal
- **final Local & Regional Voice proposal** (12 July 2021) to consider the relevant draft chapter of the Final Report.

During both co-design stages, there were also several supplementary briefings with members unable to attend meetings to ensure they could continue to contribute to shaping the Local & Regional Co-design Group's thinking.

1.21 References

A key principle of the co-design process is to build on previous work. In addition to their own subject matter knowledge, the development of a framework by the Local & Regional Co-design Group was informed by a number of reports, papers and models, including:

- The Torres Strait Treaty
- ATSIAC Review Report, 2003
- Evaluation of the Murdi Paaki COAG Trial, 2006
- Synopsis Review of the COAG Trial Evaluation, 2006
- Implementation Review of Shared Responsibility Agreements: Don't let's lose another good idea, 2007
- Victorian Aboriginal Justice Agreement Outcomes, 2012
- National Partnership Agreement on Remote Service Delivery Evaluation, 2013
- Kanyirninpa Jukurrpa Social Return on Investment Report, 2014
- Empowered People: Empowered Peoples Design Report, 2015
- Development of principles and indicators for successful cross-cultural partnership and collaboration for Aboriginal Affairs, 2016
- Tasmanian Government and Tasmanian Regional Aboriginal Communities Alliance Statement of Intent, 2017
- Literature Review: Principles of Good Governance, 2017
- Local Decision Making—OCHRE Good Governance Guidelines, 2017
- Service Delivery in Queensland's remote and discrete Indigenous Communities, 2017
- Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples, 2018
- Interim Report
- Final Report
- Submissions
- South Australia Aboriginal Affairs Action Plan 2019–20
- Aboriginal Advisory Council of WA Charter (refreshed 2019)
- OCHRE Review Report, 2019
- Expenditure on Children in the Northern Territory: Productivity Commission Study Report, 2020
- Indigenous Self Government in Canada
- Assembly of First Nations, Canada
- Department of Health Aboriginal and Torres Strait Islander Health Partnership Forums
- The Australian Indigenous Governance Institute, Indigenous Governance Toolkit
- Office of the Registrar of Indigenous Corporation



Chapter
2

National Voice

2.1 Introduction

For some time, Aboriginal and Torres Strait Islander peoples have been calling for a national-level mechanism to have a greater say in the laws of the Australian Parliament, policies and Australian Government decisions that affect them. The distinct perspectives, aspirations and needs of Aboriginal and Torres Strait Islander peoples need to be heard. Talking with Aboriginal and Torres Strait Islander peoples, listening to their views, valuing their expertise and acting on their advice are all essential to developing effective, productive and fair laws and policies. This is particularly relevant as Aboriginal and Torres Strait Islander peoples are, in practice, the only racial groups in Australia for whom laws are made exclusively. This means the need to have a National Voice is particularly critical.

While feedback during community consultation sessions focused on the need for Local & Regional Voices, there was also strong engagement and almost unanimous support for a National Voice that would complement these. Support for the National Voice was even stronger in submissions, with 95 per cent, or 2,824 submissions, supporting the concept of an Aboriginal and Torres Strait Islander Voice.

In community consultation sessions, Aboriginal and Torres Strait Islander people expressed what they have been saying for a long time: they want a greater say in the policies, laws and decisions of government that affect them and to understand how their voices and those of their communities would be represented on the National Voice.

The key reasons people provided for their support of a National Voice were that structural or systemic approaches were needed to achieve positive and lasting change and to provide a coordinated voice for Aboriginal and Torres Strait Islander peoples, so parliaments and governments have a clear source of advice on highly significant matters at the national level. Another key theme raised was a sense of urgency to realise this reform now and of optimism and hope that the time for the changes they are seeking may have arrived. Some participants expressed a desire to build something to hand down to the next generation, which could help to bring Aboriginal and Torres Strait Islander community voices together while recognising their diversity and unique perspectives.

While recognising the vital role of existing stakeholders, such as community and peak organisations, some participants at community consultation sessions also envisaged that a National Voice could add value to key public policy and program areas affecting Aboriginal and Torres Strait Islander people. For example, housing, the high rates of incarceration, deaths in custody, suicide, the age of criminal responsibility, domestic violence, the National Disability Insurance Scheme, aged care and remote employment programs.

Only a tiny minority of people said there should not be a National Voice. This opposition was mainly expressed through submissions from a campaign of considerably similar submissions, as well as other individual submissions, such as the submission from the Institute of Public Affairs¹⁷ rather than many divergent opposing views. In total, only 2 per cent of all submissions (74 submissions¹⁸) that had expressed a view on a National Voice were opposed to its establishment.

In community consultation sessions, attended overwhelmingly by Aboriginal and Torres Strait Islander people, a limited number of participants across a very small number of sessions were not supportive of a National Voice. Where this was raised, one person was concerned a National Voice would centralise power away from local communities, and a few people expressed concern that the breadth of issues would be too diverse for a single national body to engage with. Overwhelmingly, however, there was an expectation that members of a National Voice would consider how essential policy matters affected all Aboriginal and Torres Strait Islander people at the national level, in addition to linking into Local & Regional Voices.

The Australian Government has been committed for some time now to 'doing things with, not to', Aboriginal and Torres Strait Islander peoples. A National Voice would provide a formalised way to do this, and its establishment would be a clear demonstration of the Government's intent to work in this way. The National Voice would represent a positive turning point for the relationship between Aboriginal and Torres Strait Islander peoples and the Australian Parliament and Government.

¹⁷ Submissions by Institute of Public Affairs, March 2021, p. 2.

¹⁸ Of these, 7 were from people identifying as Aboriginal and/or Torres Strait Islander. 60 people identified as non-Indigenous, and a further 7 did not provide this information.

'A National Voice is no less vital than Local and Regional Voices. Government must be able to work in partnership with a National Voice directly affiliated to and connected with local and regional voices. The National Voice must enable the independent voices of Indigenous Australians to be heard across the country by the Australian Government and its parliament—through providing a direct link to the experience, understanding, and agency of Indigenous Australians from regional and local communities.'

– Empowered Communities, submission, March 2021

Participants agreed that having the National Voice was a great opportunity. It was felt that there needed to be some action, so Aboriginal people are not talking about the same things in another 30 years.

– Coober Pedy community consultation session summary, May 2021

Some participants felt the proposals were an opportunity for change and greater autonomy:

'We need to change the paradigm. This is the time for our voices to be heard. Indigenous people have spent too long in the back seat, and we want to be in the front seat.'

– Angurugu community consultation session summary, April 2021

In relation to why a National Voice was needed, one participant noted that a collective voice to provide advice on systemic issues could make a difference. Currently, they felt people were able to ignore the views of individual communities.

– Toowoomba community consultation session summary, March 2021

Participants saw the Indigenous Voice as a new opportunity for Aboriginal and Torres Strait Islander people to amplify their voices and shape the future. They felt that this was an opportunity the community needed to make the most of.

– Wagga Wagga community consultation session summary, March 2021

One participant felt the Voice represents a chance for unity as there is a lot of division in Aboriginal and Torres Strait Islander communities across Australia.

– Campbelltown community consultation session summary, March 2021

Participants expressed frustration at a sense of not being able to effectively raise issues under existing arrangements. Participants felt decision-makers needed to listen to people on the ground and feed solutions back to communities 'in our language about what it means to us'. Participants also reflected on past government policies. One participant felt 'we're getting old, and everything is still the same.'

– Katherine community consultation session summary, April 2021

'We can talk about the past but we're here now. We're at cross roads, it's about justice, we need to get this across the line.'

– Melbourne community consultation session summary, April 2021

'We're singing out for help and arguing for change. If a Voice was set up it would be very good for us. We all want the best for our people. We want to make sure that our voice travels far. We don't like to beat around the bush. At the moment, we don't know where our voice goes. Even if this takes time, we want to see it happen.'

– Maningrida community consultation session summary, May 2021

'This won't be something we get right straight away. This is something that is not new, it is something we've been wanting for a long time. If we don't try, if we don't stand up, all is lost. This is about the greater good for Aboriginal and Torres Strait Islander people. This is about change, and this happens over generations.'

– Cairns community consultation session summary, April 2021

Some participants talked about how consultation processes require them to provide the same advice again and again. Some participants reflected on past policies that have divided Aboriginal people and emphasised the importance of being united.

– Mildura community consultation session summary, March 2021

2.2 Key features

The National Co-design Group was tasked with developing proposals for a National Voice. Following consideration of the consultation feedback, the National Co-design Group agreed on the following key features for the proposed National Voice to be put to the Government for consideration. This chapter outlines the final proposals and explains each element and its rationale. The National Voice proposals address a range of elements, including functions, membership and structure and how it could be set up. The proposals ensure a National Voice can be both informed by and connect with Local & Regional Voices.

Membership and structure

- Boundaries for the determination of National Voice members would be the state and territory boundaries, with a separate Torres Strait Islands region.¹⁹
- The National Voice membership would be structurally linked to the Local & Regional Voices by the Local & Regional Voices within each jurisdiction collectively selecting National Voice members.
 - Secondary options under this model may be used if Aboriginal and Torres Strait Islander people of the relevant jurisdiction agree. An election or expression of interest process may still be held for a jurisdiction if Aboriginal and Torres Strait Islander people in those areas prefer. This decision would be made with the relevant Local & Regional Voices.
- The National Voice would consist of 24 members with gender balance structurally guaranteed.
 - The base membership model provides for 2 members from each state, the NT, ACT and the Torres Strait.
 - A further 5 members would represent remote areas due to the unique needs of those regions—one member from each of the NT, WA, Qld, SA and NSW. These members would be selected by the Local & Regional Voices covering the remote areas of these jurisdictions. These jurisdictions account for the largest share of the remote and very remote Aboriginal and Torres Strait Islander population.
 - An additional member would represent Torres Strait Islanders living on the mainland. This recognises the significant Torres Strait Islander mainland population, who have a distinct culture, experience a unique set of factors and lack representation. This member would be chosen by Torres Strait Islanders who reside outside the Torres Strait Region.
- There is an option for 2 additional members jointly appointed between the National Voice members and the Minister for Indigenous Australians.
- Members would serve 4-year terms. These terms would be staggered, with half the membership determined every 2 years to ensure continuity. There would be a limit of 2 consecutive terms per member.
- There would be a small Ethics Council, to provide advice to the National Voice on the eligibility of prospective members and probity and governance issues relating to current members.

¹⁹ The boundary for the Torres Strait would align with the boundary used by the Torres Strait Regional Authority. These include all Torres Strait Islands, including those with Aboriginal populations, and 2 predominantly Torres Strait Islander communities in the Northern Peninsula Area, Bamaga and Seisia.

Functions

- The National Voice would be an advisory body to the Australian Parliament and Government. These relationships would be two-way interactions, with either party able to initiate advice or commence discussion around relevant policy matters.
- The National Voice would provide advice on behalf of Aboriginal and Torres Strait Islander peoples to ensure their diverse perspectives are considered in crucial areas of legislation and policy development.
- Advice from the National Voice would be on matters of national significance to Aboriginal and Torres Strait Islander peoples, relating to the social, spiritual and economic wellbeing of Aboriginal and Torres Strait Islander peoples.
- The National Voice would work effectively with other bodies and stakeholders and draw on relevant expertise to inform the development of its advice.
- As well as the structural connection to Local & Regional Voices, the National Voice would be further connected through a formal two-way advice link on national matters.
- The National Voice would not have a service delivery function or manage Australian Government funding or programs.

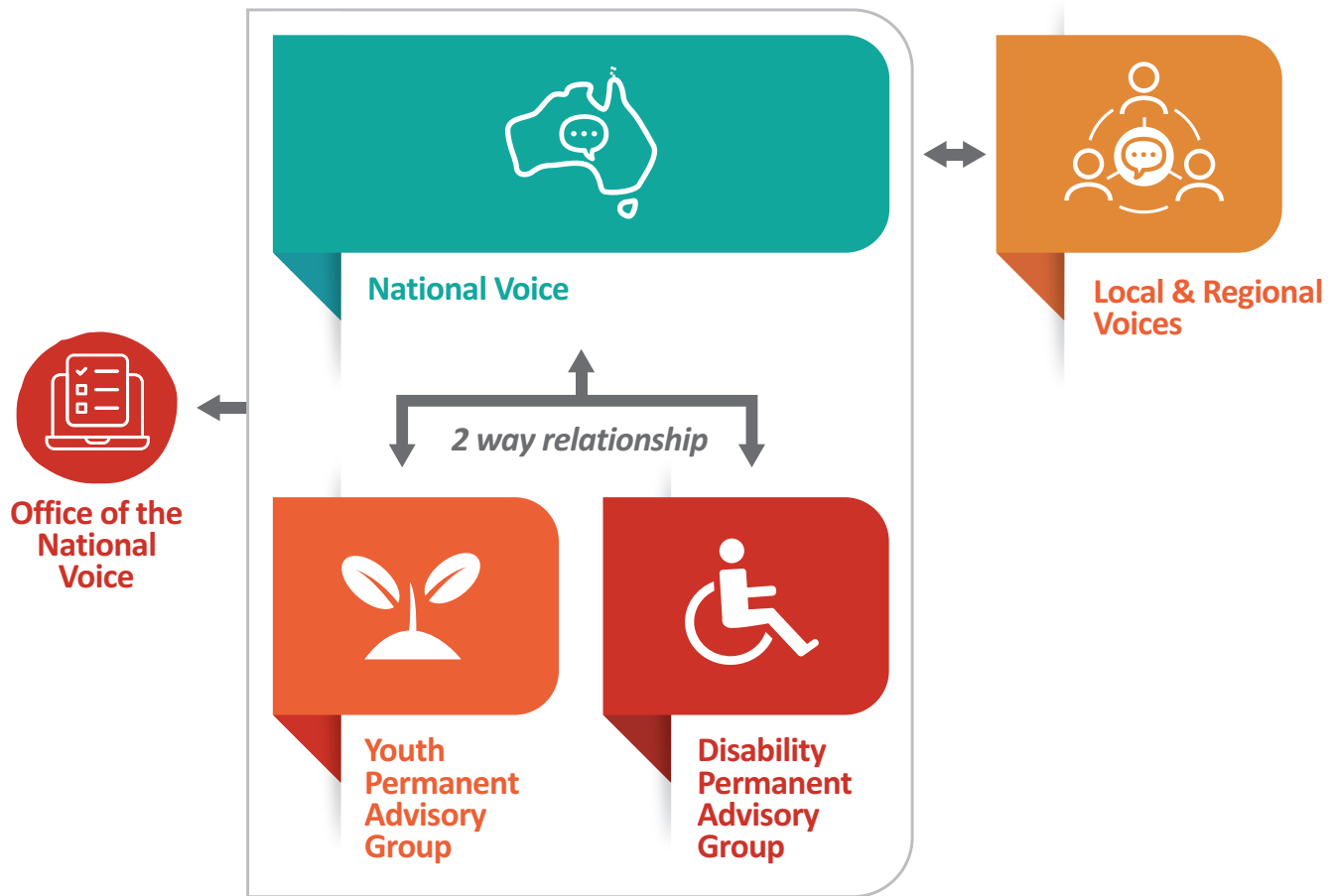
Parliament and Government

- There would be a set of consultation standards providing guidance on when, how and on what types of matters the National Voice should be consulted by the Australian Parliament and Government:
 - an ‘obligation to consult’ the National Voice on a defined and limited set of laws
 - an ‘expectation to consult’ the National Voice on a wider group of policies and laws based on a set of principles
 - standards for how consultation should be conducted.
- A set of complementary transparency mechanisms situated in Parliament would provide for public accountability and the ability for the National Voice to be heard. These are based on existing parliamentary mechanisms and practices already in use:
 - a statement on all bills explaining whether the National Voice was consulted and, if so, what advice was provided
 - the tabling of formal advice of the National Voice in Parliament
 - a parliamentary committee relating to the National Voice would enable parliamentarians to hear directly from the National Voice or to gain further insight into tabled advice and could consider engagement with the National Voice.
- The compliance of the Australian Parliament and Government with these elements could not be challenged in a court. The aim would be to support and not disrupt effective legislative and policy processes. The National Voice would have no power to veto laws made by the Parliament or decisions made by the Australian Government.

Corporate form

- The National Voice would be supported by its own Office of the National Voice.
- The National Voice and its Office would be an independent corporate Commonwealth entity established by legislation.

Figure 2.1: Corporate form



Overview of design considerations

The National Co-design Group has taken a pragmatic approach to the design of the National Voice proposal. A key element of the National Co-design Group’s work was to build on previous structures and approaches rather than to start with a clean slate. In addition to their subject matter knowledge, National Co-design Group members drew on several reports (see section 2.13) and undertook extensive consultation and engagement to develop the proposals. In particular, they adopted the design principles from the Final Report of the Joint Select Committee²⁰ (see Executive Summary). The National Co-design Group did not revisit the policy arguments for the National Voice, as this has been extensively

covered elsewhere. The Australian Government accepted the recommendation of the Joint Select Committee to co-design an Indigenous Voice, and the task of the National Co-design Group was to undertake that work.

One of the significant considerations for the National Co-design Group was how to fairly determine the membership of a National Voice, balancing multiple factors, including appropriate representation of cultural and demographic groups and geographic representation, with size, functionality and consideration for the vital and larger role of the Local & Regional Voices.

²⁰ Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples, Final Report, 2018, Box 2.1 Principles for the design of the Indigenous Voice.

Options considered included:

- membership drawn directly from smaller geographical regions noting this would create a much larger membership base, particularly if each region had representatives from different genders
- members drawn from groupings of regions
- members from states and territories
- number of members proportional to the population of the regions, noting that some regions would only be allocated a small number of members for a large geographic area, and east coast regions would dominate numbers
- representation of urban, regional and remote regions, noting that there is a greater disparity in socio-economic indicators for remote and very remote regions, and a small number of members would likely result in urban-based members
- member seats reserved for particular groups, such as different genders, youth, people with disability and traditional owners
- members appointed by the Australian Government.

Another important consideration for the National Co-design Group was the functions and scope of advice for the National Voice and how best to design and structure the advisory and representation role. The National Co-design Group considered options on elements such as:

- The scope of advice: broad, unrestricted scope on legislation and policy and a proactive role in providing advice, compared with a narrow scope restricted to only legislation.
- The requirements of the Australian Parliament and Government to engage with the National Voice: the scope ranging from an obligation to consult, to an expectation to consult only, or a mixture of both.
- How to harness and access expertise to inform the National Voice's development of formal advice on legislation and policy development.

The National Co-design Group agreed on key design elements in addition to the Joint Select Committee principles to be included in the proposal for the National Voice. The key design elements were:

- National Voice members must be chosen by Aboriginal and Torres Strait Islander people, and all Aboriginal and Torres Strait Islander people must have the opportunity to participate and become a member of the National Voice.
- Membership of the National Voice should be as small as practicable to ensure the maximum workability and flexibility of the body.
- The National Voice must be formally linked to the Local & Regional Voices (noting the crucial larger role of the Local & Regional Voices), which are not subordinate to the National Voice.
- The National Voice should be able to advise on any matters of particular significance to Aboriginal and Torres Strait Islander people.
- Gender balance must be structurally guaranteed in the membership, and Aboriginal and Torres Strait Islander youth and people with disability must be represented.

2.3 Membership model

Final proposal

The National Voice would use Core Model 1 (Membership Structurally Linked to Local & Regional Voices) for the membership model.

Interim Report

In the Interim Report, the National Co-design Group proposed 2 alternate core models—the Structural Membership Link model (Core Model 1) described above and Direct Election (Core Model 2).

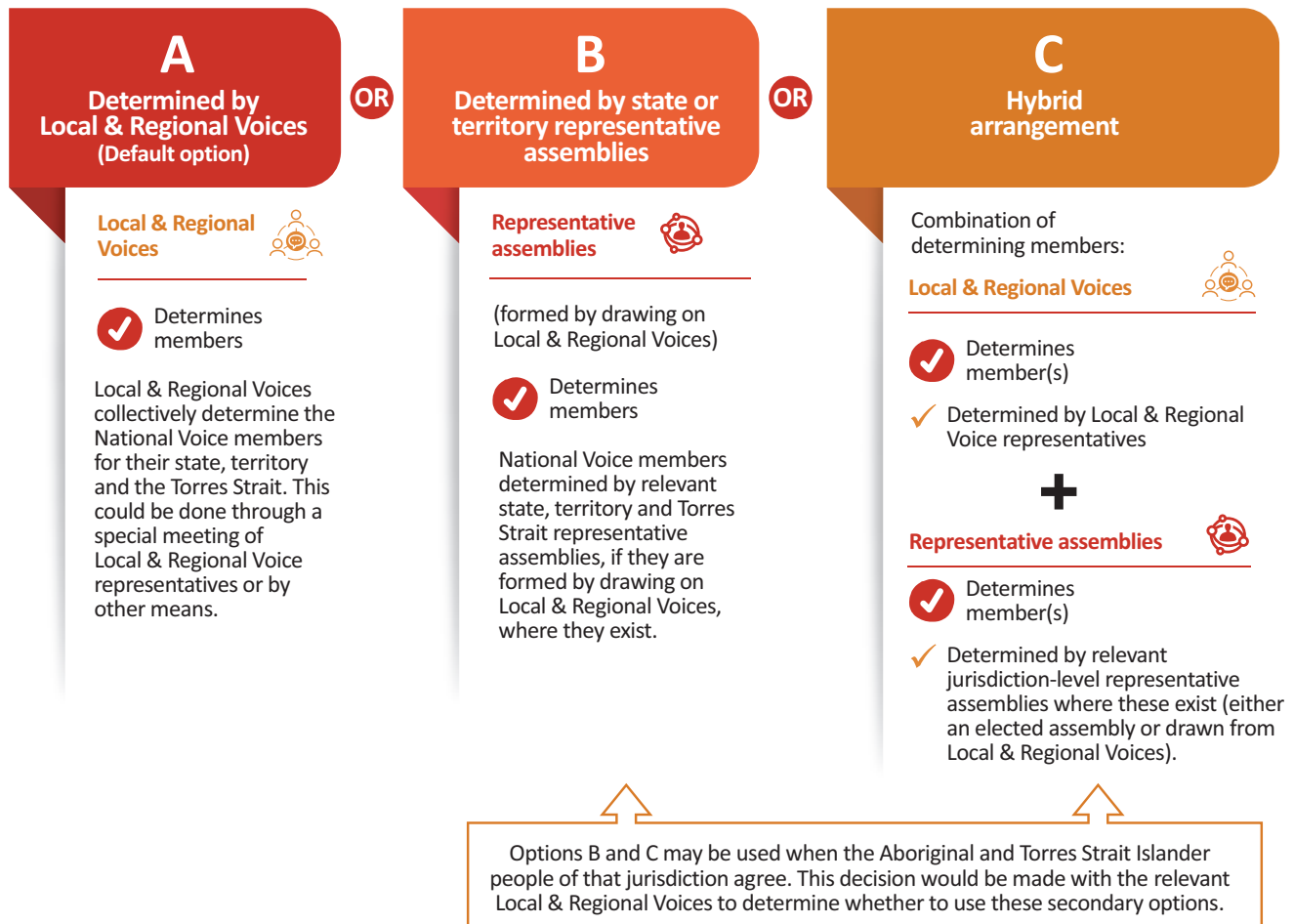
Core Model 2 proposed that membership would be determined by direct election of National Voice members from every state, territory and the Torres Strait Islands, or potentially drawn from state, territory and Torres Strait Islands representative assemblies, where they exist. In Core Model 2, there would be no direct role for Local & Regional Voices in determining National Voice members.

Rationale

Core Model 1 gives Local & Regional Voices and the Aboriginal and Torres Strait Islander people in a jurisdiction flexibility to determine the best approach to determining their own National Voice members. This includes an election method if that is determined to be the best approach by the relevant Local & Regional Voices within the jurisdiction.

Core Model 1: Membership structurally linked to Local & Regional Voice

Figure 2.2: Core Model 1: Membership structurally linked to Local & Regional Voice



2.3.1 Context

The way members are determined is an important consideration. For a National Voice to have legitimacy, its members:

- must be determined by Aboriginal and Torres Strait Islander people
- must be linked through to local communities.

The process for determining members should be both simple to understand and flexible enough to enable the Local & Regional Voices in a jurisdiction to determine the most suitable pathways for them, including an election method.

Further, the idea that members of a National Voice should be chosen by Aboriginal and Torres Strait Islander people, rather than by the Australian Parliament or Government, was recognised by the National Co-design Group as a fundamental principle of the National Voice and strongly reflected in feedback received during the consultation process.

Of the 2 options presented in the Interim Report, the National Co-design Group held a strong view that Core Model 1 better satisfied the requirements for simplicity and flexibility as well as the empowerment of Aboriginal and Torres Strait Islander people to choose their National Voice members in ways determined by them. The feedback received during the consultation solidified the National Co-design Group's strong consensus that the benefits of Core Model 1 outweigh those of Core Model 2.

Core Model 1 draws on the strengths of Local & Regional Voices, which would be developed under the principles-based framework, including the principles of *Inclusive Participation* and *Cultural Leadership*, and consequently would build a stronger connection between the National Voice and communities. The model also provides flexibility to adapt to the different representative landscapes across the states and territories.

The possible variations in methods that could be used by Local & Regional Voices mean members for a National Voice under Core Model 1 could be chosen in different ways between states and territories to suit each jurisdiction.

There is greater flexibility in Core Model 1, which provides the opportunity for the involvement of jurisdiction-level Aboriginal and Torres Strait Islander representative assemblies, where they exist, or elections if all Local & Regional Voices within a jurisdiction prefer. As Core Model 1 requires a structural membership link to the Local & Regional Voices, where a secondary option for selecting National Voice members is considered, the decision whether to use a secondary option would be made with the relevant Local & Regional Voices.

Core Model 1 received substantial support through most community consultation sessions, submissions and surveys for several reasons, including:²¹

- embedding a stronger link between the National Voice and Local & Regional Voices, leading to stronger accountability of the National Voice back to Aboriginal and Torres Strait Islander people and communities²²
- the ability to ensure greater diversity of Aboriginal and Torres Strait Islander people being involved at the national level (including through the principles-based framework requirement that Local & Regional Voices apply *Inclusive Participation* as a minimum standard)²³
- increased legitimacy by enabling members to be drawn from existing organisations that were created by Aboriginal and Torres Strait Islander people for Aboriginal and Torres Strait Islander people²⁴
- National Voice members being familiar with their communities and relevant organisations, and regional issues and priorities²⁵
- the flexibility the model gives to regions to determine the best selection method for them, including hybrid arrangements.²⁶

²¹ Broad support was expressed in community consultation sessions, including in Campbelltown, Central Coast, Mt Druitt, Perth, Port Hedland, Yarrabah, Ceduna, Angurugu, Alice Springs and Maningrida.

²² Community consultation session in Yarrabah, April 2021. Submissions including from Reconciliation Tasmania, March 2021, p. 5.

²³ Submission by Mary Waterford AM, February 2021; Submission by AIATSIS, May 2021, p. 6.

²⁴ Submission by Paris McNeil, February 2021, pp. 6–7.

²⁵ Campbelltown, March 2021.

²⁶ Submission by Paul Dobing, March 2021, p. 2.

While Core Model 2 received some support during the consultation process,²⁷ many concerns were shared by a considerable majority around the possible limitations and disadvantages of direct elections, which were perceived to threaten the legitimacy of the National Voice if Aboriginal and Torres Strait Islander people in a jurisdiction do not prefer elections over the other processes covered by Core Model 1. Concerns raised at community consultation sessions and in submissions and surveys included:

- weakening the link between the National Voice members and Local & Regional Voices (and therefore reducing the accountability of the National Voice to Local & Regional Voices)²⁸
- issues around eligibility to be a National Voice member being likelier to arise and recur in the context of elections²⁹
- issues around eligibility to vote, particularly with regard to confirming indigeneity, which has historically been divisive in some communities³⁰
- if there is consistent low voter turnout, then this could affect the legitimacy and authority of the National Voice³¹
- historical trends of under-enrolment of Aboriginal and Torres Strait Islander people to vote, particularly in remote areas³²
- the risk that election results may be dominated by known, well-resourced metropolitan-based candidates or candidates with large networks, to the disadvantage of community candidates³³
- the inability of the model to ensure diversity of members³⁴
- the high cost of elections, and difficulties resourcing elections in remote areas.³⁵

The National Co-design Group looked to recommend a model that could provide both simplicity and flexibility. While Core Model 1 could initially be perceived as more complex, in essence, it has been designed to draw membership from the Local & Regional Voices with inherent authority and legitimacy under the principles-based framework and in ways that suit the Aboriginal and Torres Strait Islander people in each state, territory and the Torres Strait. This should make the model both simple and flexible in practice. On the other hand, Core Model 2, while on first glance is simple to understand, is considerably less flexible because it imposes a blanket process of direct elections across the country regardless of the existing structures and cultural leadership already in place. In recommending Core Model 1, the National Co-design Group noted that a jurisdiction could nevertheless opt to select members by election if the Local & Regional Voices and Aboriginal and Torres Strait Islander population prefer.

• • • • • *‘The “Structural Membership Link” is preferred of the 2 options described ... It is felt that by having local/regional representatives empowered to speak on behalf of the communities they have been nominated to represent at the national-level will build and promote strength and confidence, both in individuals and the communities they advocate for.’*

– Yamatji Marlpa Aboriginal Corporation, submission, April 2021

²⁷ There was a minority of support for Model 2 in community consultation sessions in Coffs Harbour, March 2021, and Canberra, March 2021. There was also support in a small number of submissions, including from the National Tertiary Education Union—Aboriginal and Torres Strait Islander Policy Committee, April 2021 and Indigenous Peoples Organisation, Australia, May 2021.

²⁸ Including in community consultation sessions in Alice Springs, May 2021; Campbelltown, March 2021; and Ceduna, April 2021.

²⁹ Including in community consultation session in Toowoomba, March 2021. Submission from Dr Dani Larkin, March 2021, p. 6.

³⁰ Including in submissions from Dr Dani Larkin, March 2021, p. 6; and Reconciliation Tasmania, March 2021, p. 4.

³¹ Including in community consultation sessions in Inner Sydney, February 2021; Campbelltown, March 2021; Wagga Wagga, March 2021; Coffs Harbour, March 2021; Canberra, March 2021; Perth, April 2021; Ceduna, April 2021; Katherine, April; Central Coast, April 2021; and Tennant Creek, May 2021. Submission from Dr Dani Larkin, March 2021, p. 6. Submissions including from Reconciliation Tasmania, March 2021, p. 4.

³² Including in community consultation sessions in Coffs Harbour, March 2021; Perth, April 2021; Ceduna, April 2021; and Alice Springs, May 2021.

³³ Including in community consultation sessions in Inner Sydney, February 2021; Campbelltown, March 2021; Mt Druitt, March 2021; Wagga Wagga, March 2021; Broken Hill, March 2021; Ceduna, April 2021; Tennant Creek, May 2021; and Alice Springs, May 2021.

³⁴ Including in a community consultation session in Brisbane, March 2021.

³⁵ Including in community consultation sessions in Alice Springs, 2021, and Geraldton, May 2021.

'[Core Model 1 (Structurally Linked Membership)] is more likely to avoid the difficulties of issues such as Aboriginality, entitlement to vote and low voter turnout that may limit participation and so afflict the "Direct Election" model.'

– Reconciliation Tasmania, submission, March 2021

'For the Empowered Communities regions, the structural membership link model proposed in the Interim Report is considered far superior to a direct election method to select members of a National Voice and support local and regional empowerment ... The direct membership link also embeds the mechanism for ongoing, two-way communication and informed decision making ... [and] ensures the National Voice has the legitimacy and the usefulness of being directly connected to empowering Indigenous governance arrangements at the local and regional level. Direct connection to Local and Regional Voices ensures the National Voice is drawing from the fact that the Aboriginal and Torres Strait Islander population of each region will determine for themselves how cultural leadership and traditional decision making structures are reflected at this level, in line with the principles-based framework.'

– Empowered Communities, submission, March 2021

'[Core Model 1 (Structurally Linked Membership)] is more likely to ensure the diversity of Aboriginal and Torres Strait Islander communities are represented at the national level. This structure would also preserve a critical link to existing governance arrangements ... and help build legitimacy at the national level.'

– AIATSIS, submission, May 2021

It was noted that under an election model, smaller communities could be overwhelmed by the numbers of larger communities.

– Moree community consultation session summary, March 2021

It was noted that larger family groups would dominate elections and smaller family groups would struggle to participate or be elected.

– Inner Sydney community consultation session summary, February 2021

Participants felt the direct election model to selecting National Voice members may not be effective in terms of enabling broad engagement and legitimacy for the National Voice owing to the considerable under-enrolment of Aboriginal and Torres Strait Islander people in remote communities, and the lack of services in these communities to enable easy access to voting booths, mail delivery and other election services.

– Alice Springs community consultation session summary, May 2021

'The risk of [the direct election] model is that elected individuals may not have a strong relationship with existing local and regional structures or a vested interest in maintaining communication with and seeking advice from local structures, which may affect the legitimacy of the National Voice. Additionally, this model involves a very detailed and potentially overly manufactured process for the election of 2 people on an advisory body.'

– National Native Title Council, submission, April 2021

'Direct election ... is a bad idea because it is likely to provide the wider public with grounds for doubting the legitimacy of the Voice.'

– Professor Tim Rowse, submission, February 2021

'A direct election model is likely to produce a set of parallel institutions (Local and Regional Voices, and a structurally separate National Voice) that would likely fall into conflict and competition for resources and attention. Members of the National Voice would face incentives to serve their jurisdictional electoral constituency rather than the voices of the regional bodies. In contrast, members of a National Voice ... drawn from local and regional bodies would have an incentive to attend to the concerns of those bodies.'

– Dr Francis Markham, Centre for Aboriginal Economic Policy Research (CAEPR), Australian National University (ANU), submission, April 2021

2.4 Membership structure

The National Co-design Group considered a number of factors in determining the membership for the National Voice. These include balancing the number of members with:

- functions of the National Voice and ensuring the National Voice is established at a workable size
- representation of particular groups, such as different genders, youth, people with disability and traditional owners
- geographic considerations and connection to community, including need³² and the relationship with Aboriginal and Torres Strait Islander cultural authority groups
- fairness of distribution and allocation of member numbers across the regions.

2.4.1 Core membership number

Final proposal

The National Voice would be comprised of 24 members, with 2 drawn from each of the states and territories, 2 from the Torres Strait Islands, 5 additional remote representatives drawn from the Northern Territory, Western Australia, Queensland, South Australia and New South Wales, and one member representing Torres Strait Islanders on the mainland.

All members would be on an equal footing with each other and perform the same functions.

Having 5 additional remote membership positions is not intended to exclude jurisdictions from having more than one member from a remote area at any one time. The member representing mainland Torres Strait Islanders does not preclude Torres Strait Islanders from being determined for other mainland member positions.

Interim Report

In the Interim Report, the National Co-design Group proposed the National Voice having 16 or 18 members as 2 options for consideration during consultation.

The first option, 16 members, was proposed to be drawn from states and territories and the Torres Strait Islands, with each state and the NT having 2 members

each (gender balanced), and ACT and the Torres Strait Islands having one member each.

The second option, 18 members, was proposed to be drawn from states and territories and the Torres Strait Islands, with each jurisdiction having 2 members (gender balanced).

Rationale

The final proposal builds on the second option of 18 members, by including 5 additional members for remote representation and one additional member for Torres Strait Islanders living on the mainland.

The composition of members needs to be reflective of the fact that the National Voice is not intended to be a proportionally representative body but rather a policy and advisory body representing the diverse perspectives of Aboriginal and Torres Strait Islander people.

This is to ensure:

- gender balance in the membership
- a diversity of perspectives from across the country to inform the National Voice's consideration of national matters and policy
- where jurisdictions have substantial populations of Aboriginal and Torres Strait Islander people living in remote or very remote areas, the unique voices from these populations are heard
- the size of the National Voice is both effective and workable and enables it to make informed decisions.

Context

In determining the final proposal, the National Co-design Group considered responses to the proposals in the Interim Report, as well as other suggestions put forward during consultation.

In weighing up the various options, the National Co-design Group noted the National Voice is intended to be a policy and advisory body rather than a proportionally representative body, but still

Table 2.1: Membership numbers for the National Voice

Jurisdiction	Base members	Additional remote members
Australian Capital Territory	2	
New South Wales	2	1
Northern Territory	2	1
Queensland	2	1
South Australia	2	1
Tasmania	2	
Torres Strait Islands	2	1*
Victoria	2	
Western Australia	2	1

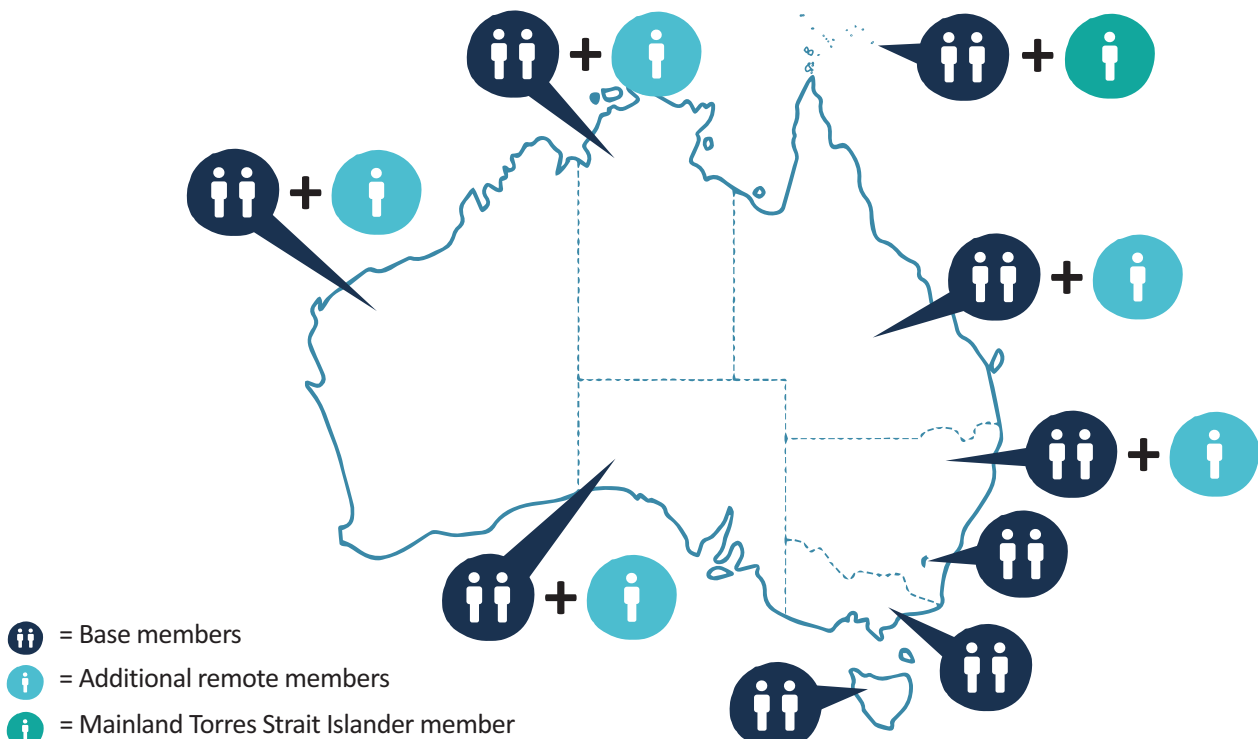
*Representation for Torres Strait Islanders living on the mainland

needs to reflect the diversity of Aboriginal and Torres Strait Islander voices across the country in its advice, including the diversity of people in cultural leadership positions.

In stage one of the co-design process, the National Co-design Group considered options such as drawing members from every Local & Regional Voice (up to 2 members per region for a maximum of 35 Local & Regional Voices), options for a small board-style group of no more than 10 members, and options with total member numbers in-between these 2 options. The National Co-design Group recognised the value of having National Voice members drawn directly from all Local & Regional Voices, being a simpler structure and delivering a greater diversity of voices, particularly given the crucial role of the Local & Regional Voices and the number of those regions being proportional to the population. However, the National Co-design Group was also conscious the National Voice, being a policy and advisory body, would also greatly benefit from being smaller in number to enable members to come to a consensus on advice efficiently.

The various options were presented to the Senior Advisory Group. Feedback from the Senior Advisory Group focused on the workability of the National Voice membership while balancing representation and gender and recommended a membership between 10 and 20. Following this feedback, the National Co-design Group agreed a smaller membership number for the National Voice could be the most effective. A smaller membership could adapt and respond more quickly in doing its work, resulting in greater workability.

Figure 2.3: Map of membership numbers for the National Voice



2.4.2 Torres Strait Islands region and the Australian Capital Territory

In the Interim Report, the National Co-design Group put 2 options forward for consultation for the number of members representing the ACT and the Torres Strait Islands region. There are significant differences in the size of Aboriginal and Torres Strait Islander populations in the ACT and Torres Strait Islands compared to the states and the NT. In the 2016 Census, the number of Aboriginal and Torres Strait Islander people living in the ACT and the Torres Strait Islands each accounted for less than one per cent of the national Aboriginal and Torres Strait Islander population. In comparison, NSW accounted for 33 per cent of the national Aboriginal and Torres Strait Islander population.³⁶

The National Co-design Group noted minimal feedback during consultation regarding the number of members for the ACT and the Torres Strait Islands on the National Voice. While there were some questions about why areas with only a small population had the same membership as areas with larger populations, generally, there was either support for equal representation or the issue did not attract comment.

The National Co-design Group agreed that having 2 members from each of the ACT and the Torres Strait Islands region would put all states, territories and the Torres Strait Islands region on an equal footing for a base membership number, provide more diversity on the National Voice, and enable the ACT and Torres Strait Islands region to maintain gender balance in their representation.³⁷

Additionally, following consultation, the National Co-design Group gave further consideration to the representation of Torres Strait Islander people living on the mainland. Further detail on this, along with specific remote representation, is outlined in sections 2.4.4. and 2.4.6.

2.4.3 Consultation feedback

During the consultation process, the National Co-design Group received a broad range of feedback about size and methods for distributing member numbers across the country. The suggestions for member size varied, but the common message was that 16 or 18 members were too few.³⁸ A commonly raised reason for a larger member size was the need to ensure voices from remote and regional communities could be better heard.³⁹

During consultation, 3 alternate membership sizes were also suggested through feedback and were considered by the National Co-design Group. These were:

- a call for additional members from remote and regional areas⁴⁰
- for members to be drawn directly from every Local & Regional Voice⁴¹
- for population-based proportional representation.⁴²

The National Co-design Group discussed in detail the need to balance critical considerations in member numbers to achieve fair representation across the jurisdictions. In particular, members discussed how to balance factors such as geographic spread, remoteness and level of disadvantage of the Aboriginal and Torres Strait Islander population within a jurisdiction, compared with an allocation that was directly proportional to population.

³⁶ For a full breakdown of population across state and territory jurisdictions in the 2016 Census, see Table 2.2.

³⁷ Gender balance for the 2 members from the Torres Strait was supported by participants at a community consultation session on Thursday Island, May 2021. Gender balance for the 2 members from the ACT was supported by participants at community consultation sessions in Canberra, 30 March 2021.

³⁸ General support for or openness to a larger number of members than 16 to 18 can be seen in many submissions, including from ANTaR, March 2021, p. 13; and South Australian Council of Social Services, April 2021 p. 4.

³⁹ Community consultation sessions including in Brisbane, March 2021; Dubbo, March 2021; Ceduna, April 2021; Maningrida, May 2021; and Amata, May 2021. Submissions including from From the Heart; Regional Anangu Services Aboriginal Corporation; and the Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women's Council.

⁴⁰ Submissions including from From the Heart. The issue of more representation for rural and remote regions due to their greater need was also brought up by participants at a webinar on the National Voice, March 2021.

⁴¹ Community consultation sessions including in Alice Springs, Broken Hill, March 2021. Submissions including from Empowered Communities, Dr Francis Markham and the Australian Indigenous Governance Institute.

⁴² Community consultation sessions including in Inner Sydney, February 2021. Submissions including from the National Native Title Council and the Business Council of Australia.

The National Co-design Group also considered whether specific groups within the Aboriginal and Torres Strait Islander population required a designated member on the National Voice, compared with other forms of representation within the structure of the National Voice. This is considered in detail below in sections 2.4.6, 2.4.10 and 2.10.1.

The National Co-design Group noted concerns that distributing membership on a population proportionality basis would heavily favour representation from jurisdictions with higher population density.⁴³ This would be to the detriment of remote and regional areas. It was agreed that drawing members equally across jurisdictions and the Torres Strait Islands region was a fairer way to establish a base membership number.

The National Co-design Group acknowledged the significant and compelling feedback received during consultations and in submissions supporting adequate representation for remote areas. They agreed that there was a need to supplement membership numbers to provide additional representation for remote areas. This view was based on the high levels of needs in remote areas (e.g., lower life expectancy, high levels of socio-economic disadvantage and lack of service infrastructure) and the systematic under-representation and lack of voice for people living in remote areas. The National Co-design Group noted these issues were structural rather than temporary power imbalances, and therefore essential to address through the ongoing structure of the membership arrangements.

The National Co-design Group noted that Local & Regional Voices would have a more proportional basis and would be the primary form of representation on issues at the local level. They also noted that the feedback during consultation confirmed these local issues make up the areas primarily of key interest to communities. As a result, separate from the equally distributed model of representation for a National Voice, there would be representation at the local and regional level that is more aligned with the proportion of the population.

Local & Regional Voices would have a different and more expansive role to that of the National Voice. They would partner with all levels of governments, providing priorities and guidance and shaping decisions close to the level of impact for Aboriginal and Torres Strait Islander people. Local & Regional Voices would have their own role and are not subordinate to the National Voice or vice versa.

These reasons led the National Co-design Group not to progress suggestions of a population-based proportional allocation of numbers or direct representation of all Local & Regional Voices on the National Voice. The National Co-design Group noted the many and consistent calls for more representation for remote and regional areas and agreed allocating additional positions for remote members as 'most fair' in balancing all of the considerations discussed and outlined below.

⁴³ Including in a community consultation session in Port Lincoln, March 2021.

2.4.4 Additional remote representation

The feedback arguing for more remote representation generally pointed to the greater need of remote and regional communities to have their voices heard. In the From the Heart submission, for example, life expectancy was used as a proxy indicator for need. Life expectancy for Aboriginal and Torres Strait Islander men and women living in major cities is 72.1 and 76.5 years, respectively. In comparison, for Aboriginal and Torres Strait Islander men and women in remote/very remote areas, life expectancy is 65.9 and 69.9 years, respectively.⁴⁴

There are many other economic, social and wellbeing outcomes that are markedly lower for Aboriginal and Torres Strait Islander people living in remote areas compared to urban and inner regional areas. This includes school attendance rates (at 22–23 percentage points lower in remote than in inner regional areas and cities),⁴⁵ smoking (with smoking incidence 13 percentage points

higher in remote and very remote areas than in urban and inner regional areas) and employment, with the proportion of Aboriginal and Torres Strait Islander people employed dropping to 30 per cent of the population in very remote areas, which is 16–23 percentage points lower than in inner regional areas and cities.⁴⁶

The 2016 Census was used to determine the shortlisted jurisdictions for additional representatives on both a geographic and needs basis. Additional remote representation was identified for 5 jurisdictions—NT, NSW, SA, WA and Qld—due to substantial populations of Aboriginal and Torres Strait Islander people living in remote and very remote areas in those jurisdictions. The Australian Bureau of Statistics (ABS) data reinforce the needs of people living in the remote areas of these jurisdictions.

Table 2.2: Remote and very remote Aboriginal and Torres Strait Islander population (2016 Census)

State	Percentage of the Aboriginal and Torres Strait Islander population of each state living in remote and very remote areas ⁴⁷	Percentage of the total Aboriginal and Torres Strait Islander remote/very remote population living in each state	Percentage of Australia's Aboriginal and Torres Strait Islander population located in each state	Total number of Aboriginal and Torres Strait Islander people in each state
Northern Territory	78%	38.1%	9.34%	74,546
Western Australia	38%	24.1%	12.59%	100,512
Queensland	17%	26.5%	27.72%	221,276
South Australia	15%	4.2%	5.29%	42,265
New South Wales	4%	6.3%	33.28%	265,685
Tasmania	3%	0.6%	3.57%	28,537
Victoria	0	0	7.24%	57,767
ACT	0	0	0.94%	7,513
Other Territories ⁴⁸	-	-	0.03%	264
Torres Strait	-	-	0.93%	7,407
Australia				798,365

⁴⁴ Life expectancy at birth (for Aboriginal and Torres Strait Islander people), remoteness areas 2015–2017, ABS.

⁴⁵ Australian Curriculum, Assessment and Reporting Authority (ACARA), 2018.

⁴⁶ Proportion of Aboriginal and Torres Strait Islander people employed, aged 15–64, by remoteness area, ABS, 2016.

⁴⁷ The 5 classes of remoteness used by the Australian Bureau of Statistics are Major Cities, Inner Regional, Outer Regional, Remote and Very Remote. This table includes figures for remote and very remote only.

⁴⁸ Other territories include Jervis Bay, Christmas Island and Cocos (Keeling) Islands.

2.4.5 Eligibility for additional remote National Voice members

The eligibility of the additional representatives would mirror the eligibility for the rest of the National Voice members, with consideration able to be given to whether the members reside in a remote or very remote area.⁴⁹

It is important to note the inclusion of an additional remote representative for each of the 5 identified jurisdictions would not preclude other remote representatives from being selected for other positions allocated to these jurisdictions.

● *‘We have concerns that the national voice body of 16 to 18 members proposed in your Interim Design Report is not large enough to include the full range of remote voices, such as the Voice of Anangu. Either, there needs to be specific remote voices on the National Voice model or more voices from remote regions in the National model.’*

– Regional Anangu Services Aboriginal Corporation, submission, April 2021

● *Participants commented that the number of National Voice members should be aligned with the number of Local and Regional Voices, so there is representation from every Local and Regional Voice at the National Voice level.*

– Alice Springs community consultation session summary, May 2021

● *Participants expressed concerns about having only 2 National Voice members for Western Australia, noting the large size and dispersed population of the state.*

– Halls Creek community consultation session summary, May 2021

● *Participants expressed concern about having only 2 members of the National Voice from the Northern Territory. Participants supported this by noting the vast size of the NT, its diversity, and its higher percentage of Aboriginal and Torres Strait Islander residents.*

– Katherine community consultation session summary, April 2021

● *‘There is a strong Needs-based justification to give greater proportional representative Voice to people from Regional and Remote areas. Need must be structurally guaranteed and must take precedence over a vague notion of ‘workability’ and arbitrary State/Territory equalisation.’*

– From the Heart, submission, January 2021

● *‘The proposed structure could be made more workable by increasing the number of members of the National Voice to equal the number of Local and Regional Voices, with each regional body delegating one of their co-chairs to become a member of the National Voice.’*

– Dr Francis Markham, CAEPR, ANU, submission, April 2021

● *One participant was interested in remote representation. However, they feared that unless remote representation was determined at the jurisdiction level, western New South Wales would miss out.*

– Broken Hill community consultation session summary, March 2021

⁴⁹ This may include towns classified by the ABS as ‘outer regional’ but is otherwise surrounded by remote locations (e.g., Broken Hill, NSW).

2.4.6 Torres Strait Islanders living on the mainland

While the matter of one or 2 members of the Torres Strait Islands attracted little feedback, the matter of representation of Torres Strait Islander people living on the mainland did receive some feedback.

The National Co-design Group discussed the importance of finding an appropriate model for representing Torres Strait Islander people living on the mainland, noting there are over 50,000 people on the mainland identifying as Torres Strait Islander or Aboriginal and Torres Strait Islander. The members discussed the issue of many Aboriginal and Torres Strait Islander people living off country generally and emphasised that people would be represented by the Local & Regional Voices in their place of residence. This is particularly the case given the Local & Regional Voice minimum standard of each region reflecting the principle of *Inclusive Participation*.

The Senior Advisory Group also discussed this matter and agreed there are a range of views on how best to structure this representation. However, it emphasised the importance that the voices of Torres Strait Islander people living on the mainland be heard by the National Voice. It was discussed that this is about fairly representing the distinctness of Torres Strait Islanders as an Indigenous people of Australia, and the particular marginalisation experienced by that cohort who reside on the mainland.

It was argued by both groups that the 2 Torres Strait region National Voice members in the proposed membership model are not split between one representing the mainland and one representing the Torres Strait. The groups determined this would diminish the status of Torres Strait Islanders as a distinct Indigenous people. This view was shared by the submission from the Torres Strait Regional Authority (TSRA) and participants at the Thursday Island community consultation session, as outlined in the sections below.

There was further robust, in-depth discussion by the National Co-design Group on this element of the design, with input from the Senior Advisory Group and consideration of the feedback received from consultation. Some members reasoned that while the population of Torres Strait Islanders living on the mainland is substantial, it is a common experience for most Aboriginal and Torres Strait Islander people to live off country.

However, the majority of National Co-design Group members agreed to include this additional membership position to recognise the unique circumstances and substantial proportion of Torres Strait Islanders on the mainland. The co-design members emphasised this membership position would support equity and inclusion. Further, it was noted that feedback from the community consultation session on Thursday Island supported representation for mainland Torres Strait Islander people that is separate to the representation for the Torres Strait Islands region.

Context for specific representation

Torres Strait Islanders are a distinct Indigenous group within Australia, and the issue of representation is not new. Historically, Torres Strait Islanders were moved from the Torres Strait to other parts of Australia and moved vast distances from their lands, such as to Broome, Perth and Hobart. Previously, Torres Strait Islanders on the mainland have had specific representation to recognise their unique circumstances and need for mainland representation.

The *Aboriginal and Torres Strait Islander Commission Act 1989* (Cth) established the Torres Strait Advisory Board to represent mainlanders directly to the minister and ATSIC 'for the purpose of furthering the social, economic and cultural advancement of Torres Strait Islanders', with a representative from each of 6 regions covering mainland Australia. There was also within ATSIC the Office of Torres Strait Islander Affairs, which had to pay particular attention to the needs of Torres Strait Islanders who live on the Australian mainland in delivering on its functions.

Even so, ‘this group still faced problems in accessing funding bodies, programs and services’.⁵² With the abolition of ATSIC, these structures ceased to exist ‘and the opportunities for participation by mainland Torres Strait Islanders in government processes have reduced even further’.⁵¹ Note, the TSRA does not have a legislative remit to represent Torres Strait Islanders on the mainland.

The Social Justice Commissioner’s 2008 discussion paper considering a new national Indigenous representative body⁵² stated that Torres Strait Islanders on the mainland experienced marginalisation among other mainland Indigenous groups, and there should be specific forms of representation for this group.

Torres Strait Islander population on the mainland

The population of Torres Strait Islanders living on the mainland is very significant.⁵³

Table 2.3: Torres Strait Islanders living on the mainland

Torres Strait Islanders	Population
Population in the Torres Strait	6,489
Mainland population identified as of Torres Strait Islander origin only	32,345
Mainland population identified as both Aboriginal and Torres Strait Islander origin	26,767
Total	59,116

When combining the population of Torres Strait Islanders living in the Torres Strait and on the mainland, their proportion of the total Aboriginal and Torres Strait Islander population is significant at just over 7 per cent. This is higher than the

populations of both the ACT and Tasmania. If the Torres Strait Islander population includes people who identify as both Aboriginal and Torres Strait Islander, their proportion becomes greater than South Australia and similar to that of Victoria.

Consultation feedback on Torres Strait Islanders on the mainland

Feedback from consultation supports the representation of Torres Strait Islanders on the mainland. Participants at community consultation sessions in Brisbane, Cairns, Port Hedland, Townsville, Darwin and Rockhampton emphasised that there should be specific mainland representation. In the community consultation session on Thursday Island,⁵⁴ this matter was discussed, with representation of Torres Strait Islanders living on the mainland seen as critical. One participant said that the connection with ‘mainland families is very important to us’ but also noted it was essential that if a mainlander is speaking for the Torres Strait, that they be connected with the ‘culture and our leaders’. People were also adamant that at least 2 representatives from the Torres Strait would be required in order to give gender balance and reflect that the Torres Strait Islander people are a unique people and culturally distinct.

The TSRA submission⁵⁵ agreed that the Torres Strait Islands should have separate representation; ‘however it is important to note there is a large diaspora of Torres Strait Islanders living on the mainland, particularly in Queensland and Western Australia’. The TSRA stated, ‘it is imperative their unique issues be represented via a national platform too’.

⁵⁰ Aboriginal and Torres Strait Islander Social Justice Commissioner, Building a Sustainable National Representative Body, Australian Human Rights Commission, 2008, p. 82.

⁵¹ Ibid.

⁵² Ibid.

⁵³ ABS, Census counts—Torres Strait Islander people (b) by state/territory, 2011 and 2016.

⁵⁴ 4 May 2021.

⁵⁵ 30 April 2021, p. 3.

Options for representation of Torres Strait Islanders on the mainland

The National Co-design Group and Senior Advisory Group acknowledged, and some consultation feedback reflected that, splitting the 2 Torres Strait Islands region members between the mainland and the Torres Strait is not a viable option.

Other options discussed include representation of Torres Strait Islanders on the mainland through a committee. The co-design members felt, however, that this option would add to the complexity of the National Voice structure and that this would outweigh the benefit of such a committee compared with having an additional representative for Torres Strait Islanders on the mainland.

In recommending an additional National Voice member position for Torres Strait Islanders living on the mainland, the co-design members recognised the distinctness of Torres Strait Islanders as an Indigenous people of Australia. The co-design members also recognised the uniqueness of factors experienced by those living on the mainland. The member for Torres Strait Islanders living on the mainland could convene forums to identify crucial issues affecting this cohort. The addition of this position to the membership model would also support structural gender balance on the National Voice (see section 2.4.7).

Eligibility for the member representing Torres Strait Islanders living on the mainland

The member position would be open to any Torres Strait Islander people not living in the Torres Strait region, but would also be subject to the ordinary eligibility criteria for the National Voice (see section 2.6.2). The member determination process could involve an expression of interest overseen by a panel of mainland Torres Strait Islanders and could include the 2 Torres Strait Islands region members. This determination process would be designed during the implementation phase in consultation with mainland Torres Strait Islanders.

2.4.7 Ensuring gender balance with additional member positions

The National Co-design Group acknowledged that having additional representatives is not without inherent challenges in ensuring gender balance. Additional members should be gender balanced over time within a jurisdiction and there should be an agreed rotation of genders across all additional representatives across the country whenever there is a change in a cohort. Having an even number (six) amongst additional representatives, however, would better support the requirement for structural gender balance within cohorts of additional representatives. The implementation ‘establishing body for a National Voice’ or ‘Interim Body for a National Voice’ (depending on the implementation option, see Chapter 4) could outline the proposed split, ensuring overall gender balance among additional members when the National Voice is first established, which would then be maintained with an agreed rotation.

Each of the 6 jurisdictions with an additional member could maintain a broad 2:1 gender balance split. These jurisdictions could alternate after every member term to ensure gender balance is maintained. During implementation, the decision of which jurisdiction starts with which gender split will be done in consultation with the relevant jurisdictions.

Table 2.4: Example of possible gender balance structure in membership numbers*

	Cycle one		Cycle two	
	QLD	NSW	QLD	NSW
Women	2	1	1	2
Men	1	2	2	1

***People who identify as gender diverse could be selected for one or more positions**

2.4.8 Membership boundaries

Final proposal

Each of the states, NT and ACT would form the boundaries from which National Voice members will be determined. In addition, 2 members would be drawn from the Torres Strait Islands region.⁵⁶

Interim Report

The Interim Report proposed that state and territory boundaries and Torres Strait Islands region form the basis of membership selection.

Rationale

States and territories and the Torres Strait Islands region boundaries were selected to best balance the number of National Voice members, geographic distribution, and the National Voice alignment with Local & Regional Voices and state and territory governments.

The National Co-design Group considered how to determine the representation of Aboriginal and Torres Strait Islander people fairly and adequately for the National Voice. 2 options were considered for membership boundaries: states and territories, or the creation of smaller regions. The National Co-design Group chose the states and territories, with separate representation for the Torres Strait Islands for the following reasons:

- State and territory governments are crucial stakeholders and deliver the majority of services to Aboriginal and Torres Strait Islander people. Selecting members based on states, territories and the Torres Strait Islands may better facilitate engagement with them by the National Voice members. States and territories are also commonly recognised and easily understood. Having these boundaries is also in recognition that elected jurisdiction-level Aboriginal and Torres Strait Islander representative assemblies currently exist and are emerging in some jurisdictions. Using state and territory boundaries provides the opportunity for connection of these representative assemblies to the National Voice.
- This approach better supports a smaller number of members than the approach of basing membership on individual regions, and would make a National Voice more practical, workable and affordable.

The National Co-design Group also considered models based on 15–38 smaller geographic regions, considering the great diversity, geographic spread and variations in population density of Aboriginal and Torres Strait Islander people. The National Co-design Group noted this larger number of regions might have supported an even greater diversity of members of the National Voice, for example, by separately providing representation for metropolitan and remote areas and a more direct link to local communities. However, the National Co-design Group formed the view that a larger number of members based on regions would make the membership too large and impractical and affect its ability to fulfil its role.

The National Co-design Group acknowledged that many of these benefits could also be achieved through the Local & Regional Voices and their link to the National Voice under Core Model 1, as outlined above. These membership boundaries support a National Voice with larger areas for determining members. The National Co-design Group noted that the risk remains under a state- or territory-based arrangement that some communities may still feel under-represented at the national level.

⁵⁶ The boundary for the Torres Strait would align with the boundary used by the Torres Strait Regional Authority. These include all Torres Strait Islands, including those with Aboriginal populations, and 2 predominantly Torres Strait Islander communities in the Northern Peninsula Area, Bamaga and Seisia.

2.4.9 Gender representation guaranteed

Final proposal

There must be gender balance in the National Voice membership, and it must be structurally assured over the member determination cycles for National Voice members. Each state, territory, and Torres Strait Islands region will have a base of 2 members who must be of a different gender from each other. For the 6 additional members representing remote communities and Torres Strait Islanders on the mainland, gender balance will be assured and members would be replaced by members of different gender at the end of their tenure. In addition, the 2 National Voice co-chairs must be of a different gender from each other.

Interim Report

The National Co-design Group agreed unanimously in the Interim Report that gender balance should be structurally assured.

Rationale

Structurally guaranteed gender balanced membership was an imperative for co-design members. This reflects the need to represent the diverse perspectives of Aboriginal and Torres Strait Islander people, as well as the National Co-design Group's principle of designing a body that embraces best practice in organisational governance structures.

Support for ensuring gender balance in the National Voice membership was demonstrated throughout consultation in feedback from across the country.⁵⁷

A small number of submissions called for further clarity around how 'gender balance' would apply to people who do not identify as male or female and the need to ensure inclusion for Aboriginal and Torres Strait Islander people who identify as LGBTIQ+.⁵⁸ The National Co-design Group agreed to the importance of inclusion on the National Voice of diverse genders. This would be strengthened by the requirement under the principles-based framework for Local & Regional Voices to practise the principle of *Inclusive Participation*. It is anticipated this would promote gender diversity in the drawing of the National Voice members.

● *Participants strongly supported a gender-balanced approach. Participants saw this as connected to cultural concepts of men's business and women's business.*

– Darwin community consultation session summary, April 2021

● *Participants discussed how cultural protocols should be reflected in the Indigenous Voice proposals. Inclusion of elders and gender balance were identified as culturally important elements.*

– Ngukurr community consultation session summary, April 2021

● *'It is important that women are not portrayed as an inherently vulnerable group, but as equal participants.'*

– Monash University, submission, April 2021

● *'I ... support efforts to ensure the National Voice is not male-dominated.'*

– Alastair Lawrie, submission, April 2021

● *'[T]he wording around gender diversity should further clarify that this is inclusive of people who identify as gender diverse. Much of the wording in materials and briefing sessions has specified a 50/50 gender split between female/male which may be exclusionary to those who identify as gender diverse.'*

– KPMG Australia, submission, March 2021

⁵⁷ Including at community consultation sessions in Brisbane, March 2021; Campbelltown, March 2021; Canberra, March 2021; Melbourne, April 2021; Kalgoorlie, April 2021; Port Augusta, April 2021; and Angurugu, May 2021. Further, of the surveys and submissions that engaged on the topic of gender, almost all were in support of gender balance. This includes submissions from the Australian Human Rights Commission, Empowered Communities and Monash University.

⁵⁸ Submissions including from Alastair Lawrie, KPMG and Northern Sydney Alliance for the Uluru Statement. The Women for an Australian Republic suggested a 40:40:20 split, with the 20 per cent reserved for LGBTIQ+, youth, or other.

2.4.10 Specific representation within National Voice membership structure

Final proposal

The National Voice is inclusive of all Aboriginal and Torres Strait Islander people. There will be no reserved seats on the National Voice for any particular group. Representation of particular groups for the National Voice may occur through National Voice committees, as outlined in section 2.10.2.

Interim Report

The National Co-design Group proposed there should be no specific memberships allocated to particular groups (including youth, disability, the Stolen Generations, elders and people identifying as LGBTIQ+), although the Youth and Disability Permanent Advisory Groups would be design features of the National Voice. This was decided on the basis that young people and people with disability make up significant proportions of the Aboriginal and Torres Strait Islander population. The voices of people belonging to particular groups could be drawn on by the National Voice through committees the National Voice might set up for this purpose.

Rationale

The final proposal to not reserve seats for any particular group reflects a balance of multiple factors in designing the National Voice membership model. In particular, to keep the size of the National Voice small and flexible enough to be effective, designing a body which is not a complex structure, and inclusive of other mechanisms for representation and inclusion of all Aboriginal and Torres Strait Islander people. The principles-based framework for a Local & Regional Voice aims to ensure all Aboriginal and Torres Strait Islander people can participate.

Context

For representation of people from particular groups, the National Co-design Group noted a diverse range of consultation feedback called for members to come from a very large range of groups, including (but not limited to):

- people identifying as LGBTIQ+⁵⁹
- Stolen Generations⁶⁰
- elders⁶¹
- traditional owners and native title holders⁶²
- people from the South Sea Islands⁶³

The National Co-design Group noted that under the proposal for Local & Regional Voices, all Local & Regional Voices must demonstrate as a minimum standard the principle of *Inclusive Participation*. This principle says that all Aboriginal and Torres Strait Islander people who live within a Local & Regional Voice area have the opportunity to participate, have a say, influence the decisions that affect them and their families, and see themselves represented.

The National Co-design Group noted that many of the matters particular groups raised as significant considerations are local and regional matters. The Local & Regional Voices are best placed to deal with those matters, as they would have a crucial role in shaping decision-making in partnership with all levels of government. While the National Voice would advise on national matters of significance to Aboriginal and Torres Strait Islander people, the Local & Regional Voices would provide input to the National Voice on systemic issues with national policies and programs, as well as community input on national issues (detailed below in section 2.7).

Many people provided feedback on the *Inclusive Participation* principle, and the Local & Regional Co-design Group agreed to draw out the importance and explicitly refer to a range of groups and unheard voices, including members of the Stolen Generations. This is in addition to explicit references in the Interim Report about the importance of traditional owners, and ensuring representation of women, youth, elders, people with disability, and those identifying as LGBTIQ+.

The National Co-design Group reflected that the proposal for a National Voice does not exclude anyone and acknowledged that there are many intersections with people's identities. However, the National Co-design Group acknowledged it is not practical to create reserved memberships or permanent representative committees for all groups. In any case, the National Voice would have the ability to establish committees as it requires or to jointly appoint up to 2 members with the Government. These design features may be utilised for representation matters or particular policy topics. The National Voice is intended to be a policy and advice body rather than a proportionally representative body, and it is expected to evolve. This decision balances the principle of designing a simple, flexible body and the need to keep the National Voice to a reasonable size to function effectively, with the broad representation and strong links to the Local & Regional Voices, peak bodies and other representative groups.

⁵⁹ Submissions including from the Northern Sydney Alliance for the Uluru Statement, Queensland Government, Women for an Australian Republic and Dr Dani Larkin. Also mentioned in community consultation sessions including in Melbourne, April 2021.

⁶⁰ Submissions including from Dr Dani Larkin. Also mentioned in community consultation sessions including in Brisbane, March 2021, and Cairns, April 2021.

⁶¹ Submissions including from Monash University, Queensland Government, Reconciliation Tasmania and Dr Dani Larkin. Also mentioned in community consultation sessions in Mt Druitt, March 2021; Toowoomba, March 2021; and Wagga Wagga, March 2021.

⁶² Submissions including from Monash University, the National Native Title Council and the Victorian Aboriginal Child Care Agency. Also mentioned in community consultation sessions, including in Coffs Harbour, March 2021.

⁶³ This was raised in a community consultation session in Moree, March 2021.

Traditional owners

The National Co-design Group discussed the representation of traditional owners. The National Co-design Group noted traditional ownership was highly significant for Aboriginal and Torres Strait Islander peoples and acknowledged the importance of traditional owners being heard as part of the Indigenous Voice.

The National Co-design Group noted that under the proposal for Local & Regional Voices, all Local & Regional Voices must demonstrate how they meet the principles of *Inclusive Participation* and *Cultural Leadership*. The first of these principles states that all Aboriginal and Torres Strait Islander people who live within a Local & Regional Voice area, including traditional owners, need to have the opportunity to participate and see themselves represented, to have a say and inform decisions about local issues. The principle of *Cultural Leadership* requires that there are clear pathways for traditional owners to be involved in the work of the Local & Regional Voice.

Given these principles, and as the National Voice membership is structurally linked to Local & Regional Voices, traditional owners would be represented on the National Voice.

Stolen Generations

Strong representation of the Stolen Generations was heard during consultations, particularly with men speaking of their experience of being part of the Stolen Generations and in the Kinchela Boys Home at the Inner Sydney community consultation session in February 2021. Co-design members heard of their unique experience of dispossession as Aboriginal and Torres Strait Islander people, particularly for the need to hear their voices as one of the most vulnerable groups of people. The participants in the community consultation session expressed how difficult it is for them to access services, as they felt Aboriginal and Torres Strait Islander service providers do not assist the Stolen Generations well enough. The participants and their support organisation also noted how difficult it is for them to secure a meeting with the local council. The National Co-design Group heard this feedback and agreed on the importance of the inclusion of the Stolen Generations, particularly at the local and regional level. The National Voice would also be expected to engage with other Aboriginal and Torres Strait Islander organisations, such as the Healing Foundation and organisations such as the Kinchela Boys Home Aboriginal Organisation, to ensure expert input into National Voice policy advice.

2.4.11 Role of National Voice members

Final proposal

The role of National Voice members is not to represent their jurisdictions but primarily to represent the diverse perspectives of all Aboriginal and Torres Strait Islander people at a national level on national issues. Part of the role is to represent the views of the members' relevant Local & Regional Voices on national-level matters for consideration by the National Voice. National Voice members are expected to represent all diverse perspectives of Aboriginal and Torres Strait Islander people, as well as form those diverse views into collective positions in the National Voice policy advice to the Australian Parliament and Government where possible.

Interim Report

The Interim Report proposed that National Voice members would be expected to perform their roles to speak on behalf of and represent the Aboriginal and Torres Strait Islander people and communities in the state, territory or Torres Strait Islands from which the members are drawn. The National Voice member(s) representing the Torres Strait Islands would be expected to speak for all Torres Strait Islander people, including those not currently residing in the Torres Strait Islands.

Rationale

The final proposal expands on the proposal in the Interim Report and reflects the policy intention for National Voice members to speak on behalf of all Aboriginal and Torres Strait Islander people nationally as their primary role. This ensures the diversity of Aboriginal and Torres Strait Islander peoples' views is captured in the work of the National Voice, including voices that have no other existing platforms for public amplification (such as through the media or the work of various types of organisations engaging in and responding to public policy).

Context

Feedback from consultations and surveys emphasised the importance of the National Voice representing and amplifying the voices of all Aboriginal and Torres Strait Islander people, not just those of established leaders. People expressed a need for the National Voice to be the voice of community and not base its advice to the Australian Parliament and Government on individual views. Rather, the consultation feedback said the National Voice members' views should be based on the input provided by the National Voice members' relevant Local & Regional Voices. The intention is for National Voice members to regularly engage with Local & Regional Voices as part of their role.

However, the National Voice members would have a dual role. The National Co-design Group stated that as a National Voice, the members must speak on behalf of all Aboriginal and Torres Strait Islander people, representing the diverse perspectives. The role of National Voice members is to speak at a national level for the advancement of all Aboriginal and Torres Strait Islander people and communities. The members would form policy advice to the Australian Parliament and Government by bringing together the views of the Local & Regional Voices in their jurisdiction, the national perspective of all Aboriginal and Torres Strait Islander people, and their own knowledge and expertise to form, where possible, a collective position on behalf of all Aboriginal and Torres Strait Islander people. Sometimes this collective position in formal policy advice may require acknowledgement of diverse perspectives or dissenting views (see section 2.8.2). If the National Voice's formal advice differs from a member's Local & Regional Voices' views in their jurisdiction, the member would explain to those Local & Regional Voices the reasoning behind this.

● *'It's necessary to include the community concerns and voices of traditional/non-traditional elders, family advocates and proactive [Aboriginal and Torres Strait Islander] community members ... who are doers and not talkers and normally are people who are not involved in committee's [sic] or normally have time to attend community meetings/consultations but are proactive and provide a lot of noticeable background supports for community change and improvements for their people and local community.'*

– Anonymous, survey, April 2021

'The representatives will serve as champions and advocates for the formal positions and resolutions that come from the respective and collective Voice Regions.'

– East Arnhem Regional Council, submission, May 2021

'[National Voice] members must commit to operating free from self-interest and influence derived from their affiliations/associations external to the National Voice mechanisms and processes, e.g. they must not base advice/decisions purely on their individual/personal views, nor on their employment or membership to other bodies/groups, etc., nor without proper consultation with the local/regional voices affected by the advice being provided. Instead, they must act to convey the collective requests made by the communities/regions they are charged with representing (especially where such advice may differ from general views and/or opinions); as stated above, it is critical protections be put in place to avoid any misrepresentation of local perspectives/needs at the national-level, and that government responses neither directly or indirectly undermine locally-informed positions and requests.'

– Yamatji Marlpa Aboriginal Corporation, submission, April 2021

'National Voice members should play the role of Ambassador not politician. ... Voice members fulfilling an Ambassador role would advise, advocate and support positions that influence politicians and government when they are making national laws, or policy and program decisions, rather than acting as politicians themselves.'

– Empowered Communities, submission, March 2021

'It is recommended by the IPO that each representative provides an annual report to their constituents outlining the areas progressed on Aboriginal and Torres Strait Islander rights over the preceding year and any challenges faced.'

– Indigenous Peoples' Organisation, Australia, submission, May 2021

Members' responsibility

Members of the National Voice would have a part-time role. This would cover the time preparing for and attending National Voice meetings, doing committee work, engaging with Local & Regional Voices and communities and considering policy.

Under Core Model 1, National Voice members may have roles as part of their Local & Regional Voice. It is expected that once a person is selected as a National Voice member, their primary role is that of a National Voice member. A consideration and concern expressed by the National Co-design Group was that this model means someone who wants to be a National Voice member would have to consider if this part-time role could be accommodated within their broader existing commitments and obligations. The National Voice operational policies and procedures would be developed during the implementation stage, and then be agreed upon by the members of the National Voice once established. These documents would outline how to accommodate other formal roles a National Voice member may have. The operations of a National Voice would be considered as part of an evaluation and continuous improvement process for the National Voice.

Co-chairs

The National Voice would have 2 co-chairs of a different gender to one another who would form the leadership of the National Voice. The co-chairs would be selected by the members of the National Voice with each new intake of members every 2 years. These would be full-time paid roles to recognise the need for the leadership to be available when required and respond on behalf of the National Voice. This would enable the co-chairs to work closely with the CEO and Office of the National Voice to ensure the efficient management of National Voice business. Given that the co-chairs would be substantial full-time roles, the National Voice members who accept these positions would not have time for another full-time position elsewhere. The National Voice operational policies and procedures would outline the rules around undertaking other formal roles. These policies would address the transparency required for managing perceived and actual conflict of interest matters and could address how the National Voice members could have a role in scrutinising or approving the co-chairs' other roles.

2.4.12 Joint appointments

Final proposal

There would be a provision for the additional appointment of a maximum of 2 members, using the following principles:

- This is a provision for appointed members only to be used if there is an agreed need, rather than a guarantee that there would be appointed members.
- This would only be considered after each member determination process of National Voice members by Local & Regional Voices.
- Appointments would be subject to agreement by both the National Voice and relevant minister.
- The credibility and cultural authority of the National Voice are paramount when considering using this provision.

Interim Report

The Interim Report emphasised the importance of Aboriginal and Torres Strait Islander people choosing members of the National Voice in order to support self-determination. The National Co-design Group also posed the question of whether to include some appointed members to address desired skill areas and representation, for example, remote or other geographic representation. The National Co-design Group identified the following matters:

- There would be a maximum of 2 appointed members to ensure they were a small proportion of the overall membership.
- Appointments would be made where needed, not by default, according to clear criteria and, importantly, co-considered with the National Voice members.

The Interim Report presented 2 options to progress to consultation:

- a) Option 1: Up to 2 ministerial appointees where required, as co-considered by the National Voice and Australian Government.
- b) Option 2: No ministerial appointees.

Rationale

The final proposed arrangements provide flexibility to introduce more diversity of views and experiences whenever there is an identified need.

Context

Feedback on appointments during consultations varied. Where there was support, the reasons were generally consistent with the view expressed by most members of the National Co-design Group that appointments could be used to add to desired skill areas or representation, for example, geographic representation. While not an explicit endorsement of appointments, the submission by AIATSIS suggested consideration of dedicated seats by appointment to accommodate the perspectives of Aboriginal and Torres Strait Islander people that are disconnected from their traditional heritage or country through the effects of colonisation. The submission did state, however, that this appointment must be independent of Government.⁶⁴ The National Tertiary Education Union—Aboriginal and Torres Strait Islander Policy Committee additionally supported appointments following a merit-based decision based upon the required skill set.⁶⁵

Some feedback at community consultation sessions and in submissions was that participants opposed appointments by the Government or the Minister rather than jointly with the National Voice (or without explicit mention of joint appointment). This opposition was due to a concern that the National Voice could be perceived as not independent of Government, which could undermine the accountability of the National Voice to community.⁶⁶ In some submissions, it was sometimes not clear that people understood the proposal in the Interim Report was for the National Voice and the Minister to make appointments jointly (rather than them being solely Government appointments), and this may have driven opposition in some cases.

⁶⁴ Submission by AIATSIS, April 2021, p. 7.

⁶⁵ Submission by National Tertiary Education Union—Aboriginal and Torres Strait Islander Policy Committee, April 2021, p. 6.

⁶⁶ Submissions including from Dr Dani Larkin, 18 March 2021, p. 10; Law Council of Australia, April 2021, pp. 26–27; Federation of Victorian Traditional Owner Corporations, April 2021, p. 3; Indigenous Peoples' Organisation, Australia, April 2021, p. 5; and Jessie Street Trust, April 2021, p. 3.

Some feedback was not supportive of appointments under any circumstances. For example, the submission from Monash University noted the intended joint role of the National Voice and did not support appointments.⁶⁷ The main reasons for this opposition in this submission were that it would be adequate to consult with experts if skills gaps existed;⁶⁸ that capacity on the National Voice could be built (e.g., through professional development or mentoring programs) rather than relying on appointments; concerns around the perception of credibility and authority; that the National Voice needed to be perceived to be free from any government influence; and that National Voice members should be selected solely by Aboriginal and Torres Strait Islander people.⁶⁹

The National Co-design Group considered the feedback received during consultations and the potential value to the National Voice in retaining the flexibility to add to desired skills areas or representation in its membership as needed. The National Co-design Group noted that during consultation, some support was raised for appointed members that were decided upon jointly by the National Voice and the Minister and noted the absence of strong opposition to this proposal in consultations under those conditions.

● *'The point of the Voice is to provide those with limited opportunities for political participation with a voice. The danger of ministerial appointees is that they might silence or overpower our selected representatives ... The inclusion of government-appointed members will devalue the cultural credibility of the Voice in First Nations communities, as well as the legitimacy of the Voice among the broader Australian community, thus reducing its overall political power.'*

– Dr Dani Larkin, submission, March 2021

● *Participants expressed interest in the proposal to have appointed members to ensure adequate representation for remote and regional areas.*

– Mt Isa community consultation session summary, April 2021

● *Participants did not support appointments to the National Voice. If there are certain skills required, then the National Voice can bring in subject matter experts.*

– Moree community consultation session summary, March 2021

● *'Where skills gaps and/or geographic imbalances arise, we support these being addressed by the Voice itself, rather than through Ministerial appointment which would compromise on the Voice's independence and therefore on its authority to speak for First Nations people.'*

– Public Interest Advocacy Centre, submission, March 2021

● *'The first point to note about the proposal for ministerial appointments is that it has the potential to undermine the independence of the Voice, even if made with the agreement of the National Voice members. The legitimacy and cultural authority of the Voice depends on it being free from, and the appearance of being free from any government influence, no matter how well-meaning or qualified the ministerial appointees might be.'*

– Monash University, submission, April 2021

⁶⁷ Monash University, April 2021, p. 4.

⁶⁸ This reason was also raised in a community consultation session in Moree, March 2021.

⁶⁹ This reason was also raised in a community consultation session in Perth, April 2021.

2.4.13 Term lengths of National Voice members

Final proposal

The National Voice members would have terms of 4 years, with staggered terms making half the membership positions vacant every 2 years, including a limit of 2 consecutive terms. This will necessarily require half of the inaugural National Voice members to serve a half term to establish this staggered approach.

Interim Report

2 options were put forward for term lengths:

Option 1: 4 years, with staggered terms, making half the membership positions vacant every 2 years.

Option 2: 3 years, with all membership positions made vacant at the end of every term.

There would be a limit of 2 consecutive terms for National Voice members for both options.

The National Co-design Group indicated its preference in the Interim Report for Option 1.

Rationale

Longer terms would better ensure leadership stability, continuity in National Voice membership and business continuity, particularly with turnovers of only half the National Voice membership each cycle. Longer terms also enable continuity of policy and advice development to brief incoming Australian Parliaments and Governments, which operate on shorter election cycles.

Context

Where this topic was raised in surveys, submissions and community consultation sessions, it was overwhelmingly in favour of 4-year staggered terms with a term limit for National Voice members.⁷⁰ The National Co-design Group noted this firm support for the 4-year option. A small number of group members raised concerns about the duration of the term, preferring the 3-year option to provide for more opportunity for new National Voice members and better align with other organisations' electoral cycles. However, all group members agreed to put forward the 4-year option due to the majority view and consultation feedback.

Staggering terms would allow each jurisdiction to select a new member(s) every 2 years. With the additional remote representation creating odd-numbered membership numbers in 5 jurisdictions, the alternating of membership selection in these jurisdictions would require 2 members to be selected one cycle, followed by a single member to be selected in the following cycle. Determining how to manage this would occur during the implementation phase.

The mainland Torres Strait Islander position would form part of the inaugural National Voice member determination cycle and the member would have a full 4-year term.

● *'Empowered Communities supports staggered 4-year terms for National Voice members, so that half the membership positions are vacated at the end of every term. This provides a common sense approach, ensuring continuity so longer-term agendas can be pursued by the National Voice. Staggering the changeover of members ensures there will always be a level of experience amongst the Voice members.'*

– Empowered Communities, submission, March 2021

● *Most participants supported 3- to 4-year staggered terms for National Voice members.*

– Angurugu community consultation session summary, May 2021

● *'4-year terms are more conducive to achieving real outcomes, with staggering to maintain continuity of experience.'*

– Boston Consulting Group, submission, April 2021

● *'[4-year terms would] provide greater stability for the Voice. Changing all member seats after 3 years would impact the Voice's ability to make consistent advice as it will be like starting again every time. By keeping half of the membership at each election, ongoing matters of advice can be appropriately handed over.'*

– Kishaya Delaney, submission, April 2021

● *'[Limiting numbers of consecutive terms] would assist in ensuring a healthy turnover and refreshment of leadership talent on the Voice, and mitigate against any tendency (or public perception of a tendency) toward elitism, sinecurism and empire building.'*

– John Sutton, submission, April 2021

⁷⁰ Support for 4-year staggered terms was expressed in submissions including from Empowered Communities, Lander & Rogers, Professor Tim Rowse and Indigenous Peoples' Organisation, Australia.

2.5 Member support

Final proposal

National Voice members will be provided with general support, as well as induction and professional development programs.

Interim Report

The National Co-design Group proposed in the Interim Report that National Voice members should have support in the execution of their role. This was proposed to include induction training and ongoing professional development. The National Co-design Group noted similar offerings were provided by:

- Australian Institute of Company Directors to directors of private corporations
- Australian Public Service Commission to federal officials
- Office of the Registrar of Indigenous Corporations to office holders of *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth) entities.

The National Co-design Group proposed that the suite of supporting products could also draw on the Australian Indigenous Leadership Centre, which runs courses to unlock opportunities for Aboriginal and Torres Strait Islander people to develop their careers and expand the ways they contribute to the community.

Rationale

The final approach was adopted to strengthen the ability of National Voice members to perform their complex and demanding roles.

Induction and professional development programs are common across a wide range of professional contexts; it would be appropriate for National Voice members to be able to access similar services.

Context

The National Co-design Group and the Senior Advisory Group members agreed on the importance of support for members of the National Voice in the execution of their role.

National Voice members would be offered induction training and would receive a service offering of ongoing professional development.

The content of this program could include information on the role of members, the role of the National Voice (including relevant legislation), key policy issues and the legislation and policy development process. There could also be an opportunity to address technology and innovation. Training would include both governance and leadership elements. For some members, training in skills such as public speaking may be of value. The National Co-design Group noted that induction and professional development programs were common across a wide range of contexts and that it would be appropriate for the National Voice to have similar provisions.

The National Co-design Group discussed the need for National Voice members to have personal support in undertaking their role. The role will require engagement with many people, often in complex environments and sometimes in robust ways. The National Voice members should have support to maintain their own wellbeing.

Consultation feedback

While this issue was not brought up frequently during the consultation process, where it was raised, feedback favoured ensuring National Voice members were well equipped to perform their roles effectively. For example, in a community consultation session in Cairns, some participants expressed that there should be capacity building and governance training. In Rockhampton, one participant suggested resilience training should be made available to National Voice members. One submission by Paul Dobing also suggested, 'member support ... will be an important contributor to the success of the National Voice' and urged for there to be consideration of offerings in partnership with the Australia and New Zealand School of Government.⁷¹

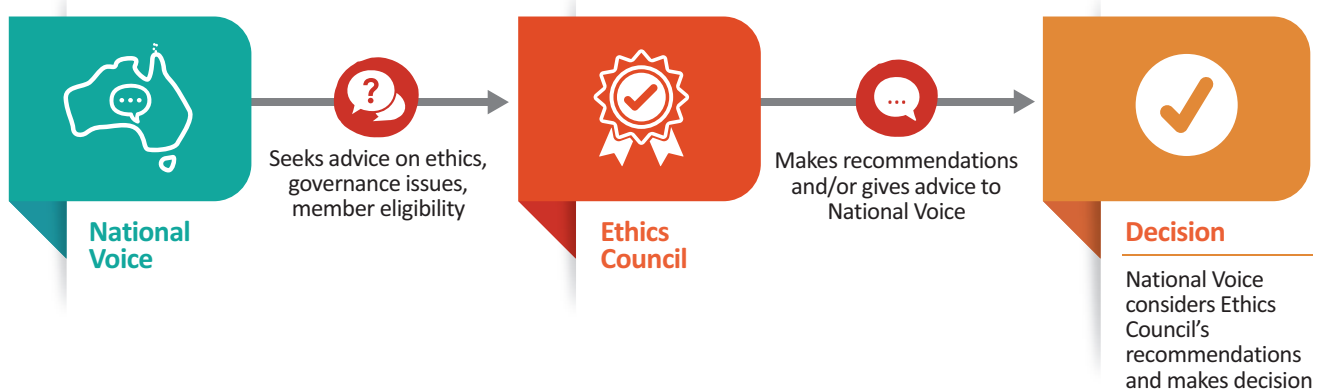
⁷¹ Submission, 8 March 2021, p. 4.

2.6 Ethics Council and eligibility of members

The National Co-design Group considered the eligibility requirements for members of a National Voice, such as eligibility to stand as a candidate and provisions for the sanction and removal of a member should a serious misconduct issue arise. The National Co-design Group noted there was a need both to respect the member determination process by Aboriginal and Torres Strait Islander people while also managing risk, maintaining integrity and supporting confidence in the National Voice. An Ethics Council was also considered as part of the National Voice structure to have a possible role at multiple points in the operation of the National Voice. This section considers the following interconnected part of the National Voice design:

- Ethics Council and its roles
- Eligibility to be a National Voice member
- Sanction and removal of a National Voice member.

Figure 2.4: Ethics Council flowchart



2.6.1 Ethics Council—Design and roles

Final proposal

An Ethics Council would be established to provide advice to the National Voice on:

- the development of a National Voice members' code of conduct or similar policy document setting clear expectations and principles, to be agreed upon by the National Voice and then published
- probity, ethics and governance as requested by the National Voice
- the eligibility and fit and proper person assessment for candidates to the National Voice
- a process of assessment to consider and make recommendations on the best way to address misconduct issues if one arises and is referred to the Ethics Council.

Members of the Ethics Council would not be members of the National Voice but external to it.

All decisions remain with the National Voice; the role of the Ethics Council is merely to provide advice to assist the National Voice members in making their decisions. The Ethics Council would have access to legal advice, when required, in order to ensure procedural fairness for all advice provided to the National Voice members.

Interim Report

The Interim Report proposed mechanisms for a National Voice to ensure strong and good governance. It was envisaged that a mechanism could review ethics, probity and governance issues referred to it, and perform other functions such as considering matters of misconduct and removal of members, and eligibility. 2 options were considered:

Option 1: A separate, independent Ethics Council

Option 2: An internal committee or committees composed of National Voice members.

The Ethics Council put forward as an option would be:

- separate to the National Voice membership and provide independent advice
- comprised only of Aboriginal and Torres Strait Islander people
- could provide advice on ethics, probity and governance issues referred to it
- could perform other functions such as considering matters of misconduct and eligibility of National Voice members.

The Ethics Council was put forward as part of the options for assessing eligibility and advising on potential removal of National Voice members, and advising on probity, ethics and governance.

The National Voice would have a charter or similar document that would set clear expectations and principles. The National Voice would draft this.

Rationale

The National Voice needs access to an independent, impartial body on governance issues, including advice on probity and ethics.

Context

The National Co-design Group agreed that the Ethics Council would enhance the standing of the National Voice by demonstrating a strong commitment to ethical conduct and accountability, thereby building confidence in the National Voice. The Ethics Council would be a source of authoritative, impartial advice to support good decision-making, noting that all decisions remain with the National Voice. The role of the Ethics Council is advisory only, to assist the National Voice members in making their decisions.

The National Co-design Group agreed that sanction and removal of members should be carried out by the National Voice following independent advice from the Ethics Council, rather than an internal committee. The Ethics Council enables the National Voice to be kept at arms' length from impartial investigations and subsequent advice in relation to any member whose conduct is in question. As the National Voice is an independent body, the Ethics Council would add an element of rigour with an appropriate level of transparency to the consideration of governance issues. This allows the National Voice to be well informed and accountable against the independent Ethics Council advice when required to make a decision in relation to one of its members.

It is crucial that National Voice members represent the myriad of voices in Aboriginal and Torres Strait Islander communities with integrity and is also trusted to do so by those they represent. Therefore, it is vital that there is a strong ethics- and probity-focused mechanism in place that is above reproach. An explanation of the Ethics Council's involvement in the sanction and removal process is provided below.

Ethics Council design and formation

The Ethics Council would be:

- comprised of 3 to 5 members, with a majority of Aboriginal and Torres Strait Islander people—in appointing people to these positions, there would be consideration of appropriate skill sets such as governance, law, dispute resolution and cultural guidance
- appointed by the National Voice for a fixed term of 5 years and must be appointed in between the National Voice membership determination cycles. The members' terms would be staggered to ensure continuity, and the existing Ethics Council members would collectively advise on the new replacement member for the consideration of the National Voice
- external to the National Voice membership and would provide independent advice
- able to provide advice to the National Voice members, but not make decisions about members or the National Voice as a whole
- intended as an advisory body, not an investigatory body, and have no coercive powers.

The Ethics Council would meet as required and would have access to legal advice. The Office of the National Voice would have access to legal counsel and would support the Ethics Council's work. The Ethics Council members could also access personal support through the Office of the National Voice, to maintain their own wellbeing in performing their role.

During the implementation phase for the National Voice, the Ethics Council would be established to undertake the task of conducting the eligibility and fit and proper person assessments for the inaugural National Voice.

Consultation feedback

During the consultation process, where people commented on an Ethics Council, most feedback was supportive, noting the importance of a transparent process, including at the Bourke, Wagga Wagga, Toowoomba, Canberra and Alice Springs community consultation sessions. There was further interest at several other community consultation sessions in the intended role of an Ethics Council, for example, at the Perth and Cairns sessions.

Some feedback received was that elders could be on the Ethics Council. Some feedback from community

consultation sessions was against an independent Ethics Council and instead preferred for this function to be built into the role of the National Voice, for example, at the Rockhampton community consultation session.

'The Commission recommends that an Ethics Council be established within the Voice to establish and adjudicate on matters of governance and ethics. This might include matters such as who is a fit and proper person to be a representative; disputes about indigeneity; and the resolution of other disputes. Such a body should have gender equity among its membership ... An Ethics Council [could] also provide a rules-based approach for addressing challenging issues, with the Council having the role of setting criteria for a range of issues including who is a fit and proper person for being a chosen representative, indigeneity etc. The Commission notes that the test for a fit and proper person should take into account the over-representation of Indigenous peoples in criminal justice processes and should ensure that people are not disqualified for minor offending.'

– Australian Human Rights Commission, submission, April 2021

There was general agreement that an Ethics Council would be good to include in the design of the National Voice. Similar to the National Congress Ethics Council, this could be a mechanism to manage issues arising out of lateral violence and ensure National Voice members were working on behalf of Aboriginal and Torres Strait Islander people rather than any other particular organisations or bodies to whom members are also attached. One participant noted that an Ethics Council is a good idea but that its processes must be transparent.

– Canberra community consultation session summary, March 2021

It was noted the proposed Ethics Council could be used to ensure National Voice members remain accountable to people in communities.

– Alice Springs community consultation session summary, May 2021

2.6.2 Eligibility to be a National Voice member

Final proposal

Prospective National Voice members must meet the following eligibility criteria:

- be 18 years of age or older
- be Aboriginal and/or Torres Strait Islander
- primary residence in the Torres Strait Islands or the state or territory for which they are standing. The member for Torres Strait Islanders on the mainland must have a primary residence on the mainland of Australia.
- must not be convicted of an offence against a Commonwealth, state or territory law and sentenced to imprisonment of 12 months or longer
 - A person may be eligible and stand for National Voice membership only after the sentence has ended and an Ethics Council report on the matter has been provided to the National Voice for decision.
- must not be currently bankrupt or have a personal insolvency agreement in effect under the law relating to bankruptcy
 - A person who is a discharged bankrupt or has a personal insolvency agreement in effect may stand once the National Voice makes a decision, after considering an Ethics Council report on the matter
- pass a fit and proper person assessment by the Ethics Council, who would then provide this advice to the existing National Voice members for a decision on the overall eligibility of the prospective candidate.

Once a person is a National Voice member, they become ineligible if:

- the member is convicted of an offence against a Commonwealth, state, or territory law that is punishable by imprisonment of at least one year
- the member is convicted of an offence against a Commonwealth, state or territory law that is punishable by imprisonment of less than one year. The member may remain eligible if the National Voice reviews and decides so - after an Ethics Council report of advice on the matter has been provided
- the member is declared bankrupt.

Interim Report

The Interim Report presented 2 options:

- Option 1:** Candidates to make a declaration against objective eligibility requirements
- Option 2:** Candidates to be pre-cleared against a broader character test.

Rationale

The eligibility criteria broadly follow the criteria required by other independent entities. The criteria is minimal to accord with the principle of being open to all Aboriginal and Torres Strait Islander people and allows for a diverse range of lived experience, balanced with the need to ensure the National Voice maintains integrity and is seen as having, and acts with, authority and legitimacy.

Context

The National Co-design Group proposed in the Interim Report possible criteria for eligibility to be a National Voice member and proposed options for determining eligibility.

Examples considered

In particular, the Interim Report included the possible criteria of misconduct issues, which could include bankruptcy, certain criminal convictions and currently serving sentences of imprisonment. The National Co-design Group considered possible eligibility criteria based on contemporary examples from other representative bodies, including:

- A person is ineligible if they are currently serving a sentence of imprisonment of 12 months or longer, or if they are under a suspended sentence of 12 months or longer, for a conviction for an offence against the law.⁷² This is similar to the ACT Aboriginal and Torres Strait Islander Elected Body (ATSIEB) eligibility to stand criteria.
- A person is ineligible if they are convicted of an offence against the law and sentenced to imprisonment of 12 months or longer. They are eligible to be a member if 2 years has passed since a conviction is recorded or ‘since the person was released from prison’.⁷³ This is similar to the TSRA and former ATSIC criteria.
- A person is ineligible if they have ever been convicted and is under sentence or subject to be sentenced for an offence punishable by imprisonment of 12 months or longer under a state or Commonwealth law.⁷⁴ This is similar to the Australian Parliament criterion.

In addition, the National Co-design Group considered a fourth option of:

- A person who has been convicted of a crime and imprisoned of 12 months or longer may only stand after their sentence has ended, and a person who is currently bankrupt, may stand following a review and clearance by the Ethics Council.

Strong feedback was received during consultation not to preclude people with criminal convictions, given the disproportionate rates of Aboriginal and Torres Strait Islander people with contact with the criminal justice system.

• • • • •
• *‘The inclusion of certain criminal convictions continues, rather than alleviates, the structural oppression of First Nations. In contrast, those who have direct experiences with systemic issues in the criminal justice system and who understand how they continue to silence First Nations voices, are some of the most important people to have a seat at the decision-making table, so the real work and reform can begin.’*

– Dr Dani Larkin, submission, March 2021

• • • • •
• *‘Care must be taken to ensure any eligibility requirements are not so strict and rigidly applied as to render ineligible some people who could otherwise make significant contributions to the Voice. This is particularly relevant given the ongoing over-representation of Aboriginal and Torres Strait Islander people in terms of engagement with the criminal justice system, including disproportionate rates of incarceration ... Similar concerns apply with respect to the strict application of other objective criteria, such as bankruptcy, where once again Aboriginal and Torres Strait Islander people may be disproportionately affected. None of this is to dismiss the importance of ensuring people who serve as members of the Voice are able to perform their duties with integrity. But it is essential to ensure that any “fit and proper” character tests are carefully defined and applied in a way that takes into account individual circumstances, to avoid unfairly excluding categories of people who may otherwise be able to make a significant contribution to the work of the Voice.’*

– Public Interest Advocacy Centre, submission, March 2021

• • • • •
• *Participants discussed prisoners and people with criminal backgrounds. It was acknowledged that they offer lived experiences of the justice system and they would be best placed to speak on these issues.*

– Perth community consultation session summary, April 2021

• • • • •
• *‘Someone with a history of incarceration should not necessarily be excluded because they may be a wise community leader in other ways.’*

– Mary Waterford AM, submission, February 2021

⁷² *Aboriginal and Torres Strait Islander Elected Body Act 2008 (ACT)*, section 19.

⁷³ *Aboriginal and Torres Strait Islander Act 2005 (Cth)*, section 42V.

⁷⁴ Australian Constitution, section 44.

Prior criminal convictions and fit and proper person assessment

The National Co-design Group acknowledged the significant over-representation of Aboriginal and Torres Strait Islander people in the criminal justice system and considered a possible distinction between levels and types of offending. The National Co-design Group noted that serious crimes of violence such as convictions of sexual abuse and domestic violence, as well as convictions for fraud involving community funds should not be treated as equivalent to imprisonment for less serious matters such as failure to pay fines. It was agreed there could be a self-disclosure process, in addition to a formal assurance process to assess eligibility for prospective members where they have pending sentences or hearings as well. The National Co-design Group noted there is a tension between capturing a diversity of lived experiences in membership, with the need for members to have the capacity to engage with and be respected by Aboriginal and Torres Strait Islander people as well as the Australian Parliament and Government.

Separate to the level and type of crimes for which there is a public conviction record, the National Co-design Group agreed there is a need to examine broader conduct and ethical issues, for which a person may not have been convicted or charged. To ensure utmost integrity, legitimacy and confidence in the National Voice, the National Co-design Group agreed to include an Ethics Council to conduct a character test or fit and proper person assessment and provide additional assurance that the person is suitable to be a National Voice member.

Some members of the National Co-design Group noted that Aboriginal Community Controlled Organisations require prospective employees to agree to police checks and attain clearances to work with the aged, people with disability, children and vulnerable people. This was raised to illustrate that a fit and proper person assessment would not be a unique, unusual or onerous requirement for a prospective National Voice member as most community organisations have a higher threshold to meet to be employed.

The criteria for this process would be developed by the initial Ethics Council and agreed upon during the implementation stage by the 'Interim Body for a National Voice' or 'Body for the establishment of the National Voice' (depending on the implementation option). It would then be published prior to any subsequent member determination process for National Voice members. If the Ethics Council finds unfavourable information on a prospective candidate, procedural fairness must be followed, and the candidate must be made aware of this and given a chance to respond with sufficient time, and any response must be considered. The Ethics Council would provide its advice and recommendations to the existing National Voice members, who would then certify and make the final decision.

Local & Regional Voices fit and proper person test

The National Voice members would be selected by Local & Regional Voices, and the National Co-design Group noted the need for broad consistency in criteria and approach between the National Voice and Local & Regional Voices. This would avoid the situation where a member would be ineligible in one, and yet eligible in the other. The National Co-design Group noted the Local & Regional Voice proposal includes the requirement for all Local & Regional Voices to put in place a fit and proper person check for their members. This test would be developed by each Local & Regional Voice, consistent with the Local & Regional Voice principles and best practice governance guidance. The Local & Regional Co-design Group noted that broad consistency between eligibility criteria of the 2 parts of the Indigenous Voice would be expected, given the need for Local & Regional Voices to adhere to the principles. Where Local & Regional Voice members are selected to the National Voice, and they do not meet one or some of the national criteria, this would be dealt with on a case-by-case basis and could be referred to the proposed Ethics Council, as appropriate.

2.6.3 Sanction and removal of members

Final proposal

In addition to the eligibility criteria to which National Voice members are bound for the duration of their term, National Voice members could be sanctioned or removed from the National Voice for a misconduct issue, such as contravening the code of conduct.

The sanction and removal process includes:

- advice provided to the National Voice members on the alleged misconduct, containing a report on the context of the matter, including any reasons or mitigating factors, the member's response and the consideration of that response, and advice on appropriate action
- sanction or removal must be agreed by a super-majority vote of two-thirds of the National Voice members, which would follow a robust process that provides procedural fairness and natural justice, and after receipt of advice on the matter by the Ethics Council.

Interim Report

The National Co-design Group agreed there would be a need for provisions to remove National Voice members to maintain integrity and confidence if a major misconduct issue arises. The National Co-design Group identified 2 options for how this could work:

Option 1: Removal by vote of National Voice membership

Option 2: Objective removal criteria.

Rationale

The final proposal of a sanction and removal process, that includes the Ethics Council, ensures members acquit their representation of Aboriginal and Torres Strait Islander people with integrity and provides a mechanism for the National Voice to handle circumstances involving conduct that could adversely affect its membership and work.

Context

If a National Voice member contravenes the eligibility criteria during their tenure, this would be certified by the National Voice co-chairs, and the member would be removed. For example, if a National Voice member is convicted of an offence against a Commonwealth, state or territory law that is punishable by imprisonment of at least one year, there is no discretion required because the person cannot serve on the National Voice. This is similar to the ACT ATSIEB and the TSRA. If this were the only way to remove a member, it would not allow a National Voice member to be sanctioned or removed for other conduct issues.

In addition to the ongoing eligibility criteria, the National Voice would have a published code of conduct, which would set out clear expectations for a National Voice member's conduct and role and provide a standard against which a misconduct issue could be judged. The Ethics Council could develop the code of conduct, which would then be agreed upon by the National Voice. This would be done as a first order of business for the National Voice and could involve drawing on codes of conduct and ethical clearance processes used by other similar entities.

If a National Voice member contravenes the code of conduct, there could be sanctions available, depending on the severity of the matter, as well as the ability to remove a member. For example, the First Peoples' Assembly of Victoria (FPAV) allows for censure, suspension up to 2 months or any other sanction consistent with its constitution and the law. The FPAV may also remove a member.

For the National Voice, this allows for common sense and good judgement to be applied in addressing serious misconduct issues, coupled with appropriate procedural checks. It would allow broader serious conduct issues to be addressed and ensure the National Voice maintains integrity and confidence in its role.

The National Voice would have the power to sanction or remove one of its members, with strong procedural checks in place and the member in question provided natural justice. All decisions remain with the National Voice, with the Ethics Council providing advice where appropriate.

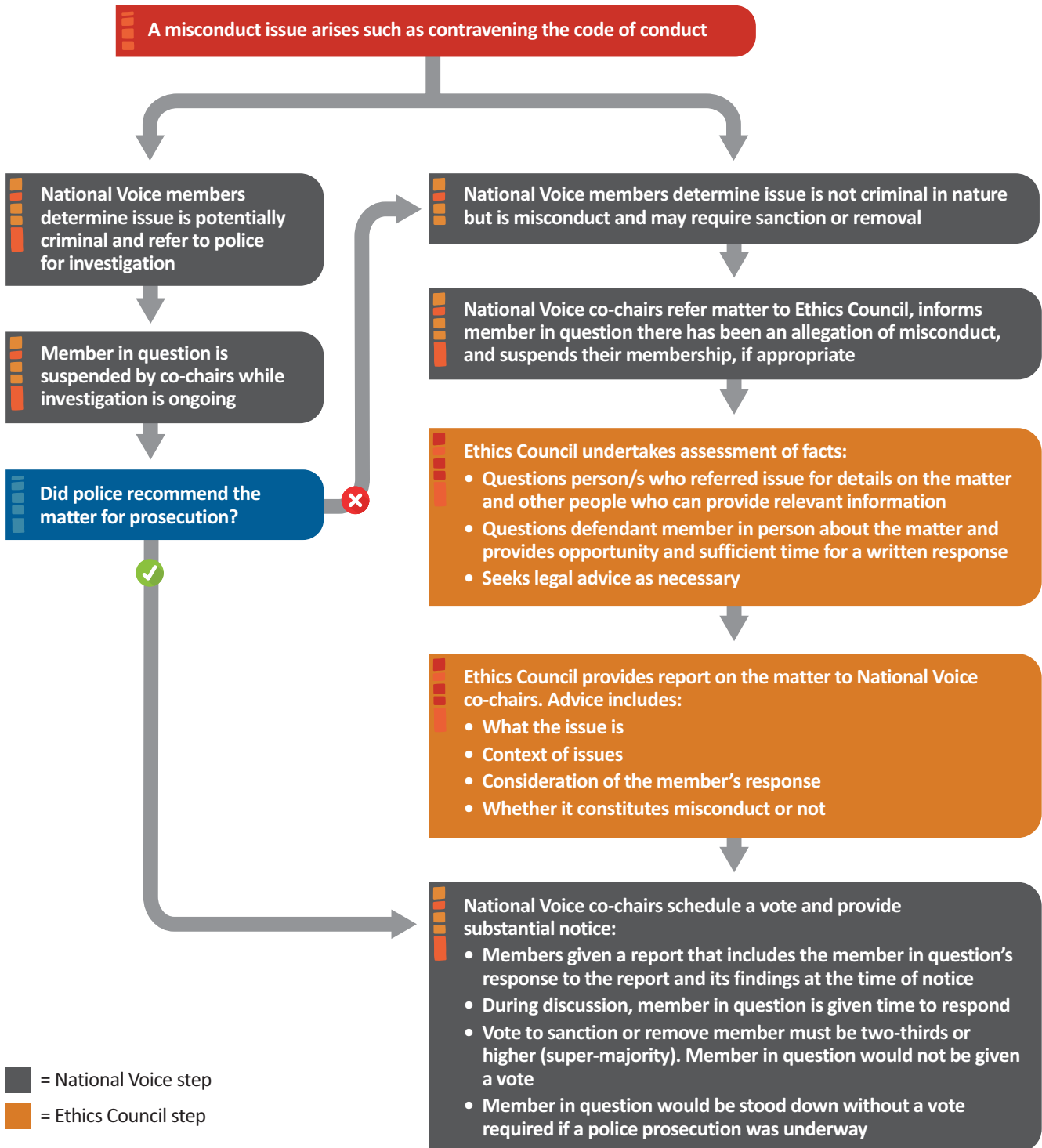
- This would be determined where there was an alleged contravention of the code of conduct. If this misconduct is not allegedly criminal, the matter would be referred to the Ethics Council by the National Voice co-chairs for an independent assessment. Complaints or allegations of misconduct could be made by the National Voice members, Local & Regional Voices or other individuals and would be made in writing. The National Voice co-chairs would facilitate the initial process. Once co-chairs have considered the allegation, they would determine whether it is a matter to be put to the Ethics Council. The Ethics Council would consider the matter and advise whether the allegation is vexatious or not before it becomes a formal issue for the National Voice to vote on. Should the matter be in relation to a co-chair, the members of the National Voice would meet to determine if it was a matter they should refer to the Ethics Council.
- The member whose conduct is in question would have to be notified in writing about the details of the matter with appropriate time given for the individual to respond, and if a response is provided, this would have to be considered.
- The member whose conduct is in question could be suspended while a misconduct matter is ongoing. This would be set out in the code of conduct.
- The Ethics Council would facilitate and assess the matter, with support from the Office of the National Voice. The assessment would have to be undertaken to confirm the substance and nature of the allegations, with the member given sufficient opportunity to respond. This advice could be a simple report on the matter, such as how the member has contravened the code of conduct, the context of the matter, including any reasons or mitigating factors, the member's response and the consideration of that response, and advice on appropriate action.
 - At any point in the process, the Ethics Council could determine the matter requires input from a subject matter expert or professional. This includes acquiring legal advice if necessary.
 - In addition, at any point in the process, the Ethics Council could determine that the matter is no longer suitable for their handling. For example, this could be if it is clear the matter would be a civil court case and therefore can only be handled by the National Voice's legal counsel, or the Ethics Council determines the matter is indeed allegedly criminal and needs to be investigated by the police.
- This assessment process must be robust and provide procedural fairness, including well-defined time periods for responding to notifications or questions and an appropriate time allowed to undertake the assessment, which would necessarily be dependent on the facts of the matter. The operational procedures of the National Voice would outline this process. The development of these procedures would be informed by best practice and expertise, and would be subject to agreement by the National Voice.
- This process would be analogous to a human resources process of an organisation undertaking an 'assessment of facts' for a complaint or breach of a code of conduct and could be modelled on the way the FPAV Board undertakes an assessment before recommending to the Assembly to remove a member.
- Before a vote takes place, all National Voice members, including the member whose conduct is in question, must be notified in writing that a meeting is scheduled to discuss the matter and a vote is to occur, with the Ethics Council's report on the matter including any response from the member. The member in question would have to be notified with substantial time prior to the scheduled vote.
- Sanction may include censure, suspension for a short time, or any other sanction consistent with the code of conduct and the law, or removal. These proposed sanctions are similar to those used by FPAV.
- A vote to sanction or remove a member would have to be carried by a super-majority of two-thirds of members.
- An appropriate independent mechanism for the review of membership decisions would be available to National Voice members. A judicial review would be available, and possibly a review by the Administrative Appeals Tribunal. An appropriate process would be investigated and defined during the implementation stage.

Alleged criminal conduct

This process is not related to conduct that is allegedly criminal. Where a National Voice member has acted in a way that may be criminal, such as sexual assault, then the matter would be immediately referred to the police in the relevant jurisdiction. The National Voice code of conduct would need a provision that allows for the

suspension of a member while a police investigation is underway, depending on the nature of the allegation. The Ethics Council would not necessarily be required to act in relation to this matter unless the National Voice membership requests advice on an appropriate sanction while the police matter is ongoing.

Figure 2.5: Misconduct procedure flowchart



2.7 Links with Local & Regional Voices

Final proposal

The National Voice will have a formal two-way advice link to Local & Regional Voices. A set of principles would govern this linkage.

Local & Regional Voices would provide perspectives to the National Voice on:

- systemic issues with national policies and programs
- community input on national issues
- matters of national significance to Aboriginal and Torres Strait Islander people.

The National Voice would:

- seek views from Local & Regional Voices on national issues, from the earliest appropriate stage of legislation and policy development
- provide feedback to Local & Regional Voices on how their views have been used.

Interim Report

The National Co-design Group argued there should be a two-way advice link between the National Voice and Local & Regional Voices. A set of principles on the types and uses of advice were set out in the Interim Report and validated during the consultation stage.

Rationale

The two-way advice link would:

- enhance the legitimacy of the National Voice by showing a clear, credible link between communities and the advice of the National Voice
- ensure the advice of the National Voice is grounded in the concerns and priorities of Aboriginal and Torres Strait Islander people and communities
- harness locally held knowledge to help improve national law and policy design and decisions.

Context

The National Co-design Group agreed that the National Voice would have to be grounded in community and place, and a two-way advice link between the National Voice and Local & Regional Voices would be essential to achieving this.

The National Co-design Group agreed that Local & Regional Voices should not raise non-systemic local operational issues with the National Voice or seek to use a National Voice as a dispute resolution mechanism.

The National Voice should focus on matters with a national remit and not become involved in local operational issues.

Consultation feedback

Feedback during the consultation process was strongly supportive of a National Voice grounded in Local & Regional voices. This support was expressed in submissions, including from Empowered Communities. Participants at consultations frequently spoke of the need for the National Voice to ensure connection and engagement to local communities and were interested in how the voices, data and stories of people would be carried from community all the way up to the state/territory and federal government levels.

2.7.1 Structural links, information flow and members

People saw this link being arrived at through the structure of the Indigenous Voice, the flow of information and the individuals who would be selected as members of the National Voice.

The proposed structurally linked membership model set out in section 2.3 provides a solid foundation for the two-way advice link. As members would be determined by (or linked to) Local & Regional Voices, they are likely to be well placed to bring the perspectives of Local & Regional Voices to the national level and feed information back.

The 2 parts of the Indigenous Voice would work as part of a system, ensuring the flow of information from the ground right up to the Australian Parliament and Government. Importantly, Local & Regional Voices would not be subordinate to the National Voice. Rather, each would work within their respective scope. The National Voice could be a practical and efficient coordination mechanism to progress views from Local & Regional Voices on national matters.

The approach for the National Voice to focus on national issues and Local & Regional Voices on local issues received broad, although not unanimous support. The submission by First Nations public lawyer and researcher Eddie Synot suggested that the National Voice should not be limited in the issues it brings to the attention of Parliament, even if those issues were local and regional in nature.⁷⁵ The National Co-design Group ultimately took a different approach and decided the National Voice would add the greatest value to the priorities of Aboriginal and Torres Strait Islander peoples by focusing on national, strategic and systemic matters. The National Co-design Group also decided that Local & Regional Voices would have to take the lead on issues at the local level to realise their intended shared decision-making role. Clarity of role and purpose for each part of the Indigenous Voice, while ensuring complementarity, was a key consideration for both the Local & Regional, and National Co-design Groups.

Accountability of the National Voice to the community and Local & Regional Voices was also raised in consultations. In recommending strong accountability to the local and regional level, the submission by Dr Francis Markham suggested that members of the National Voice should be able to be removed by their Local & Regional Voices.⁷⁶ This concept was also raised at the Halls Creek community consultation session.⁷⁷

In providing criticism of the design of the Indigenous Voice proposals, the submission by Professor Gabrielle Appleby, Associate Professor Sean Brennan, Professor Megan Davis and Dr Dylan Lino raised the need for organic, rather than engineered linkages between the National Voice and Local & Regional Voices.⁷⁸ The final proposal sets broad principles for the relationship between the 2 parts of the Indigenous Voice but also provides significant flexibility for these to evolve organically.

Chapter 4 provides additional information about the important links between the National Voice and Local & Regional Voices and how these would be managed during the establishment phase.

● *‘Structurally linked membership from Local and Regional Voices to the National Voice will ensure there is continuity from the grassroots to the national level, and that people who are committed to and understand the agreed local and regional agendas can carry this agenda through to the state/territory and National Voice levels. Only people who have consistently contributed to the hard work on the ground should be eligible for nomination and selection to the state/territory Voice, and to the National Voice.’*

– Empowered Communities, submission, March 2021

⁷⁵ Submission by Eddie Synot, 29 April 2021, p. 6.

⁷⁶ Submission by Dr Francis Markham, CAEPR, ANU, 30 April 2021, p. 4.

⁷⁷ Halls Creek community consultation session summary, May 2021.

⁷⁸ Submission by Appleby, Davis, Brennan and Lino, April 2021, p. 12.

● Participants discussed the flow of information between regional and national levels of the Voice. There was a view that regional issues should be dealt with at the regional level but that data and stories should flow up and inform the advice given at the national level. Another participant emphasised the importance of people giving input on the ground having a sense that their input was going somewhere. The participant felt this was an important part of getting the community engaged, rather than feeling fatigued or over-consulted.

– Darwin community consultation session summary, April 2021

● ‘The Assembly considers that the link between the Local and Regional Voice and the National Voice mechanisms will be important to coherently advocate for matters of national significance.’

– FPAV, submission, April 2021

● One participant commented that there needs to be a direct line of sight from the grassroots up to where decisions are being made, and accountability from the top down and from the bottom up.

– Rockhampton community consultation session summary, April 2021

● Participants felt that representatives need to be ‘totally supported by community’ at both levels of the Voice. Participants also wanted to ensure the National Voice was accountable to communities.

– Angurugu community consultation session summary, May 2021

● ‘The integrated local/regional/national structure that is so crucial to the Voice’s credibility and effectiveness requires organic design rather than engineered “linkages”.’

– Professor Gabrielle Appleby, Associate Professor Sean Brennan, Professor Megan Davis and Dr Dylan Lino, submission, April 2021

2.7.2 Culture

Another reason mentioned during consultation for strong links between the National Voice and Local & Regional Voices was to reflect strong cultural ties. While often raised in relation to Local & Regional Voices, this theme was also raised at several community consultation sessions, such as in Kununurra, and in submissions concerning a National Voice, including from Reconciliation Australia and Professor Appleby and colleagues. The *Inclusive Participation* and *Cultural Leadership* principles underpinning Local & Regional Voices would help ensure the diversity of voices including people on the ground in communities are reflected in the National Voice through its structural membership link but also help incorporate greater cultural authority into the National Voice.

● One participant queried how the National Voice would bring cultural identity, governance systems and law together to inform the development of legislation.

– Canberra community consultation session summary, March 2021

● Participants asked where the cultural elements in the National Voice proposal were and noted the National Voice must come to matters from an Aboriginal and Torres Strait Islander cultural perspective.

– Coffs Harbour community consultation session summary, March 2021

2.8 Functions

2.8.1 Role of the National Voice

- On behalf of Aboriginal and Torres Strait Islander peoples, the National Voice would have a responsibility and right to advise the Australian Parliament and Government on national matters of significance to Aboriginal and Torres Strait Islander peoples.

2.8.2 Advice function

Final proposal

Core function

The core function of a National Voice would be to advise on matters of national significance to Aboriginal and Torres Strait Islander peoples relating to their social, spiritual and economic wellbeing.

Advice function scope

- Advice would focus on matters of national significance to Aboriginal and Torres Strait Islander peoples. The National Voice would determine which issues it would provide advice on.
- The National Voice would need to prioritise focusing its resources on areas it sees as having the greatest importance for Aboriginal and Torres Strait Islander peoples.
- Advice could be provided to both the Australian Parliament and Government.
 - Advice to Parliament could include providing formal, tabled advice and giving evidence to parliamentary committees.
 - Advice to Government could include engaging with ministers and officials, including those responsible for mainstream policies and programs.
- Advice would be both proactive and responsive. The National Voice would be able to initiate advice, as well as respond to requests for advice from the Australian Parliament and Government.

Advice function features

- The National Voice cannot be required to provide advice. The Australian Parliament and Government may request advice.
- Consultation with the National Voice would ideally occur at the earliest possible stage in the development of relevant laws or policies. This should occur at multiple stages throughout the development process.
- In general, the formal advice provided by the National Voice would be made public. This could be after Government consideration to adhere to confidentiality in the early policy development processes. Informal discussions may also be held where appropriate.
- Formal advice would ideally be issued with a single clear position. However, sometimes advice would need to reflect the diversity of views held by Aboriginal and Torres Strait Islander communities, including dissenting views.
- There would be two-way interactions between the National Voice and the Australian Parliament and between the National Voice and the Australian Government. The National Voice may ask for advice and information. Either party could initiate discussions around relevant policy matters.

Interim Report

The core function of the National Voice set out in the Interim Report was consistent with the final proposal above.

The Interim Report proposed that the National Voice would provide advice to both Parliament and Government. This would be a two-way relationship, including both a proactive and a responsive element. The National Voice would decide what issues to advise on, focusing on national issues. Other features of the advice function were set out and were consistent with the final proposal above.

Rationale

It is for Aboriginal and Torres Strait Islander peoples to decide which issues are most important for them. The final proposal enables the National Voice to reflect this in how it chooses and prioritises issues.

By advising both Parliament and Government, the National Voice would have the opportunity to influence different types of policies, programs and services and be involved at multiple stages of policy development.

The final proposal outlines both a proactive and a responsive role for the National Voice, as well as a two-way relationship with the Australian Parliament and Government. This supports a partnership approach in which the National Voice works together with Parliament and Government on how to consider the perspectives, priorities and aspirations of Aboriginal and Torres Strait Islander peoples.

Figure 2.6: Advice flowchart



Context

While the National Co-design Group ultimately concluded that the scope of advice should not be restricted, they considered a number of possible ways the scope could be defined during stage one of co-design. This included:

- whether the scope should only be based on laws and policies specifically directed towards Aboriginal and Torres Strait Islander peoples
- whether the scope should be based only on referrals from the Australian Parliament and Government
- whether the scope should make specific reference to section 51(xxvi) (commonly known as the ‘race’ power) of the Constitution or be singularly based on this criterion.

Ultimately, all of these more restrictive approaches were rejected. Under the final proposal, advice would be provided on the laws and policies that the National Voice sees as of greatest importance to Aboriginal and Torres Strait Islander peoples. Restricting the scope of the advice function would diminish the role of the National Voice as a national, broad-based representative body for all Aboriginal and Torres Strait Islander people and reduce its ability to influence the Australian Parliament and Government.

Aboriginal and Torres Strait Islander peoples have their own specific priorities, in addition to the same concerns as non-Indigenous Australians, and the role of a National Voice would be to reflect those priorities in providing its advice. Aboriginal and Torres Strait Islander peoples are affected by a broad range of laws and policies, both those directed specifically at Aboriginal and Torres Strait Islander peoples and those for all Australians.

The use of section 51(xxvi) of the Constitution in law-making, in particular, is an important element of what the National Voice might provide advice on. This section has been relied on to make numerous significant laws for Aboriginal and Torres Strait Islander peoples since 1967. However, the number of laws relying on this constitutional power is small and does not reflect the much greater number of laws that affect Aboriginal and Torres Strait Islander peoples.

The National Co-design Group agreed the National Voice should focus on national issues and nationally significant systemic issues, rather than purely local ones. The links between the National Voice and Local & Regional Voices are discussed in detail in section 2.7.

During stage one co-design, the National Co-design Group also considered a proposal from a small minority of Senior Advisory Group members to restrict the National Voice to advising only on proposed laws, leaving existing Aboriginal and Torres Strait Islander organisations to advise on non-legislative policy (see section 2.8.7). The National Co-design Group concluded that the National Voice should advise on both legislation and policy. In addition to the reasons outlined above for the National Voice to not limit its scope, the National Co-design Group also noted that:

- The boundaries between policy development and legislation development are often fluid, which would make it difficult to draw this distinction in the scope of the advice of the National Voice.
- By the time the decision has been made to pursue legislative change and introduce a bill to Parliament, significant policy development has often already occurred. Generally, the best opportunity to influence and advise on proposed laws and policies is in the early stages of policy development. Restricting the scope to only being engaged in the legislative process would therefore prevent the National Voice from being able to influence the development of proposed laws during the critical early stages.

Consultation feedback

The concept of an unrestricted scope was strongly supported by consultation feedback. To a large extent, conversations during consultation identified unrestricted scope as a given feature. The purpose of the National Voice would be to speak on behalf of and reflect the diverse perspectives of all Aboriginal and Torres Strait Islander peoples, and therefore it should have a scope that allows for this. Numerous pieces of feedback outlined the importance of a proactive and broad advice function.

- *There was a strong view that the National Voice should not be restricted in what it is able to do.*
 - Wagga Wagga community consultation session summary, March 2021
- *A participant raised whether government will request advice from the National Voice as well as give advice on ‘our own terms’.*
 - Perth community consultation session summary, April 2021
- *A participant raised whether ‘the National Voice would be able to raise its own issues’.*
 - Broken Hill community consultation session summary, March 2021
- *One participant commented that the policy remit of the National Voice should not be limited, as everything is relevant.*
 - Rockhampton community consultation session summary, April 2021
- *‘The scope of the National Voice should be as broad as possible and unconstrained.’*
 - Women for an Australian Republic, submission, May 2021
- *‘It is imperative that the National Voice must be able to advise on a sufficiently wide range of matters that pertain to Indigenous affairs.’*
 - Australian Lawyers for Human Rights, submission, April 2021
- *‘The [National] Voice should be free to initiate its own advice process for any legislative business or proposal it deems relevant.’*
 - ANTaR, submission, March 2021

2.8.3 Voice to Parliament and Government

During stage one, the National Co-design Group considered whether the National Voice should be a voice to Parliament or a voice to Government. The National Co-design Group proposed in the Interim Report that it should be both. This position attracted strong support in the feedback received during consultation and remains the position in the final proposal.

The importance of providing a voice to Parliament is to give the National Voice broader opportunities to engage on issues beyond the Australian Government’s agenda. This would allow the National Voice to engage with a broader range of perspectives, including where bipartisan support is important.


The critical need for a voice to Government flows from the importance of providing advice early in the policy and law-making process. Typically, laws go through extended development by ministers and Government agencies before they are introduced to Parliament.

This dual advice function also reflects the different roles of Government and Parliament in making laws and policies. The role of Parliament is to make laws and scrutinise decisions made by the Government. Most legislation is developed by Government agencies before being introduced to Parliament. In addition to developing legislation, the Government is also responsible for regulation, funding administration and other activities relating to policies, programs and services.


By providing for a voice to both Parliament and Government, the final proposal allows the National Voice to engage fully with policy of different kinds and at different stages of development. The National Co-design Group concluded that this would require the National Voice to be a voice to Government, in addition to being a voice to Parliament. The group did not believe that a voice to Government diminishes in any way the voice to Parliament function and, in fact, as described above, can only enhance outcomes for Aboriginal and Torres Strait Islander people.

This broad role for the National Voice reflects previous work done in considering development of a Voice. The Joint Standing Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples Strongly emphasised the importance of a Voice being able to engage early in the development of laws and policies.⁷⁹

The committee's Final Report described the role of a Voice to advise Government, as well as Parliament, in the following way:

 [To] provide a forum for people to bring ideas or problems to government and government should be able to use the voices to road test and evaluate policy. This process should work as a dialogue where the appropriateness of policy and its possible need for change should be negotiable.⁸⁰


Similarly, in the Referendum Council's 2016 Discussion Paper, the description of an 'Indigenous voice to Parliament' stated:

 It is critical that Aboriginal and Torres Strait Islander peoples are engaged in the development and implementation of laws, policies and programs that affect them and their rights. This is important in achieving better policies and outcomes for Indigenous peoples, and a fairer relationship with government.⁸¹


In the majority of cases, the Government is responsible for developing laws prior to the introduction of fully developed legislation to the Parliament, as well as for their implementation after legislation is passed. There are also some policies and programs that are the responsibility of the Government with a very limited role for the Parliament.

Consultation feedback


There was strong support for the National Voice to provide advice to both Parliament and Government across survey responses, submissions and community consultation sessions, including the following.

 *'There are many aspects of the interim report that we welcome, namely: [t]he nature of the First Nations Voice being to both the Federal Government and Parliament.'*

– Uniting Aboriginal and Islander Christian Congress, submission, March 2021

 *Participants supported the National Voice proposal for a voice to Parliament and government.*

– Nhulunbuy community consultation sessions, May 2021

 *'The National Voice must speak to the Commonwealth Parliament and Government on policy and legislation.'*

– From the Heart, submission, January 2021

Discussion on the National Voice in community consultation sessions included reflections from participants on a wide range of issues that were important to them, covering both legislation and government program delivery. Policy matters that were raised included housing,⁸² education,⁸³ employment,⁸⁴ economic development,⁸⁵ suicide,⁸⁶ and interactions with the criminal justice system.⁸⁷

Some submissions articulated that there should be a greater emphasis on the 'voice to Parliament' element of the advice function.

⁷⁹ Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander peoples, Final Report, 2018, pp. 26 and 32.

⁸⁰ Ibid, Box 2.1 Principles for the design of the Indigenous Voice.

⁸¹ Anderson et al., Discussion Paper on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples in Final Report of the Referendum Council, 2017, p. 104.

⁸² For example, the Bunbury community consultation session summary, April 2021.

⁸³ For example, the Ngukurr community consultation session summary, April 2021.

⁸⁴ For example, the Derby community consultation session summary, May 2021.

⁸⁵ For example, the Cairns community consultation session summary, April 2021.

⁸⁶ For example, the Carnarvon community consultation session summary, April 2021.

⁸⁷ For example, the Mildura community consultation session summary, March 2021.

- *'There is a worrying emphasis on government and bureaucracy over parliament and a failure to fully appreciate the power and authority of parliament as an important institution for the First Nations Voice to make representations to.'*

– Eddie Synot, submission, April 2021

The final proposal sets out that providing advice to Parliament would be a core part of the function of the National Voice. The transparency mechanisms set out in section 2.9.6 would further strengthen this by setting up formal elements of the interface between the National Voice and the Parliament.

Similar concerns were also raised by the submission from the National Aboriginal Community Controlled Health Organisation.

- *'The rationale for the changes from the model of the Voice envisaged in the Uluru Statement from the Heart and the case of the new proposals, particularly to be an advisory body to Government rather than the Parliament, have not been made clear by the government.'*

– National Aboriginal Community Controlled Health Organisation, submission, April 2021

The National Co-design Group did not view the proposal for the National Voice to advise both Parliament and Government as inconsistent with the Uluru Statement from the Heart. The statement itself refers to a 'First Nations Voice' and does not specify that it would only advise Parliament.

As outlined above, this broad role for the National Voice is supported by reports written in both the lead-up to and following the Uluru Statement from the Heart, including the Referendum Council Discussion Paper in 2016⁸⁸ and the Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples Final Report in 2018.⁸⁹

2.8.4 Scope for a future international role

Final proposal

The National Voice should have scope to take on a role in the future at appropriate international forums, consistent with the role of indigenous voices in other countries.

The exact nature of this role is not prescribed here. This could be discussed further between the National Voice and the Australian Government.

Interim Report

The Interim Report proposed that there should be scope for a future international role for the National Voice.

Rationale

Aboriginal and Torres Strait Islander people, as with other indigenous peoples across the world, have a long history of engaging in the various international forums. This includes the United Nations Permanent Forum on Indigenous Issues in particular. The participation of Aboriginal and Torres Strait Islander people in the international policy community to date has supported Australia to develop policy aligned with international best practice. An international role for the National Voice would provide opportunities to share ideas with indigenous people in other countries and provide another pathway for the National Voice to seek expert views.

⁸⁸ Anderson et al., Discussion Paper on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples in Final Report of the Referendum Council, 2017, p. 104.

⁸⁹ Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples, Final Report, 2018, Box 2.1 Principles for the design of the Indigenous Voice.

Context

An international role was not a major theme of feedback in consultation, but the feedback that was received on the issue was supportive.

- *‘The Voice should have the mandate to participate in UN and international fora, if the Voice so chooses.’*
 - Australian Human Rights Commission, submission, April 2021
- *Participants recalled that a strength of ATSIC was its connections with Indigenous groups in other countries, and international engagement.*
 - Tamworth community consultation session summary, March 2021
- *One participant argued that the National Voice should be able to influence international Indigenous policy.*
 - Rockhampton community consultation session summary, April 2021

2.8.5 Excluded functions

Final proposal

The National Voice should not perform any of the following functions:

- It should not deliver Government programs.
- It should not be a clearing house for research.
- It should not provide mediation or facilitation between Aboriginal and Torres Strait Islander organisations.
- It should not be an escalation point for Local & Regional Voice operational issues.
- It should not provide mediation or facilitation between government and Local & Regional Voices on specific issues.
- It should not undertake program evaluation but could identify matters where evaluation may be needed or how evaluations could be more effective.

Interim Report

The Interim Report outlines that the National Co-design Group considered all of the functions set out above during stage one of co-design but proposed they should be excluded.

Rationale

The excluded functions are inconsistent with the core function of the National Voice to provide advice and could create unnecessary complexity if included in the National Voice design. Excluding these functions also helps maintain the appropriate division of responsibilities between the national, and local and regional parts of the Indigenous Voice, discussed in more detail in section 2.7.

Context

The National Co-design Group agreed that giving additional functions to the National Voice would detract from the advisory function and was not consistent with its role and purpose.

The National Co-design Group excluded any escalation or mediation function for the National Voice to avoid the risk of drawing the National Voice into local issues. Instead, the National Voice would maintain a strategic focus on national-level issues. Dispute resolution mechanisms for Local & Regional Voices are discussed in section 1.11. The relationship between the different parts of the Indigenous Voice is discussed in detail in section 1.15.1.

From the outset of stage one co-design, there was a strong consensus that the National Voice should not have any Government program delivery functions. There was an acute awareness of the challenges faced by ATSIC in combining a program delivery function with an advocacy and advisory function. These challenges included:

- the need for a very large administrative arm to perform program delivery functions
- a complex dual accountability—accountability to the Australian Government for service delivery and accountability to its Aboriginal and Torres Strait Islander constituency for its advisory function
- a need for strong governance to manage issues such as conflicts of interest
- ATSIC being increasingly held responsible for all services to Aboriginal and Torres Strait Islander people, rather than mainstream agencies (where the majority of expenditure on services for Aboriginal and Torres Strait Islander people occurred).

Consultation feedback

There was little feedback from consultation on other possible functions for the National Voice. The most discussion was on excluding the government program delivery function, with feedback broadly in favour of exclusion.⁹⁰

• *'The co-design groups have wisely rejected any notion that the Voice should be handballed responsibility to deliver government services as ATSIC was, seeding inevitable conflicts of interest and corruption.'*

– Arnold Bloch Leibler, submission, March 2021

• *'The National Voice must not deliver programs or services.'*

– From the Heart, submission, January 2021

Community consultations sessions included a mix of views about whether the National Voice should control funding or manage programs.

• *'There was general criticism of the former ATSIC as an entity that was effective only for people involved in the higher levels of its governance.'*

– Toowoomba community consultation session summary, March 2021

• *'A participant put forward the idea of setting aside money for a future fund and giving Indigenous Voice structures control of the funding.'*

– Broome community consultation session summary, May 2021

• *'One participant was concerned that the proposed Indigenous Voice would not have any control over funding.'*

– Darwin community consultation session summary, April 2021

The National Co-design Group considered this range of views and agreed that a program delivery role would create too many risks for the National Voice and should be excluded from its functions.

⁹⁰ Including in submissions from ANTaR, Arnold Bloch Leibler, From the Heart, PwC Indigenous Consulting and PwC Australia, St Vincent de Paul Society National Council and Community Legal Centres Australia.

2.8.6 Engagement with other Aboriginal and Torres Strait Islander stakeholders

Final proposal

2 principles would guide the interactions of the National Voice with existing Aboriginal and Torres Strait Islander structures:

- The National Voice would not replace or undermine existing structures. The Australian Government would continue engaging and working in partnership with all relevant stakeholders through their normal channels and agreements. The National Voice would not be a gatekeeper to this engagement.
- The National Voice would engage and form links with existing structures as a core part of its business. This would ensure the advice from the National Voice captures the expertise and networks of existing structures and amplifies a range of Aboriginal and Torres Strait Islander voices.

Interim Report

Chapter 5 of the Interim Report (Intersections) set out the principle that the National Voice would not replace or undermine existing structures and would engage with those structures.

Rationale

Existing organisations have expertise in particular public policy domains and links to Aboriginal and Torres Strait Islander communities, as well as established relationships with Government. The National Voice's engagement with such stakeholders would help the National Voice give better informed advice and ensure the voices of these stakeholders are enhanced and amplified rather than duplicated.

Context

Current partnerships with governments

Many Aboriginal and Torres Strait Islander organisations exist and work in partnership with governments today. 2 partnerships of particular significance at the national level are:

- The National Agreement on Closing the Gap is a partnership between the Coalition of Peaks and all Australian Governments. The Coalition of Peaks is comprised of over 50 Aboriginal and Torres Strait Islander community-controlled peak organisations. In July 2020, the Coalition of Peaks signed the historic National Agreement on Closing the Gap with all 3 levels of government. The agreement sets out Priority Reforms, targets and a commitment to developing implementation plans in partnership with Aboriginal and Torres Strait Islander people. The agreement is overseen by the Joint Council on Closing the Gap, which includes federal, state, territory and local governments, and the Coalition of Peaks.
- The Indigenous Advisory Committee (the Committee) is a statutory committee established in 2000 under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth), recognising the significance of Aboriginal and Torres Strait Islander people's knowledge of the management of land and the conservation and sustainable use of biodiversity. The role of the Committee is to provide advice to the Minister for the Environment on environment and heritage programs, policy and consultation strategies to ensure better access and engagement for Aboriginal and Torres Strait Islander people.

These are positive examples of genuine partnerships between governments and Aboriginal and Torres Strait Islander peoples. Both are with groups of individuals or organisations with relevant subject matter knowledge.

There are also partnerships at the local and regional level, including the Empowered Communities and New South Wales Local Decision Making models, as well as initiatives in other states and territories.

Policy considerations

National Co-design Group members considered existing organisations and partnerships in designing the National Voice. Many of the National Co-design Group members are or have been leaders of these organisations and hold a deep appreciation for the wide variety of existing arrangements and the vital role they have played and will continue to play in supporting Aboriginal and Torres Strait Islander peoples. The National Co-design Group held a clear view that the National Voice should enhance these and not displace them.

Leveraging the strength of existing arrangements will be crucial for the effectiveness of the National Voice. By drawing on the expertise, knowledge, networks and experience of existing structures, the National Voice will better inform its advice to the Australian Parliament and Government.

At the same time, the National Co-design Group was conscious that the National Voice represents an opportunity for reform. A feature of existing partnerships with Aboriginal and Torres Strait Islander people is that, in general, they were established to respond to particular policy needs and include a specific set of Aboriginal and Torres Strait Islander stakeholders. This reflects the absence of a broad-based structure representing all Aboriginal and Torres Strait Islander people across different policy domains. This is the gap that the National Voice would fill, allowing it to build on the strengths of existing arrangements. The National Voice would be able to draw authority from Aboriginal and Torres Strait Islander people.

Generally speaking, existing Aboriginal and Torres Strait Islander peak bodies are focused on a particular sector, linked to a group of service delivery organisations. This differentiates the respective roles of these peak bodies and the National Voice. The National Voice would need to consider broad-based, cross-sectoral and cross-community perspectives in developing its advice to advance the interests of all Aboriginal and Torres Strait Islander people at the national level.

Existing peak bodies do not have full coverage over all sectors, for example, Aboriginal and Torres Strait Islander businesses and individuals who are not members of organisations. Ensuring these interests are considered and represented is important.

There are a range of existing structures with statutory functions such as land councils, PBCs and the Aboriginal and Torres Strait Islander Social Justice Commissioner. The scope of the National Voice would not and, in fact, cannot affect those statutory functions in any way.

The way in which the National Voice engages with other Aboriginal and Torres Strait Islander stakeholders would be flexible and evolve over time. Engagement could be initiated by either party and could take a range of forms, for example:

- Ad hoc engagement could be used, for example, if a stakeholder wished to raise an issue with the National Voice.
- A formal agreement could be used to set out roles and responsibilities, information sharing or a work plan based on the agreement of the National Voice and relevant stakeholders.
- The National Voice could play a convening role, bringing together different Aboriginal and Torres Strait Islander stakeholders to work on a particular issue.

National Agreement on Closing the Gap

As outlined above, the National Agreement on Closing the Gap is a significant example of an existing partnership between Aboriginal and Torres Strait Islander people and Australian governments. The Australian Government signed this 10-year agreement to work with the Coalition of Peaks as a member of the Joint Council on Closing the Gap.

The proposed National Voice would not interfere with this in any way. Instead, the proposal recognises the need for Aboriginal and Torres Strait Islander peoples' input on issues beyond those covered by the agreement. This includes legislation (both when being developed by Government and considered by Parliament) and policy issues such as the words of the National Anthem or the Indigenous Procurement Policy. The National Voice and the Coalition of Peaks could work together and would be complementary by amplifying each other's perspectives through their respective relationships and roles.

The National Co-design Group did not attempt to prescribe the exact policy issues that the National Voice should deal with within the context of existing arrangements. This would have made the proposal more complex and rigid and failed to recognise the intention for the National Voice to evolve. The advice function set out in section 2.8.2 gives the National Voice the flexibility to identify the areas it needs to focus on. This would include working with other Aboriginal and Torres Strait Islander organisations or filling policy gaps where they are identified. This approach allows arrangements to evolve and improve.

How the interaction would evolve between the National Voice and some of these organisations or processes cannot be prescribed; it would need to be organic. Where there are non-statutory formal partnership arrangements in place, such as the National Partnership Agreement on Closing the Gap, the National Voice would have no authority to disrupt or interfere with these arrangements. There has been some concern raised that the Government may end up with 2 points of view and subsequently could choose to take the view most aligned with its position. The National Co-design Group did not see this as a significant risk given the nature of agreements such as the Closing the Gap agreement. All parties would need to work on the relationship between the Indigenous Voice and existing structures.

Consultation feedback

The relationship between the National Voice and other structures such as the Coalition of Peaks was a topic at some community consultation sessions, such as in Adelaide, Albany, Hobart and Perth. Participants had a range of views about the effectiveness of existing organisations, but the need for effective relationships between the National Voice and other organisations was a clear theme.

Some submissions expressed concerns about how the National Voice would affect existing structures.

● *'The design of the Voice must be cognisant of the potential impact on existing Indigenous governance structures, including Indigenous organisations and networks, and pay very close attention to the detailed local contexts of Aboriginal community structures, processes, decision-making, representation, and membership. It must also have very close regard to the current processes and dynamics of engagement between Indigenous communities and organisations, and governments.'*

– Central Land Council, submission, April 2021

● *'The proposals do not take sufficient account of the many Aboriginal and Torres Strait Islander community-controlled representative and self-determined arrangements across the country.'*

– National Aboriginal Community Controlled Health Organisation, submission, April 2021

These concerns reflect the need for the principle in the final proposal that the National Voice would not displace existing structures. Both the Government and National Voice should continue to engage with existing structures.

2.9 The Australian Parliament and Government

The advice function section (see section 2.8.2) states that the National Voice would have a broad, discretionary ability to advise on national matters of importance to Aboriginal and Torres Strait Islander people. The National Co-design Group agreed that this should be complemented by a formal interface with Parliament and Government. The purpose of this interface would be to:

- provide guidance on when and how consultation with the National Voice should occur
- give formal standing to the role of the National Voice
- create processes to encourage strong engagement by Parliament and Government
- ensure there is transparency in the National Voice's relationship with Parliament and Government.

The elements of the interface developed by the National Co-design Group are:

- A set of consultation standards
 - an obligation to consult the National Voice on a defined and limited set of laws
 - an expectation to consult the National Voice based on a wider group of policies and laws informed by a set of principles
 - standards for how consultation should be conducted.
- A set of transparency mechanisms, situated in the Parliament
 - statements on all bills explaining whether the National Voice should be consulted and, if so, whether this occurred
 - the tabling of formal advice of the National Voice in Parliament
 - a parliamentary committee relating to the National Voice would enable parliamentarians to hear directly from the National Voice or to gain further insight into tabled advice, and could consider engagement with the National Voice.

As discussed in sections 2.9.1 and 2.9.6, the design of these elements supports a flexible, good-faith partnership between the National Voice with both Parliament and Government. The National Co-design Group was conscious that partnership could not be manufactured by setting complex or prescriptive rules and has instead emphasised clarity and dialogue in the design. The design allows for this partnership to develop and evolve over time.

The design also reflects the need to respect parliamentary sovereignty and avoid causing unintended consequences. As a result, all elements would be non-justiciable, meaning alignment with the standards could not be challenged in court and could not legally affect the validity of legislation or policies. The elements have also been designed to support effective legislative and policy processes and not disrupt Parliament or Government. To achieve this, the proposals are firmly grounded in existing processes that are already in use.

The elements also reflect the principle that all advice from the National Voice is non-binding and that the National Voice would have no veto power over proposed laws or policies. This design principle was initially outlined in the Referendum Council Final Report.⁹¹ This position was supported by a number of submissions, including some that characterised this as a 'non-issue'⁹² and 'uncontroversial'.⁹³

Consultation standards and transparency mechanisms must be flexible enough to address the full range of possible circumstances, particularly concerning timing. In some cases, consultation with the National Voice may be built in from the early stages. In other cases, legislative changes may be time-sensitive, and a smaller amount of time might be provided for consultation with the National Voice. The proposed consultation standards and transparency mechanisms do not take a prescriptive approach to this. Instead, they support partnership and dialogue that can facilitate change.

A key element of the consultation standards is the general expectation that Parliament and Government would engage the National Voice at the earliest opportunity when developing policies and proposed laws that have a significant impact on Aboriginal and Torres Strait Islander peoples. The result of this early engagement would mean that by the time a bill is finalised, the National Voice should already have been engaged and given the opportunity to provide considered formal advice.

⁹¹ Final Report of the Referendum Council, 2017, p. 36.

⁹² Dr Dani Larkin, submission, March 2021, p. 4.

⁹³ Law Council of Australia, submission, April 2021, para. 109, p. 30.

2.9.1 Consultation standards

Final proposal

The National Voice consultation system comprises the following elements:

Obligation to consult

Parliament and Government would have an obligation to consult on primary legislation that either:

- overwhelmingly relates to Aboriginal and Torres Strait Islander peoples; or
- is a special measure for Aboriginal and Torres Strait Islander people within the definition of the *Racial Discrimination Act 1975* (Cth).

Examples of what the obligation to consult would capture are:

- amendments to the *Native Title Act 1993* (Cth)
- major amendments affecting Indigenous Business Australia
- changes affecting the Community Development Program
- amendments to the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (Cth).

Expectation to consult

Parliament and Government would be expected to consult on proposed laws and policies that have a significant or distinctive impact on Aboriginal and Torres Strait Islander peoples. Government and Parliament should proactively assess whether their policies meet this test, informed by the following principles:

- whether the proposed law or policy falls within the current priorities of the National Voice
- whether the proposed law or policy includes substantial measures that explicitly refer to Aboriginal or Torres Strait Islander peoples
- whether the proposed law or policy would have a significant impact on the social, spiritual or economic wellbeing of a significant number of Aboriginal or Torres Strait Islander people
- whether the proposed law or policy would impact Aboriginal or Torres Strait Islander peoples in a way that is different to the effects on other Australians.

Examples of what this scope would capture include:

- amendments to the *Racial Discrimination Act 1975* (Cth)
- the Indigenous Procurement Policy
- the National Disability Insurance Scheme to the extent where it significantly affects Aboriginal and Torres Strait Islander people
- domestic violence measures, to the extent these significantly affect Aboriginal and Torres Strait Islander people.

Any relevant matters

As set out in section 2.8.2, the National Voice would be able to raise any national issue that it views as important for Aboriginal and Torres Strait Islander peoples, and conversely, Parliament and Government can ask the National Voice for advice on any issue. Members of Parliament would be able to request advice on bills that they are developing. Nothing in the obligation or expectation to consult restricts in any way the ability of the National Voice to provide advice or receive referrals.

Manner of consultation

Consultation with the National Voice should occur:

- at the earliest possible stage in the development of the proposed law or policy
- at multiple stages of the development of the proposed law or policy.

This reflects the importance of the National Voice being consulted early in the policy development process as outlined in section 2.8.2.

Non-justiciable

The standards set out above would be non-justiciable, meaning alignment with the standards could not be challenged in court and could not affect the legal validity of laws or policies.

Interim Report

This tiered structure with an obligation and expectation to consult was proposed in the Interim Report. The Interim Report set out key attributes of the obligation and expectation to consult but did not define their scope.

Obligation

The Interim Report outlined that the obligation to consult should be narrow and well defined. Several ways for the obligation to be defined were put forward in the report. These are addressed in detail in section 2.9.2.

Expectation to consult

The Interim Report outlined that the expectation to consult would apply broadly to areas of significant effect on Aboriginal and Torres Strait Islander peoples and would be based on principles. Examples of these principles were outlined, and it was noted that they would be further designed during consultation.

Manner of consultation

The Interim Report outlined an expectation to consult the National Voice at the earliest stages of policy development and throughout the process of policy development.

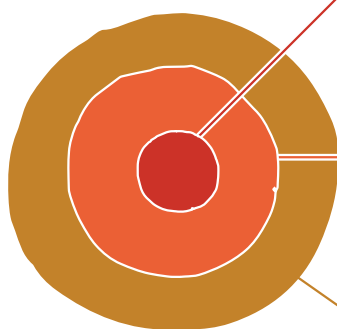
Rationale

The consultation standards set a benchmark and create a common basis for dialogue on how consultation should occur between the Australian Parliament and Government and the National Voice. They reflect the principle that Aboriginal and Torres Strait Islander peoples

should be consulted on laws and policies that affect them. The standards have been designed to ensure they do not create cumbersome or prescriptive requirements or infringe on the role of Parliament.

Figure 2.7: Consultation standards

Consultation standards



Obligation to consult

The Australian Parliament and Government would be *obliged* to consult on proposed laws which overwhelmingly relate to Aboriginal and Torres Strait Islander people, or which are special measures under the *Racial Discrimination Act 1975* (Cth).

Expectation to consult

The Australian Parliament and Government would be *expected* to consult on proposed laws and policies which have a significant or distinctive impact on Aboriginal and Torres Strait Islander people.

Any relevant matters

The National Voice would be able to raise any national issue that it views as important for Aboriginal and Torres Strait Islander people, and conversely Parliament and Government can ask the National Voice for advice on any issue.

Manner of consultation

When consulting with the National Voice, Parliament and Government would be expected to consult early in the development of the proposed law or policy, and at multiple stages.

2.9.2 Obligation to consult

The obligation to consult recognises that Aboriginal and Torres Strait Islander people are the only 'racial' groups subject to special laws specifically targeted at them. For example:

- *Native Title Act 1993* (Cth)
- *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth)
- *Aboriginal and Torres Strait Islander Act 2005* (Cth)
- *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth)
- *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (Cth).

A community that has special laws targeted at them should have input into those laws. The obligation to consult would set a standard that requires Parliament and Government to ask the National Voice for input before making or amending laws specifically targeted at Aboriginal and Torres Strait Islander peoples.

The National Co-design Group gave detailed consideration to how to define which laws would be covered by the obligation to consult. Any definition needs to be sufficiently general to apply to all laws in the future, even though it cannot be predicted what form future laws might take.

The National Co-design Group adopted 2 principles to guide them in searching for the appropriate 'triggers' for the obligation to consult. The triggers should:

- be reasonably simple to apply, without requiring legal advice
- capture proposed laws that specifically target Aboriginal and Torres Strait Islander people.

Obligation triggers adopted by the National Co-design Group

Laws that overwhelmingly relate to Aboriginal and Torres Strait Islander people

- The key advantage of this trigger is that it sets a simple, common-sense standard that is easy to understand and apply. Officials, ministers and parliamentarians can use their judgement to determine if a proposed law falls within this definition without requiring legal advice.
- This definition also closely aligns with the principle of capturing laws that are specific to Aboriginal and Torres Strait Islander people, such as the examples above.

Laws that are special measures under the *Racial Discrimination Act 1975* (Cth)

- This trigger was suggested in the Interim Report.
- A special measure is a law for the advancement and protection of Aboriginal and Torres Strait Islander peoples in a positive way. A law that would otherwise be considered discrimination is a special measure if it is necessary for the sole purpose of advancing the equal enjoyment of human rights and freedoms of a racial or ethnic group.
- The existing framework of the *Human Rights (Parliamentary Scrutiny) Act 2011* (Cth) already requires every bill introduced to Parliament to be accompanied by a 'statement of compatibility' with human rights. The statement of compatibility identifies whether or not a bill is a special measure under the *Racial Discrimination Act 1975* (Cth). Applying the obligation to consult to special measures would simply involve building upon this existing process.
- 'Special measures' are defined by the International Convention on the Elimination of All Forms of Racial Discrimination, to which Australia is a state party. Special measures are enshrined in Australian law through the *Racial Discrimination Act 1975* (Cth), which prohibits various types of racial discrimination, but not if they are special measures.
- A range of laws that specifically target Aboriginal and Torres Strait Islander peoples fall into this category, for example, the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth) and the *Native Title Act 1993* (Cth).

Triggers considered and not adopted

Laws that exclusively relate to Aboriginal and Torres Strait Islander peoples

This trigger was suggested in the Interim Report.

The National Co-design Group considered this trigger but noted it would, in effect, have a very narrow scope and would be unlikely to ever result in a bill being referred to the National Voice under the obligation to consult. Laws that are specifically targeted to Aboriginal and Torres Strait Islander peoples may not relate to them 'exclusively' if they contain minor or incidental provisions that relate to other Australians. For example, the *Native Title Act 1993* (Cth) is not 'exclusive' to Aboriginal and Torres Strait Islander people because it also affects mining companies and pastoralists.

Laws that rely on the heads of power s51(xxvi) or s122 of the Australian Constitution (the race and territories powers, respectively)

This trigger was suggested in the Interim Report.

The race and territories powers in the Australian Constitution have been a significant feature of conversations about the National Voice. In addition to being raised in the Interim Report, they were also discussed in the Referendum Council Report and by the Joint Select Committee.⁹⁴

As a result, the National Co-design Group gave extensive consideration to the race and territories powers as possible triggers for the obligation to consult. Upon close examination, it became apparent to the members of the National Co-design Group that there were significant practical problems with using heads of power as a trigger. These were:

- Identifying constitutional heads of power requires expert legal knowledge. The vast majority of bills do not state which constitutional head of power they are relying on. If these triggers were adopted, it would require legal advice on most bills to determine if they were in scope. This would make implementing the obligation more complicated and burdensome, and harder for the community to understand. While legal advice is often sought as part of the development of a bill, this often occurs in the later stages of legislative development and not in the early stages of policy development. This would be inconsistent with the principle of consulting the National Voice early.

- It is not necessarily clear which head of power is relied upon for a particular law. This can only be determined definitively by a ruling of the High Court. The only guidance available would be the existing body of case law.
- The race and territories powers are often relied upon to make minor changes to legislation that are not of special interest to Aboriginal and Torres Strait Islander peoples or for a small number of provisions within a larger bill. For example, reform to corporate law might involve an amendment to the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth) and would therefore rely on the races power. This would not meet the intention of capturing laws that specifically target Aboriginal and Torres Strait Islander people.

As a result of these challenges, the National Co-design Group has instead proposed triggers that would be simple and practical to apply, rather than complex, legalistic triggers based on the Australian Constitution.

The National Co-design Group noted that the intention of previous discussions regarding the race and territories powers was to capture laws that specifically targeted Aboriginal and Torres Strait Islander people. This is also achieved by the 2 triggers that the National Co-design Group did adopt.

Laws that suspend the Racial Discrimination Act 1975 (Cth)

This trigger was suggested in the Interim Report.

The *Racial Discrimination Act 1975* (Cth) has only been suspended once since its enactment, by the *Northern Territory National Emergency Response Act 2007* (Cth). This law stated it was a special measure and overwhelmingly related to Aboriginal and Torres Strait Islander people. Therefore, it would likely have been captured by both of the 2 chosen triggers, and this proposed trigger was considered unnecessary.

⁹⁴ Final Report of the Referendum Council, 2017, p. 2; Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples, Final Report, 2018, p. 30.

Laws that affect rights protected by the United Nations Declaration on the Rights of Indigenous People (UNDRIP)

This trigger was suggested in submissions provided in consultation.

● *‘ALHR strongly submits that the Australian Government should consult the National Voice on: any legislation, regulation or policy which affects the rights of First Nations peoples, as set out in the UNDRIP; and any other matters that significantly affect Aboriginal and Torres Strait Islander peoples.’*

– Australian Lawyers for Human Rights, submission, April 2021

● *‘The triggers of the obligation to consult be expanded to include proposed laws affecting any right articulated or protected by the UNDRIP.’*

– Law Council of Australia, submission, April 2021

The risk of defining the scope of the consultation requirements with reference to UNDRIP is that it would be very challenging to apply. UNDRIP is a complex document with 46 articles. Under this proposal, officials and parliamentarians would need expert advice to assess all proposed laws against UNDRIP. The risk of using this as a trigger is that it would create a complex system requiring specialist legal and expert advice on every proposed law, creating Whole of Government processes with the potential to slow down the legislative development process and passage through Parliament.

Consultation feedback

Where surveys, submissions or community consultation sessions engaged on this topic, the feedback expressed support for the principle of the obligation to consult. Some submissions argued that the scope of the obligation to consult set out in the Interim Report was too narrow and should be expanded.

● *‘Government and the Parliament would only be obliged to consult on a narrow range of proposed laws that are exclusive to Aboriginal and Torres Strait Islander people. This is a very narrow range of matters.’*

– Victorian Aboriginal Executive Council, submission, April 2021

● *‘We submit that the proposed triggers for the obligation on Parliament and Government to consult and engage with the Voice are too limited and are likely to inhibit the ability of the National Voice to influence policies and laws impacting the lives of Aboriginal and Torres Strait Islander people.’*

– Gilbert + Tobin, submission, April 2021

● *‘We recommend that policy makers should be obliged, rather than purely expected, to consult the advisory Voice on a scope of matters described by the National Co-design Group as proposed laws and policies of general application which particularly affect, or which have a disproportionate or substantial impact on Aboriginal and Torres Strait Islander peoples.’*

– Arnold Bloch Leibler, submission, March 2021

● *One participant commented that all policies affect Aboriginal and Torres Strait Islander people and should pass through the Indigenous Voice.*

– Perth community consultation session summary, April 2021

● *One participant noted the scope of obligation on Parliament and government to consult the National Voice is narrow compared with the scope of Commonwealth responsibility and asked why it is envisioned the National Voice will speak to issues restricted to race and land matters when it should also have a say in other priority areas.*

– Canberra community consultation session summary, March 2021

The National Co-design Group noted that the obligation to consult was only one aspect of the consultation standards, and that the broader expectation to consult would also capture many laws and policies that are significant to Aboriginal and Torres Strait Islander peoples. The National Co-design Group agreed there was value in maintaining a relatively narrow and well-defined obligation to recognise the importance of laws that are specifically targeted at Aboriginal and Torres Strait Islander peoples but without limiting the ability of the National Voice to advise on other matters.

Primary legislation only

The proposal of the National Co-design Group is that the obligation to consult would apply only to primary legislation, not legislative instruments or other policies. The reason for this is to ensure the obligation to consult would apply to a limited number of reforms significant to Aboriginal and Torres Strait Islander peoples. The number of legislative instruments, regulations and notifiable instruments is many more times than the number of bills for primary legislation. Around 1,500 legislative instruments are made every year. The obligation does not capture these items to ensure it does not create an unnecessary administrative burden on all parties.

However, the expectation to consult does apply to these categories. The principles relating to the expectation to consult outlined above would capture legislative instruments and notifiable instruments that have a significant impact on Aboriginal and Torres Strait Islander people, for example, the PBC regulations. Legislative instruments that are minor or administrative would not be captured by the expectation to consult.

A legislative instrument is a law made by a minister or an official who has been authorised to do so under a piece of primary legislation. These include regulations, rules and determinations. For example, the PBC regulations are a legislative instrument authorised by the *Native Title Act 1993* (Cth).

The scope of the obligation to consult would also exclude other types of government activity, such as administrative decisions and changes to official practices.

2.9.3 Expectation to consult

The expectation to consult recognises the broader need to include Aboriginal and Torres Strait Islander peoples in the process of making laws and policies. Aboriginal and Torres Strait Islander peoples are affected by almost all laws, policies and programs. The concerns of Aboriginal and Torres Strait Islander peoples also extend beyond laws that are specifically targeted to them.

Some proposed laws and policies are proposed to be of general application but have a significant or distinctive impact on Aboriginal and Torres Strait Islander people. The changes to the words in the Australian National Anthem and proposed changes to the *Racial Discrimination Act 1975* (Cth) are examples of policies that apply generally, but where there are distinct effects on Aboriginal and Torres Strait Islander people. While these matters may not trigger the obligation to consult, the expectation to consult would apply.

No legal rule would be able to say where Aboriginal and Torres Strait Islander peoples should be consulted. Instead, the expectation to consult sets out common-sense principles that set standards to inform Parliament and Government about when they should consult. These standards would then be subject to dialogue through the transparency mechanisms, as set out in section 2.9.6.

A key element of the expectation to consult principles is the ability for the National Voice to provide guidance on when it should be consulted. While Government has an important role to proactively consider which issues need to be referred to the National Voice, this should be informed by what Aboriginal and Torres Strait Islander peoples view as significant.

2.9.4 Manner of consultation

The effectiveness of the National Voice would be heavily dependent on how it is consulted, not merely what it is consulted on. A prescriptive approach to the manner of consultation would create an excessive compliance burden, particularly since it is difficult to define what appropriate consultation would look like in individual cases. To address this, the National Co-design Group has proposed a flexible approach based on principles and supported by dialogue via the transparency mechanisms.

Consultation with the National Voice should not be a ‘checkbox’ exercise that occurs after policy has already been designed. To be able to give meaningful input, the National Voice needs to be consulted as early as possible in the policy process and at multiple stages of the process. This principle has been repeatedly emphasised in previous reports, including the Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples.⁹⁵

To facilitate early engagement in policy development, the National Voice may provide advice that is not immediately publicly available. The Government and the National Voice could negotiate this at the time of engagement. This could be similar to the role of the Prime Minister’s Indigenous Advisory Council, which provided confidential advice to officials during policy development before final decisions of Government.

The amount of time provided to the National Voice to provide advice should depend on relevant factors, including the significance for Aboriginal and Torres Strait Islander peoples, whether the National Voice needs to seek input from other stakeholders, and whether the matter is time-sensitive. This flexible approach would ensure that urgent circumstances can be accounted for appropriately. The National Voice would express its views on the consultation process through the transparency mechanisms as part of a dialogue approach, outlined in detail in section 2.9.6. This also reflects the advice function features set out in section 2.8.2.

2.9.5 Non-justiciability

The primary reasons for the consultation standards to be non-justiciable are:

- It is a longstanding feature of discussions on the National Voice, for example, in reports from the Referendum Council⁹⁶ and the Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples.⁹⁷
- It ensures that the National Voice does not disrupt or interfere with Parliament, helping to lay to rest mistaken and unjustified concerns over a ‘third chamber’.
- It is a common feature of other pieces of legislation that deal with the parliamentary process, such as the *Legislation Act 2003 (Cth)*⁹⁸ and the *Charter of Budget Honesty Act 1998 (Cth)*.⁹⁹

Very few submissions engaged on this aspect of the National Voice design. Some submissions were supportive of the principle of non-justiciability.

• *‘The experience in Norway suggests that non-justiciable consultative obligations are effective to the extent they prompt a moral obligation ... The Indigenous Voice Interim Report proposes enhancing visibility within the process of conferral and receipt of advice as a means to catalyse that moral obligation. The proposals discussed are reasonable and should be adopted.’*

– Harry Hobbs, submission, January 2021

• *‘Maintain the “non-justiciable” and “advice” approaches. As soon as this idea has any space to be interpreted as anything like a veto (in fact or in practical effect), it is lost. As soon as this has any space to look like it is going to end up in constant litigation (or threats of litigation leading to political horse-trading), it is lost.’*

– Anonymous, submission, January 2021

⁹⁵ Final Report, 2018, p. 32.

⁹⁶ Referendum Council, First Nations Voice Design Report, 2017.

⁹⁷ Final Report, 2018, pp. 90 and 95.

⁹⁸ Section 19.

⁹⁹ Subsection 3(2).

A few other submissions expressed concerns because they submitted that there should be a mechanism to hold the Government legally accountable for engaging with the National Voice.

- *‘Further, the “obligation” or “expectation” to consult the Voice would be “non-justiciable”, meaning a failure to engage with the Voice would not be able to be challenged in court and would not affect the validity of the law or policy. The model would be improved if this obligation was made a legal requirement.’*

– Queensland Family and Child Commission, submission, April 2021

- *‘Dispensing with the courts’ ability to review the obligation sends a clear signal that the Government does not intend to take the obligation seriously, or worse, that it intends to consult only [sic] in name only.’*

– National Tertiary Education Union—Aboriginal and Torres Strait Islander Policy Committee, submission, April 2021

These concerns about non-justiciability are driven by questions over whether the consultation requirements would be met in all cases. A key aspect of the design in the Interim Report is the role of the transparency mechanisms to promote dialogue about consultation with the National Voice. This reflects the approach based on partnership between the National Voice, Parliament and Government, rather than having highly prescriptive or bureaucratic rules. The National Co-design Group affirms that non-justiciability is an essential feature of the overall design.

2.9.6 Transparency mechanisms

Final proposal

3 transparency mechanisms situated in Parliament and modelled on existing parliamentary practices and mechanisms should be adopted.

Statement on bills

All bills would be required to include a statement in the accompanying explanatory memorandum explaining whether consultation with the National Voice has occurred. The statement would explain:

- whether it was necessary to consult the National Voice on the bill; and
- if so, whether consultation took place and what form that consultation took.

In some cases, the statement would simply explain that consultation and engagement were unnecessary or that the National Voice declined to provide advice.

It is quite common for explanatory memoranda to explain any consultation that was undertaken on the bill. This is underpinned by existing statutory requirements similar to this proposal, including those in the *Legislation Act 2003* (Cth) and the *Human Rights (Parliamentary Scrutiny) Act 2011* (Cth).

Tabling of advice

The National Voice would be able to table formal advice in Parliament through 3 channels:

- If the National Voice is asked for formal advice on a draft bill, this advice would be tabled at the same time as the bill is introduced in Parliament.
- The National Voice would have the ability to advise on any bill before Parliament and have this advice tabled. Many documents are presented and tabled by the Senate President and House of Representatives Speaker. There is a wide range of existing provisions for advice from statutory officers to be tabled in Parliament, for example, under the *Independent National Security Legislation Monitor Act 2010* (Cth). This would not involve any requirements to delay legislation.
- The National Voice would be able to table a statement once per year that could advise on Government programs or raise policy issues for consideration.

Parliamentary committee

A new parliamentary joint standing committee could be established and tasked with:

- hearing directly from the National Voice and gaining further insight into tabled advice
- considering whether the National Voice has been appropriately consulted on bills
- considering tabled advice of the National Voice and engagement with the National Voice
- making recommendations to Parliament and Government based on its findings.

Non-justiciability

All mechanisms would be non-justiciable, meaning compliance with the mechanisms could not be challenged in court and could not affect the validity of laws or decisions.

Interim Report

All 3 transparency mechanisms were proposed in the Interim Report. During stage two of co-design, the mechanisms were refined. The changes made on the proposals in the Interim Report are as follows:

The scope of the statement on bills requirement was expanded from 'relevant bills' to all bills.

In the Interim Report, it was proposed that only advice on bills referred to the National Voice would be tabled. This has been broadened to the 3 channels set out above.

The functions of the parliamentary committee were expanded to include examining tabled advice.

Rationale

The issue of when and how the National Voice should be consulted would not be easy to answer in every instance, and it would not be something upon which everyone would necessarily agree. Rather than creating complex, legalistic definitions or bureaucratic processes, the National Co-design Group has proposed a system based on dialogue.

The Parliament and the National Voice would both be provided with an opportunity to put their view about consultation as it relates to a particular bill through the statement on bills and tabling of advice mechanisms. The parliamentary committee would then provide a forum for dialogue and consideration of different views. The transparency mechanisms would also put these views on the public record, creating a channel for broader input from the community.

This would be complementary to the consultation standards set out above, which would set a benchmark and create a common basis for dialogue on how consultation should occur in individual instances.

To prevent unintended consequences, the National Co-design Group designed the mechanisms in line with the following principles:

- The mechanisms should be strongly grounded in existing parliamentary processes.
- The National Voice should not be able to obstruct or delay Government or Parliament.
- Mechanisms should not create burdensome or bureaucratic compliance processes.

Context

The transparency mechanisms create a formal interface between the National Voice and the Parliament, further strengthening the voice to Parliament component of the advice function set out in section 2.8.2. The tabling provisions would provide broad scope for the National Voice to present written advice to Parliament, and the parliamentary committee would be a mechanism for that advice to be heard and considered. These elements would formalise and legitimise the role of the National Voice, but they would not limit the scope of the relationship with Parliament. For example, the National Voice could engage with a wide range of subject-specific parliamentary committees, not just the proposed new committee. It is ordinary practice for Commonwealth entities to provide evidence to parliamentary committees in their area of expertise.

The transparency mechanisms would operate at the late stages of the development of a bill—once it has been drafted and introduced in Parliament. However, the scope of the transparency they provide is not limited to those late stages. The statement of consultation and the advice of the National Voice could both elaborate on any consultation that occurred from the early stages of development and support dialogue on that consultation. This would be consistent with the principle set out in section 2.9.1 that consultation with the National Voice should occur at the earliest possible stage of policy development.

Consultation feedback

The inclusion of transparency mechanisms received strong support in feedback.

- *The advice of the National Voice cannot simply be delivered behind closed doors - there needs to be transparency so Aboriginal and Torres Strait Islander people could be able to see [their] views being legitimately provided to the Australian Parliament.*
 - Brisbane community consultation session summary, March 2021

- *One participant suggested that where the government does not consider it necessary to consult the National Voice, an explanation should be provided alongside the relevant bills.*
 - Alice Springs community consultation session summary, May 2021

- *Participants reflected on 2 proposed transparency mechanisms: statements of consultation and a parliamentary committee to review the statements, which would be attached to legislation introduced to the Parliament. There was general agreement that these would be good inclusions in the design.*
 - Canberra community consultation session summary, March 2021

The submissions that engaged with the design proposal for transparency mechanisms overwhelmingly supported the Interim Report proposals. Additionally, some submissions provided further suggestions, including the National Voice chair having observer status in Parliament or the ability for the National Voice to address either chamber.¹⁰⁰ While some of these specific suggestions were not adopted by the National Co-design Group, the general principle of ensuring clear channels of advice between the National Voice and the Parliament is reflected in the final proposal. The scope of the advice function and the transparency mechanisms both support this concept. The design of the final proposal is of a voice *to* Parliament, not a voice *in* Parliament, and builds on existing processes for Parliament to receive advice from external parties.

Statement of consultation

This mechanism is based on existing provisions including:

- Paragraphs 15J(2)(d) and (e) of the *Legislation Act 2003* (Cth) require explanatory statements on legislative instruments to outline consultation undertaken.
- Part 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011* (Cth) requires all bills to include a statement of compatibility with human rights.

It is common for explanatory memoranda of bills to outline consultation undertaken. The statement of consultation proposal builds on these existing practices.

The statement of consultation would embed a process within Parliament to systematically and routinely consider when the National Voice needs to be consulted. The process of preparing statements also provides a mechanism for Government agencies to systematically consider when they need to hear the perspectives of Aboriginal and Torres Strait Islander people.

The National Co-design Group has proposed that this requirement would apply to all bills to ensure that the Parliament can scrutinise whether appropriate consultation with the National Voice occurs. If there is no consultation, the statement would explain why, and the Parliament and the committee would be able to review the explanation.

For bills that do not significantly relate to Aboriginal and Torres Strait Islander peoples, the statement would simply state that consultation with the National Voice was not necessary.

Tabling of advice

Provisions for tabling documents in Parliament are well-established, including advice and reports prepared externally to Parliament. Provisions in existing pieces of legislation include:

- The *Independent National Security Legislation Monitor Act 2010* (Cth) includes provisions for the Prime Minister to refer issues to a statutory officeholder. The Prime Minister is required to table reports that emerge from those referrals.
- The Auditor-General has the power to cause a report to be tabled in either House of Parliament at any time under the *Auditor-General Act 1997* (Cth).

¹⁰⁰ Submissions from the Australian Indigenous Governance Institute, Professor Tim Rowse and Harry Hobbs.

- In August 2020, the Government introduced the *National Commissioner for Defence and Veteran Suicide Prevention Bill 2020* in Parliament. The bill would allow the Commissioner to provide annual reports and additional reports on their work to the responsible minister. The responsible minister would be required to table those reports in the Parliament within 15 sitting days.
- The ACT ATSIEB holds public hearings with government officials and provides a report to the minister, who is required to table the report within 6 days under the *Aboriginal and Torres Strait Islander Elected Body Act 2008* (ACT).
- The Aboriginal and Torres Strait Islander Social Justice Commissioner may submit reports to the responsible minister on human rights and native title under the *Australian Human Rights Commission Act 1986* (Cth). Under section 46M of that Act, the Minister is required to table these reports in the Parliament within 15 sitting days. The Minister is also required to send these reports to the Attorney-General of each state and territory within 7 days of tabling the report in the Parliament. This function has been in operation since 1994.

The tabling of advice from the National Voice builds on this well-established practice.

As outlined above, the tabling of advice is a key component of the formal interface between the National Voice and the Parliament. It provides a way for the Parliament to have the opinion of the National Voice available to it when making decisions on bills. Providing for the advice of the National Voice to be placed on the official record of the Parliament affords appropriate formality and standing for that advice.

Advice tabled by the National Voice on bills could relate to issues of substance with the bill, or comments on the process of consultation with the National Voice in relation to the bill. A key benefit of this is that the parliamentary committee relating to the National Voice would not have to rely only on the Government for information when considering whether appropriate consultation has taken place. Rather the parliamentary committee would be able to also consider the views of the National Voice. This further strengthens the dialogue approach.

This does not preclude the National Voice from providing informal and confidential advice that would not be tabled, as set out on in section 2.8.2.

The National Co-design Group has proposed 3 different ways for advice to be tabled. The reason for this multi-pronged approach is to reflect different circumstances in which advice could be given:

- The first channel would apply where the Government asks the National Voice for advice during the development of a bill. In this case, the advice could be prepared before the bill's introduction in Parliament and would be tabled alongside the bill.
- The second channel would provide for the National Voice to table advice on a bill after the bill has been introduced to Parliament. This reflects the principle that the National Voice should not have to receive a referral to provide advice, as set out in section 2.8.2.
- The annual statement would allow the National Voice to advise on issues other than specific bills, for example, advice on Government programs or raising policy issues to be considered.

As outlined above, the tabling of advice mechanism was expanded in the final proposal compared to the Interim Report. This expansion was prompted by feedback from several submissions.

• *'As currently proposed [in the Interim Report], only advice requested from the Voice by Government must be tabled in Parliament. In the interests of greater transparency, we suggest that where advice is proffered at the instigation of the Voice, the Voice may elect that the advice be tabled and if the Voice so elects, the advice must be tabled in Parliament. If the Voice elects for the advice to be tabled, the proposed law or policy in question should attract the scrutiny of a parliamentary committee established to examine engagement and consideration of advice.'*

– Law Society of NSW, submission, April 2021

• *'There is a severe limitation on the tabling in parliament of advice from the proposed National Voice [in the Interim Report]. Government is only obliged to table advice in parliament where government has sought that advice. Advice prepared at the initiative of the National Voice is not required to be tabled in parliament. ... Arguably it is the advice that government has not asked for that is the most important to table in parliament and be subject to consideration through a parliamentary committee.'*

–Victorian Aboriginal Executive Council, submission, April 2021

Parliamentary committee

A common role for parliamentary committees is to gather evidence on an issue of interest to the Parliament, including by asking stakeholder organisations to provide advice. This is a well-established practice by the Parliament, and the proposal here builds on this.

The proposed parliamentary committee relating to the National Voice would enable parliamentarians to hear directly from the National Voice or gain further insight into tabled advice, creating a basis for a two-way relationship between the National Voice and the Parliament. It would be for the Parliament to determine the details of how the committee would operate, in line with parliamentary processes.

Review of bills by parliamentary committees is a well-established process. For example, the Senate Scrutiny of Bills Committee examines bills against a set of principles relating to personal rights and parliamentary oversight of the executive branch.

One submission opposed the parliamentary committee proposal and suggested that the National Voice should review statements of consultation.

‘If, in the alternative, the Voice were itself given responsibility for reviewing Bills and Statements of Consultation provided by the Government, and advising the Houses whether it believes it has been properly consulted in the development of policies and laws, this would streamline the process and make it more likely (although not guaranteed) that the Voice’s views would be considered during parliamentary debate.’

– Professor Gabrielle Appleby,
Associate Professor Sean Brennan,
Professor Megan Davis and Dr Dylan Lino,
submission, April 2021

The risk with this approach is that it would require the National Voice to examine every bill introduced in the Parliament. This would be an onerous workload and refocus the National Voice away from its strategic objectives and towards repetitive and untargeted scrutiny. This could also significantly detract from the National Voice’s core functions and act as an impediment to the smooth functioning of the Parliament. Instead, the National Co-design Group’s recommended approach allows the National Voice to turn its attention to the issues it considers important and advise the Parliament on those.

Other suggested transparency mechanisms not adopted

Senate estimates-style transparency

‘There are also strong reasons why the Voice should be provided with the powers and privileges of a parliamentary committee to compel people to appear as witnesses or produce documents. As we explain below, this is not just about allowing the Voice to perform an oversight function, but about ensuring the Voice has the necessary information it requires to perform its advice function.’

– Professor Gabrielle Appleby,
Associate Professor Sean Brennan,
Professor Megan Davis and Dr Dylan Lino,
submission, April 2021

‘The Voice should be given access to Ministers and senior Public servants through an ‘estimates’ process as another direct accountability mechanism.’

– ANTaR, submission, March 2021

The National Co-design Group had considered this idea during stage one co-design. They concluded that a formal inquisitorial role for the National Voice would not be consistent with or complementary to its role as an advisory body.

Further, the final proposal emphasises the importance of a partnership approach between the National Voice and the Government. Giving the National Voice an inquisitorial role would go in the other direction and potentially place the National Voice in an inherently adversarial stance with the Government. The risk is that this could limit its ability to exert influence.

Cabinet-related processes

‘The Cabinet secretariat could report annually on the National Voice’s involvement in the Cabinet process.’

– Harry Hobbs, submission, January 2021

‘Tranby is of the view that the advice from the National Voice should be included with the in-principle Cabinet Minute prior to approval of the Cabinet recommendations being referred to Parliamentary Counsel for the Bill to be drafted.’

– Tranby National Indigenous Adult Education & Training, submission, April 2021

Each Cabinet decides its own processes. Consistent with the principle of avoiding prescriptive rules, the National Co-design Group’s proposed transparency mechanisms cover policy development in general rather than specifying particular processes in relation to the Cabinet.

2.10 Policy and expert input

The National Voice would require expert policy input for its deliberations and development of advice to the Australian Parliament and Government. Throughout the co-design process, the National Co-design Group discussed options for ensuring the National Voice has access to this expertise while balancing the need for a simple National Voice structure.

The National Co-design Group agreed to the specific structural features in the Interim Report:

- youth and people with disability permanent advisory groups
- committees, as required
- panel of experts.

The Interim Report put forward an independent policy body as an optional element. As there was little support for this proposal in consultation, the National Co-design Group decided not to pursue this in the final proposals.

2.10.1 Youth and disability permanent advisory groups

Final proposal

A National Voice would have 2 permanent advisory groups specified in establishing legislation:

- i. Aboriginal and Torres Strait Islander Youth Permanent Advisory Group
- ii. Aboriginal and Torres Strait Islander People with Disability Permanent Advisory Group

This final proposal is in line with the proposals in the Interim Report. Further co-design on the broad parameters, as described below, was conducted during stage two of co-design and informed by feedback received from community consultation sessions, surveys and submissions.

These permanent advisory groups would be comprised of non-National Voice members and would be consulted and engaged by the National Voice. The National Co-design Group agreed to the following broad parameters for the advisory groups and agreed that the further detail of the design should be determined by the National Voice.

The inclusion of these permanent advisory groups in the National Voice design would not exclude Aboriginal and Torres Strait Islander youth and people with disability from being eligible for selection to the National Voice itself.

Interim Report

The proposal in the Interim Report was for 2 permanent standing committees specified in establishing legislation for Aboriginal and Torres

Strait Islander youth and people with disability. It was agreed that further detail would be progressed during the consultation process to be included in the Final Report.

Rationale

Aboriginal and Torres Strait Islander youth and people with disability make up a large proportion of the Aboriginal and Torres Strait Islander population. Aboriginal and Torres Strait Islander youth (under 25 years of age) make up more than half the Aboriginal and Torres Strait Islander population. Around 45 per cent of Aboriginal and Torres Strait Islander people have a disability compared to 29 per cent of the Australian population as a whole

(National Aboriginal and Torres Strait Islander Health Survey 2018–19).

Despite young people and people with disability making up these significant proportions of the Aboriginal and Torres Strait Islander population, there are currently very few forums for the voices of Aboriginal and Torres Strait Islander youth and people with disability to be heard on national issues.¹⁰¹

¹⁰¹ At the national level, the First Peoples' Disability Network advocates for Aboriginal and Torres Strait Islander people with disability, including in relation to Closing the Gap; however, at present, there are no national forums for Aboriginal and Torres Strait Islander youth or people with disability to directly express their views on national matters.

Aboriginal and Torres Strait Islander Youth Permanent Advisory Group—Broad parameters

Structure

The Youth Permanent Advisory Group would be a body comprised of up to 18 members, with gender balance and geographic representation assured as much as possible. It would aim to ensure, in particular, appropriate representation for young people in regional, remote and very remote locations. This membership size allows this broad representation and provides an important opportunity to develop the National Voice's future leadership. The Youth Permanent Advisory Group's final membership size and functions should be determined by the inaugural National Voice and established in a way that does not negatively affect the Permanent Advisory Group members' personal circumstances—including their education and family, social and other work responsibilities.

Membership

Eligibility for membership should be limited to Aboriginal and Torres Strait Islander young people aged between 16 and 25 years. The membership of the Youth Permanent Advisory Group should be gender balanced and, as much as possible, drawn from a wide geographic spread, including young people residing in remote areas. Further eligibility considerations could be the responsibility of the National Voice to determine. For example, it may be appropriate for term limits to apply at the upper age limit to be determined by the National Voice. Possible rules could include a person who becomes a member at 25 years of age being prohibited from taking on a second term or being required to step down before their 26th birthday.

Function

Broadly, the function of the Permanent Advisory Group would be to advise the National Voice on matters relevant to Aboriginal and Torres Strait Islander young people. This could involve:

- responding to requests from the National Voice for views on particular issues with a youth lens
- raising youth perspectives on any policy matters the National Voice is considering generally

- determining the relevant issues currently affecting Aboriginal and Torres Strait Islander youth (including as requested by the National Voice and through the Permanent Advisory Group's own proactive identification of such issues)
- identifying the issues that may affect future generations of Aboriginal and Torres Strait Islander youth, and/or that Aboriginal and Torres Strait Islander young people perceive may affect the current generation of youth in the future.

In order to enable the Permanent Advisory Group to reflect diverse youth views when advising the National Voice, the Permanent Advisory Group members could be equipped with mechanism(s) to engage broadly with the substantial Aboriginal and Torres Strait Islander youth population. This could include seeking the views of children and young people below the age limit for membership. This could enable:

- members to connect and hear directly from youth in the regions, to give the National Voice well-informed advice
- opening up opportunities for developing more youth leaders, enabling them to network effectively with each other and through to the National Voice
- creating pathways for youth engagement and for youth voices to be heard (e.g., through technology)
- engaging young people (e.g., from 12 years of age and up) who may not otherwise be able to be involved in the Permanent Advisory Group due to school requirements and work restrictions applying in their state/territory jurisdiction.

The Permanent Advisory Group chair could attend National Voice meetings to present the Permanent Advisory Group's advice and findings against the relevant agenda items. Other members could be invited at the National Voice's discretion. The Permanent Advisory Group chair may also attend other National Voice discussions where appropriate and necessary to assist the Permanent Advisory Group to perform its functions effectively.

The Office of the National Voice would support Youth Permanent Advisory Group members. How this is best done should be determined between the Permanent Advisory Group and the Office.

Aboriginal and Torres Strait Islander People with Disability Permanent Advisory Group—Broad parameters

Structure

This Permanent Advisory Group could be a small body, where broad disability representation, geographic representation and gender balance would be assured as much as possible. During co-design discussions, National Co-design Group members reflected on the name of this group and agreed the name should be changed to be more reflective of the way disability is viewed in Aboriginal and Torres Strait Islander culture—one member noted ‘disability’ is not described as such in language. The final name of this Permanent Advisory Group should be settled by the National Voice prior to the Permanent Advisory Group’s establishment.

Membership

Eligibility for membership to this Permanent Advisory Group should be limited to Aboriginal and Torres Strait Islander people with disability. As with the Youth Permanent Advisory Group, the membership should be gender balanced and drawn from as wide a geographic spread as possible, including remote areas. Further eligibility considerations could be the responsibility of the established National Voice. Aboriginal and Torres Strait Islander organisations for people with disability could be consulted on the establishment considerations of this Permanent Advisory Group, such as the First Peoples Disability Network and Lives Lived Well.

The Disability Permanent Advisory Group members could select a chair to lead their work and ensure the Permanent Advisory Group is performing in accordance with its functions.

Function

The chief function of this Permanent Advisory Group would be to advise the National Voice on matters relevant to Aboriginal and Torres Strait Islander people living with disability. This could involve:

- responding to requests from the National Voice for views on particular issues from the perspectives of Aboriginal and Torres Strait Islander people with disability
- raising the perspectives of Aboriginal and Torres Strait Islander people with disability on any policy matters the National Voice is considering generally

- determining the relevant issues currently affecting Aboriginal and Torres Strait Islander people with disability—this includes as requested by the National Voice and through the Permanent Advisory Group’s own proactive identification of issues of importance to Aboriginal and Torres Strait Islander people with disability
- engaging with relevant stakeholders, including Aboriginal and Torres Strait Islander people with disability, disability policy and service delivery organisations and disability commissioners in order to inform the Permanent Advisory Group’s development of advice to the National Voice.

The Permanent Advisory Group chair could attend National Voice meetings to present the Permanent Advisory Group’s advice and findings against the relevant agenda items. Other members could be invited at the National Voice’s discretion. The Permanent Advisory Group chair may also attend other National Voice discussions where appropriate and necessary to assist the Permanent Advisory Group to perform its functions effectively.

The Office of the National Voice would support the Disability Permanent Advisory Group members. How this is best done should be determined between the Permanent Advisory Group and the Office.

In addition to the standard secretariat support, there should be a Disability Permanent Advisory Group support manager in the Office, dedicated to overseeing the requirements of the Disability Permanent Advisory Group members specifically. It would be the responsibility of this support manager to ensure the Disability Permanent Advisory Group members are fully supported to meet their responsibilities as group members. The work of the support manager would include a mix of specialist disability support, secretariat support, the procurement of disability support services and resources as required, and ensuring meetings are held in accessible formats.

The Office of the National Voice would also need to provide each member of the Disability Permanent Advisory Group with a support person wherever this is required to assist members in preparing for and attending meetings, including providing support for work travel. This would further ensure the full effective participation and contribution of all members of the Permanent Advisory Group.

Context

The National Co-design Group recognised youth and people with disability make up a large proportion of the Aboriginal and Torres Strait Islander population, and that their unique experiences mean it would be important to facilitate a way for them to provide direct insights to the National Voice. There is a clear need to ensure structural representation of youth and people with disability so that the National Voice receives ongoing and timely advice from these significant groups. This would enable greater ability in the National Voice to undertake well-informed policy development and representation on those matters and ensure other law and policy matters are informed by the perspectives of these groups.

These permanent advisory groups were proposed in the Interim Report for consideration during the consultation process, and found widespread support across community consultation sessions,¹⁰² surveys and submissions,¹⁰³ when mentioned. No submissions or community consultation session participants expressly recommended against these permanent advisory groups. 2 survey respondents recommended against establishing these permanent advisory groups on the basis that they thought the structure should be set up to treat everyone equally.

A small number of submissions suggested having permanent youth members in the National Voice itself.¹⁰⁴ During stage one, the National Co-design Group had considered the option of including one or 2 dedicated positions on the National Voice membership for representation of both youth and people with disability. The Senior Advisory Group majority view was that having only one or 2 positions would not represent the diversity of each of these 2 groups. The National Co-design Group agreed with this reasoning and considered that a small number of dedicated positions would risk being seen as tokenistic. As a result, this option of dedicated seats was not progressed, and the National Co-design Group agreed unanimously to include the Youth Permanent Advisory Group and Disability Permanent Advisory Group as structural features, regardless of the core membership model

for the National Voice. As described above, however, there would be capacity for the co-chairs of these permanent advisory groups to attend meetings of the National Voice. Other permanent advisory group members could attend if invited.

Other feedback received concerned the age range for the Youth Permanent Advisory Group, with some suggesting it should include children. The Australian Human Rights Commission, for example, recommended the Youth Permanent Advisory Group be expanded to include children, supplemented by practices of engaging with children, especially those in vulnerable situations such as care and protection and juvenile justice.¹⁰⁵ Participants at a community consultation session in Launceston expressed the view that it would be important to talk to children because 'youth and children are very different'.¹⁰⁶

The National Co-design Group recognises the importance of facilitating children's voices, including the voices of children in vulnerable situations. However, due to the considerable sensitivities and the need to guarantee the safety of vulnerable children and young people interacting with the Permanent Advisory Group, rather than expanding the age range, it was considered appropriate for the Permanent Advisory Group to reach out through safe and appropriate pathways (e.g., through Aboriginal and Torres Strait Islander teachers in schools) to hear from and be informed by the voices of children.

The National Co-design Group considered another viable avenue could be through Local & Regional Voices. They noted support from the Queensland Family and Child Commission for 'children under the set minimum age [to] be regularly and meaningfully engaged in the work of the Local, Regional and National Voices, whether through the Advisory Group or through other engagement activities'¹⁰⁷ as well as feedback received at a community consultation session on the NSW Central Coast,¹⁰⁸ that there be strong links through to Local & Regional Voices to support the voices of Aboriginal and Torres Strait Islander youth and people with disability.

¹⁰² Including in sessions at Sydney, February 2021; Brisbane, March 2021; Toowoomba, March 2021; Wagga Wagga, March 2021; Murray Bridge, March 2021; Moree, March 2021; Tamworth, March 2021; Shepparton, Vic., April 2021; Angurugu, May 2021; Tennant Creek, May 2021; Alice Springs, May; Launceston, May 2021.

¹⁰³ Including from the Torres Strait Regional Authority, 30 April 2021, p. 3; and Monash University, 30 April 2021, p. 5.

¹⁰⁴ For example, the Deadly Inspiring Youth Doing Good Aboriginal and Torres Strait Islander Corporation, the Queensland Family and Child Commission, and several participants at a community consultation session in Geraldton, May 2021.

¹⁰⁵ Australian Human Rights Commission, April 2021, p. 17.

¹⁰⁶ Launceston community consultation session summary, 11 May 2021.

¹⁰⁷ Queensland Family and Child Commission, April 2021, p. 6.

¹⁰⁸ Central Coast community consultation session summary, 12 March 2021.

The National Co-design Group also considered a possible benefit to establishing a Youth Permanent Advisory Group would be the opportunity it would provide to build capability in young people to be future leaders in the National Voice and in their communities. This was a broad sentiment expressed in feedback.¹⁰⁹

● *'It is important to foster our youth and provide them a platform to share the challenges and opportunities they see for their generation, while allowing them to build their leadership capacity and effect real change for Torres Strait Islander and Aboriginal people.'*

– TSRA, submission, April 2021

● *'We get some kids that want to speak up, but kids need support ... giving kids an opportunity to talk is really important.'*

– Maningrida community consultation session summary, May 2021

● *'There is a high rate of [Aboriginal and Torres Strait Islander people] who identify [as] having a disability and being Indigenous should not stop those who identify from being able to speak up as well.'*

– Anonymous, survey, February 2021

● *'We hope for a shared future, not an inherited one with decisions made for us. ... A youth voice is imperative to dismantling inequity and creating solutions relating to First Nations young people by First Nations young people. It is also a critical view to hold close when evaluating and understanding the complexities of tomorrow. ... When our voice is taken with the intention that it is provided, instead of for granted, when the authenticity of a First Nations Youth Voice is legally visible and adapted into larger thinking. When the solutions of our First Nations young people are adopted with their exact intent. Imagine what's possible.'*

– Australian Indigenous Mentoring Experience, submission, April 2021

● *'Of all people overlooked and left behind by politics, disabled people bear that brunt the most, especially if they are also Indigenous or LGBT. I think those committees are very important.'*

– Anonymous, survey, April 2021

● *'[I like that the proposal] includes people with disability too so that they are not neglected.'*

– Prebhjot K, survey, January 2021

¹⁰⁹ Including in community consultation sessions in Mildura, March 2021, and Thursday Island, May 2021.

2.10.2 Committees

Final proposal

The National Voice may establish committees on particular policy or representation matters as needed. Committees may have external members as determined by the National Voice.

Interim Report

It was proposed that the National Voice would be able to establish committees, which would be flexibly set up to inform the National Voice's advice on particular issues as needed.

Rationale

This gives flexibility to the National Voice to seek views from particular groups of stakeholders and groups in communities to ensure they can provide well-informed advice.

The National Voice would be able to establish committees, which would be flexibly set up to inform the National Voice's advice on particular issues as needed. These might include National Voice members and external stakeholders such as academics, community representatives, peak bodies, community-controlled organisations and other relevant organisations. For example, committees could be established to consider specific policy matters or matters relevant to particular groups such as the Stolen Generations, traditional owners, elders and the LGBTIQ+ community.

Feedback from the consultation process proposed further standing committees to consider specific policy matters or matters relevant to particular groups, including for people living off country, Torres Strait Islanders living on the mainland, young emerging leaders, cross-border issues, women, men, and the Indigenous Estate. Feedback also reiterated the need to hear the voices of the Stolen Generations, elders and the LGBTIQ+ community, proposing standing committees for each group.

As noted in section 2.4.10, the National Co-design Group agreed that it is not practical to create standing committees to represent each group while acknowledging the importance of hearing these groups' voices. These voices would have to be provided with the opportunity to be heard, participate and be part of decision-making in Local & Regional Voices as part of the *Inclusive Participation* principle.

The National Co-design Group maintained that the current design does not exclude any particular group. The National Voice may establish committees as it considers appropriate. This could be for particular policy topics or the representation of specific groups.

2.10.3 Panel of experts

Final proposal

The National Voice may establish a panel of experts from which to draw on as needed.

Interim Report

The Interim Report proposed that the National Voice would have the ability to draw on a panel of experts. The panel members would be commissioned only as needed by the National Voice to undertake policy work on key matters, similar to a procurement panel. The panel would cover the range of policy areas relevant to the National Voice.

Rationale

The ability to draw on a panel of experts would enable the National Voice to ensure its advice is grounded in evidence and policy rigour. While this could be achieved in other ways, including an independent policy body, a panel of experts would be delivered at a much lower cost, would be highly flexible and could more easily be targeted towards the National Voice's priorities, particularly where these emerge unexpectedly and require the National Voice to give its advice quickly.

The National Voice would have the ability to establish a panel of experts to ensure its advice is grounded in evidence and policy rigour. The panel members would be commissioned only as needed by the National Voice to undertake policy work on key matters, similar to a procurement panel. The panel would cover the range of policy areas relevant to the National Voice.

Context

The National Co-design Group strongly emphasised the need for a National Voice to access expertise informed by evidence and rigour that would be combined with knowledge from Aboriginal and Torres Strait Islander communities.

The National Co-design Group considered various ways this could be achieved, including an expert panel and a complementary independent policy body. These 2 options were initially considered in tandem as contrasting structures to address the design concept of accessing expert views. The National Co-design Group concluded that an expert panel would be highly flexible and could more easily be targeted towards the priorities of the National Voice, particularly where these emerge unexpectedly and require the National Voice to give its advice quickly. This would particularly suit the National Voice given its broad scope for advice, both in proactively giving advice to inform early policy development and responding to requests for advice from the Australian Parliament and Government.

Therefore, the National Co-design Group agreed that an expert panel should be part of the National Voice design regardless.

2.10.4 Complementary independent Indigenous policy body

Final proposal

No independent policy body is recommended as part of this proposal.

Interim Report

The National Co-design Group proposed an optional additional element for consideration during consultation: a separate independent policy body. The body was proposed to be an Australian Government agency, independent from the Parliament, the Executive Government and the National Voice. The Parliament, Australian Government and the National Voice would all refer matters to the body for advice and share a role in appointing the leadership of the body.

Rationale

An additional independent Indigenous policy body could overly complicate the structure of the National Voice, be costlier than other options (including a panel of experts as explored in section 2.10.3) and duplicate work that the National Voice could acquire through existing means (e.g., through other already established organisations specialising in areas relevant to the national matters being considered by the National Voice).

Context

The National Co-design Group considered that there would be a range of opportunities and risks in setting up an independent policy body. The strengths of an independent policy body would be that its independence would provide it with credibility as a source of impartial, evidence-based, expert views. The National Voice would be able to leverage this credibility to support its advisory function.

The challenge would be that an independent policy body would substantially increase the cost and complexity of the National Voice proposal by adding another entity. The National Co-design Group also noted that functions such as the Indigenous Productivity Commissioner already exist.

The majority view of the National Co-design Group was that the independent policy body was not preferable due to the existing structural mechanisms through which the National Voice could access expert opinions. However, the National Co-design Group agreed it should be included as an optional element to allow further consideration of the merits during consultations. The Senior Advisory Group did not support this design element as an option.

The majority of feedback during consultation did not engage on this topic, but where it was raised, there was broad support for *not* having an independent policy body. Reasons included the need for simplicity in the National Voice structure, confusion and potential duplication of policy work, and the risk of it leading to a watering down of advice received through the two-way link with Local & Regional Voices.

● *'We are opposed to a separate "policy group" on the grounds it diminishes the National Voice and is open to confusion between 2 groups and even conflict.'*

– Uniting Church WA and Uniting Aboriginal & Islander Christian Congress WA, submission, April 2021

● *'I am not in favour of the Independent Indigenous Policy Body. The general voice would water down the advice from the regions and ... The Policy Body is just another level of duplication.'*

– Anonymous, submission, March 2021

● *'VACCA is concerned about the proposal for an optional independent policy body in addition to the National Voice—the purpose of this voice to parliament would be to have community leaders who have subject matter expertise to advise Parliament and the Government with regards to matters affecting Aboriginal and Torres Strait Islander peoples. Not to have another mechanism with no authority, delegation or power.'*

– Victorian Aboriginal Child Care Agency, submission, April 2021

● *'I note ... both the National Co-design Group and the Senior Advisory Group do not support the creation of an "independent Indigenous policy body" for various reasons. I agree with their views and consider it important to base policy more on feedback from all Aboriginal and Torres Strait Islander Australians, and not just a narrow spectrum of academics and activists, valuable as their opinions may be.'*

– John Gregan, submission, April 2021

● *'As the National Voice is set up to respond to the concerns of Indigenous Peoples at "grass roots" level it would seem that an independent policy body may run the risk of imposing its agenda on these "grass roots" concerns. It has been proposed that there be a panel of qualified people and experts on whom the National Voice can call as well as the power to establish Committees to bring in external expertise. This would seem to better meet the requirement of "grass root" involvement and direction as they would be called upon to provide input into those policies determined as important at "grass roots" level.'*

– Anonymous, submission, April 2021

● *'There is a danger here that several semi-permanent "expert" policy bodies or committees could be established and then assume "a life of their own". However, I accept that expert advice should be obtained where necessary to help form the Voice's views, so a suitable, efficient means of obtaining that advice is warranted. I'm not sure a separate standing body is required as the expertise sought may differ from issue to issue. A Panel of experts is preferred and supported.'*

– Anonymous, submission, January 2021

● *'I do not support the establishment of a separate Indigenous policy body and believe it would add considerable cost and complexity. The requirement should be met through strengthening capability and experience in existing roles. It could also be met by adopting the recommendations for additional Voice members being added from time to time as required.'*

– Paul Doving, submission, March 2021

2.11 Corporate form

2.11.1 Office of the National Voice

Final proposal

The membership of the National Voice should be supported by a CEO and policy and administrative support staff. This would be the Office of the National Voice. This structure should be entirely separate from any existing body and under the control of the National Voice members and co-chairs. The key functions of the Office would be to:

- provide administrative support to the members and co-chairs
- undertake research and policy development
- support stakeholder relationships
- support the Youth and Disability Permanent Advisory Groups
- facilitate Whole of Government engagement and engagement with the Parliament.

Interim Report

The Interim Report proposed that the National Voice be supported by an administrative arm led by a Chief Executive Officer. The Interim Report outlined that this would be further refined in stage two of co-design.

Rationale

The National Voice would require policy and administrative support that ensures it can operate effectively and independently and enables the members to focus on its primary advice function.

Context

The National Voice would require a very high degree of independence because of its unique structure. Therefore, it would not be appropriate for its policy and administrative support to be provided by an existing government entity.

The National Voice would be likely to face a complex operating environment that would benefit from solid policy and administrative support. Key challenges include:

- the broad range of subject matters within the scope of the advice function
- the wide range of stakeholders that the National Voice would need to engage with, including Local & Regional Voices, Aboriginal and Torres Strait Islander organisations, parliamentarians and government officials
- the function of the National Voice to be responsive to the legislative and policy agenda, requiring effective systems to respond quickly to issues.

Consultation feedback

The importance of policy and administrative support was a clear theme that emerged throughout the feedback received during consultation.

'An appropriately sized secretariat ... is essential to ensure the Voice is able to fulfil its purpose. This includes being able to undertake research and consultations relevant to their functions. ... Consistent with the statutory authority model, the secretariat support should not be housed within a department of state or Commonwealth agency such as the National Indigenous Australians Agency. While this model is adopted across the Commonwealth for any number of advisory boards and committees, there is a direct conflict for the Voice to depend on a body who simultaneously has responsibility for the very policies and functions over which the Voice may have scrutiny.'

– AIATSIS, submission, May 2021

'A small, high-performing National Office in Canberra will be needed to provide streamlined and efficient administrative and secretariat support for the Voice to perform its functions.'

– Empowered Communities, submission, March 2021

Policy and administrative support was also raised at community consultation sessions and some submissions. For example, participants at sessions in Darwin and Alice Springs emphasised the importance of a well-resourced secretariat to support the National Voice and noted the broad range of issues on which the National Voice would need to advise. The independence of the policy and administrative support body was also emphasised by participants at sessions in Tennant Creek and Alice Springs and in submissions including from the NSW Aboriginal Land Council and AIATSIS.

2.11.2 Type of entity

Final proposal

The National Voice should be a new independent Commonwealth entity.

Interim Report

2 options were put forward in the Interim Report for the type of entity:

- Option 1:** an independent Commonwealth entity
- Option 2:** a private incorporated entity.

Rationale

- The statutory basis for an independent Commonwealth entity provides a level of standing and stability.
- The ability of the entity to independently perform its functions can be guaranteed in legislation.
- While the National Voice would have a unique governance structure, an independent Commonwealth entity with representative functions for Aboriginal and Torres Strait Islander people would be strongly grounded in precedent. Similar existing examples include the TSRA and the Northern Territory Land Councils.

Context

An independent Commonwealth body would be established in legislation. The legislation would provide that decisions on advice and strategy are made by the members of the National Voice and cannot be made or directed by the Government, ministers or officials. The Parliament would appropriate money to fund the new entity through the budget process. Regardless of the choice of entity type, legislation would be required to establish the National Voice.

The alternative option provided in the Interim Report was for a new body to incorporate under the *Corporations Act 2001* (Cth) or the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth). Both types of bodies would be independent from the Government and highly likely to rely on Commonwealth funding.

The independent Commonwealth entity option was supported by feedback. Few people engaged on the issue of legal entity type during the consultation process; however, several submissions were received from the legal sector and some statutory authorities providing advice based on their expertise and practical experience. The majority of these submissions supported the National Voice being established as a Commonwealth entity rather than as a private incorporated entity. Support for the Commonwealth body option was expressed by organisations including Gilbert + Tobin,¹¹⁰ AIATSIS,¹¹¹ the Law Council of Australia¹¹² and Boston Consulting Group.¹¹³

• • • • • *‘The establishment of independent statutory authorities to provide advice to government, primarily funded through government appropriation, is a common strategy employed in Australia. ... AIATSIS legislative structure and operational independence may provide a useful comparator for the National Voice.’*

– AIATSIS, submission, May 2021

• • • • • *‘Both NAC and Congress [historical private incorporated bodies] faced considerable challenges in terms of their financial independence and sustainability, as they remained dependent on grant funding from the government, which placed them in a ‘service’ relationship with government.’*

– AIATSIS, submission, May 2021

¹¹⁰ Submission, 29 April 2021, p. 6

¹¹¹ Submission, 13 May 2021, pp. 8–9.

¹¹² Submission, 30 April 2021, p. 29.

¹¹³ Submission, 7 April 2021, p. 5.

2.11.3 Evaluation

The Senior Advisory Group and National Co-design Group considered the need for evaluation of the National Voice once established to ensure the National Voice is fit for purpose as a policy and advisory body for Aboriginal and Torres Strait Islander people. The National Co-design Group supported a continuous improvement approach to evaluation rather than periodic reviews. The way this would operate should be determined during the implementation phase ahead of the establishment of the inaugural National Voice.

'A private body corporate is an artificially created legal "person", with a Board of Directors or Governing Committee, the members of whom are obliged to act in the interests of the body. The Law Council notes the views of its expert advisory committee members that this obligation precludes the members of the Board or Committee from having a role as representatives of the interests of a broader constituency of persons, meaning a private body corporate is unsuitable to perform the functions required of the National Voice.'

– Law Council of Australia, submission, April 2021

'The Voice should be a statutory entity [Commonwealth entity]. While a statutory entity carries the risk that the government of the day will abolish or substantially alter the Voice, the advantages of a statutory entity include:

- a. That it is the form of entity most likely to provide stability for the Voice.*
 - b. It is the form of entity that will have the greatest standing with governments.*
 - c. As a statutory entity it is more likely to be properly funded to carry out its operations.*
 - d. It will have accountability mechanisms appropriate to its role; and*
- The entity will be subject to Parliament avoiding any suggestion of the Voice as a "third chamber".'*

– Gilbert + Tobin, submission, April 2021

A private incorporated entity was supported by 2 submissions.¹¹⁴ These submissions expressed concern about the need for the National Voice to be independent from the Government. Under the Commonwealth body option, the independence of the entity would be guaranteed by legislation.

¹¹⁴ One of which was from the Australian Indigenous Governance Institute, 23 April 2021, p. 16, with the second being from an anonymous individual.

2.12 Conclusion

The National Voice final proposals incorporate lessons from past experiences and processes and draws on their strengths. The final proposals maintain the Australian Government responsibility for the administration of funding, programs and service delivery, with the National Voice providing a formalised way for Aboriginal and Torres Strait Islander peoples to have a say and engage with the Australian Parliament and Government on relevant laws and policies. Aboriginal and Torres Strait Islander people would determine the members of the National Voice. Its role would be set out in legislation.

The final proposals for a National Voice presented here reflect the agreed position of the National Co-design Group following research and deliberation. The proposals were tested and refined during and following the consultation and engagement process. The National Co-design Group acknowledges that a National Voice should continue to evolve as it is implemented, takes shape and matures. For this reason, the National Co-design Group has not been overly prescriptive in the detailed operating mechanisms and processes of the National Voice. If established, the National Voice could determine the detail of those arrangements as part of its implementation and continue to refine them into the future as required.

The National Co-design Group has signed off on this chapter, which reflects their consensus position on proposals for the design of the National Voice to be put to the Australian Government.

2.13 References

2.13.1 Reports used to inform the co-design process

A key principle of the co-design process is to build on previous work. In addition to their own subject matter knowledge, the National Co-design Group members have drawn from several reports in developing the proposals, including:


- In the Hands of the Regions, Report of the Review of the Aboriginal and Torres Strait Islander Commission, 2003, Senator the Hon. Amanda Vanstone
- Building a Sustainable National Indigenous Representative Body, 2008, Aboriginal and Torres Strait Islander Social Justice Commissioner
- Our Future in Our Hands, 2009, Aboriginal and Torres Strait Islander Social Justice Commissioner
- Uluru Statement from the Heart, 2017
- Final Report, 2017, Referendum Council
- A First Nations Voice in the Constitution— Design Report, Report to the Referendum Council, 2017, Cape York Institute for Policy and Leadership
- Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples, 2018
 - Interim Report
 - Final Report
 - Submissions

2.13.2 Environmental scan of historical and existing structures

One of the first pieces of work undertaken at the start of the Indigenous Voice co-design process was an environmental scan, which encompassed relevant bodies and structures, both existing and historical, including Australian and international examples. These bodies included:

- native title and statutory land rights bodies such as land councils, native title representative bodies, PBCs and land trusts
- national community-controlled peak bodies
- state and territory coalitions of peak bodies
- regional statutory and non-statutory bodies
- government-appointed and independent advisory bodies.

See Appendix D: Interim Report for the full environmental scan.



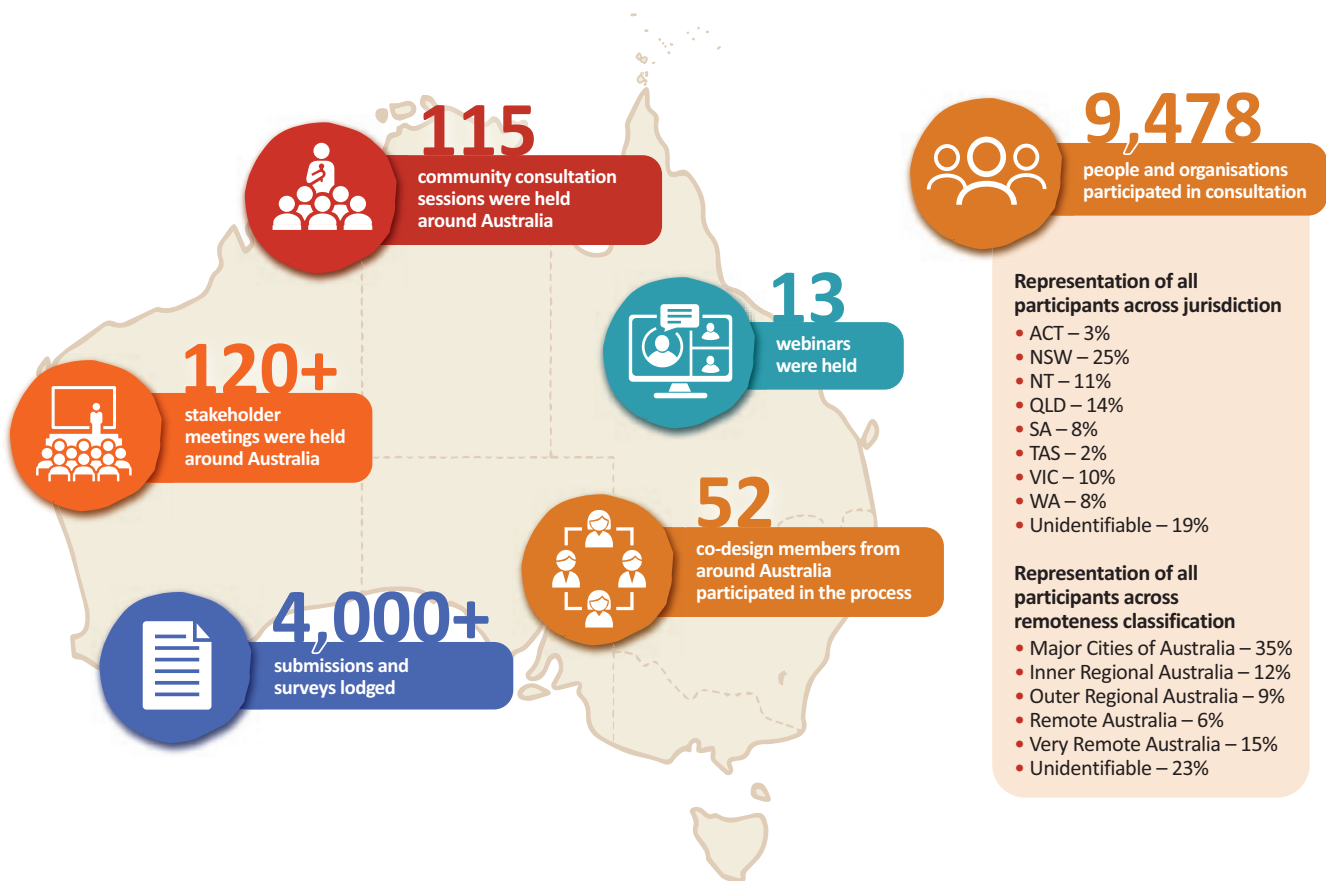
Chapter
3

Consultation and Engagement

3.1 Introduction

This chapter provides a detailed overview of the consultation and engagement undertaken in stage two of the Indigenous Voice co-design process; high-level themes from consultation on the broad concept of an Indigenous Voice from both Aboriginal and Torres Strait Islander people and non-Indigenous Australians; additional themes from consultation, including those beyond the scope of the co-design process; and an outline of how the co-design groups considered and deliberated on the feedback received throughout the consultation process.

Figure 3.1: Consultation overview



Consultation on the proposals was designed to be wide-reaching, community-focused and flexible. It also ensured people could provide feedback despite the ongoing implications of the COVID-19 pandemic. This stage of the co-design process was open to all Australians to directly engage through community consultation sessions, stakeholder meetings, webinars, submissions and a survey.

As the people most directly involved in the proposed Indigenous Voice, a key audience for consultation was Aboriginal and Torres Strait Islander people and a significant effort went to ensuring they were informed and supported to have a say on how both the proposed Local & Regional Voices and National Voice could work for them. The process also recognised the importance of bringing non-Indigenous Australians on the journey and hearing how they saw themselves interacting with the Indigenous Voice.

Overall, more than 9,400 people and organisations participated during consultation on proposals for an Indigenous Voice over a 4-month period. This included 115 community consultation sessions in 67 locations with more than 2,600 participants, 13 webinars with more than 1,450 participants, more than 4,000 submissions and surveys lodged and more than 1,200 participants across more than 120 stakeholder meetings.

3.2 Overview of consultation and engagement

Over 4 months from January 2021, 9,478 people and organisations participated in consultation through a range of channels:

- 115 community consultation sessions were held in 67 locations with 2,607 participants
- 2,978 submissions were provided
- 1,127 surveys were completed
- 124 stakeholder meetings were held with 1,280 participants
- 1,486 participants in 13 webinars.

3.2.1 Approach

In accordance with its terms of reference (see Appendix B), the Senior Advisory Group provided advice on the design of consultation and engagement.

The Senior Advisory Group agreed the purpose of consultation was to:

- build an understanding of the co-design process and the concept of an Indigenous Voice with all Australians
- seek feedback on how the proposals would work in practice for Aboriginal and Torres Strait Islander communities, organisations and individuals, including how non-Indigenous Australians saw themselves interacting with the Indigenous Voice proposals.

The Senior Advisory Group considered past consultation processes and advice from co-design group members to guide the development of the consultation and engagement approach.

As outlined in the Interim Report, the consultation process was guided by the following principles:

- **Authenticity**—building trust, being transparent, harnessing stories and providing a feedback loop.
- **Inclusivity**—being culturally appropriate, empowering Australians to participate in the process, maximising reach and access to individuals and communities and keeping communication clear and simple
- **Focused**—driven by data, fulfilling the dual purposes of seeking feedback and building understanding, being responsive and adapting to the environment.

Figure 3.2: Community consultation sessions

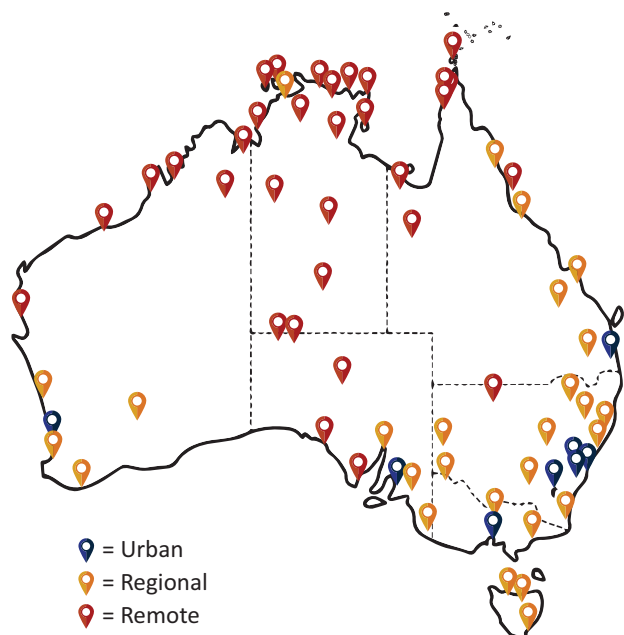


Community consultation sessions brought members of the co-design groups together face to face with community members. This form of consultation enabled people to hear directly from co-design members about the concept of an Indigenous Voice and the details of the Local & Regional Voices and National Voice proposals and to then have genuine and candid conversations about how the proposals might work in practice. The leadership of co-design members was critical to the high level of engagement achieved in community consultation sessions.

Over 4 months, the co-design members travelled to 67 urban, regional and remote locations across Australia and held 115 community consultation sessions, engaging with 2,607 participants. The locations for community consultation sessions were determined with co-design member input. The sites of previous consultations and the need to ensure a cross-section of urban, regional and remote communities were considered in settling locations.

Approximately 95 per cent of community consultation session participants were Aboriginal and/or Torres Strait Islander people. While co-design members were in community consultation session locations, they often arranged additional meetings and appointments to ensure consultation engaged as broadly as possible across the communities.

Figure 3.3: Community consultation session locations



Communities were informed about each community consultation session and encouraged to attend through local radio public notices and engagement with local media outlets, including consultation alerts and interviews with co-design members. Local stakeholders in each location were also provided with session information for distribution through their community points of contact, and sessions were listed on the Indigenous Voice website. Where appropriate and in most locations, community consultation sessions were promoted in public notices and across the social media platforms Twitter, Facebook and LinkedIn. There was also outreach to educational institutions at all levels and to mayors and shire presidents in community consultation session locations and their surrounds.

Accessibility and inclusivity were key to the community consultation sessions. Education resources, including fact sheets and graphic material, helped explain the proposals, with resources in language developed where necessary. A presentation detailing the features of the Indigenous Voice proposals, including in most cases a video and series of animations, was delivered in each session. Interpreter services were also provided where necessary. Specific arrangements were made

to ensure community cultural and geographical needs were accommodated. Where appropriate, separate men's and women's sessions were held, and sessions were scheduled for multiple times of the day to offer more options for participation. Local organisations or businesses were engaged to provide catering and event logistics.

Figure 3.4: Gunbalanya community members at Maningrida community consultation session, May 2021



Flexibility was an important factor in delivering the community consultation sessions. The ongoing COVID-19 pandemic had an impact, with border closures, travel restrictions and venue capacity limits. Each community consultation session was tailored to suit the needs of the community while ensuring adherence to health requirements and safety plans. Sessions were adapted due to weather events, cultural obligations and participant travel capacity, including the postponement of some sessions. For example, a Geraldton session was postponed and later delivered virtually due to Tropical Cyclone Seroja and Bourke sessions were postponed twice due to Sorry Business, and later held during May. The relevant communities were engaged about any changes to arrangements.

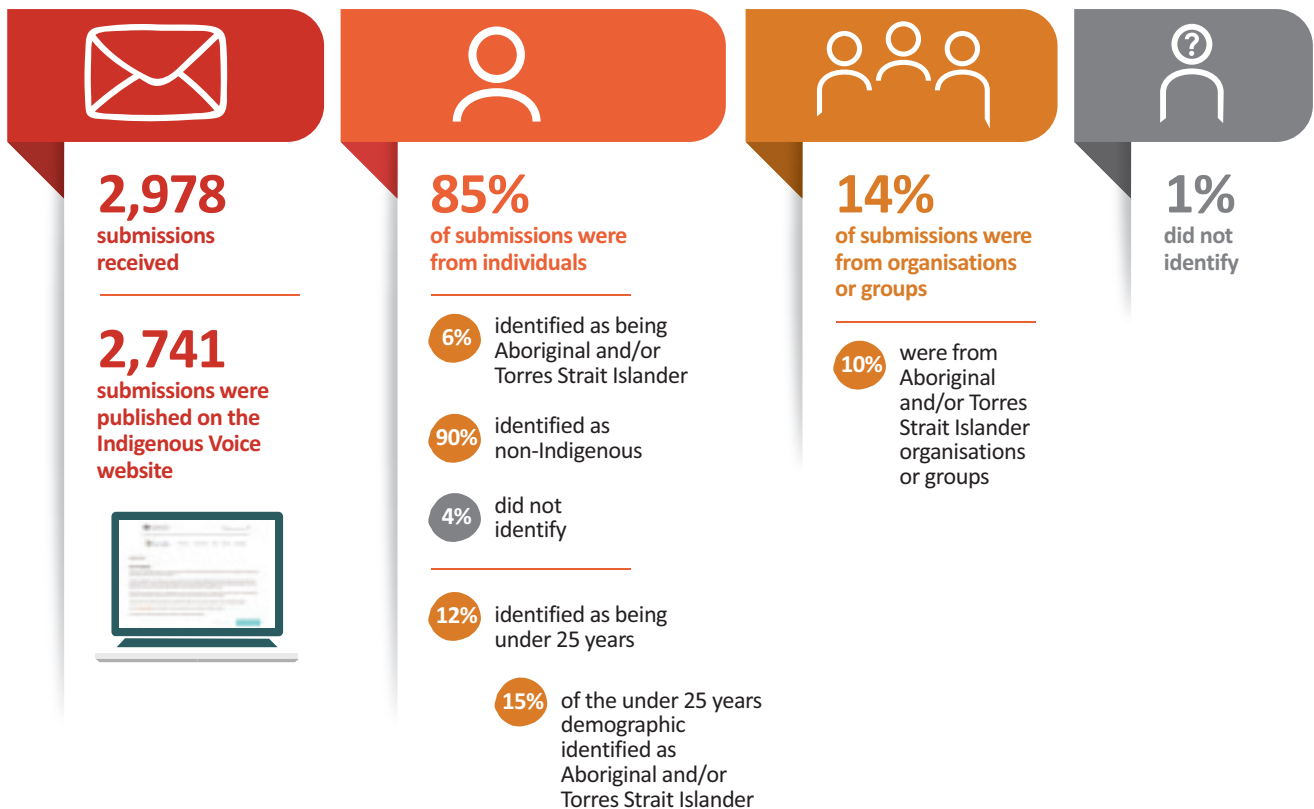
Attendance varied across communities. Co-design members were conscious of consultation fatigue and, in some instances, other consultations running concurrent to the Indigenous Voice process. Multiple sessions were held in most locations, including 26 evening sessions. Most sessions were well attended, with participants engaging in honest, robust and respectful conversations that delivered important insights to refine the Indigenous Voice proposals.

Summaries from all community consultation sessions are available on the Indigenous Voice website. A list of where community consultation sessions were held and a link to community consultation session summaries are provided in Appendix C.

3.2.3 Submissions

Public submissions were invited from 9 January 2021 to 31 March 2021, with a subsequent extension to 30 April 2021. Individuals, organisations and groups were invited to provide feedback via the Indigenous Voice website. Submissions sought feedback on the proposals, guided by the Indigenous Voice Co-design Discussion Paper. Submissions were encouraged in a range of ways, including creatively via audio/video recording or artwork. A total of 2,978 submissions were received, with 2,741 published on the Indigenous Voice website. Over 200 individuals and 10 organisations did not want their submissions published.

Figure 3.5: Submissions overview



85 per cent of all submissions were from individuals in a personal or professional capacity, 14 per cent were identified as representing an organisation or group, with one per cent not answering this question.

- 6 per cent of submissions from individuals were from people who identified as being Aboriginal and/or Torres Strait Islander.
- 90 per cent of individual submissions were from people who identified as non-Indigenous, with 4 per cent not answering this question.
- 12 per cent of submissions from individuals were from people who identified as being under 25 years.
 - 15 per cent of all submissions from people 25 years or younger came from people who identified as Aboriginal and/or Torres Strait Islander.
- Of the 14 per cent of submissions identified as representing an organisation or group, 10 per cent were from Aboriginal and/or Torres Strait Islander organisations or groups.

Submissions with author permission to be published are available on the Indigenous Voice website. A link to published submissions is also provided in Appendix C.

Over half of all submissions were identified to be aligned with a group or organisation with a coordinated effort to provide feedback comprised of similar material. Where such submissions contained distinct content, they were published separately. Submissions that were substantially similar were collated and published in one document and attributed to multiple authors.

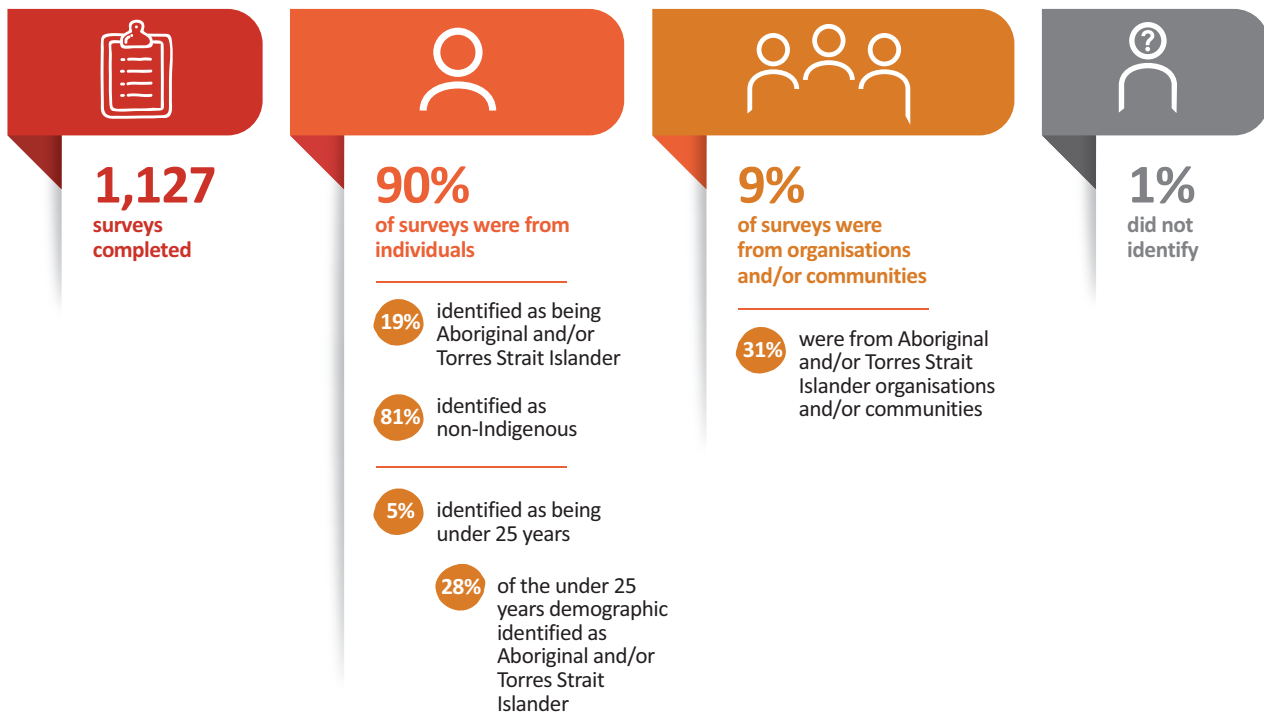
3.2.4 Surveys

A short survey was available on the Indigenous Voice website and via reply paid hard copy for individuals, communities and organisations to provide feedback. Survey questions were designed with support from an Indigenous creative agency. The survey remained open throughout the consultation and engagement period from 9 January 2021 until 21 May 2021. A range of views were expressed by 1,127 participants, with varying levels of engagement with the detail of the Indigenous Voice proposals.

Figure 3.6: Survey questions



Figure 3.7: Surveys overview



90 per cent of all survey response were from individuals in a personal or professional capacity, 9 per cent representing an organisation and/or community.

- 19 per cent of individual surveys were from people who identified as Aboriginal and/or Torres Strait Islander.
- 81 per cent of individual surveys were from people who identified as non-Indigenous.
- 5 per cent of survey responses were from people who identified as being 25 years or younger.
 - 28 per cent of all surveys from people 25 years or younger came from people who identified as Aboriginal and/or Torres Strait Islander.
- Of the 9 per cent of survey responses identified as representing a community or organisation, 31 per cent were from Aboriginal and/or Torres Strait Islander communities or organisations.

3.2.5 Stakeholder meetings

In addition to the 115 community consultation sessions conducted around the country, co-design members and NIAA staff facilitated 124 stakeholder meetings engaging individuals, peak bodies and organisations. At least 1,280 people participated in both face-to-face and online stakeholder meetings. These meetings were tailored to the needs of each stakeholder group, with conversations guided by a presentation outlining the key features of the Indigenous Voice models.

Stakeholders were drawn from a range of sectors, from local governance, youth, government and employment to ACCOs, corporate and business, education, faith-based, law and justice and beyond. Stakeholder meetings were held with people from across the country covering urban, regional and remote locations. In at least 41 instances, meetings and additional sessions at the community level were organised as part of the consultation process and co-design members visiting a location to run community consultation sessions. This allowed engagement with more people and consultation to be tailored to suit community needs and opportunities.

Figure 3.8: Stakeholder meetings



These meetings engaged a broad range of stakeholders with varying levels of knowledge about the proposals. Some groups had a large reach and represented a breadth of organisations, thereby engaging individuals, communities and other organisations to provide feedback on the proposals.

Across stakeholder meetings, there was interest in the details of the proposals, both broadly and concerning the implications for particular stakeholders and their networks. There was support for an Indigenous Voice and, consistent with feedback via other consultation methods, a sense of expectation and desire for action.

Information about stakeholder meetings is provided in Appendix C.

3.2.6 Webinars

An implication of the COVID-19 pandemic was that engagement had to be flexible and allow for a variety of communication methods. Webinars were a critical component in the consultation because they allowed for connection with a wider audience that would not otherwise have been possible.

Over the 4 months of consultation, co-design members delivered a total of 13 webinars to 1,486 participants. The webinars ranged from broad discussions on the need for and importance of an Indigenous Voice to detailed discussions about each proposal and targeted discussions for particular audiences. For example, Mr Damien Griffis, CEO of the First Peoples Disability Network, hosted discussions on the proposals for members of the disability sector that canvassed views and issues specifically facing Aboriginal and Torres Strait Islander people with disability.

Co-design members organised webinars to support consultation. For example, the Centre for Social Impact hosted 2 webinars with featured panellists Dr Emma Lee, Dr Donna Odegaard AM, the Hon Jeff Kennett AC and Mr Chris Kenny. This allowed panellists to explore the Indigenous Voice co-design process further and discuss the importance of Indigenous-led formal advice to government and Parliament with targeted audiences.

A full list of webinars is provided in Appendix C.

Figure 3.9: Professor Tom Calma AO, Professor Dr Marcia Langton AO and Mr Dan Bourchier, Indigenous Voice proposals webinar, February 2021



On 1 February 2021, Professor Dr Marcia Langton AO and Professor Tom Calma AO joined Indigenous broadcast journalist Mr Dan Bourchier for the first public webinar to introduce the Indigenous Voice proposals and encourage the community to have a say.

A total of 375 people participated from around Australia, representing a range of backgrounds and perspectives. The webinar included an overview of the co-design groups' work to date and explained the proposals for both the Local & Regional and National Voices. Webinar participants were able to ask numerous questions about the proposals and the next steps.

3.2.7 Educational resources

Figure 3.10: Educational resources



A range of educational resources was developed to support consultation, each designed to raise awareness and understanding of the Indigenous Voice process and the proposals for Local & Regional Voices and the National Voice. The resources were developed with the support of an Indigenous creative agency and included a discussion paper, conversation guide, videos and animations, posters and factsheets. These resources were available on the Indigenous

Voice website throughout consultation and were translated where possible. They were highlighted as part of the Indigenous Voice promotion, utilised during community consultation sessions and stakeholder meetings and shared by co-design members through their networks. Appendix D describes and provides links to the educational resources.

3.2.8 Indigenous Voice website

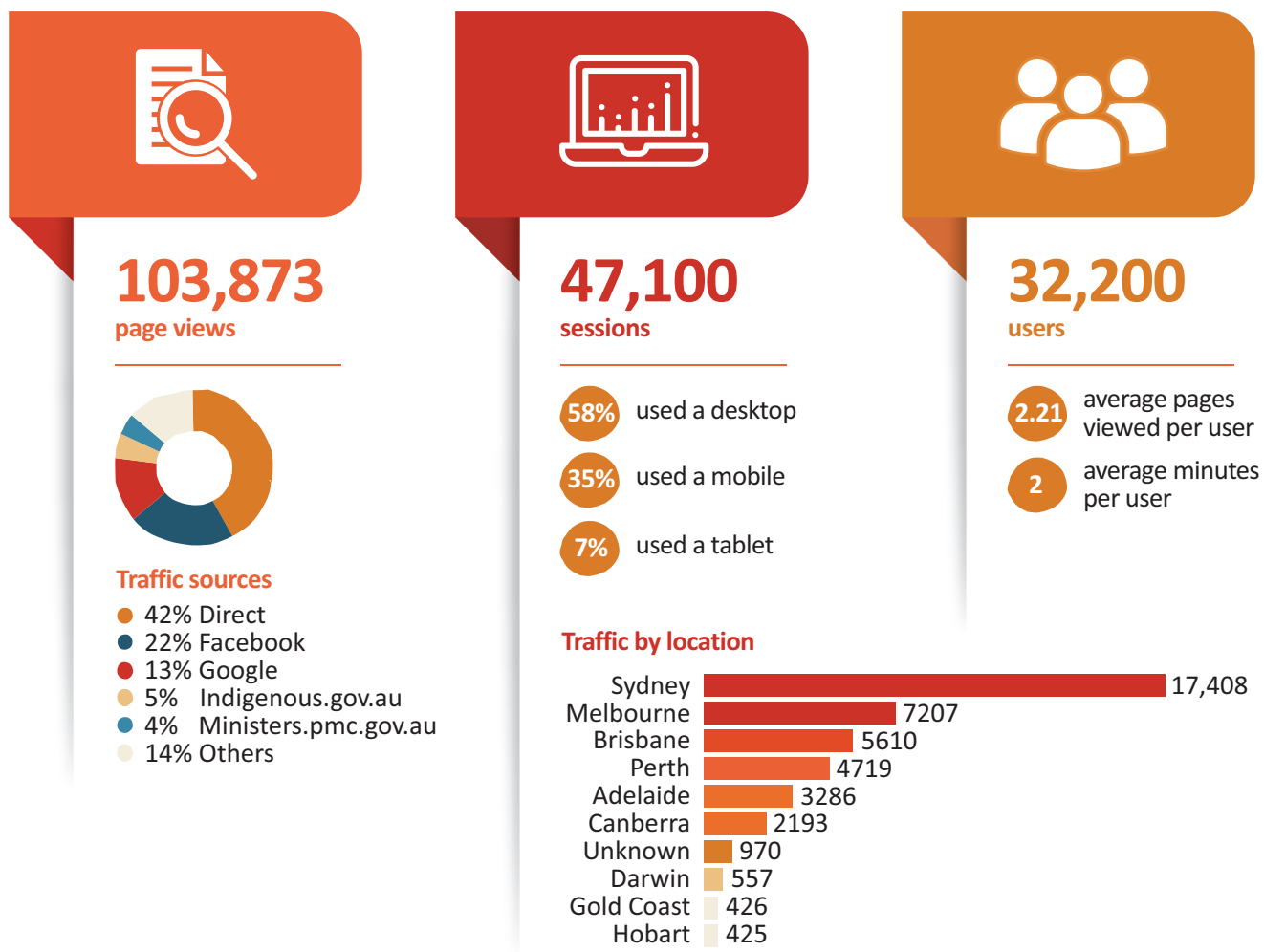
The Indigenous Voice website (voice.niaa.gov.au) was launched in stage one of the co-design process to be a comprehensive and authoritative source of information. Its use as a significant channel for consultation feedback was a central consideration in its development, with accessibility, simple navigation and a mobile-first design factored in.

With consultation identified as a primary use of the website early on, it was ready to undertake a transformation upon the launch of consultation. On 9 January 2021, the online survey and submission forms were released on the website, along with the Interim Report and a range of education resources

to assist in understanding the Indigenous Voice proposals. The website also housed an events calendar with detailed community consultation session information, webinar videos and transcripts, submissions and community consultation session summaries.

From 9 January 2021 to 24 May 2021, the website had almost 103,900 page views by 32,200 users, with users spending an average of 2 minutes and 4 seconds on a page. Traffic was generally steady throughout the consultation period, with peaks on launch and at the close of submissions on 30 April 2021.

Figure 3.11: Indigenous Voice website



3.2.9 Promotion of the consultation process

Co-design members led the promotion of consultation with the support of the NIAA Secretariat. Co-design members promoted the community consultation sessions and other avenues to provide feedback on the Indigenous Voice proposals through the media, social media and their networks, including via personal and professional connections and affiliations, where appropriate. The consultation process was also promoted among sectors, including organisations registered with the Office of the Registrar of Indigenous Corporations.

Media coverage was a key channel to increase awareness of consultation. Co-design members participated in more than 40 media interviews through the consultation period. The launch of the Interim Report and consultation process in January 2021 saw significant national media interest, with

the response led by the Senior Advisory Group co-chairs. As community consultation sessions commenced, co-design members participated in targeted media engagement around the country. Interest was high from mainstream, regional, community and Indigenous media organisations, with media attending some community consultation sessions for insight into the proposals and to hear firsthand what people in their local community had to say.

Senior Advisory Group member, Mr Chris Kenny, hosted a live broadcast of his Sky News program from Moree, coinciding with community consultation sessions he was involved in there and discussing the consultation process.

Figure 3.12: Mr Chris Kenny interviews fellow co-design member Ms Kristal Kinsela in Moree, NSW, March 2021



Paid public notices were also used to raise awareness of consultation. Close to 1,000 radio public notices were broadcast across 67 Indigenous, regional and community radio stations, promoting specific community consultation sessions and the process more broadly. Paid online and print public notices promoted the consultation period and encouraged audiences to visit the Indigenous Voice website to provide their feedback.

More than 90,000 subscribers and followers of the Indigenous Voice website voice.niaa.gov.au, the website indigenous.gov.au and NIAA channels were regularly updated about the process through email newsletters and social media posts. Social media posts were boosted and geo-targeted to promote community consultation sessions in relevant locations or to specific target audiences to increase awareness and engagement.

Figure 3.13: Consultation promotion between 9 January and 24 May 2021



3.2.10 Insights from consultation and engagement

Australians expressed a range of views throughout the consultation and engagement process. While specific insights relating to the proposals for Local & Regional Voices and a National Voice are detailed in Chapters 1 and 2, respectively, some strong overarching themes emerged from consultation.

Support for moving quickly

Feedback from consultation and engagement revealed a sense of urgency and desire to move quickly, with some suggesting an Indigenous Voice is long overdue. Numerous submissions talked about the urgency to make the Indigenous Voice a priority for Australia to reconcile the nation and bring systemic improvements.

● *'We have been waiting for this moment for a long time. All my ancestors have gone before me and their voices were not heard by government. This is the right timing.'*

– Galiwin'ku community consultation session summary, May 2021

The need to 'get it done'

Feedback suggested that while much work is ahead, sustained action is needed as soon as possible, so everyone, particularly younger generations, can benefit.

● *'We need to put aside our differences and go forward and get our voice heard. It is about community coming together ... The faster we do this, the better for our future generations.'*

– Cairns community consultation session summary, April 2021

● *'... urgency to act now, finally, to give Indigenous communities the autonomy to make choices for themselves and inform choices which affect their interests. It is a step towards self-determination and broader reconciliation goals.'*

– Sabrina Bhuiyan, submission, March 2021

An Indigenous Voice is overdue to deliver change

Participants reflected on the need for an Indigenous Voice to bring real and lasting improvements across the range of issues facing Aboriginal and Torres Strait Islander peoples in contemporary Australia.

● *'It is beyond time to address the horrible inequalities that exist in all major metrics between Indigenous and non-Indigenous Australians and the only way to do that in any meaningful way is to listen to Indigenous Australians through a truth telling and agreement body such as the Voice to Parliament. We all want a say and agency over our own lives so I cannot understand why this basic human right is not afforded to our First Nations people. It is well overdue that Indigenous people should have a say in matters that affect them.'*

– Caitlin MacGregor, submission, April 2021

● *'As an organisation that has long supported Indigenous Australians on the ground to lead big and small change, Jawun is excited about the Voice reforms finally putting in place the structural changes that are so desperately needed in this country to support new ways of working in genuine partnership with Indigenous people. This is a historic change, and one that is well overdue.'*

– Jawun, submission, March 2021

An Indigenous Voice is part of an integrated system

Respondents highlighted the importance of Local & Regional Voices and the National Voice working together as part of a complementary, integrated system that would allow local voices to be heard at the national level. People felt that this integration would help ensure both legitimacy and accountability for an Indigenous Voice.

● *'What must not occur in this process is a disconnect between local, regional and national voices and neither should the establishment of local and regional voices diminish or create disjuncture with the National Voice. The objective is a Voice to the Australian Parliament and that should remain the focus.'*

– Torres Shire Council, submission, March 2021

'A respectful culturally approved national voice of local Aboriginal people. A dedicated governed and lawful process to reach and have my voice heard in our efforts to bring local to regional, regional to state and state to national. I do not feel heard living in a regional village, we need a framework designed and built by Indigenous people for our Indigenous and Non Indigenous Nation.'

– Alex M, survey, May 2021

Many people stressed that an Indigenous Voice should complement existing bodies and not unduly encroach on or undermine their responsibilities. However, there was also recognition that some established organisations would need to evolve as an Indigenous Voice matures.

Participants reflected on how other processes such as Closing the Gap and Local Decision Making would relate to the Indigenous Voice proposals. They were concerned about creating too many overlapping structures but noted that the Indigenous Voice would not displace existing structures and would build on what is already working.

– Wagga Wagga community consultation session summary, March 2021

'Rather than being concerned about duplication, I would hope that such dedicated Aboriginal and Torres Strait Islander service organisations and peak bodies would seek to work collaboratively with local, regional and national Voice bodies to address community concerns and aspirations raised.'

– Indigenous Peoples' Organisation Australia, submission, May 2021

Support for co-design work

Throughout the consultation process, participants acknowledged the co-design process for an Indigenous Voice as an opportunity for communities and governments to reset their relationships and build trust. It was noted that such change occurs incrementally and requires genuine partnerships and a platform for the involvement of Aboriginal and Torres Strait Islander people. Participants welcomed the notion of government listening carefully to what people around the country are saying and doing things differently in future.

The Indigenous Voice proposals are viewed as a positive step

The co-design process was seen as a significant step in the right direction in terms of government listening and hearing. The key role of co-design group members in leading consultation—a significant approach in policy design of this scale, offered a tangible example of government taking a new approach to working with Aboriginal and Torres Strait Islander people.

'Don't do anything for me without me.'

– Carnarvon community consultation session summary, April 2021

'The Queensland Government strongly supports proposals for an Indigenous Voice that ensure Aboriginal and Torres Strait Islander peoples have a greater say on laws, policies and services that impact them and their lives. An Indigenous Voice provides the opportunity for Queensland First Nations peoples to be heard on issues that affect them.'

– Queensland Government, submission, May 2021

An Indigenous Voice would empower Aboriginal and Torres Strait Islander peoples to make their own choices

Feedback highlighted the power of a collective Indigenous Voice and value for Aboriginal and Torres Strait Islander people to both amplify their voices and shape their communities and the future.

There was hope for future generations and what this proposal could lead to - 'I feel like this is one step closer for us to get empowered. We're a lot closer than we have been before... I'm fighting for a voice for my kids...'

– Port Augusta community consultation session summary, April 2021

'Without a voice, we are voiceless.'

– Aurukun community consultation session summary, April 2021

- *'Providing advice to government in relation to local issues has been difficult in the past and tends to be largely ignored. We would hope that an Indigenous [Voice] creates the opportunity to amplify our views and ensure they are heard - even by authorities on a higher level.'*

– Mirima Council, survey, April 2021

- *'Self determination is a fundamental human right. For too long, Aboriginal and Torres Strait Islander people have been locked out of decision-making on matters that effect them and their communities. Establishing an Indigenous Voice is critical to re-addressing this injustice and ensuring that the people who know the most about their communities are empowered within the decision-making process.'*

– Jeremy G, survey, January 2021

Continuing the conversation and ensuring follow-through

There was broad recognition that consultation and engagement on the Indigenous Voice proposals are only a starting point and that more discussion will be vital to ensure strong support and appropriate representation and to facilitate the implementation of an Indigenous Voice. Co-design members made it clear that the current co-design process focused on providing solid recommendations to government on the Local & Regional Voices and National Voice proposals, but there will need to be further consultation and co-design if the Australian Government proceeds to implementation.

Need to continue co-design throughout the implementation of an Indigenous Voice

Community consultation sessions helped initiate conversations in communities about existing local governance arrangements and local priorities but noted that this was only a starting point.

- *'Community coming together to create one voice is very important, and that a consistent set of principles create opportunity. But a next step would be communities designing their own arrangements.'*

– Mt Druitt community consultation session summary, March 2021

- *It will be critical in the early stages of implementing Local and Regional Voices to give adequate time for people in communities to talk and work out what suits them in terms of how regional boundaries could be set up.*

– Mt Isa community consultation session summary, April 2021.

Continuing awareness-raising around the Indigenous Voice, what it is and why it is needed will be essential for the broader Australian community to recognise, acknowledge and embrace an Indigenous Voice.

- *Participants felt there needs to be continuing education around the Indigenous Voice, what it is and why it is needed, so as to widely inform the public and dispel myths, including in schools.*

– Rockhampton community consultation session summary, April 2021

- *One participant emphasised the need for an education campaign so that Aboriginal and Torres Strait Islander people would have greater awareness of the Indigenous Voice.*

– Darwin community consultation session summary, April 2021

Concerns and scepticism about consultation

Many people were cautious, and some spoke of consultation fatigue, expressing a sense of wanting less talk and more action and seeking assurance that things will be different this time and their voices will be heard. Some participants questioned if and how the Indigenous Voice co-design process would be any different to what has come before.

- *'It has been 2 and a half years since the recommendation was made to come up with a proposal as to how an Indigenous Voice can be heard in parliament, and at this rate it will probably be another 2 and half years before the proposal is finalised. If history continues to repeat itself it is likely that this proposal will soon be scrapped for whatever reason the government of the day wants to give and added to the mountainous pile of failed-but-well-intentioned government initiatives.'*

– Nadeane Chadwick, submission, April 2021

- *'We need governments to hear the issues in our communities.'*

– Aurukun community consultation session summary, April 2021

● *'It's about time things like this happened. The parliament needs to listen to community voices.'*

– Aurukun community consultation session summary, April 2021

Frustration at being consulted with no outcomes

Throughout consultation and engagement, participants expressed frustration at being consulted on various issues over time, with a lack of follow-through or visible action.

● *Participants expressed fatigue at having another conversation about how to be heard by government.*

– Tamworth community consultation session summary, March 2021

● *'Local and regional proposals need to work to better engage with all of the community and consider expanding who they speak to, exploring new ways of consultation that are more inclusive and accessible and open up spaces for dialogue. This includes clarity of process as there is a lot of trepidation within community as to where the information goes once it is shared, and the fatigue that comes with highlighting the same issues over and over with very little action.'*

– Australian Association of Social Workers, submission, April 2021

● *There is a compelling argument for the Indigenous Voice, but some weariness given previous experiences and concern government will cherry pick advice that matches its agenda.*

– Adelaide community consultation session summary, February 2021

● *There was general frustration that there have been many reports and recommendations to government and a lack of transparency from the Commonwealth Government about what has been accepted, responded to or implemented.*

– Perth community consultation session summary, April 2021

Some suggested consultation was rushed

Adequate time is required to connect with people in community, particularly in remote and regional areas, to enable everyone to digest the information, reflect on the conversations and have a say.

● *'Whilst we note that the Government has extended the deadlines for written submissions until the end of April, we nevertheless believe more time should be given to submission lodgements and that the Voice consultations should be extended to cover more geographical areas and concentrated where the largest First Nations communities reside.'*

– ANTaR, submission, March 2021

● *'The KLC is concerned that the current Co-design process has been rushed, lacking in transparency, and has not incorporated a self-determined process particularly with respect to determining membership of the national Voice. The KLC would be happy to work with Government to assist in this future process to ensure it meets the requirements of self-determination; that is, it is First Nations led and fully informed.'*

– Kimberley Land Council, submission, April 2021

The importance of having the right people involved in the conversation

For an Indigenous Voice to be effective and have credibility, participants highlighted the importance of engaging with everyone in community and ensuring the diversity of Aboriginal and Torres Strait Islander people is recognised and reflected.

● *If Government is serious about this, it needs to 'get the model right, get consultation right and get representation right.'*

– Geraldton community consultation session summary, May 2021

● *'Aboriginal people need to help design policy for themselves. Our long entrenched system of being held back, held down and generally misrepresented under the auspices of "welfare" and "protection" need to be abandoned for the future betterment of our people. Our children need to aspire to be heard by their leaders. ... They need to see and believe in true representation of themselves at every level of government. We all need to believe in a better future for our children and their children, then we might be a chance at maintaining our traditions and culture and able to celebrate ourselves as the truly unique custodians of this land.'*

– Anonymous, survey, May 2021

All levels of governments to be involved

Feedback consistently indicated that Aboriginal and Torres Strait Islander voices being heard at all levels of government would be crucial to success, particularly with Local & Regional Voices. This feedback focused on the need for commitment from all levels of government, mechanisms to ensure state and territory engagement, ways the proposed models may work with existing local, state and territory representative bodies, and the need for governments to build capability and change their approach to working with community.

● *There was strong agreement that state governments need to commit to and support the Voice as full partners. There was interest in seeing local government included in the commitment'*

– Albany community consultation, April 2021

● *'The Local and Regional Governance structures will involve all tiers of Government to deliver the design outcomes. Governments themselves must change. Systemic transformation will be required in the processes to equip governments to connect, serve and be flexible to respond to regional and community needs. This will require commitment and a united effort between Federal, State and Local Governments.'*

– Reconciliation WA, Submission, April 2021

Governments need to improve their capability and change historical approaches to working with community

Some people felt that governments would need to change the way they work with communities and that this would be an opportunity for all parties to learn and grow and build better working relationships.

● *'Creating formal, recognised structures, such as what is being proposed, and requiring all levels of government to commit to respectful, long-term partnerships, should assist in forcing meaningful conversations and obliging government to listen to and incorporate invaluable local input.'*

– Yamatji Marpla Aboriginal Corporation, submission, April 2021

● *'For the mutual benefit of our Central Coast Aboriginal community, we need Government to partner with us—to be enablers in reform because we are in this together. We believe that structural reform requires that all levels of Government work with us to deliver on our priorities.'*

– Barang Regional Alliance submission, April 2021

● *There needs to be a focus on developing the cultural capability of government, and ensuring that government and other organisations are culturally capable to work with Indigenous communities.*

– Mt Gambier community consultation session summary, March 2021

Constitutional enshrinement

Throughout consultation and engagement, there was strong support for the enshrinement of the Indigenous Voice in the Australian Constitution, particularly in submission responses. Making recommendations on this matter is not within the scope of the co-design task; however, the Senior Advisory Group consider it important to note this high level of support, particularly through the submission process. Nearly 9 out of 10 (or 88 per cent) of submissions expressly supported constitutional enshrinement or the Uluru Statement from the Heart. Submissions showed support for the enshrinement of an Indigenous Voice across all Australian jurisdictions, ranging from 80 per cent of submissions from the ACT to 95 per cent of submissions from the Northern Territory.

● *'Constitutional recognition will be a significant contributor to a more unified and reconciled nation for the simple reason that All Australians can regard it as a significant step forward in addressing past wrongs and failures and enabling greater self-determination for Indigenous Australians... The Business Council believes completing the Australian Constitution by meaningfully recognising Indigenous Australians is a necessary precondition to closing the gap in Indigenous disadvantage and economic participation.'*

– Business Council of Australia, submission, April 2021

Constitutional enshrinement was raised in some community consultation sessions, with discussion often focusing on the reasons why enshrinement is important. Reasons given for constitutional enshrinement varied. For some, constitutional enshrinement was seen as a core element of the Indigenous Voice, as it would offer greater protection from change over time and help deliver the status, authority and legitimacy needed for effective operation. Others observed that enshrinement as a first step in the nation listening to and delivering on the collective aspiration of Aboriginal and Torres Strait Islander peoples, expressed through the Referendum Council regional dialogues and this co-design process, and considered this to be a priority to progress.

Longevity for an Indigenous Voice

Consistent with the reflections of the co-design groups on lessons learned from previous arrangements, consultation participants also expressed the need for the longevity of an Indigenous Voice. Calls for the protection and sustainability of an Indigenous Voice were a consistent theme. Key to this was the need for the assurance of funding and resourcing to provide long-term security. Participants also raised the need for long-term, bipartisan support for an Indigenous Voice to protect from political whim.

Sufficient funding to ensure sustainability and longevity

A mechanism to ensure that Local & Regional Voices and the National Voice are adequately and sustainably resourced was seen as vital to the success of an Indigenous Voice.

The importance of funding and resources for Indigenous Voice members was raised in many communities visited during the consultation. It was seen as necessary for various reasons, including the frequent expectations on Aboriginal and Torres Strait Islander people to volunteer their time, the likely workload associated with membership and to properly recognise the value of the work they will do.

Some participants thought the principles should include 'independence from governments' and 'secure and ongoing funding arrangements'.... Some participants commented that the National Voice would need to be established in a way that is completely independent from government, including with a sustainable source of funding and an independent secretariat.

– Alice Springs community consultation session summary, May 2021

Participants discussed the importance of funding and resources for the Voice - that people shouldn't just be volunteers, as they already do a lot of work for free.

– Broken Hill community consultation session summary, March 2021

Participants discussed the funding for the voice and were interested in: How secure the funding will be. How long the funding would last. What the level of funding would be. Whether the Voice process will include funding for local governments to support this work.

– Perth community consultation session summary, April 2021

'Funding should be for at least 10 years rather than being tied to election cycles and outcomes should not be measured by statistical data but rather by the collection of qualitative data by consultation with the communities involved.'

– Di R, survey, April 2021

'The issue of resourcing the Voice proposal was another matter continuously raised by communities. The sustainability of the proposals is affected by financial commitment from the governments.'

– Gandangara Local Aboriginal Land Council, submission, April 2021

'Of critical importance in this initial phase will be ensuring that the new National Representative Body is adequately funded and has the financial structure to be sustainable into the longer term. Both human and capital resources are required to effectively respond to the complexity of its governance procedures and functions to provide direction to government, and monitor and develop policies approaches.'

– Indigenous Peoples' Organisation, Australia, submission, May 2021

'In our submission we also highlight the imperative for a structural framework that ensures the independence and long-term security of funding for the Voice.'

– AIATSIS, submission, May 2021

Long-term bipartisan commitment

Throughout community consultation sessions, there was a recurring view that an Indigenous Voice must be something that cannot be simply discontinued or disbanded with a change in government or change in government priorities.

● *‘We have historically experienced the cycles and whim of governments to establish and abolish legislative bodies that govern Aboriginal & Torres Strait Islander people. We have heard many stories from our elders of such representative bodies that were legislated. The key message from our elders is the need to protect our voice beyond the cycles of government.’*

– Deadly Inspiring Youth Doing Good A&TSI Corporation, submission, April 2021

● *‘A lot of people are tired of being promised structures, and then governments change their minds, and it is gone.’*

– Coffs Harbour community consultation session summary, March 2021

● *‘AASW members highlighted the importance of long-term commitments to action, beyond election cycles and sporadic interest from governments. Members spoke of many instances where similar initiatives were implemented at a council and State level but were soon displaced with a change of government. Recognising the Voice is a first step, but this needs to be met with the development of funding systems and structures that allow this voice and conversation to continue. Without continuity, we will be repeating the mistakes of the past and fail to achieve the progress and reconciliation that this policy intends.’*

– Australian Association of Social Workers submission, April 2021

● *‘When it gets too tough, the Government can close it down without our say.’*

– Cairns community consultation session summary, April 2021

3.2.11 Engaging with and perspectives of particular cohorts

While specific feedback was collected and considered concerning the proposals for Local & Regional and National Voices, in addition to the insights and additional themes described above, broad themes also emerged from specific cohorts of respondents.

Youth perspectives

At the last Australian Census, half of all Aboriginal and Torres Strait Islander people were under the age of 25. As future leaders, young people were an important cohort to engage throughout the consultation process.

The co-design members took a flexible approach to engaging with young people, including creating targeted educational resources and running separate consultation sessions for young people. This engaged students and young people in schools and communities across the country, including in Tamworth, Katherine, Dubbo, Tiwi Islands and Mildura. Students and young people also joined community consultation sessions.

Of the written submissions, 310 or around 12 per cent of all submissions were from youth aged 25 years or younger. Of these, 48 submissions came from Aboriginal and Torres Strait Islander young people, equating to 15 per cent of submissions provided by young people. This was significant, as the all-ages proportion of all submissions from Aboriginal and Torres Strait Islander people was lower at around only 7 per cent. Of survey responses, 47 were from youth, comprising around 5 per cent of all surveys, including 13 responses from Aboriginal and Torres Strait Islander young people, equating to around 28 per cent of survey responses from young people.

The importance of young people being engaged with and part of Indigenous Voice arrangements was also unequivocally supported throughout the consultation process.

Youth participants discussed inclusive participation, suggesting youth ambassadors and mentoring would help empower young people. They also discussed cultural participation and leadership, reflecting that it's important to respect Traditional Owners, but that youth should also have a say in the Voice forum... Youth participants suggested an annual youth summit to bring people together from across the country.

– Port Augusta community consultation session summary, April 2021

Youth was a major theme. Participants talked about youth as the next generation of leaders, and wanted them involved in consultation meetings like this one.

– Mildura community consultation session summary, March 2021

There was agreement the Local and Regional Voices structures need to be inclusive, particularly of young people as the future leaders of their communities.

– Rockhampton community consultation session summary, April 2021

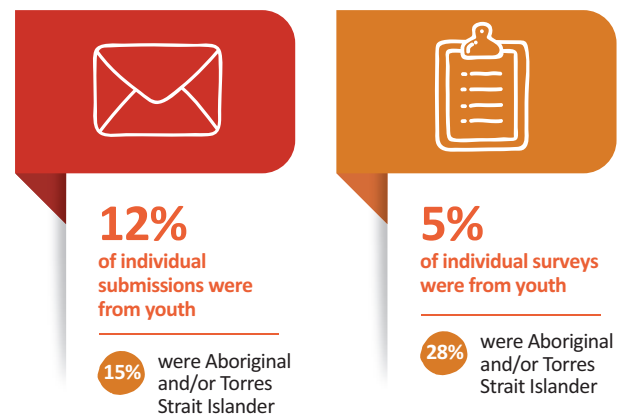
Youth was a significant theme of discussions, described by one participant as the “tomorrow people”. Participants reflected on the importance of youth participation and potential opportunities to continue to engage young people.

– Katherine community consultation session summary, April 2021

Participants agreed there needed to be more youth voices, because the decisions made today are going to affect them into the future.

– Dubbo community consultation session summary, March 2021

Figure 3.14: Youth submissions and surveys



Alongside widespread support for an Indigenous Voice, key themes that emerged from young people included:

- the current difficulty for young Aboriginal and Torres Strait Islander people to have their priorities and concerns heard or little feedback or follow-through on the outcomes of providing their feedback
- support for including youth representatives or advisory bodies and mechanisms to ensure age diversity among general membership
- a strong desire for culture to be incorporated into any model and to ensure respect for cultural elders.

• ‘We are the future leaders of our communities’
—Anonymous, submission, March 2021

• ‘As a young Indigenous woman, I have found it hard to find a place to speak on issues that relate to myself, often finding other people outside of my culture will prefer to speak on my issues, and rarely is there ever a chance in the first place for us to speak about Indigenous issues.’

—Anonymous, submission, March 2021

• ‘Provisions for young people to present themselves to be heard, to have their say. To have the feeling of not being cut off just because you’re a young person. A Platform open to the mediums that we use (Facebook, Snapchat, Instagram), A Youth Representative both genders on a local, regional and national level.’

—Dre N, survey, March 2021

‘To be able to work & live in a community that are listening to Aboriginal & Torres Strait Islander Peoples advice would just be so amazing and fulfilling to me. It would help me to start trusting and respecting our government again and make this a loving and educated community again.—I love that it will include a very diverse group of people to make sure that the solutions are right for all minorities and groups within our communities.—Engaging early with the government on policies and laws would mean less failed attempts & rework/ backlash.’

– Katherine S, survey, February 2021

‘As an indigenous grade 12 student, I represented myself and my school in a speech competition in order to make a change and give a voice for indigenous peoples. The speech I wrote follows...What is change, and what does it mean to me? Change is the opportunity for growth. It recognises past mistakes and transforms them into a greater and brighter future with more positive outcomes. Change allows for progression, resolution and reconciliation. It encourages the sharing of new ideas and experiences that will benefit all Australians, both Indigenous and non-Indigenous. Change, for me, is necessary and vital. How will I ever learn if I do not embrace the movement of change? How could I ever be a proud emerging Indigenous leader if I don’t fight for substantial change?’

– Abbie R, survey, May 2021

Discussions with students and teachers at Wurrumiyanga

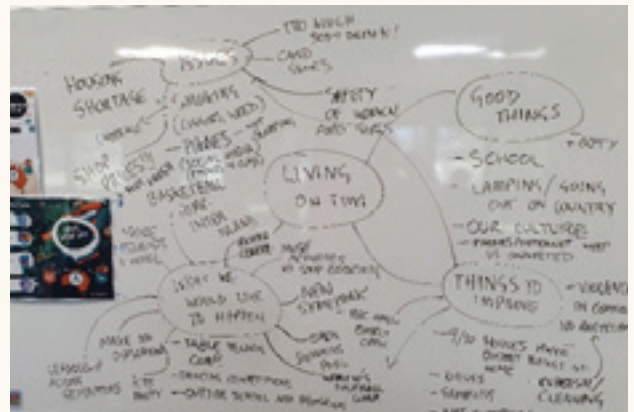
On 30 April 2021, co-design members Professor Tom Calma AO and Ms Katrina Fanning PSM met with 21 students and teachers from Xavier College Catholic School at Wurrumiyanga on Bathurst Island and discussed the Indigenous Voice and how it could work for them.

The students split into groups of boys and girls and the co-design members and teachers helped facilitate an engaging discussion about what is important to the students.

They shared what they like about living in the Tiwi Islands, but were also open about some big challenges facing their communities. Together, they came up with a range of ideas about overcoming these issues, touching on both local solutions and larger scale policy solutions.

Keeping this flexible approach helped engage the students on what was important for them and how an Indigenous Voice might work for their community. The meeting at the school was held prior to the 2 community consultation sessions on Bathurst and Melville Islands, and the discussions with the young people provided a great basis for a broader conversation in the community.

Figure 3.15: Mind map created at Wurrumiyanga



Consultation sessions held at Katherine High School

Ms Katrina Fanning PSM visited Katherine High School on 28 April 2021 to talk about the Indigenous Voice. Sessions were held first with the young Aboriginal men in the Clontarf program and then with the young Aboriginal women in the Stars program.

At the Clontarf session, the students focused on different ways that their voices could be heard, like online forums or barbecues. Some students thought the best way would be to have someone they could approach to talk to.

The students in the Stars session felt that young people needed to be given support so that they could build the confidence to speak up. They also discussed how an Indigenous Voice should work within Katherine High School and agreed to have another discussion to progress this.

The sessions demonstrated that the students had a clear idea about how they wanted their voices to be heard. By linking the Indigenous Voice to their daily lives, Katrina was able to encourage the students to engage and participate. School staff played a crucial role in creating a safe environment so that the students felt that they could speak up about what mattered to them.

Broome session attended by Broome Senior High School students

On 3 May 2021, 10 students from Broome Senior High School attended the Broome community consultation session. The session was facilitated by Dr Emma Lee and Professor Cheryl Kickett-Tucker AM. About halfway through the session, Emma and Cheryl encouraged the students to take the floor and talk about their perspectives on Indigenous Voice.

Some of the students found it challenging to speak up in a forum that included many senior members of the community. But the other participants in the room supported them to have their voices heard.

The students felt that they were not given a fair say and were compared unfairly to non-Indigenous students. They also raised concerns about homeless youth. Once they began to feel comfortable speaking, it became clear that they had a lot to say.

Remote perspectives

Figure 3.16: Remote community consultation sessions



Of the
67

locations where community consultation sessions were held:



33

were in remote and very remote locations



This accounted for over

55%

of participants at community consultation sessions

Community consultation session in Wadeye

On 28 April 2021, Senior Advisory Group co-chair, Professor Tom Calma AO, and National Co-design Group co-chair, Dr Donna Odegaard AM, held community consultation sessions in Wadeye on Kardu Diminin Country. Wadeye is located approximately 420kms south west of Darwin, Northern Territory. It is also one of Australia's largest remote Indigenous communities.

As part of the promotion for these community consultation sessions, local broadcasting stations aired daily radio for announcements in local language the entire week prior to the sessions. Additionally, all local service providers were provided with information packs and encouraged to have discussions with board members, who would have discussions within their traditional family groups. Posters were displayed at critical locations throughout the community, such as the local health clinic, local store, public notice boards, and at all service providers.

Community leaders were engaged in preparation for these consultation sessions to ensure that the sessions were conducted in a culturally respectful, safe and appropriate way.

In accordance with community requests and respect for cultural rules, separate sessions were conducted for men and women. The 2 sessions were attended by 152 participants in total who came from Wadeye and smaller communities in the surrounding region. Each session was formally opened with a Welcome to Country by senior men and women in their respective sessions.

Local Indigenous organisations provided on the ground event logistics support, including site preparation and catering, a large mobile outdoor screen and audio system. Information about the Indigenous Voice was interpreted into local languages, with interpreters also facilitating conversations in a number of languages spoken in the region—ensuring a voice for those who would otherwise be unheard.

These two-way conversations about the Indigenous Voice proposals, especially answering participants' questions and hearing their honest feedback, was a valuable part of the co-design process. A summary of both Wadeye community consultation sessions with the views and opinions expressed by community members is available on the Indigenous Voice website.

The voices of Aboriginal and Torres Strait Islander people living in remote communities can often go unheard due to geographical, language and cultural barriers. Co-design members considered it crucial to speak with as many communities as possible in remote Australia. Of the 67 locations where community consultation sessions were held, 33 were in remote and very remote locations. This accounted for over 55 per cent of community consultation session participants.

Of 2,344 submission respondents and 1,063 survey respondents who provided their postcode or location:

- 111 submissions and 108 surveys were from participants in outer regional areas.
- 15 submissions and 22 surveys were from participants in remote areas.
- 4 submissions and 20 surveys were from participants in very remote areas.

Community leaders were engaged before each community consultation session to help understand local requirements and cultural protocols. This ensured community members had the best opportunity to participate in discussions. Community leaders and local networks distributed information about the Indigenous Voice proposals throughout the communities and let people know about community consultation sessions. This was crucial in building trust in the co-design process and providing all community members the opportunity to participate and provide their views.

Perspectives of non-Indigenous Australians

The consultation process was open to and welcomed feedback from all Australians. Non-Indigenous Australians engaged strongly, particularly with submissions and surveys. Submissions and surveys provided an opportunity for non-Indigenous Australians to reflect on their personal experiences and explore why they felt compelled to respond.

Around 90 per cent of individual submissions and around 80 per cent of surveys came from non-Indigenous Australians. Most submissions from non-Indigenous Australians focused on why they consider an Indigenous Voice to be important but did not provide detailed feedback on the proposals. Non-Indigenous respondents often indicated a belief that the design decisions should be reserved for Aboriginal and Torres Strait Islander people.

Alongside widespread general support for an Indigenous Voice, key themes that emerged from non-Indigenous Australians were:

- Non-Indigenous Australians are supportive of the Indigenous Voice proposals as put forward in the Interim Report.
- Many non-Indigenous Australians did not wish to comment on the details or effects of the Indigenous Voice. They preferred to prioritise listening to rather than talking over or about Aboriginal and Torres Strait Islander people.
- An Indigenous Voice would deliver benefits to non-Indigenous Australians as a mechanism for a more equal and better Australia for all.

'As a non-Aboriginal Australian, I fully support a Voice to Parliament so that Aboriginal and Torres Strait Islander people can give advice to Parliament on laws, policies and processes that would improve their lives. For far too long decisions have been made on behalf of Aboriginal and Torres Strait Islanders with disastrous consequences, beginning with invasion. It is beyond time to hear directly from them—they are the experts of their own lives and the wellbeing of their communities. It is only right that we really start to listen.'

– Charlie Burton, submission, March 2021

'As an older white man, I expect our government to include all citizens in our population. Our country needs to give full voice to those it has excluded and dispossessed. Proper inclusion, equitable treatment and elevation of Indigenous people is a measure of how civilised our country is. Increased inclusion is the responsibility of government and all political parties in who they select to stand for public office, public servants, and those from diverse groups in our population.'

– Anonymous, submission, March 2021

'I am not an Indigenous person. I would want the design of the National Voice to be led by Indigenous people, in co-operation with others who can provide structural/legal expertise. The National Voice would work for me by educating me more fully about the needs and priorities of Indigenous people, to add to my present, incomplete understanding.'

– Caroline J, survey, March 2021

'As a non-Indigenous Australian I do not believe it is appropriate for me to comment on the composition and detailed workings of the National Voice. Rather, I believe we must listen to and be guided by our First Nations peoples on those matters.'

– Jodi Steel, submission, March 2021

'As I am white it is not my place to say, please refer to any Noongar peoples voices as to ways to improve the lives of local Indigenous peoples ... So often the intervention of white Australia leads to elders and other members of Australia Indigenous communities being talked over or infantilized as if white Australia knows better. Yet no one knows best for the Indigenous peoples of Australia than the Indigenous peoples of Australia. When solutions come from within the community they are much more effective. White Australia needs guidance that is meaningful and will enact change, and we won't see that until Indigenous people have a truly listened to and influential say in matters that directly affect them.'

– Anonymous, submission, April 2021

'I think 2 of the hardest things for us whitefellas to do is (1) to appreciate the impact of our actions on Indigenous Australians, especially those who live quite different lives to our own or whose cultural perspective is different to ours and (2) to listen. An Indigenous voice to help me and more importantly law makers to learn and to listen and to take Indigenous people more properly into account ... I think it is important for all non-Indigenous Australians to take an interest in and to engage with Indigenous Australians and a well-designed and communicated National Voice can play an important role in informing all Australians.'

– David R, survey, January 2021

Webinar on the Importance of an Indigenous Voice for the Australian Community

On 16 March 2021, Senior Advisory Group member Professor Daryle Rigney and National Co-design Group members, Ms Fiona McLeod AO SC and the Hon Jeff Kennett AC, held a webinar discussion with Indigenous broadcast journalist Dan Bouchier.

While the session discussed the proposals, it also focused on the importance of an Indigenous Voice to the whole Australian community. As non-Indigenous members of the co-design groups, Ms McLeod and Mr Kennett reflected on their views on the value of an Indigenous Voice.

'Over many years I've seen firsthand the intergenerational impact of laws and practices that have failed our first nations people. And increasingly they're being imprisoned. Increasingly those numbers include women and children. I've witnessed the devastation of families separated and trauma experienced by children in state care. And I've listened to elders, urging our courts to allow traditional culture, to be a way that we can proceed to deal with justice issues, trialling justice reinvestment initiatives for example. I really feel that we must grapple with a way to address self-determination for our first nations.'

– Ms Fiona McLeod AO SC

'I see the voice as being the next step to give recognition to the first peoples and also to give respect and learnings to the culture, because I think there's so much about Indigenous culture, which if we allowed the communities to apply them would overcome some of the aspects of Indigenous life such as suicide, such as breaking the law, that we're experiencing today. So even though not everyone in the Indigenous community agrees with the voice, command is the next natural step to gaining that national recognition that I think first peoples deserve.'

– the Hon Jeff Kennett AC

Figure 3.17: Webinar on the importance of an Indigenous Voice

The poster is titled "WEBINAR" and "The importance of an Indigenous Voice for the Australian community". It features the Indigenous Voice logo and a circular graphic with five colored dots (blue, green, orange, red, white) arranged in a circle. The text on the poster includes:

- **Date:** Tuesday 16 March 2021
- **Time:** 2:00pm to 2:45pm AEDT (ACT, NSW, VIC, TAS)
1:30pm to 2:15pm (SA)
1:00pm to 1:45pm (QLD)
12:30pm to 1:15pm (NT)
11:00am to 1:45pm (WA)
- **Register now**

Below the text are three circular portraits of the speakers: Professor Daryle Rigney, Ms Fiona McLeod AO SC, and The Hon Jeff Kennett AC.

3.3 Consideration of consultation feedback by co-design groups

Along with actively leading the consultation and engagement process, co-design members considered feedback as it emerged during the process. Co-design members reviewed community consultation session summaries for locations where they hosted sessions as they were finalised. Co-design members also had access to all submissions and community consultation session summaries as they were published on the Indigenous Voice website. Co-design members were also supported with information and promotional material and updated about these as regular contact occurred, including to promote upcoming community consultation sessions and events.

When co-design groups met to consider the feedback and deliberate final proposals, agenda and meeting papers were provided ahead of each meeting. Each formal meeting followed a general pattern, with an introduction or presentation by the co-chairs of each co-design group on the papers, then each member provided an opportunity to provide their advice, comments and ideas. In addition to individual member contributions, some of which provided alternative and dissenting views, there was general group discussion and deliberation on issues. Members were also encouraged to provide feedback in writing following meetings. Where a co-design member was unable to attend a meeting, best efforts were made to provide an opportunity for a separate briefing or discussion.

Through this process, the co-design groups developed the core design for the proposals, followed by drafting the relevant sections of this Final Report. The Senior Advisory Group considered and provided feedback on the co-design groups' work and reflected on the co-design and consultation and engagement processes and the significant opportunity this presents for the Australian community with the establishment and implementation of an Indigenous Voice.



Chapter

4

Implementation considerations, reflections and recommendations

4.1 Implementation of the Indigenous Voice

The co-design groups acknowledged that the decision regarding the timing and pace of implementing the Indigenous Voice will be a matter for the Australian Government. But they also emphasised the significant need for ongoing engagement and buy in from all governments and communities to ensure the Indigenous Voice is an integrated system that can fulfil its potential.

The final proposals provide for a system-wide approach where the 2 parts of the Indigenous Voice – Local & Regional Voices and the National Voice – complement and support each other to ensure the best outcomes. The importance of an implementation approach that will support the Indigenous Voice as a system was considered critical by the co-design groups and throughout consultation.

The final proposals for the Indigenous Voice connect local and regional arrangements to the national level. This provides for communities to work with all levels of government in the local and regional context on community aspirations and priorities. At the national level, Aboriginal and Torres Strait Islander individuals and communities would have the opportunity for their voices to be heard on issues of national significance to Aboriginal and Torres Strait Islander people. This would build a strong foundation for an Indigenous Voice that is accepted, respected and enduring.

Establishing Local & Regional Voice arrangements across the country alongside the formation of the National Voice must be done in a way that sets the overall system up successfully. Noting the members of the National Voice would be drawn from Local & Regional Voices, the co-design groups identified that sensible sequencing for establishing this foundation will be critical for effective implementation. Ensuring robust implementation arrangements in partnership with Aboriginal and Torres Strait Islander peoples will be key to supporting the effectiveness, credibility and ongoing sustainability of the Indigenous Voice.

A Transition and Implementation Working Group ('the working group') with members from the 3 co-design groups considered implementation issues for the Indigenous Voice, including the interactions of implementation between the local and regional and national levels.

Aspects of their consideration included:

- Community aspirations including the need for the prompt establishment of an Indigenous Voice.
- The need to maintain momentum with both communities and government, while allowing time to ensure all the necessary building blocks for successful implementation are in place.
- Engagement with state and territory governments, in particular in relation to the Local & Regional Voice proposal, and timeframes for legislation for all aspects of the Indigenous Voice.
- The value of continuing a co-design approach with Aboriginal and Torres Strait Islander people during the implementation phase, including the community-led design of the Local & Regional Voices.
- Expected implementation timeframes and sequencing of the 2 parts of the Indigenous Voice, and the impacts on its overall effectiveness, including risks.

4.1.1 Continuing co-design into the transition and implementation phase

In response to feedback throughout consultation and engagement about the need for ongoing input from Aboriginal and Torres Strait Islander people as the Indigenous Voice is implemented, the working group proposed a 'Transition and Implementation Co-Design Group' be established from the outset.

The Transition and Implementation Co-Design Group would be made up predominantly of Aboriginal and Torres Strait Islander people, and its members could be selected in a way similar to the selection of members of the current Indigenous Voice co-design groups. That is, the Minister for Indigenous Australians would consult with Indigenous Voice co-design co-chairs to select 2 respected Aboriginal and Torres Strait Islander co-chairs, who would then work in partnership to determine the other members of the group.

The group would work with the NIAA to support implementation of the National Voice, and undertake national coordination and support for implementation of Local & Regional Voices. The NIAA would work with this group and provide secretariat support as it has done for the co-design process. There are a range of implementation tasks the Government would need to undertake, which the Transition and Implementation Co-Design Group could support, including:

- Supporting engagement with states and territories as needed to build widespread support for implementation of Local & Regional Voices.
- Helping to develop further detail to prepare for the implementation of the Local & Regional Voices and the National Voice.
- Assisting to address any systemic issues that may arise in the overarching implementation of Local & Regional Voices.

Separate, regional level community-led ‘design groups’ comprising a broad range of Aboriginal and Torres Strait Islander stakeholders from each region would form, with government support, to drive the design of governance arrangements specific to each Local & Regional Voice with relevant communities. These groups would also work through the process of designing and establishing local arrangements including formal recognition of their Local & Regional Voice.

4.1.2 Implementation of Local & Regional Voices

In response to the strong call for moving to implementation as soon as possible, the working group has put forward 1 July 2022 as the suggested start date for the commencement of the roll-out of Local & Regional Voices. This assumes a Government decision by the end of 2021.

The group noted key steps to prepare for implementation of Local & Regional Voices would need to include:

- **Government-led** engagement with states, territories and local governments to obtain commitment to participate in Local & Regional Voice arrangements in line with the proposed purpose, scope and principles articulated in this Final Report. The need for all levels of government to be involved was highlighted in consultation feedback as critical to the effectiveness of the proposed Local & Regional Voice arrangements.

- **Bilateral engagement in each state and territory** between the Australian Government, relevant state or territory, state level Local Government Association, and relevant Aboriginal and/or Torres Strait Islander community stakeholders to determine regional boundaries, as set out in Chapter 1.
- **Community-led** design of Local & Regional Voice arrangements in each region, within the Local & Regional Voice framework parameters. This would be facilitated by community-led ‘design groups’ in each region. These groups would comprise a broad range of Aboriginal and Torres Strait Islander people and stakeholders from across each region. They would be supported to drive the design of Local & Regional Voice governance arrangements with relevant communities and prepare for the recognition process. Further detail is set out in Chapter 1.

The process outlined above is designed to respect strong feedback across all forms of consultation and engagement that for Local & Regional Voices to be successful in the long-term, the design of governance arrangements must occur at the local and regional level and be led and owned by the relevant communities. This means each region will move at a different pace. It is estimated that it could take up to 3 years for the vast majority of Local & Regional Voices to be fully established, noting some regions – particularly those with existing governance arrangements – would be able to move more quickly than others.

While the proposed roll-out of Local & Regional Voices will commence from 1 July 2022 (if a Government decision is made by the end of 2021), this timeframe is contingent on quickly securing commitments from states and territories, and agreeing details of regions. It would also depend on legislation being introduced, to clearly demonstrate Government’s commitment and address the issue of the community’s lack of trust which was highlighted during the consultations.

4.1.3 Implementation of the National Voice

The National Co-Design Group agreed to a ‘structurally linked’ membership model with members selected by Local & Regional Voices. This would ensure a strong connection with local communities and legitimacy in the National Voice membership. Until the vast majority of Local & Regional Voices are fully established, the National Voice cannot be fully established under the structurally linked membership model.

2 options have been identified to ensure momentum does not have to be stalled until full establishment of Local & Regional Voices. Each option sets out the possible establishment timeframes that could occur if the required steps to implement the Indigenous Voice are progressed soon after a Government decision is made. Both options assume a Government decision will be made by the end 2021, and that the Local & Regional Voice roll-out will commence from 1 July 2022.

National Voice Implementation Option 1: Interim Body for a National Voice from 1 July 2022

Figure 4.1: Implementation Option 1



Key details:

- Following a decision by the Australian Government, a Transition and Implementation Co-design Group would be established to support the roll-out and establishment of Local & Regional Voices at the national level and an Interim Body for a National Voice.
- Local & Regional Voices would commence being rolled out from 1 July 2022, following the enactment of the Indigenous Voice enabling legislation.
- An Interim Body for a National Voice (Interim Body) would be established approximately 1 July 2022. The Interim Body would exist until the vast majority of Local & Regional Voices are established and the National Voice could be fully constituted according to the structurally linked membership model.
- The Office of the National Voice with an interim CEO could be established to manage administrative and operational functions for the Interim Body as well as functions related to the set-up of the inaugural National Voice.
- The inaugural National Voice would be expected to be established from 1 July 2024 or later, recognising this is reliant on the vast majority of Local & Regional Voices being in place.
- The Transition and Implementation Co-design Group would continue for one year after the Interim Body is established. The 12 month overlap would help support a smooth transition to the Interim Body and continue national level support for the roll out of Local & Regional Voices.

The key benefit of Option 1 would be prompt establishment of a National Voice, which responds to the sense of urgency expressed by many Aboriginal and Torres Strait Islander participants in the consultations. The working group noted and considered significant complexities involved in the roll out of Local & Regional Voices across Australia. This could lead to slippage in the estimated timeframes to reach a vast majority of Local & Regional Voices. Option 1 recognises that while it will be necessary to proceed with the roll out of Local & Regional Voices at community pace, this should not stop or unduly delay the implementation of National Voice arrangements.

Interim Body for a National Voice

Establishing an Interim Body ahead of establishing the National Voice responds to the sense of urgency that the community has expressed during consultations, and creates the foundations of the Indigenous Voice as an integrated system in the crucial early stages.

The Interim Body membership would be smaller than the inaugural National Voice to reflect the continuing implementation of a fully established and representative National Voice. Part of its primary function could be to develop the operational policy and procedures for the National Voice, prepare the detail for establishing the Youth and Disability Permanent Advisory Groups for the National Voice, and establish the Ethics Council. The Ethics Council would then have a role in providing advice on the prospective candidates for the inaugural National Voice.

The Interim Body would also provide a mechanism for advice at the national level to avoid the risk of not meeting community expectations on the urgency of establishing a National Voice. It could provide advice to Government and the Australian Parliament on proposed laws and policies for Aboriginal and Torres Strait Islander people, ahead of the establishment of the inaugural National Voice.

Without an Interim Body, other policy specific organisations or groups may continue to be established in an ad hoc way which could undermine the function and legitimacy of the inaugural National Voice. This would further complicate an already complex operating environment. It was noted the Interim Body could temporarily fill this gap and provide a mechanism for national advice on proposed laws and policies as soon as possible.

The Interim Body would also provide a lead-in time for culture change to occur within the Australian Parliament and Government, allowing these institutions time to adapt to working with a new national advisory body for Aboriginal and Torres Strait Islander peoples. The Transition and Implementation Co-design Group could work with the Australian Government to determine the precise scope of the Interim Body as this transition occurs.

The working group also discussed the risk that establishing an Interim Body for a National Voice at the same time as starting the roll out of Local & Regional Voices would mean there are insufficient mechanisms to ensure membership is representative or has legitimacy and authority. While the working group considered this would likely draw criticism from the community, as the Interim Body would not be able to draw its members from Local & Regional Voices, it expected this risk could be mitigated by the Transition and Implementation Co-design Group being tasked to work with the Government and community to determine the most credible way possible for Interim Body members to be selected.

Another way of mitigating this risk would be to commence the Interim Body from 1 July 2023, when it may be possible to draw on those Local & Regional Voices that have been established by then.

The members of an Interim Body for the National Voice could be appointed by the Minister and could be determined in a number of ways, including drawing from Local & Regional Voices (where they exist) or other relevant bodies; seeking expressions of interest from Aboriginal and Torres Strait Islander people; or nominations from states and territories. The Interim Body could be made up of one member for each jurisdiction and the Torres Strait Islands. Gender balance would be ensured during the member determination process.

National Voice Implementation Option 2: Body to support the establishment of a National Voice from 1 July 2023

Figure 4.2: Implementation Option 2



Key details:

- Following a decision by the Australian Government, a Transition and Implementation Co-design Group would be established to support the roll-out and establishment of Local & Regional Voices at the national level and to support the establishment of a National Voice.
- Local & Regional Voices would commence being rolled out from 1 July 2022, following the enactment of the Indigenous Voice enabling legislation.
- The Transition and Implementation Co-design Group would cease upon the formation of the body to support the establishment of the National Voice. This body would undertake similar functions to the co-design group only in regards to the National Voice.
- A body to support the establishment of a National Voice (the body) would operate from 1 July 2023 to resolve final establishment details for a National Voice.
- An Office of the National Voice with an interim CEO could be established to manage administrative and operational functions of the body, as well as functions related to the set-up of the inaugural National Voice.
- This would ensure arrangements are in place to enable the National Voice membership determination processes to progress as quickly as possible once the vast majority of Local & Regional Voices are in place.
- The inaugural National Voice would then be established once this majority is reached (expected from 1 July 2024 or later), and National Voice members would be selected by established Local & Regional Voices.

Option 2 acknowledges that until a vast majority of Local & Regional Voices are established, a National Voice cannot be partially or fully constituted under the membership model that requires structural links to Local & Regional Voices.

The working group further considered that a risk of adopting Option 2 and not establishing an Interim Body for a National Voice is that it would likely continue a vacuum of advice at the national level and not meet community expectations regarding the urgency in establishing a National Voice. This risk could be partially mitigated by setting up the body, which would provide a signal that the fully established National Voice is approximately a year away, and reduce the chance of ad hoc policy specific advisory groups being established outside this process.

Body to support the establishment of a National Voice

The members of the body would be appointed by the Minister and could be determined using similar options as identified for the Interim Body in Option 1. The Transition and Implementation Co-design Group could be involved in the nomination of the body's members, and membership would not necessarily be drawn from (the limited number of) established Local & Regional Voices.

There is a risk that the body could be criticised by community as not being representative or reflective of the Local & Regional Voices. This criticism can be mitigated, as the body is not intended to be representative and would not be providing advice to the Government on behalf of Aboriginal and Torres Strait Islander people. Instead, it would be focussed on the operational design and establishment matters for a National Voice. This would include establishing the Ethics Council to provide advice on the prospective candidates of the inaugural National Voice.

4.2 Senior Advisory Group Reflections

The Senior Advisory Group has provided advice to support the Local & Regional and National co-design groups to develop options, as well as guide the overall process throughout. This Final Report is the culmination of the national consultation on an Indigenous Voice and a continuation of the ongoing collaboration of 52 co-design members who have worked together since late 2019 to develop proposals for an Indigenous Voice. Our initial proposals were outlined in the Indigenous Voice Co-design Process Interim Report to the Australian Government, presented to the Minister for Indigenous Australians in October 2020 and released for public consideration and consultation in January 2021.

Public consultation on the proposed Indigenous Voice was arguably the most important step in the co-design process. All Australians were invited to participate and be heard, and it was particularly important for co-design members to hear and capture input from as many Australians as possible.

In line with the recommendations of the Interim Report, in early 2021, a consultation process commenced that was open to all Australians and focused on obtaining feedback on the Indigenous Voice proposals. Co-design members led this process, and despite all the challenges we have faced with the COVID-19 pandemic, members were able to travel across the country to talk directly with communities. Members heard the personal reflections and feedback from people directly and fed this in as we developed the refined proposals set out in this Final Report.

It is clear from the feedback from the public that Australians overwhelmingly embrace the concept of an Indigenous Voice. The public has responded and said a voice for Aboriginal and Torres Strait Islander people is not only fair and right but also long overdue. Australians have attended community consultation sessions, webinars and targeted stakeholder meetings, submitted online feedback through surveys and submissions and said they not only want an Indigenous Voice but that Australia needs an Indigenous Voice.

Through the consultation process, people reflected on the lessons from past representative bodies, international comparisons and historical policies affecting Aboriginal and Torres Strait Islander people. They reflected on what they see as the

successes as well as what could be done differently through the Indigenous Voice. Many see that an Indigenous Voice would be a great benefit not just for Aboriginal and Torres Strait Islander people themselves but also all Australians. An Indigenous Voice is seen as an opportunity to ensure fairness and that Aboriginal and Torres Strait Islander people have a real say in the policies, programs and services that affect them.

Aboriginal and Torres Strait Islander people have said they want to redefine the relationship with governments, set their own parameters and pursue their aspirations in partnership with governments. The Local & Regional Voices and National Voice proposals provide a mechanism to do this.

By being at the partnership table, Aboriginal and Torres Strait Islander people would have the opportunity to share their experiences, ideas, aspirations, priorities and advice, informing appropriate laws, policies and programs. It would provide a platform to interact and work alongside other Australians to achieve the best possible outcomes.

The importance of listening to the unheard voices, including youth and those with disability, is echoed by the broader public feedback. Australians want to ensure diversity in representation and that all Aboriginal and Torres Strait Islander people have an equal opportunity to participate.

The risk of not acting urgently is the continuation of the crushing levels of poverty, disadvantage and inequity experienced by so many Aboriginal and Torres Strait Islander people, particularly those in remote areas where access to services is generally limited. Implementing the Indigenous Voice proposals sooner rather than later would increase the potential benefits to this generation and generations to come. There is huge value in having a Local & Regional Voice to engage with and improve relationships at the local level and share decision-making, particularly around priorities, with all levels of government. This initiative is appropriate and empowering and a means to achieve practical change leading to better outcomes for Aboriginal and Torres Strait Islander peoples.

What we also heard is the importance of the Indigenous Voice operating as one interlinked and complementary system. For the success of Local & Regional Voices, we also need a National Voice. Through consultation, it is clear that people in communities want a say on what is happening at the local level, and they also want to ensure that there is a way to feed advice through to the Australian Parliament and Government when more systemic change is required that goes beyond the matters that can be resolved locally. The National Voice provides a practical mechanism for Parliament and Government to receive and seek advice at a national level and from a body grounded in local and regional foundations.

The proposals are well considered and have now been tested across Australia. They are robust and considered enough to act on now, with the flexibility to allow arrangements to continue to evolve and improve.

It will be essential for the next steps to be flexible and for pathways for implementation to be clearly laid out. Given the different levels of structural arrangements currently in place, some communities will be ready to set up or transition quickly to a Local & Regional Voice while others will need more time and support on their journey.

Clear commitment from all levels of government is required ahead of the implementation of Local & Regional Voices. As part of this commitment governments at the local, state and territory and Commonwealth levels will need to come together and develop the way they work with each other and with Aboriginal and Torres Strait Islander communities across the country. The reform needed on behalf of governments to ensure the success of the Indigenous Voice is significant, and it will be vital that all governments commit to this change over the long term.

The security and longevity of the Indigenous Voice are fundamental for genuine buy-in and will support active participation from communities around the country. People have been disappointed in the past with the relatively frequent changes to representative arrangements. The possibility of history repeating itself with the proposed Indigenous Voice is a significant concern that should not be ignored. This was a consistent fear voiced throughout the public consultation phase, and it is a concern shared by the co-design group. People will expect to see more than soothing words to be convinced that this concern will be addressed; if there is one issue that the government must grapple with to give ongoing confidence, it is this.

The Indigenous Voice provides the platform for Aboriginal and Torres Strait Islander peoples and non-Indigenous Australians to elevate and enhance their existing relationship. With the implementation of the Indigenous Voice, all Aboriginal and Torres Strait Islander people would have a mechanism to articulate their views, needs and aspirations. This would allow for critical and essential local community priorities to be progressed with shared responsibility and systemic issues to be raised and addressed at a national level.

Improving outcomes for Aboriginal and Torres Strait Islander peoples delivers economic and social benefits for all Australians.

4.2.1 Unheard voices being heard

The Senior Advisory Group has continuously advocated for the Indigenous Voice to provide extra guarantees and support to ensure the unheard voices would have equal opportunity to participate.

Consultation feedback confirmed the importance of diversity of representation in order to demonstrate legitimacy. These issues have been explored in Chapters 1, 2 and 3. The support and empowerment of the youth cohort remain a key consideration. Mentoring and preparedness training in schools, such as youth parliament, are important building blocks to ensure emerging leaders are supported to participate in the Indigenous Voice. Disenfranchised youth, such as those who are or have been in contact with the criminal justice system, require additional consideration and support.

Another critical consideration is the inclusion of Aboriginal and Torres Strait Islander people who may not traditionally have had access to a platform to express their point of view or to raise topics of concern. To enable this, it is important to acknowledge different historical experiences and the challenge of bringing together varying views in one location; however, this is necessary to ensure all participants are heard. An example of this is individuals who are not connected to or represented by an Indigenous organisation within their local community.

Whilst recognising the role that prominent Indigenous individuals and organisations have in leading their communities and shaping Indigenous affairs, we heard very strongly in our consultations that this was not always representative of community views and the critical importance of ensuring that emerging and unheard voices are part of the Indigenous Voice.

4.2.2 Sense of urgency

Australians responded to the call to participate in the consultation process and provide their feedback. The dominant view across both Aboriginal and Torres Strait Islander people and non-Indigenous Australians participating in the process was that the time is right for Aboriginal and Torres Strait Islander peoples to have a voice to speak to the Australian Parliament and Government and for them, in turn, to seek input and listen.

Consultation feedback told co-design members very clearly that Australia is more ready than ever to take the next steps forward on this journey.

The need for further consultations with community members in the practical development and implementation of the Indigenous Voice was raised frequently at consultations sessions. The Senior Advisory Group agrees that many more community conversations are required on how to establish and implement Local & Regional Voices, as proposed in this Final Report. In fact, this is considered the start of an ongoing dialogue among Aboriginal and Torres Strait Islander peoples and broader Australia once the Government has responded to the Final Report. A participatory process will ensure the Indigenous Voice is owned by the community.

One Senior Advisory Group member argues for a further round of consultations on a fully developed model ahead of moving to implementation. While it is true there is still much work to do, the majority of the Senior Advisory Group reflected on the need to get an Indigenous Voice started and let it evolve, noting its flexibility is one of its key strengths. The success of the Indigenous Voice will depend on its relationships. These take time to establish and mature. A rigid and overly prescribed structure would stifle this natural evolution and continuous adaptation. It would also deny communities the opportunity to start acting as soon as possible to put this flexible design into practice—an opportunity that they are clearly seeking.

Members within the Senior Advisory Group reflected that local and regional issues were a dominant focus of community consultations. Not just the details of how Local & Regional Voices would work in communities but critical issues such as lack of housing, employment and training opportunities, meaningful participation, youth and justice issues were regularly raised. The level of poverty across communities was considered crushing, and the lack of any platform for people to raise these issues was stark. This provided the impetus for communities calling for an urgent response.

4.2.3 Getting there and ongoing support

While there is a sense of urgency to put Indigenous Voice arrangements in place, the Senior Advisory Group reflected on the need to set clear and realistic expectations regarding implementation. These expectations need to be shared across Australia to ensure everyone fully understands the transition opportunities and challenges. As discussed in Chapter 1, communities, organisations and structures are at varying stages of maturity in their planning and priority setting.

Given the different starting points and levels of capacity across locations, some communities are likely to design and establish their arrangements sooner, and others will need more time. Co-designing an Indigenous Voice is a process, not an event. The Indigenous Voice model must allow time, accommodate the hurdles and delays, remain flexible and provide appropriate support and time for the arrangements to reach their full potential.

Consultation feedback also addresses this very issue. Continuous and adaptive feedback is required throughout the implementation lifecycle and beyond, noting a more formal sequenced approach to monitoring and evaluation is likely to be inadequate due to the time required, cultural sensitivities and fundamentally different notions of success and effectiveness. However, clear stages of review, with all stakeholders, is an effective part of the co-design process, as is preparedness to be flexible, learn and adapt with continuous and prompt feedback. Alternative approaches to monitoring implementation would foster innovation and suit the diversity of Local & Regional Voices. In their submission, Empowered Communities proposed a ‘learning as we go’ approach, which involves having *‘accurate baseline data, rapid local feedback loops, central coordination, expert advice and regular reports ... embedding a dynamic and developmental monitoring and evaluation framework’*.¹¹⁵ The practical application of innovative and user-friendly tools such as ‘a journey tracker’ to help communities set goals and articulate and respond to expected blockages. An implementation checklist could be another maturity process tool to assist communities and organisations.

The Senior Advisory Group noted the importance of accessible, practical and innovative support and tools for local communities to determine the best framework for them, as well as pathways to transition to those arrangements.

¹¹⁵ Empowered Communities, submission, March 2021.

4.2.4 Security and longevity

The history of Aboriginal and Torres Strait Islander peoples' relationship with governments has seen frequent changes and generally lacked long-term security for the mechanisms established to speak for Aboriginal and Torres Strait Islander peoples. Consultation feedback overwhelmingly stressed the need for adequate protections to ensure longevity and avoid the history of cyclical changes in representative arrangements (e.g., ATSIC and the National Congress of Australia's First Peoples). Aboriginal and Torres Strait Islander people constantly wrestle with the churn of programs and policies, and governments and public servants. This emphasises the importance of legislation enabling the Indigenous Voice system as a whole. The lack of an enduring mechanism to speak to the Australian Parliament and Government mutes the voices of Aboriginal and Torres Strait Islander people and their ability to influence a proper response to their needs and aspirations.

This has implications for the next steps in the Indigenous Voice design and implementation process. At present, there is enormous goodwill across communities and momentum and expectation is high, representing a historic opportunity to harness this momentum. If governments continue to demonstrate their commitment, this is likely to continue throughout implementation.

As discussed in the Interim Report, the expectation of appropriate funding and long-term commitment from the Australian Government will be particularly important in establishing the Indigenous Voice. There must be adequate safeguards to support sustainability. Governments will need to provide support and resourcing, both during the establishment and transitional period and for ongoing operations.

4.2.5 The importance of governments being genuinely involved

Aboriginal and Torres Strait Islander people need to engage with all levels of government to have their voices heard. It is also imperative that the Indigenous Voice is not pigeonholed to only deal with the Indigenous elements of governments but works with all portfolios and agencies.

The co-design groups identified this issue in the Interim Report, and it remains an essential consideration. As identified in Chapter 1, state and territory governments' commitment to fully support and sign up to the framework for Local & Regional Voices is required. The effectiveness of the Indigenous Voice would only be as good as its relationships at the local and regional level. The functions of Local & Regional Voices should include advice to state and territory governments in respect of their laws and service delivery, as well as connections with the state- or territory-level representative bodies where they exist. Buy-in from local governments was also identified as a critical issue. It will be important that this is also pursued, particularly as Local & Regional Voices continue to evolve.

The partnership table with Local & Regional Voices must involve all tiers of government. Many submissions spoke about the need for reform across governments to connect and be flexible in responding to community needs. Community consultation sessions identified relationships and partnerships with governments as a key to the success of an Indigenous Voice. Appropriate legislation is one way in which the commitment could be demonstrated in each state and territory. For governments, there will need to be genuine partnerships between tiers of government for this to work. There is real potential for broader positive change in state and territory relationships if this is embraced.

The Senior Advisory Group would like to thank all who took the time to participate in the process and assure people that the information received has been collated, analysed, considered and used to shape this Final Report. You have been heard and you have influenced the final proposals for an Indigenous Voice.

4.3 Recommendations

The Senior Advisory Group recommends that the Australian Government:

1. Progress an Indigenous Voice by implementing the Local & Regional Voices and National Voice proposals as set out in the Final Report.
2. Recognise the importance of involving all levels of government in Local & Regional Voices and seek to negotiate formal commitments as soon as practical. This will demonstrate the commitment of governments to working in partnership to deliver on the significant structural Indigenous Voice reform.
3. Recognise the importance of ensuring sustainability and security for an Indigenous Voice. This requires the provision of funding certainty and appropriate safeguards as part of any enabling legislation, including the establishment of the National Voice as a new independent Commonwealth entity.
4. Recognise the need to continue to work in partnership to progress implementation. This includes further conversations and co-design to ensure the effectiveness and legitimacy of the Indigenous Voice.
5. Recognise the need for a comprehensive communication strategy to support community understanding, ensure transparent and consistent messages and prepare for implementation.
6. Note the support for the enshrinement of the Indigenous Voice in the Constitution that was expressed particularly through the submissions received as part of the consultation process.
7. Release the Final Report to the public.



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A. Membership

Senior Advisory Group Member biographies



Professor Dr Marcia Langton AO **Co-chair**

Professor Dr Marcia Langton AO is a descendant of the Iman people and was born and raised in Queensland. She is an anthropologist, geographer and public intellectual. She was awarded the Doctor of Philosophy for her thesis on Aboriginal land tenure in eastern Cape York at Macquarie University in 2005 and a BA (Honours) in 1983 at the Australian National University. She was awarded the Honorary Doctor of Letters by the Australian National University in 2019 for her contribution to Indigenous Studies. Her work as an anthropologist, geographer and public intellectual spans almost 5 decades in the fields of political and legal anthropology, Indigenous agreements, engagement with the minerals industry, and Indigenous culture, filmmaking and art. Since 2000, Professor Langton has held the Foundation Chair of Australian Indigenous Studies at the University of Melbourne. Professor Langton is a Fellow of the Academy of Social Sciences in Australia, a Fellow of Trinity College in Melbourne and an Honorary Fellow of Emmanuel College at The University of Queensland. She was appointed the first Associate Provost at the University of Melbourne in 2017 and was the first woman to hold the position of Chair of the AIATSIS Council (1992 – 1998). In 1993 Professor Langton was awarded a Member of the Order of Australia for her service as an anthropologist and advocate of Aboriginal Issues. In addition to her academic work, her most popular books are *Well, I Heard it on the radio* (Short title), *The Quiet Revolution*, *Welcome to Country. A Travel Guide to Indigenous Australia*, and *Welcome to Country. An Introduction to our First Peoples for Young Australians*.



Professor Tom Calma AO **Co-chair**

Professor Tom Calma AO is of Kungarakan and Iwaidja heritage from the Darwin region. Currently the Chancellor of the University of Canberra, a Professor at the University of Sydney and the National Coordinator for Tackling Indigenous Smoking he has served as Race Discrimination Commissioner (2004-2009) and Aboriginal and Torres Strait Islander Social Justice Commissioner (2004-2010). He was a senior diplomat (1995-2002) and senior advisor to the Minister of Immigration, Multicultural and Indigenous Affairs and awarded an Order of Australia in 2012 in recognition of his advocacy, work in human rights and social justice and distinguished service to the Indigenous community.



Ms Geraldine Atkinson

Ms Geraldine Atkinson is a Bangerang/Wiradjuri woman who has devoted her career to expanding the possibilities available to Koorie people through education. Beginning as a Teacher's Aide in 1976, Ms Atkinson has been President of the Victorian Aboriginal Education Association Incorporated since 1999. Ms Atkinson was also elected as Co-chair of the First People's Assembly of Victoria in 2019.



Professor Fr Frank Brennan SJ AO

Professor Fr Frank Brennan SJ AO is a fellow of the PM Glynn Institute at the Australian Catholic University and Research Professor at the Australian Centre for Christianity and Culture. He is the Rector of Newman College, University of Melbourne and has written books on Aboriginal issues. He chaired the 2009 National Human Rights Consultation and was a member of the 2018 Religious Freedom Review and in 1995 was awarded an Officer of the Order of Australia for services to Aboriginal Australians.



Ms Marcia Ella-Duncan OAM

Ms Marcia Ella-Duncan OAM is a descendant of the Walbunja people of the far south coast of New South Wales and also has kinship connection with the Bidjigal people of Botany Bay. Ms Ella-Duncan has held senior state government and ATSIC positions, was Chair of La Perouse Local Aboriginal Land Council from 2009-2017 and participated in various high-level review committees. The first Indigenous woman to hold a scholarship at the Australian Institute of Sport in Canberra and to represent Australia in netball, Ms Ella-Duncan was awarded the Order of Australia Medal in 1988 for her services to netball.



Ms Joanne Farrell

Ms Joanne Farrell has recently retired from Rio Tinto after 32 years. She has worked with BHP and the Western Australian Government. Director of the Western Australian Museum, the Australia China Business Council and Royal Flying Doctor Service (Western Australia operations), a member of the University of Western Australia's Senate and member of Chief Executive Women, Ms Farrell has led partnerships with Indigenous communities on skills development, employment, economic capacity building and agreement making.



Mr Mick Gooda

Mr Mick Gooda is a descendent of the Gangulu people of Central Queensland, he has advocated and represented on behalf of Aboriginal people for the past 25 years. Mr Gooda was the former Aboriginal and Torres Strait Islander Social Justice Commissioner. Immediately prior to taking up the position of Social Justice Commissioner, Mr Gooda was CEO of the Cooperative Research Centre for Aboriginal Health for over 5 years and was appointed to the Eminent Panel for the Queensland Pathway to Treaty discussions in 2019.



Mr Chris Kenny

Mr Chris Kenny hosts The Kenny Report on Sky News and is an Associate Editor at The Australian. He holds a BA (Journalism) from the University of South Australia. His journalism career began at The Murray Pioneer in Renmark, South Australia. He has worked for The News in Adelaide, ABC's 7.30 Report, the Ten Network and Channel Nine Adelaide. In 2002 he became media advisor for then foreign minister Alexander Downer, before being promoted to chief of staff, a position he held until 2007.



Cr Vonda Malone

Cr Vonda Malone is the first female Mayor of the Torres Shire Council. In 2018 Cr Malone was awarded the McKinnon Prize for Emerging Political Leader of the Year, recognising her progressive leadership in the Torres Strait. Chair of the Torres and Cape Indigenous Councils Alliance, founding Chair of Torres Health Indigenous Corporation, and a member of the Indigenous Reference Group for the Developing Northern Australia Initiative, Cr Malone has 22 years' experience working with the Australian Government.



Ms Alison Page

Ms Alison Page is a descendant of the Walbanga and Wadi Wadi people of the Yuin nation. One of 3 associates of Merrima Design, she was inducted into the Design Institute of Australia's Hall of Fame in 2015. Chair of the National Centre of Indigenous Excellence, Director of Ninti One Ltd and Australian National Maritime Museum Councillor, she was founding CEO of the Saltwater Freshwater Arts Alliance, Director of the annual Saltwater Freshwater festival, founder of the National Aboriginal Design Agency, and member of the Expert Panel on Constitutional Recognition of Indigenous Australians.



Mr Noel Pearson

Mr Noel Pearson is a lawyer, land rights activist and Director of the Cape York Institute for Policy and Leadership, an organisation promoting the economic and social development of Cape York in far north Queensland. Mr Pearson played a pivotal role in the establishment of the Cape York Land Council in 1990, has led a number of major reforms for Cape communities and has served as a member of the Expert Panel on Constitutional Recognition of Indigenous Australians and the Referendum Council.



Professor Daryle Rigney

Professor Daryle Rigney is a Ngarrindjeri Nation citizen and currently serves as the Director of Indigenous Nations and Collaborative Futures Research, Jumbunna Institute for Indigenous Education & Research at the University of Technology Sydney. For many years he has worked on nation-building with Indigenous leaders locally, nationally and internationally, the Ngarrindjeri Regional Authority (and as spokesperson on treaty negotiations in 2018) and Australian private and public sector entities. He is a Director of the Australian Indigenous Governance Institute, Senior Fellow Atlantic Fellows for Social Equity, a member of the University of Arizona's Native Nations Institute Indigenous Advisory Council and previously served as a director of The Australian Centre for Social Innovation. In 2013 Professor Rigney was acknowledged as NAIDOC South Australian Aboriginal person of the year.



Mr Benson Saulo

Mr Benson Saulo was the first Indigenous Australian to be appointed the Australian Youth Representative to the United Nations, and was the lead negotiator for the resolution on Impacts of the Global Financial Crisis on Young People in 2011. Mr Saulo was appointed Director of the National Indigenous Youth Leadership Academy in 2012. Former Head of Partnerships – Investments at Australian Unity, and Group sponsor of their Reconciliation Action Plan and former Youth Representative to the National Commission for UNESCO, Mr Saulo received the NAIDOC Youth of the Year award in 2014.



Ms Pat Turner AM

Ms Pat Turner AM is the daughter of an Arrernte man and a Gurdanji woman. As CEO of National Aboriginal Community Controlled Health Organisation, she is at the forefront of community efforts to Close the Gap in health outcomes for Aboriginal and Torres Strait Islander people. With more than 40 years' experience in senior leadership positions in government, business and academia including being the only Aboriginal woman and longest serving CEO of the Aboriginal and Torres Strait Islanders Commission, she was inaugural CEO of NITV and is the Coalition of Peaks Convenor and Co-Chair of the Joint Council on Closing the Gap. Ms Turner received a Member of the Order of Australia in 1990 for public service.



Professor Maggie Walter (PhD; FASSA) (palawa)

Professor Maggie Walter (PhD; FASSA) (palawa) is a Professor of Sociology at the University of Tasmania and teaches and publishes in the fields of race relations, inequality and research methods and methodologies. Professor Walter is a founding member of the Miaim nayri Wingara Australian Indigenous Data Sovereignty Collective and the Global Indigenous Data Alliance.



Mr Tony Wurramarrba

Mr Tony Wurramarrba is a Warnindilyakwa man from Groote Eylandt. Chair of the Anindilyakwa Land Council, Tony successfully negotiated a comprehensive mining agreement with BHP Billiton on behalf of traditional owners. He took the lead in negotiations to partner with the Commonwealth and Northern Territory governments to deliver major investment in the region, and is a member of the Aboriginals Benefit Account Advisory Committee, advising the Minister for Indigenous Australians on funding initiatives of benefit to Aboriginal people in the Northern Territory.



Professor Peter Yu AM

Professor Peter Yu AM is a Yawuru Man from Broome in the Kimberley region with 35 years' experience in Indigenous development and advocacy at the state, national and international level. Mr Yu was the Executive Director of the Kimberley Land Council during the 1990s, a key negotiator in the landmark Yawuru native title agreement, former Deputy Chair of the Indigenous Land Corporation, Chair of the Western Australia Aboriginal Housing Board and is a Board Member of the North Australian Indigenous Land and Sea Management Alliance Ltd, Deputy Chair of the AFL Aboriginal Advisory Committee, Deputy Chair of Broome Future Alliance Ltd and ANU Council Member.



Dr Galarrwuy Yunupingu AM

Dr Galarrwuy Yunupingu AM is a prominent leader in the Australian Indigenous community, and has been involved in the fight for land rights throughout his career. Dr Yunupingu is the Chair of the Yothu Yindi Foundation and Gumatj Corporation. He chaired the Northern Land Council for 25 years from 1977 and was made a Member of the Order of Australia for his services to the Aboriginal community in 1985. In 2015, he was honoured by the University of Melbourne with an Honorary Doctor of Laws.

National Co-design Group member biographies



Dr Donna Odegaard AM Co-chair

Dr Donna Odegaard AM is a Larrakia and Torres Strait Islander. Awarded an Honorary Doctor of Letters for lifelong contribution to Indigenous rights, land rights, heritage, education, Indigenous media, and Reconciliation. Other achievements include: Naming Lady HMAS Larrakia RAN, MA Law/Phil, University of Newcastle, PhD, Doctor of Law/Phil, University of Newcastle, Indigenous Alumni Award University of Newcastle. Dr Odegaard is the founder and chairperson of First Nations Broadcasting Australia, First Nations TV, First Nations Tourism, First Nations Radio, First Nations Radio National. A consultant and advisor to governments, industry and business on Indigenous business, leadership, tourism and media. Other roles include; National and International Indigenous Leader Indigenous business, trade and economic development, Indigenous Reference Group Ministerial Forum, Developing Northern Australia, Indigenous Advisory Committee, Commonwealth Department of Agribusiness, Water and Heritage, Board Director, Indigenous Land and Sea Corporation and Chairperson National Centre for Indigenous Excellence, Redfern NSW. A successful business woman for over 30 years in farming, fashion and interior design, mining.



Mr Ray Griggs AO CSC National Indigenous Australians Agency co-chair

Mr Ray Griggs AO CSC was appointed the inaugural CEO of the National Indigenous Australians Agency on 1 July 2019 and in that role was responsible for leading policy, program and delivery reform in line with the Government's commitment to improving the lives of Aboriginal and Torres Strait Islander Australians. Before the establishment of the National Indigenous Australians Agency, Mr Griggs was Associate Secretary of the Indigenous Affairs Group in the Department of the Prime Minister and Cabinet. He spent 4 decades in the Royal Australian Navy, in a range of command and operational roles and is an Officer in the Order of Australia. Mr Griggs is now the Secretary of the Department of Social Services.



The Hon Fred Chaney AO

The Hon Fred Chaney AO was one of the founding Co-Chairs of Reconciliation Australia and an early advocate for Aboriginal voting rights. Mr Chaney was part of establishing the Aboriginal Legal Service of Western Australia and was the federal Minister for Aboriginal Affairs between 1978 and 1980. Also Deputy President of the National Native Title Tribunal and Chair of Desert Knowledge Australia, Mr Chaney was instrumental in establishing the Graham (Polly) Farmer Foundation, which supports Indigenous young people to reach their potential. In 1997 Mr Chaney became an Officer of the Order of Australia in recognition of service to the Parliament of Australia and to the Aboriginal community.



Ms Zell Dodd

Ms Zell Dodd is a proud descendant of the Ngarrindjeri, Kurna & Nurrunga people. Ms Dodd was born and went to school in Naracoorte in the south east of South Australia and is the current CEO of the Ceduna Koonibba Aboriginal Health Service. Ms Dodd has more than 25 years' experience working for and with Aboriginal and Torres Strait Islander Australians shaping mainstream health services, systems and structures and extensive experience in government and non-government sectors.



Ms Katrina Fanning PSM

Ms Katrina Fanning PSM is a Wiradjuri woman and Chair of the Australian Capital Territory Aboriginal and Torres Strait Islander Elected Body and the Australian Rugby League Indigenous Council and is a Board Member with Winnunga Nimmityjah Aboriginal Health and Community Services, the Fred Hollows Foundation, the Women's Legal Centre in the Australian Capital Territory and the Canberra Raiders. Owner and Managing Director of Coolamon Advisors, an Indigenous consulting firm based in Canberra, she has previously held Senior Executive roles in government and received a Public Service Medal in 2015 for outstanding public service in Indigenous affairs.



Mr Damian Griffis

Mr Damian Griffis is a descendant of the Worimi people and CEO of the First People's Disability Network Australia. A leading advocate for the human rights of Aboriginal and Torres Strait Islander Australians with a disability, Mr Griffis played an integral part in establishing the Aboriginal Disability Network in New South Wales and the national representative organisation the First Peoples Disability Network. Mr Griffis was awarded the Australian Human Rights Tony Fitzgerald (Community Individual) Memorial Award in 2014.



Mr Steven Wanta Patrick Jampijinpa

Mr Steven Wanta Patrick Jampijinpa currently sits on the Warlpiri Youth Development Aboriginal Corporation board as Senior Cultural Advisor for his community, Lajamanu, in the Northern Territory. Mr Patrick was a contributing author for ‘Ngurra-kurlu: A way of working with Warlpiri people’ – a report which outlines key elements of Warlpiri culture being land, law, language, ceremony and skin. Mr Patrick, along with other Warlpiri elders, developed an app to tackle Indigenous youth suicide in 2017 and he has worked as a Community Liaison Officer and Teacher’s Assistant at the Lajamanu Community Education Centre.



The Hon Jeff Kennett AC

The Hon Jeff Kennett AC was an Officer in the Royal Australian Regiment, serving at home and overseas. Premier of Victoria from 1992 to 1999, a Member of the Victorian Parliament for 23 years, and Leader of the Opposition from 1982 to 1989 and 1991 to 1992, Mr Kennett is Chair of EQT Holdings, Open Windows Australia Pty Ltd, CT Management Group Pty Ltd, Director of Amtek Corporation Pty Ltd., and is the founder and former Chair of Beyond Blue. Mr Kennett is also Chair of The Torch - a program assisting incarcerated Indigenous men and women and post their release, and President of the Hawthorn Football Club. He received a Companion of the Order of Australia in 2005 for service to the Victorian Parliament and the introduction of initiatives for economic and social benefit, to business and commerce, and to the community in the development of the arts, sport and mental health awareness strategies.



Professor Cheryl Kickett-Tucker AM

Professor Cheryl Kickett-Tucker AM is a Wadjuk Noongar Traditional Owner, academic community development practitioner, children’s fiction author and emerging photographer. Professor Kickett-Tucker has worked with Aboriginal people all her life in the fields of education, sport and health. Executive Director of Pindi Pindi Ltd, Centre for Research Excellence in Aboriginal Wellbeing, Director of Research and Community Development at Koya Aboriginal Corporation and Research Fellow at Curtin University, Professor Kickett-Tucker is passionate about using her research to make a real difference to the lives of Aboriginal children and their families.



Ms Kristal Kinsela

Ms Kristal Kinsela is a proud descendant of the Jawoyn and Wiradjuri nations. She is Director National Aboriginal Sporting Chance Academy, Director Jaramer Legal and a Director Uniting NSW/ACT. A passionate advocate of the Indigenous business sector, Kristal was awarded the 2017 NSW Aboriginal Woman of the Year and 2017 Supplier Diversity Advocate of the Year awards. She was further recognised on the 2019 AFR 100 Women of Influence list for entrepreneurship and leadership.



Dr Emma Lee

Dr Emma Lee is an Aboriginal and Torres Strait Research Fellow at Centre for Social Impact, Swinburne University of Technology. Her research fields over the last 25 years have focused on Indigenous affairs, land and sea management, policy and governance of Australian regulatory environments. Dr Lee has published in diverse journals ranging from *Biological Reviews* to *Annals of Tourism Research*. She is a key architect of the Tasmanian Government's 'Reset the Relationship' Whole of Government strategy, contributing to shaping of the first joint management plan of a protected area in Tasmania, constitutional reform and establishing a market for cultural fisheries in Tasmania. Dr Lee has received a number of awards for this work.



Mr Jamie Lowe

Mr Jamie Lowe is a Gunditjmara Djabwurrung man and CEO of the National Native Title Council, a national peak body set up to maximise the contribution of native title to achieving and improving the economic, social and cultural participation of Indigenous Australians. Recently elected to the executive of First Peoples' Assembly of Victoria, as Victorian Aboriginal Peoples move towards treaty, Mr Lowe has a background in both government and non-government sectors and has expertise and skills in governance, management, strategic planning and economic development.



Ms Fiona McLeod AO SC

Ms Fiona McLeod AO SC is a Senior Counsel at the Victorian Bar and former President of the Law Council Australia and the Australian Bar Association. Ms McLeod led the class action into the Murrindindi Black Saturday bushfires and the Commonwealth legal team in the Victorian Bushfires Royal Commission, the Queensland Floods Commission and Royal Commission into Institutional Child Sex Abuse representing the whole of government in each matter. Ms McLeod received an Officer of the Order of Australia in 2000 for her distinguished service to the law and the legal profession, at the national and international level.



Professor Gracelyn Smallwood AM

Professor Gracelyn Smallwood AM has been an advocate for the rights of Aboriginal and Torres Strait Islander Australians since 1968. Awarded the Queensland Aboriginal of the Year in 1986, the Henry Kemp Memorial Award at the International Society for Prevention of Child Abuse and Neglect in 1994, the Deadly Award for Outstanding Lifetime Achievement in Indigenous Health in 2007, and NAIDOC Person of the Year in 2014, Professor Smallwood is a registered nurse, midwife and trained in mental health, with experience both in Australia and internationally. Professor Smallwood became a Member of the Order of Australia in 1992 for her service to Aboriginal Health and Welfare and to Public Health particularly in relation to HIV/AIDS.



Mr Marcus Stewart

Mr Marcus Stewart is a Nira illim bulluk man and a Taungurung traditional owner from central Victoria. Mr Stewart was the CEO of the Federation of Victorian Traditional Owner Corporation and has over 15 years' experience in Indigenous affairs. He was elected the Co-Chair of the First People's Assembly of Victoria in 2019 and has extensive experience strategic policy direction and design implementation through his senior roles in the Victorian State Government.



Mr Richard Weston

Mr Richard Weston was recently appointed as the first Deputy Children's Guardian for Aboriginal Children and Young People in NSW at the NSW Government Office of the Children's Guardian. Previously, he was Chief Executive Officer for SNAICC, the national peak body for Aboriginal and Torres Strait Islander children, and the co-chair for Family Matters. As a descendant of the Meriam people of the Torres Strait, Richard has worked in Aboriginal and Torres Strait Islander affairs for more than 20 years. For 9 years, he held the position of CEO of The Healing Foundation leading the strategic development of the organisation. And previously, Richard led Indigenous-controlled health services in far west New South Wales and Queensland.



Dr Joseph Elu AO

Dr Joseph Elu AO was initially a member of the National Co-design Group until retiring in September 2020. Dr Joseph Elu AO is a Director of the Torres Strait Regional Authority Board, for his community Seisia. He is also the Divisional Councillor for Seisia on the Northern Peninsula Area Regional Council, Chairperson of Seisia Enterprises Pty Ltd and Seisia Community Torres Strait Islander Corporation. In 2017 Dr Elu was appointed the Deputy Chairperson of the Indigenous Land Council. He was Chairperson for Indigenous Business Australia for 12 years. In 2008 he was awarded an Officer of the Order of Australia as well as the NAIDOC Lifetime Achievement Award. In 2001 and in 2002 he was awarded the Centenary medal. During his career, Dr Elu has been an influential leader in Torres Strait Islander and Aboriginal affairs and Indigenous economic development.

Local & Regional Co-design Group member biographies



Professor Peter Buckskin PSM FACE Co-chair

Professor Peter Buckskin PSM FACE is a Narungga man from the Yorke Peninsula in South Australia. He is a member of the Lowitja Institute Board of Directors and former Dean of Aboriginal Engagement and Strategic Projects at the University of South Australia. Co-Convenor of the State's Advisory Committee on the recognition of Aboriginal people in the South Australian Constitution Act 1934, he has more than 30 years' experience as an educator and public servant and received a Commonwealth Public Service Medal (PSM) for outstanding public service in the provision of educational equality for Australia's Indigenous peoples in 2001.



Ms Letitia Hope
National Indigenous Australians Agency co-chair

Letitia Hope is the Deputy Chief Executive Office for Operations and Delivery at the National Indigenous Australians Agency. A proud Bundjalung (Northern Rivers NSW), Torres Strait Islander and South Pacific Islander woman. Ms Hope has had a wide career working across Commonwealth and State governments in both mainstream and specialised social policy development, human services delivery and health and community services program development. Ms Hope holds an Executive Masters of Public Administration through the Australian National University.



Ms Isabelle Adams

Ms Isabelle Adams is Gurindji (Northern Territory) and Wuthuti (Cape York, Qld) and lives in Western Australia. Ms Adams is the joint-coordinator for the Kulunga Aboriginal Research Development Unit (KARDU) in the Telethon Kids institute. Ms Adams has more than 20 years' experience in the education and training industry and 15 years in the business sector as a consultant, researcher and trainer in a range of areas in Indigenous Affairs. She was awarded a Rotary International Paul Harris Fellow for Services to the Community and has held membership on a number of State and National bodies.



Cr Ross Andrews

Cr Ross Andrews is a Yarrabah man with cultural ties to both Djungan and Yalanji nations in Far North Queensland. The current Mayor of Yarrabah Aboriginal Shire Council sits on the Far North Queensland Regional Organisations of Council, is a Commissioner for Declarations; director of the Wugu Nyambil Board; member of Advance Queensland Aboriginal & Torres Strait Islander Business Innovation Reference Group and Chair of the Yarrabah Leaders Forum.



Ms Ruth Davys

Ms Ruth Davys, Wiradjuri woman, former Chairperson of Riverina Murray Regional Alliance, is the Co-founder and CEO, Marketing and Product Developer of Giilangyaldhaanygalang, an entirely Aboriginal-owned business partnership specialising in Wiradjuri language education services and resources. Ms Davys is also a casual lecturer in the Wiradjuri Language Culture and Heritage Graduate certificate run at Charles Sturt University Wagga Wagga campus.



Ms Triscilla Holborow

Ms Triscilla Holborow is a Traditional Owner from the Yaburara and Yindjibarndi tribes. Ms Holborow is passionate about helping Aboriginal people obtain meaningful and long-term employment, engaging and upskilling communities for a better future, she co-founded Real Employment for Aboriginal People in 2010 and has won several awards relating to Aboriginal employment. Ms Holborow has more than 25 years' experience working in the mining and oil and gas sectors.



Mr Paul House

Mr Paul House is a Ngambri-Ngunnawal custodian with multiple local Aboriginal ancestries from the Canberra region, however identifies as a descendant of Ngambri – Walgulu man Henry ‘Black Harry’ Williams and Ngunnawal – Wallaballoa man ‘Murjinille’ aka William Lane (‘Billy the Bull’), including Wiradjuri ancestries. Mr House began his public service career in the Commonwealth Department of Aboriginal Affairs, and has since occupied various positions across both New South Wales and Commonwealth public sector agencies.



Mr Chris Ingrey

Mr Chris Ingrey is of Dhungutti and Dharawal descent and is from the La Perouse Aboriginal community in Sydney. He is currently the CEO of the La Perouse Local Aboriginal Land Council, a Director of the Inner Sydney Empowered Communities and Eastern Zone Gujaga Aboriginal Corporation and was a previous Director of the La Perouse Local Aboriginal Land Council and has led significant reforms to the governance and economic development of the La Perouse Aboriginal community.



Ms Fiona Jose

Ms Fiona Jose is the CEO of Cape York Partnership, an Indigenous organisation driving a comprehensive reform agenda improving the lives of Indigenous families in the Cape York region. She joined Cape York Partnership in 2010 where she held senior management positions following more than 15 years of experience in management, business development, and government relations in aviation and education. She is one of 8 First Nations leaders driving structural change through the national Empowered Communities initiative.



Cr Getano Lui Jr AM

Cr Getano Lui Jr AM is a serving Councillor on the Torres Strait Islands Regional Council (TSIRC) (State) and Deputy Chair and Member for Iama (Yam Island) on the Board of the Torres Strait Regional Authority (TRSA). He has been Chair of the Yam Island Community Council, Islanders Board of Industry and Service, Island Coordination Council and inaugural Chair of TSRA. He has been a Member in the General Division of the Order of Australia (AM) since 1994, for his service to the Torres Strait Region.



Mr Albert McNamara

Mr Albert McNamara is an Aboriginal elder with family connections to Yamatji, Martu and Noongar Country. A qualified wood machinist, it is the work that Mr McNamara did in state education in Western Australia, working in policy for more than a decade, which he is most known. Mr McNamara is on the Aboriginal Elder Advisory Group of Richmond Wellbeing and provides advice to City of Armadale, City of Perth, and City of Fremantle. He is involved with the Looking Forward project with Dr Michael Wright and was awarded the 2008 NAIDOC Aboriginal Male Elder.



Mr Wayne Miller

Mr Wayne Miller of the Wirangu people is the CEO of the Ceduna Aboriginal Corporation. Passionate about employment, education and economic development for Aboriginal people, he is a Member of the Housing South Australia Aboriginal Advisory Council and former member of the South Australian Aboriginal Advisory Council and South Australian Corrections 10 by 20 Strategy Aboriginal Advisory Committee.



Ms Karen Milward

Ms Karen Milward is a Yorta Yorta woman who was born and raised in Melbourne and is a strong advocate for developing culturally appropriate solutions to the issues confronting Indigenous people, which empower individuals and communities so they can confidently and effectively move forward. Karen has owned and operated Karen Milward Consulting Services since 2004. Chairperson of Community First Development, Mullum Mullum Indigenous Gathering Place, Kinaway Chamber of Commerce Victoria Ltd and Director, Yarra Valley Water. Karen has extensive experience in delivering tailored training programs, leadership development, evaluations and social research, project management, feasibility studies and community development.



Ms Lavene Ngatokorua

Ms Lavene Ngatokorua is a Wankangurru/Adnyamathanha woman and mother to Dre. Lavene is a courageous leader who is recognised for her lifelong advocacy on behalf of community. As an artist and curator Lavene has established a contemporary practice focused on exploring and expressing her cultural connections and strong humanitarian beliefs.



Ms Vicki O'Donnell

Ms Vicki O'Donnell is a Nyikina Mangala Aboriginal woman from Derby and Chair for the Aboriginal Health Council of Western Australia. She was appointed to the Western Australian Aboriginal Advisory Council tasked with playing a key role in state priorities including the development of an Aboriginal empowerment strategy, Closing the Gap, Aboriginal youth suicide and reduced incarceration of Aboriginal people in custody.



Dr Aden Ridgeway

Dr Aden Ridgeway was the Deputy Leader of the Australian Democrats and served as a Senator for New South Wales from 1999. Dr Ridgeway is a Gumbaynggir man and was the Regional Councillor for the Aboriginal and Torres Strait Islander Commission's Sydney region and Executive Director of the New South Wales Aboriginal Land Council before he was elected to the Australian Senate.



Ms Marion Scrymgour

Ms Marion Scrymgour is the CEO of the Northern Land Council, the first woman to hold the CEO position at any Northern Territory land council. A former CEO of the Tiwi Islands Regional Council, the Wurli-Wurlinjang Aboriginal Health Service and Katherine West Aboriginal Health Board, she became the first Aboriginal woman to be elected to the Northern Territory Legislative Assembly in 2001, representing the electorate of Arafura until 2012.



Ms Kerry Sculthorpe

Ms Kerry Sculthorpe has tertiary qualifications in social work and public policy and expertise in research ethics. She is a former chair of the AIATSIS Research Ethics Committee and was a manager of ATSIC in Tasmania from 1990. From 1996 until 2002 she was a member of the Senior Executive Service of the Australian Public Service. Kerry has participated in national fora on Indigenous education, health, land rights and legislation, and published a number of reports on Aboriginal issues. This includes her involvement in the Strategic Plan of Aboriginal Engagement Steering Committee at the University of Tasmania.

B. Terms of Reference

Terms of Reference Senior Advisory Group

Context

1. The Government is committed to a process of co-design to determine options to improve local and regional decision-making and a national voice.
2. This approach reflects the Government's commitment to working in partnership with Indigenous Australians, and their longstanding desire to have a greater involvement in the issues that affect them.
3. The co-design process to determine options for a voice will have 2 separate co-design groups, one to focus on local and regional decision-making (Local & Regional Group) and the other to look at options for a national voice (National Group).
4. A Senior Advisory Group will provide advice and support across the co-design process for a voice and act as a forum for the Minister for Indigenous Australians (the Minister) to test ideas and build consensus.

Purpose

5. The Senior Advisory Group is commissioned to work with the Minister to provide overarching guidance and advice to the co-design groups on local and regional decision-making and for a national voice.
6. The Senior Advisory Group will support the Minister and Australian Government, and the co-design groups as needed. The Senior Advisory Group will continue to meet throughout both the design and consultation stages of the co-design process.

Scope

7. The Senior Advisory Group will:
 - a. Provide a forum to work in partnership with the Minister, including overseeing the direction of the co-design process.
 - b. Advise the Minister on the process for co-design of local, regional and national elements of a voice, including on membership for the respective co-design groups.

- c. Provide input and advice at key points to support the National and Local & Regional Groups develop options, as well as guide the overall process throughout.
 - d. Review options developed by the National and Local & Regional Co-Design Groups and provide advice, recommendations and support to the Minister.
 - e. In line with the media protocol and code of conduct, support the Minister in public messaging and engagement with other key stakeholders on the co-design process.
8. The Minister will be responsible for leading ongoing engagement with state and territory governments, as well as cross-party Parliamentarians groups and Government colleagues as required. Senior Advisory Group members may be asked to assist these discussions as required.

Activities

9. The Senior Advisory Group will:
 - a. Help guide the co-design groups throughout the process, as needed and provide advice as options are considered and developed.
 - b. Review options put forward by the co-design groups throughout the development stage and provide advice and support to the Minister in the consideration of what should proceed to broader consultation.
 - c. Provide advice to the Minister and National and Local & Regional Co-Design Groups on how to approach engagement in the consultation stage.
 - d. Consider feedback received throughout the consultation stage, as well as ongoing feedback and submissions received throughout the co-design process ahead of finalising recommendations to the Minister.
 - e. Following the finalisation of the consultation stage, provide advice to the Minister on the outcome and potential next steps.
 - f. Provide an interim report to the Minister at the end of the development stage with advice to the Minister about what options should proceed to consultation, and a final report following the refinement of options by the co-design groups after consultation.
 - g. In line with the media protocol and code of conduct, support the Government on public messaging to update the broader community on the co-design process.
 - h. Meet with the co-design groups and the Minister at key points throughout the process.

Timeframes

10. November 2019 – support commencement of co-design process, and provide advice to and help guide co-design groups as needed throughout both processes (ongoing).
11. By November 2020 – review local and regional decision-making/national voices options put forward for testing, and provide advice and support to the Minister, ahead of Government’s consideration.
12. From late 2020 – help guide the consultation and engagement process to test options for local and regional decision-making and a national voice.
13. Following consultation – review the final report with options and models refined following consultation and engagement, and provide advice to the Minister.

Membership

14. The Minister will invite individuals to participate in the Senior Advisory Group. The Senior Advisory Group is responsible for determining how they conduct discussions. The Senior Advisory Group will include 2 co-chairs, Professor Tom Calma AO and Professor Dr Marcia Langton AM. The co-chairs will chair meetings and ensure work progresses out of session as required. They will also lead engagement with the Minister. The co-chairs will also brief the Government or their representatives at key points throughout the co-design process, as required.
15. The Senior Advisory Group will have a majority of Indigenous Australians who have a spread of skills and experience, and those with extensive experience and ability to work strategically across the co-design process. Consideration will also be given to achieving a balance of: gender; representation across jurisdictions; and the urban, regional and remote spectrum, as much as possible.
16. The Senior Advisory Group will comprise around 20 members as determined by the Minister.
17. Deliberations of the Senior Advisory Group, discussions with the Minister, any sub-groups and external experts will be confidential. Liaising outside the group to discuss potential options should have prior agreement from the Senior Advisory Group co-chairs. Public comment about the group’s deliberations and discussions will be subject to a media protocol and code of conduct.

Secretariat

18. All secretariat, logistical and administrative support will be provided by the National Indigenous Australians Agency. This will include planning, logistics, travel arrangements and meeting support.
19. Deliberations of the Senior Advisory Group, including discussions with the Minister, any sub-groups, and external experts, will be confidential, and subject to the co-chairs’ code-of-conduct confidentiality arrangements.

Out of scope

20. The following matters are out of scope for the Senior Advisory Group:
 - a. Final decision on which options progress to testing.
 - b. Making recommendations as a Group through this co-design process on constitutional recognition, including determining the referendum question or when a referendum should be held.
 - c. Making recommendations as a Group through this co-design process on the establishment of a Makarrata Commission (as called for by the Uluru Statement from the Heart), agreement making, treaty and truth-telling.
 - d. Overall budget, deliverables and associated timing and the overarching timeframe for the co-design process.

Terms of Reference

National Co-design Group

Context

1. The Government is committed to a process of co-design to determine options to improve local and regional decision-making and a national voice.
2. This approach reflects the Government's commitment to working in partnership with Indigenous Australians, and their longstanding desire to have a greater involvement in the issues that affect them.
3. The co-design process to determine options for a voice will have 2 separate co-design groups, one to focus on local and regional decision-making (Local & Regional Group) and the other to look at options for a national voice (National Group).
4. A Senior Advisory Group will provide advice and support across the co-design process for a voice and act as a forum for the Minister for Indigenous Australians (the Minister) to test ideas and build consensus.

Purpose

5. The National Co-Design Group (National Group) is commissioned to consider proposed models for a national voice, and provide advice on preferred options.

Scope

6. The principal focus of the National Group is to develop options and models for a national voice, including articulating relevant detail (such as the structure, membership, functions and operation of a voice), and how to give a national voice legal form, excluding drafting of the establishing legislation.
7. Proposed options must not create barriers to the operation of existing Commonwealth Government Parliamentary processes.
8. The National Group will undertake this process in 2 stages:
 - a. Stage one - develop possible approaches, models and options, and engaging with key stakeholders as needed.
 - b. Stage two - support consultation and engage with Indigenous leaders, communities and stakeholders across the country; and refine recommendations for national options prior to providing them to Government for consideration.

9. The Minister will be responsible for leading ongoing engagement with state and territory governments, as well as the cross-party Parliamentarians group and Government colleagues to build consensus around possible options. National Group members may be asked to provide advice or assist in these discussions, as required.

Activities

10. The National Group will:
 - a. Develop a work plan for the Group, which includes links with the broader co-design process, and consultation and engagement with Indigenous communities, Indigenous leaders, experts and other key stakeholders in stage two. This will be done in consultation with the Senior Advisory Group and Local & Regional Group.
 - i. The development of options and models will draw on existing work done to date where appropriate.
 - ii. The options should enable the Government to consider how a voice could be given legal effect.
 - b. Work in partnership with the Local & Regional and the Senior Advisory Groups at key points, to ensure options for a national voice can be informed by, and connect with local and regional elements of a voice.
 - c. Consider the impact of existing mechanisms for agreement making with Aboriginal and Torres Strait Islander Australians on options for a voice.
 - d. Develop options and models, including drawing on previous work, to put forward to the Minister for consultation and engagement, following consultation with the Local & Regional Group and Senior Advisory Group.
 - e. Support consultation and engagement with Indigenous communities, leaders and other stakeholders across the country.
 - f. Support and advise the Government on public messaging to update the broader community on the co-design process.
 - g. Refine options and models based on feedback from consultations and engagement.

- h. Provide a final report for the Minister after consultation and refinement have been completed, with preferred options and models. The Senior Advisory Group will review these options and models and provide advice alongside the National Group's report to the Minister.
- i. Seek advice from the Senior Advisory Group and the Local & Regional Group throughout the process, as appropriate.
- j. Provide regular updates to the Minister and Senior Advisory Group on progress and key issues as they emerge.
- k. The National Group may request technical expertise if needed, through the National Indigenous Australians Agency (NIAA).

Timeframes

- 11. The process will be undertaken in 2 stages:
 - a. Stage one – early to late 2020
 - At the conclusion of stage one, options and models will be provided in an interim report (by late 2020). This report will be provided to the Minister alongside the advice of the Senior Advisory Group for decision by Government, ahead of the consultation and engagement stage.
 - b. Stage two – commencing late 2020
 - At the conclusion of stage two, a final report with options and models refined following consultation and engagement will be provided to the Minister, alongside advice from the Senior Advisory Group.

Membership

- 12. The Minister will invite individuals to participate in the National Group, following consultation with the Senior Advisory Group, and appoint a co-chair from among the Indigenous non-government members. The second co-chair will be a senior official from the NIAA.
- 13. The National Group is responsible for determining how they conduct discussions. The 2 co-chairs will chair meetings and ensure work progresses out of session.
- 14. The 2 co-chairs will also be key contacts and representatives for the National Group. They will lead engagement with the Senior Advisory Group and Local & Regional Group, Minister and the Government at key points, as required.

- 15. The non-government members of the National Group will comprise a majority of Indigenous Australians. Consideration will also be given to achieving a balance of: gender; representation across jurisdictions, and the urban, regional and remote spectrum, as much as possible.
- 16. The National Group will comprise up to 20 members, (inclusive of one government co-chair and one Indigenous non-government co-chair) as determined by the Minister.
- 17. Deliberations of the National Group, discussions with the Minister, any sub-groups and external experts will be confidential. Liaising outside the group to discuss potential options should have prior agreement from the National Group co-chairs. Public comment about the Group's deliberations and formal discussions will be subject to a media protocol and code of conduct.

Secretariat

- 18. All secretariat, logistical and administrative support will be provided by NIAA. This will include planning, logistics, travel arrangements and meeting support.

Out of scope

- 19. The following matters are out of scope for the National Group:
 - a. Drafting of legislation to establish a National Voice.
 - b. Design of options and models for local and regional elements of a voice, other than considering linkages with local and regional elements of a voice, in order not to duplicate work across the 2 co-design groups.
 - c. Final decision on which options and models progress to consultation and engagement in stage two.
 - d. Making recommendations as a Group through this co-design process on constitutional recognition, including determining the referendum question or when a referendum should be held.
 - e. Making recommendations as a Group through this co-design process on the establishment of a Makarrata Commission (as called for by the Uluru Statement from the Heart), agreement making, treaty and truth-telling.
 - f. Overall budget, deliverables and associated timing and the overarching timeframe for the co-design process.

Local & Regional Co-Design Group

Context

1. The Government is committed to a process of co-design to determine options to improve local and regional decision-making and a National Voice.
2. This approach reflects the Government's commitment to working in partnership with Indigenous Australians, and their longstanding desire to have a greater involvement in the issues that affect them.
3. The co-design process to determine options for a voice will have 2 separate co-design groups, one to focus on local and regional decision-making (Local & Regional Group) and the other to look at options for a National Voice (National Group).
4. A Senior Advisory Group will provide advice and support across the co-design process for a voice and act as forum for the Minister for Indigenous Australians (the Minister) to test ideas and build consensus.

Purpose

5. The Local & Regional Co-design Group (Local & Regional Group) is commissioned to articulate preferred approaches to improved local and regional decision-making and Indigenous regional governance and provide advice on preferred options.

Scope

6. The principal focus of the Local & Regional Group is to articulate effective regional mechanisms for improved local and regional decision-making by Indigenous Australians in partnership with governments, including their purpose and scope. The Local & Regional Group will consider how existing regional mechanisms and Indigenous regional governance structures can give effect to the notion of a Local & Regional Voice.
7. The Local & Regional Group will undertake this process in 2 stages:
 - a. Stage one – developing possible approaches (e.g. principles-based), models and options for broader conversations and engaging key stakeholders as needed.
 - b. Stage two – support conversations and engage with Indigenous leaders, communities and stakeholders across the country, and refine options and models, prior to providing them to the Government for consideration.

8. The Minister will be responsible for leading ongoing engagement with state and territory governments, as well as the cross-party Parliamentarians group and Government colleagues to build consensus around possible options. Local & Regional Group members may be asked to provide advice or assist in these discussions, as required.
9. There will also be engagement, as required, between the Local & Regional Group and the Senior Officials Group (representing local, state and Commonwealth). The extent and details of links between the officials' group and the broader co-design process will be determined by co-chairs of the co-design groups, in consultation with the officials' group.

Activities

10. The Local & Regional Group will:
 - a. Develop a work plan for the Group, which includes links with the broader co-design process, and conversations and engagement with Indigenous communities, Indigenous leaders, experts and other key stakeholders in stage two. This will be done in consultation with the Senior Advisory Group and the National Group.
 - b. Articulate how current regional and local arrangements and mechanisms can give effect to local and regional voices.
 - c. Identify options, such as principles and a framework for local and regional decision-making and Indigenous regional governance, which could underpin implementation across the country (regardless of existing mechanisms).
 - d. Draw on the existing local and regional decision-making and Indigenous regional governance models, as well as the principles and design questions identified by the Joint Select Committee 2018, as a starting point for the development of possible future arrangements.
 - e. Consider the impact of the possible future arrangements on the existing regional models, and how these could be encompassed within the improved approach.
 - f. Provide input to inform discussions between levels of government on how to align and improve various existing regional governance and decision-making models, as appropriate. These discussions will be led by the Minister.

- g. Work in partnership with the National and the Senior Advisory Groups at key points, to ensure local and regional elements of a voice can be considered as part of a national model.
- h. Support and advise the Government on public messaging to update the broader community on the co-design process.
- i. Develop options and models to put forward to the Minister for broader conversation and engagement, following consultation with the National Group and Senior Advisory Group.
- j. Support conversations and engagement with Indigenous leaders, communities and stakeholders across the country.
- k. Refine options and models based on feedback from conversations and engagement.
- l. Provide a final report for the Minister after conversations and refinement have been completed, with preferred options and models. The Senior Advisory Group will review these options and models and provide advice alongside the Local & Regional Group's report to the Minister.
- m. Seek advice from the Senior Advisory Group and the National Group throughout the process, as appropriate.
- n. Provide regular updates to the Minister and the Senior Advisory Group on progress and key issues as they emerge.
- o. The Local & Regional Group may request technical expertise if needed, through the National Indigenous Australians Agency (NIAA).

Timeframes

11. The process will be undertaken in 2 stages:
 - a. Stage one – early to late 2020
 - At the conclusion of stage one, options and models will be provided in an interim report (by late 2020). This report will be provided to the Minister alongside the advice of the Senior Advisory Group for decision by Government, ahead of the conversation and engagement stage.
 - b. Stage two – commencing late 2020
 - At the conclusion of stage two, a final report with options and models refined following conversation and engagement will be provided to the Minister, alongside advice from the Senior Advisory Group.

Membership

12. The Minister will invite individuals to participate in the Local & Regional Group, following consultation with the Senior Advisory Group, and appoint a co-chair from among Indigenous non-government members. The second co-chair will be a senior official from the NIAA.
13. The Local & Regional Group will be responsible for determining how they conduct discussions. The 2 co-chairs will chair meetings and ensure work progresses out of session.
14. The 2 co-chairs will also be key contacts and representatives for the Local & Regional Group. They will lead engagement with the Senior Advisory Group and the National Group, Minister and the Government at key points, as required.
15. The non-government members of the Local & Regional Group will comprise a majority of Indigenous regional leaders and others with expertise relevant to Indigenous regional governance and decision-making. Consideration will also be given to achieving a balance of gender, representation across jurisdictions, and the urban, regional, and remote spectrum, as much as possible.
16. The Regional Group will comprise up to 20 members, (inclusive of one government co-chair and one Indigenous non-government co-chair) as determined by the Minister.
17. Deliberations of the Local & Regional Group, discussions with the Minister, any sub-groups and external experts will be confidential. Liaising outside the group to discuss potential options should have prior agreement from the Local & Regional Group co-chairs. Public comment about the Group's deliberations and discussions will be subject to a media protocol and code of conduct.

Secretariat

18. All secretariat, logistical and administrative support will be provided by NIAA. This will include planning, logistics, travel arrangements and meeting support.

Out of scope

19. The following matters are out of scope for the Local & Regional Group:
 - a. Design of options for a national voice, other than considering linkages of local and regional elements and a national voice, in order not to duplicate work across the 2 co-design groups.
 - b. Final decision on which options progress to conversations and engagement in stage two.
 - c. Making recommendations as a Group through this co-design process on constitutional recognition, including the referendum question or when a referendum should be held.
 - d. Making recommendations as a Group through this co-design process on the establishment of a Makarrata Commission (as called for by the Uluru Statement from the Heart), agreement making, treaty and truth-telling.
 - e. Overall budget, deliverables and associated timing and the overarching timeframe for the co-design process.

C. Consultation information

The table below includes community consultation sessions and stakeholder meetings held in these locations during the course of the consultation process and co-design members' visit. Overall, there were 115 community consultation sessions and at least 41 additional sessions and meetings.

The notes from each community consultation session were summarised and published on voice.niaa.gov.au.

Consultation by location

Location	State	Community consultation session date/s	Sessions/ meetings	Participants
Inner Sydney	NSW	24 & 25 February	5	61
Adelaide	SA	26 February	2	46
Western Sydney - Campbelltown	NSW	9 March	2	23
Western Sydney - Mt Druitt	NSW	9 & 10 March	3	54
Brisbane	QLD	9 & 10 March	5	73
Mount Gambier	SA	10 March & 21 May	2	14
Toowoomba	QLD	11 March	2	34
Murray Bridge	SA	11 March	1	23
Central Coast	NSW	12 March	1	59
Moree	NSW	15 March	2	22
Tamworth	NSW	16 March	3	35
Wagga Wagga	NSW	16 March & 19 May	4	41
Port Lincoln	SA	16 March	2	23
Coffs Harbour	NSW	17 & 18 March	2	29
Dubbo	NSW	22 March	3	78
Broken Hill	NSW	24 March	2	20
Pukatja	SA	25 March	1	145
Canberra	ACT	30 March	3	37
Mildura	VIC	30 March	2	36
Narooma	NSW	31 March	1	13
Bairnsdale	VIC	31 March	1	3
Perth	WA	6 April	3	41
Albany	WA	7 April	1	25
Shepparton	VIC	7 April	2	8
Bunbury	WA	8 April	2	23
Rockhampton	QLD	8 April	2	20
Woorabinda	QLD	8 April	2	35
Cairns	QLD	13 April	4	104
Port Hedland	WA	13 & 14 April	3	28

Location	State	Community consultation session date/s	Sessions/ meetings	Participants
Napranum	QLD	14 April	2	55
Weipa	QLD	14 April	1	8
Melbourne	VIC	14 April	2	27
Aurukun	QLD	15 April	8	35
Carnarvon	WA	15 April	1	59
Hobart	TAS	15 & 16 April	2	30
Kalgoorlie	WA	19 April	2	41
Townsville	QLD	19 April	2	80
Palm Island	QLD	20 April	2	78
Ceduna	SA	20 April	4	38
Mt Isa	QLD	21 April	3	84
Port Augusta	SA	22 April	4	73
Darwin	NT	27 April	4	104
Wadeye	NT	28 April	2	152
Katherine	NT	28 April	4	63
Kununurra	WA	29 April	2	47
Ngukurr	NT	29 April	1	20
Tiwi Islands – Wurrumiyanga (Bathurst Island)	NT	30 April	2	86
Tiwi Islands – Pirlangimpi (Melville Island)	NT	30 April	1	19
Broome	WA	3 May	3	46
Cooper Pedy	SA	4 May	3	18
Derby	WA	4 May	2	36
Maningrida	NT	4 May	2	44
Angurugu (Groote Eylandt)	NT	5 May	1	104
Tennant Creek	NT	5 May	3	78
Halls Creek	WA	6 May	4	70
Lajamanu	NT	6 May	1	40
Amata	SA	6 May	2	84
Alice Springs	NT	6 & 7 May	4	44
Nhulunbuy	NT	7 May	2	29
Ramingining	NT	7 May	1	54
Galiwin'ku	NT	7 May	1	35
Launceston	TAS	11 May	2	22
Devonport	TAS	12 May	1	10
Doomadgee	QLD	12 May	3	86
Geraldton, Tom Price and Newman	WA	12 May	1	16
Thursday Island	QLD	14 May	2	55
Bourke	NSW	20 May	1	13

Stakeholder meetings

The list below includes details of stakeholder meetings held by co-design members and staff from the National Indigenous Australians Agency during the consultation period. Some organisations were met with on more than one occasion. Overall, there were 124 separate stakeholder meetings with 1,280 people engaged.

Stakeholder meetings

- Aboriginal Advisory Council of Western Australia
- Aboriginal and Torres Strait Islander Legal Services
- Aboriginal and Torres Strait Islander Social Justice Commissioner
- Aboriginal Art Association of Australia
- Aboriginal Health Reference Group
- Aboriginal Hostels Limited
- Amata leaders
- Aurukun: Community Development Program participants
- Aurukun Shire Council
- Australian Chamber of Commerce and Industry
- Australian Institute of Aboriginal and Torres Strait Islander Studies
- Australian Olympic Committee
- Australians for Native Title and Reconciliation
- Australian Human Rights Commission: President
- Broome Women's Leadership Meeting
- Business Council of Australia
- Cape York Employment
- Centre for Social Innovation South Australia
- Charles Sturt University: Dubbo campus
- Cherbourg Aboriginal Shire Council
- Clontarf Foundation: Katherine
- Closing the Gap Steering Committee
- Commonwealth Department briefing sessions
- Cradle Coast Authority: Board Directors
- Deadly Inspiring Youth Doing Good
- Derby leaders group
- Doomadgee: Community Development Program participants
- Doomadgee Aboriginal Shire Council
- Dreamtime Art
- Empowered Communities National Leaders Group
- Far West Coast Aboriginal Corporation
- First Australians Chamber of Commerce and Industry
- First Nations Media Australia
- First Peoples' Assembly of Victoria
- Fitzroy Crossing leaders meeting
- Football Australia
- Forbes community leaders
- Halls Creek Aboriginal Community Controlled Organisations
- Halls Creek Senior High School
- Halls Creek Shire and Tjurabalan leaders
- Hedland Aboriginal Strong Leaders Group
- Indigenous Land and Sea Corporation
- Jawun
- Kimberley Chairs and Chief Executive Officers forum
- Kokatha Aboriginal Corporation
- Koonibba community meeting
- Kununurra Aboriginal Community Controlled Organisations
- Lhere Artepe Aboriginal Corporation
- Lives Lived Well
- Local Elders, Brisbane consultation
- Local Government Association of the Northern Territory
- Members of Parliament and staff briefing sessions
- Mildura TAFE
- Murdi Paaki Regional Assembly
- National Native Title Council
- Napranum: Community Development Program participants
- Northern Australia Indigenous Reference Group
- New South Wales Council of Aboriginal Regional Alliance
- New South Wales Indigenous Chamber of Commerce
- Northern Territory Treaty Commissioner
- Nyamba Buru Yawuru Limited
- Office of the Children's Commissioner NT
- Office of the Registrar of Indigenous Corporations
- Office of Township Leasing
- Palm Island Council
- Port Lincoln community workshop
- Productivity Commission
- Queensland's Treaty Advancement Committee

- Reconciliation Australia Board
- Riverina Youth Justice Centre
- Senior Officers Meeting – Compensation Working Group
- South Australian Commissioner for Aboriginal Engagement
- Spinifex State College: Mt Isa
- Stars Foundation: Katherine
- State and territory officials briefings
- Tamworth High School
- Tasmanian Regional Aboriginal Communities Alliance
- Tennant Creek women’s meeting
- Torres Strait Regional Authority
- UnitingCare
- Uphold and Recognise
- Umoona Community Council
- Victorian Commissioner for Aboriginal Children and Young People
- Woolworths
- Woorabinda Council and service providers
- Wreck Bay Aboriginal Community Council
- Xavier College Tiwi Islands
- Yadgalah Aboriginal Corporation
- Yarrabah community meeting

Webinars

There were 13 webinars with 1,486 people engaged.

The table below includes the details of webinars held.

Date	Webinar
1 Feb 2021	Introducing the Indigenous Voice proposals
4 Mar 2021	The proposal for a National Voice
9 Mar 2021	Indigenous Voice: Engaging our community in the co-design process (Centre for Social Impact) – webinar 1
15 Mar 2021	The proposal for a Local and Regional Voice
16 Mar 2021	The importance of an Indigenous Voice for the Australian Community
25 Mar 2021	Reconciliation Australia
29 Mar 2021	Institute of Public Administration Australia
19 Apr 2021	Close the Gap Campaign Steering Committee
4 May 2021	Indigenous Voice: Engaging our community in the co-design process (Centre for Social Impact) – webinar 2
5 May 2021	Business Council of Australia
19 May 2021	Indigenous Voice Community Meeting for First Nations People with Disability
21 May 2021	Indigenous Voice Briefing for Disability Sector
24 May 2021	Indigenous Voice Consultation Wrap-Up

Submissions

The process for public submissions was open from the 9 January – 30 April 2021. In this time a total of 2,978 submissions were received, with 2,741 published on the Indigenous Voice website. Each published submission is available to view here: [Submission - Indigenous Voice \(voice.niaa.gov.au\)](https://www.indigenousvoice.gov.au/submissions).

D. Consultation products

Indigenous Voice resources

Indigenous Voice – Have Your Say

A youth-focused flyer summarising detail from Interim Report.



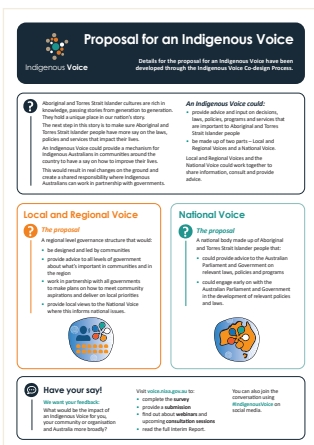
Indigenous Voice Co-design Process Interim Report 2020

Indigenous Voice Co-design Process Interim Report resulting from Stage One co-design.



Indigenous Voice Proposal – Key Features

A flyer highlighting the key features of the Indigenous Voice proposals.



Outline of Indigenous Voice Proposal

A one page outline of Indigenous Voice Proposals.

Details for the proposal for an Indigenous Voice have been developed through the Indigenous Voice Co-design Process. These are the key features of the proposals.

An Indigenous Voice could:

- provide advice and support on Indigenous law, culture, language and customs to the Australian Government
- provide advice and support on Indigenous law, culture, language and customs to the Australian Government
- provide advice and support on Indigenous law, culture, language and customs to the Australian Government

Local and Regional Voice

National Voice

How you can help

Discussion paper

Short document providing an overview of the Local & Regional Voice proposal and National Voice proposal.

INDIGENOUS VOICE

Discussion Paper

Overview

Background

Provide your feedback

Why we are seeking feedback

Discussion paper

INDIGENOUS VOICE

Indigenous Voice

Local and Regional Voice

National Voice

Conversation Guide

A supporting document for consultation, designed to facilitate discussion among participants. The guide provides an overview of the journey to an Indigenous Voice, each proposal and feedback mechanisms.

Indigenous Voice

Conversation Guide

The journey to an Indigenous Voice

1. Senior Advisory Group

2. Local and Regional Co-design Group

3. National Co-design Group

4. Consultation Guide

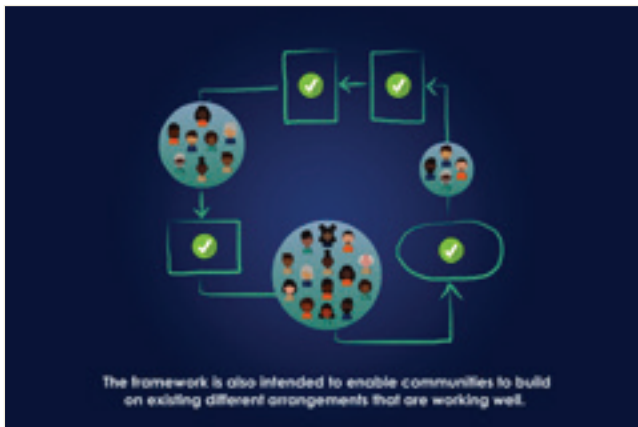
Have your say

More information and resources on the journey to the Indigenous Voice

Tips on how to get your community involved in the conversation

Videos and animations

A series of video animations were developed to support understanding of the Indigenous Voice proposals during the consultation period.



Indigenous Voice Consultation Session Poster

A poster used to promote upcoming consultation sessions and webinars.

Indigenous Voice

Have your say **Indigenous Voice**

Now is the time to have your say on the Indigenous Voice proposals.

Upcoming consultation sessions

Cairns
Tuesday 13 April
PCYC Edmonton
 10-20 Walker Rd, Edmonton
 Cairns Colonial Club
 18-26 Cannon St, Mansunda
Rydges Esplanade Resort
 209-217 Abbott St, Cairns City

9:00am - 11:30am
 12:00pm - 2:30pm
 6:00pm - 8:00pm

> Participants must register to attend.
 > Head to voice.miaa.gov.au to register and find out more.

Head to voice.miaa.gov.au to learn more and start a discussion in your local community with family, friends and colleagues.

#IndigenousVoice

Register for Cairns
 Register for Edmonton
 Register for Rydges Esplanade

Fact sheet 1 – A Voice for Indigenous Australians

An A4 fact sheet summarising key facts about the Indigenous Voice proposals.

Indigenous Voice **FACT SHEET 1**

A Voice for Indigenous Australians

Aboriginal and Torres Strait Islander cultures are rich in knowledge, passing stories from generation to generation. They hold a unique place in our nation's story. The next step in this story is to make sure Aboriginal and Torres Strait Islander people have more say on the laws and policies that impact their lives.

The journey so far

There has been a lot of work already undertaken over the past few years to build a strong foundation for the Indigenous Voice. It is now time for us to work together – local and regional voices – to build on what we have achieved. The people working on it are from all over the country. They are mostly Aboriginal and Torres Strait Islander people. They use their knowledge and experience and shared at lots of past work and current arrangements.

Indigenous Voice

The groups have developed proposals for an Indigenous Voice. The Indigenous Voice is a way for Aboriginal and Torres Strait Islander people to have more say on the laws and policies that impact their lives. It is now time for us to work together – local and regional voices – to build on what we have achieved. The Indigenous Voice could bring communities together in a regional or national body. They would work in partnership with all levels of government. Arrangements would be made so they work in consultation with local governments, Communities and government could be supported to set up a representative body. It is important that everyone has an opportunity to have their voice heard, at all levels of government, in the region where you live.

Have your say

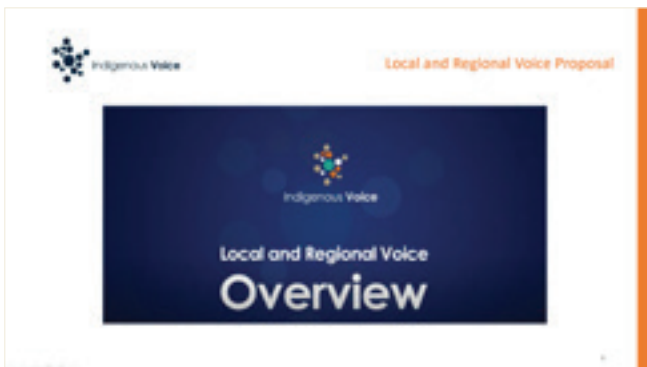
The Indigenous Voice is also forward for our country and would provide better change for the future. We want to hear your views on the proposals and what you think would work best. Visit voice.miaa.gov.au

- Take part in the feedback survey
- Provide a submission on the proposals
- Share your ideas and dates on social media using <https://www.facebook.com/voice.miaa>
- Attend a community discussion or go to a community meeting if it is open to the public
- Share the materials with your family, friends and community

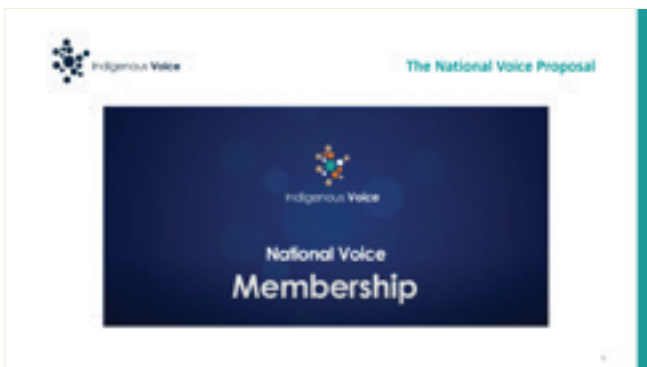
All Australians are invited to have your say today!

PowerPoint presentation for consultation sessions and stakeholder meetings

The following was used as a tool by co-design members when facilitating discussion at community consultation sessions and stakeholder meetings.



-
- The slide is titled 'Discussion on the Local and Regional Voice' and contains a list of discussion points:
 - What would be the impact of an Indigenous Voice for you, your community or organisation, and Australia more broadly?
 - What features of the Local and Regional proposal are most important and why?
 - How would the proposed Local and Regional Voice work for you, your community or your organisation?
 - What would be the benefits or challenges of a proposed Local and Regional voice for you?
 - Do the Local and Regional voice principles seem right to you?
 - How could the framework improve local partnerships and relationships between communities and governments?
 - Should the number of Local and Regional Voices across Australia be a greater number of smaller regions, or fewer larger regions (within the proposed 25 to 35 range)?
 - What support do you think will be needed to establish or transition to a Local and Regional Voice?



-
- The slide is titled 'Discussion on the National Voice' and contains a list of discussion points:
 - What features are most important in the proposal for a National voice and why?
 - How would the proposed National Voice work for you, your community or your organisation?
 - How do you expect the National Voice would support you, your organisation or your community to have your voice heard on issues of national importance?
 - Do you think the scope of the National voice would empower Aboriginal and Torres Strait Islander people at a national level?
 - What are the benefits or challenges for drawing National Voice members directly from Local and Regional voices?
 - What are the benefits or challenges for drawing National Voice members through a direct election?

Additional audio factsheets translated into Indigenous languages:

- Indigenous Voice Factsheet NT Anindilyakawa
- Indigenous Voice Factsheet NT Burarra
- Indigenous Voice Factsheet NT Eastside Creole
- Indigenous Voice Factsheet NT Warlpiri
- Indigenous Voice Factsheet NT Yolngu Matha

Audio announcements

As part of the engagement process, a series of public notices were used for promotion. Some of these public notices were translated into Indigenous languages for accessibility and inclusivity. Below are examples of translated audio that was used:

- Indigenous Voice audio announcement QLD Kala Laga Ya
- Indigenous Voice audio announcement QLD Torres Strait Creol Yumplatok Corden
- Indigenous Voice audio announcement WA Kimberly Kriol
- Indigenous Voice audio announcement WA Ngaanyatjarra
- Indigenous Voice audio announcement WA Walmajarri

Webinars

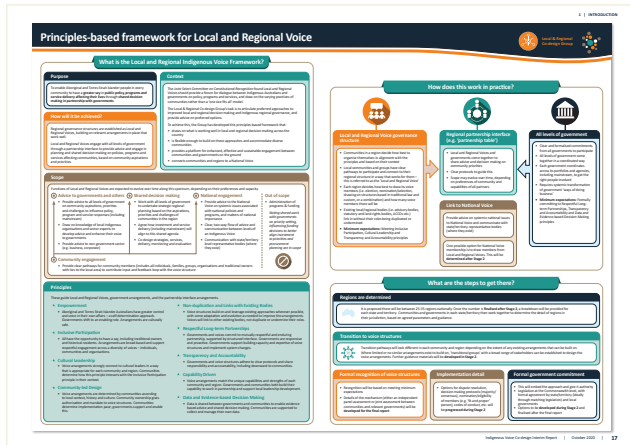
The following webinars were recorded and posted on the Indigenous Voice website:

- Introducing the Indigenous Voice proposals
- The proposal for a National Voice
- The proposal for a Local and Regional Voice
- The importance of an Indigenous Voice for the Australian Community
- Indigenous Voice Consultation Wrap-Up

Local & Regional Voice proposal resources

Detailed Local & Regional Voice Proposal

An A3 flyer outlining the detail of the Local & Regional Voice proposal.



Local & Regional Voice proposal – Key features

An A4 fact sheet outlining the key features of the Local & Regional Voice proposal.

www.dia.gov.au/ncv to: provide a submission, give your feedback, or contact us for more information."/>

Fact sheet 2 – Proposed Local & Regional Voice Principles

A4 fact sheet explaining the principle-based framework of the Local & Regional Voice proposal.

Fact sheet 3 – Local & Regional Voice Regions

An A4 fact sheet detailing the proposed process of setting up Local & Regional Voices.

Indigenous Voice FACT SHEET 3

Local and Regional Voice Regions

The Interim Report proposes a Local and Regional Voice would be set up at the regional level, with clear pathways for local communities and groups to participate.

1. Proposed overall number of regions

Under the proposed Voice, there could be between 25 and 35 regions across Australia. A number of factors will shape whether the minimum or maximum number of regions would be able to capture existing cultural identities and regional groupings. The table shows the possible number of regions in each region of the state or territory. The 25 to 35 regions would be based on a number of population, geography, spread and historical opportunities. The final number of regions will depend on the number of regions to be included in the final report for the Australian Government's decision.

State/Territory	25	30	35
ACT	1	1	1
NT	1	1	1
NSW	4	4	5
QLD	4	4	5
SA	2	2	2
Tas	1	1	1
VIC	2	2	2
WA	2	2	2

2. Proposed process for deciding regions

The process will be based on three principles: **Inclusive Participation**, **Cultural Leadership**, and **Transparency and Accountability**. The process will be based on three principles: **Inclusive Participation**, **Cultural Leadership**, and **Transparency and Accountability**.

Step 1: The Interim Report proposes a Local and Regional Voice would be set up at the regional level, with clear pathways for local communities and groups to participate.

Step 2: At each state and territory, key stakeholders from the community and government will work together to develop a list of potential regions for the Local and Regional Voice.

Step 3: Communities in each region provide feedback.

Step 4: The group involved in the process will make a final decision on the boundaries of the regions.

The proposed model:

- Use the existing systems and relevant arrangements as a starting point. If there are any issues, they will be resolved.
- Use of cultural groupings as a key factor.
- Use of population number and geographic size.
- Align regions to state and territory borders, unless there is a strong reason not to do so.
- Consider whether there are any regional boundaries that match with any government administrative arrangements, to support effective partnership arrangements.

Check the proposed process for deciding regions seems right to you?

Visit [www.indigenousvoice.gov.au](#) to provide a submission, complete the survey or learn more about the Indigenous Voice proposal.

Fact sheet 4 – Minimum expectations and recognition of Local & Regional Voices

An A4 fact sheet outlining a set of minimum expectations for the establishment of Local & Regional Voices.

Indigenous Voice FACT SHEET 4

Minimum expectations and recognition of Local and Regional Voices

The Interim Report proposes that to be recognised as a Local and Regional Voice, a government structure would need to meet a set of minimum expectations. This would give communities and governments confidence that all Local and Regional Voices meet a consistent minimum standard.

1. Proposed minimum expectations

The minimum expectations would be based on three principles that relate to good governance: **Inclusive Participation**, **Cultural Leadership**, and **Transparency and Accountability**. Governance structures would need to show how they are applying these principles in a way that works for the communities in their regions. Over time, Local and Regional Voices would be expected to build on these minimum expectations and work towards applying all nine principles in the best practical way.

2. Proposed options for recognition of Local and Regional Voices

The minimum expectations would be used as assessment criteria to decide if a government structure can be formally recognised as a Local and Regional Voice. Formal recognition of Local and Regional Voices would give certainty and clarity to community members, governments and the government structure itself. Two options are proposed for how this recognition process could work:

- A joint assessment option:** a government structure could work together with governments to make the assessment.
- An independent assessment option:** an independent body could make the assessment, based on an application submitted by a government structure. Under each option, the minimum expectations and the recognition process would be set out in legislation. Local community members, groups and organisations would be able to provide their views and input to the process. Once it is recognised, the details of the Local and Regional Voice (name, region of operation) would be publicly available. Following consultation feedback, one option will be included in the final recommendations.

Which of these two options would work best to recognise Local and Regional Voices?

Visit [www.indigenousvoice.gov.au](#) to provide a submission, complete the survey or learn more about the Indigenous Voice proposal.

Fact sheet 5 – Implementing a Local & Regional Voice

An A4 fact sheet outlining the proposed implementation of Local & Regional Voices.

Indigenous Voice FACT SHEET 5

Implementing a Local and Regional Voice

If it is proposed each region would be guided by the principles-based framework to support to set up and operation the proposed Local and Regional Voice Principles (see sheet 4). Each region's pathway to setting up their Local and Regional Voice would be different. This would depend on what arrangements already exist in their region to bring people together. Some Local and Regional Voices would be adapted from existing arrangements. Some Local and Regional Voices would be designed as new structures. Below are some possible ways this might work.

1. Possible pathways

Existing pathways:

- Existing Local Government:** Communities in the region agree to use existing local government arrangements. They may choose to make some small changes to their Local and Regional Voice.
- Existing Regional Government:** Communities in the region agree to use existing regional government arrangements to set up their Local and Regional Voice.
- Existing State Government:** They may decide to design new arrangements. The design work would be done by a 'transition group' made up of representatives of community, groups and organisations in the region.

Adaptation or design:

- Adaptation phase:** Existing government arrangements would be built on and could be adjusted or changed. This may include making changes to the structure of the Local and Regional Voice.
- Design phase:** The 'transition group' would work with communities and organisations to design the Local and Regional Voice. The authority, priorities and strength of the organisation would guide the design. The next step would be to set up the Local and Regional Voice and to establish a partnership agreement for local and regional voices.

2. We want to hear your views on how a Local and Regional Voice could be implemented in your area.

3. Have your say

You can have your say by:

- sharing your views and ideas on social media
- making a submission
- holding a community discussion or go to a consultation meeting in a public place such as a public library
- contacting your local MP
- contacting your local government
- contacting your local community group
- contacting your local business
- contacting your local school
- contacting your local sporting club
- contacting your local church
- contacting your local community centre
- contacting your local council
- contacting your local shire
- contacting your local town
- contacting your local village
- contacting your local town
- contacting your local village
- contacting your local town
- contacting your local village

Visit [www.indigenousvoice.gov.au](#) to provide a submission, complete the survey or learn more about the Indigenous Voice proposal.

National Voice Proposal Resources

Proposal Explainer 1 - Advice to Parliament and Government

A paper outlining how the proposed National Voice could provide advice to the Australian Parliament and Government.

Proposal Explainer 2 - Independent Indigenous Policy Body

A paper supporting the process of seeking feedback on whether an independent Indigenous policy body should be included in the final proposal for a National Voice.

Detailed National Voice Proposal

An A3 paper outlining the detail of the National Voice proposal.

National Voice Proposal – Key Features

An A4 paper summarising the key features of the National Voice Proposal.

Summary of the National Voice Proposal
Details for the proposal for a National Voice have been developed through the Indigenous Voice Co-design Process.

1 The proposal
A national body made up of Aboriginal and Torres Strait Islander people that:
• could provide advice to the Australian Parliament and Government on relevant laws, policies and programs.
• could engage early on with the Australian Parliament and Government in the development of relevant policies and laws.

2 What could it look like?
Membership for the National Voice could happen in two different ways:
• Structurally linked: Members selected from Local and Regional Voices.
• Directly elected: Elections held for Aboriginal and Torres Strait Islander people to form National Voice membership directly.
Either membership option would have a two-way advice link to Local and Regional voices. Members would represent their state or territory as well as the Torres Strait Islands.

3 Important features of the National Voice proposal
The National Voice could:
• consist of up to 20 members, with guaranteed gender balance of members
• include Youth and Disability Advisory Groups to ensure the voices of these groups are heard
• connect with Local and Regional Voices to provide areas from local communities
• work with existing bodies, structures and organisations
• advise on national matters that are critically important to the social, spiritual and economic wellbeing of Aboriginal and Torres Strait Islander people.

4 Have your say!
We need your feedback:
• What features are most important to the proposal for National Voice and why?
• How would the proposed National Voice work for you, your community or your organisation?
Visit www.indigenousvoice.gov.au to:
• complete the survey
• provide submissions
• attend online webinars and upcoming consultation sessions
• read the full research report
You can also join the conversation using [indigenousvoice](https://www.facebook.com/indigenousvoice) on social media.

Fact sheet 6 – National Voice Appointments

An A4 fact sheet explaining the proposed appointment process to the National Voice.

National Voice FACT SHEET 6
National Voice Appointments

It would be important for the proposed National Voice to be made up of Aboriginal and Torres Strait Islander people chosen by their communities to speak for them at the national level. However, there may be times when it could be useful for the National Voice and the Australian Government to work together and choose extra people to join the National Voice. This could be done if it is felt additional members with specific skills or knowledge would be useful.

The proposals
The National Co-design Group proposes three options for how to choose people to be appointed to the National Voice. This would be to fill any gaps and make sure everyone is represented. Appointments could only be made where they are needed, and not by default. Appointments could also be made together by the National Voice and the Australian Government.

Examples of when appointments might be needed include:
• if it is felt the National Voice may benefit from having additional members with certain skills and experience that would assist to work
• to make sure there is an appropriate mix of urban, regional and remote representatives on the National Voice.

We need to hear your views on the proposal for appointments to the National Voice.

Have your say
You can have your say by:
• providing a submission on the proposal at www.indigenousvoice.gov.au
• undertaking a survey of voice ideas.gov.au
• sharing your views and ideas on social media using #voiceideas and #see on social media tagging #indigenousvoice and #see on social media tagging #indigenousvoice
• holding community discussion or a stakeholder meeting if a COVID talk is to do so
• sharing the message with your family, friends and community.

Visit www.indigenousvoice.gov.au to provide a submission, complete the survey or learn more about the Indigenous Voice proposal.

Fact sheet 7 – National Voice Membership Numbers

An A4 fact sheet outlining the options for membership numbers in the National Voice.

National Voice FACT SHEET 7
National Voice Membership Numbers

The size of the membership of the proposed National Voice is important because it would affect how well the National Voice could do its job. The National Voice would need to be big enough to be broadly representative of Aboriginal and Torres Strait Islander communities across Australia, with a gender balance among its members. The National Voice would also need to be an appropriate size so it could make decisions in a timely way and respond effectively to changing circumstances.

The proposals
The National Co-design Group proposed options for National Voice membership and the size of the National Voice membership, which could be implemented by up to two appointed members from the Chair of the National Voice Appointments.
Option 1: 15 members
• Two members of different gender for each state, territory and the Torres Strait Islands.
• One member for the Australian Capital Territory and the Torres Strait Islands with a member of a different gender selected following each consultation.
The ACT and the Torres Strait Islands both have local geographic areas when compared to the other states and the Northern Territory, both also represent smaller Aboriginal and Torres Strait Islander populations. There would be arguments for selecting one member each from members of the National Co-design Group to represent the ACT and the Torres Strait Islands having two members.
• One member from the ACT and the Torres Strait Islands selecting two members each. It would make all appointments and appointments equal. This option also requires the consultation of the Torres Strait Islands.
An increase from 15 members to 18 members in Option 1 from 16 members in Option 2 would be a small increase and would provide more diversity on the National Voice.

We need to hear your views on the proposal for membership numbers for the National Voice.

Have your say
You can have your say by:
• providing a submission on the proposal at www.indigenousvoice.gov.au
• undertaking a survey of voice ideas.gov.au
• sharing your views and ideas on social media using #voiceideas and #see on social media tagging #indigenousvoice
• holding community discussion or a stakeholder meeting if a COVID talk is to do so
• sharing the message with your family, friends and community.

Visit www.indigenousvoice.gov.au to provide a submission, complete the survey or learn more about the Indigenous Voice proposal.

Fact sheet 8 – National Voice Membership Term Lengths

An A4 fact sheet outlining options for National Voice membership term lengths.

Indigenous Voice **FACT SHEET 8**

National Voice Membership Term Lengths

Stability in the proposed National Voice membership would be important. It would also be important to ensure membership could be renewed with new ideas and perspectives. Meeting these membership objectives could be achieved by both:

- having the right person on a number of National Voice terms so they have to be re-elected
- having long enough terms for members to be able to fulfil their roles.

Limiting the number of times a person can be a member in a continuous period – the number of back-to-back terms – could also help bring new members with different experiences and ideas to the National Voice.

The proposals

There are two options proposed by the National Co-design Group for term lengths for National Voice members. Under both options, a person could not serve more than two back-to-back terms as a National Voice member.

Option 1 – Four year terms

Members would serve National Voice members a term of four years. Terms would be staggered, which would see half of the National Voice positions to open for election every two years. This would ensure the National Voice is stable with only half of the membership renewed as a term. There would be a staggered election cycle with a general understanding of the work of the National Voice and how it has to be done.

The option would provide more continuity and experienced National Voice able to fulfil an ongoing leadership role in the National Voice.

Option 2 – Three year terms

Members would serve National Voice members a term of three years. Terms would be staggered with this option. All National Voice positions would be open for election at once, every three years. It is expected that there would be some members re-elected and some would provide a new continuity to the National Voice. This option would provide greater opportunity for new membership because selection of the full membership group would occur more frequently than in Option 1.

We want to hear your views on the proposal for term lengths for the National Voice.

Have your say

You can have your say by:

- providing a submission on the proposal at www.indigenousvoice.gov.au
- undertaking a survey at www.indigenousvoice.gov.au
- sharing your views and ideas on social media, tagging #IndigenousVoice
- having a community discussion or a stakeholder meeting. If a COVID safe to do so, sharing the materials with your family, friends and community.

Visit www.indigenousvoice.gov.au to provide a submission, complete the survey or learn more about the Indigenous Voice proposals.

Fact sheet 9 – National Voice Disability Advisory Group

An A4 fact sheet outlining the proposed permanent National Voice Disability Advisory Group.

Indigenous Voice **FACT SHEET 9**

National Voice Disability Advisory Group

At least one in four Aboriginal and Torres Strait Islander people were living with a disability for at least six months. Of these people, nearly a third were living with severe or profound disability. The work of the proposed National Voice would have a permanent Disability Advisory Group made up of Aboriginal and Torres Strait Islander people with lived experience of disability. This group would give advice to the National Voice on how laws and policies impact on Aboriginal and Torres Strait Islander people with disability. The Disability Advisory Group would also bring issues to the attention of the National Voice.

Disability in the Indigenous community

There are many different types of disabilities that people experience. These include deafness, blindness, cognitive impairment, mental illness, and physical disabilities, among other experiences of disability. Having a disability can affect a person's participation in society, including in their work and in their community. People with disability can also experience discrimination, which can affect their mental and/or physical health. This action or refusal of others can also limit the ability of a person with disability to participate in society and access laws and policies that affect them.

The significant proportion of Aboriginal and Torres Strait Islander people living with disability increases the importance of making sure their voices are heard when laws and policies are made that affect their lives.

The National Co-design Group looked at these issues and decided on incorporating a Disability Advisory Group into the National Voice. This would be a group of the National Voice that can make recommendations on Aboriginal and Torres Strait Islander people with disability on complex issues that are not being dealt with by the National Voice. This group would also bring any matter or issue to the attention of the National Voice. The Disability Advisory Group would not replace or undermine any existing bodies or structures.

We want to hear your views on how a Disability Advisory Group might benefit Aboriginal and Torres Strait Islander people with disability and what sorts of issues you think should be looked at by this group.

Have your say

You can have your say by:

- providing a submission on the proposal at www.indigenousvoice.gov.au
- undertaking a survey at www.indigenousvoice.gov.au
- sharing your views and ideas on social media, tagging #IndigenousVoice
- having a community discussion or a stakeholder meeting. If a COVID safe to do so, sharing the materials with your family, friends and community.

Visit www.indigenousvoice.gov.au to provide a submission, complete the survey or learn more about the Indigenous Voice proposals.

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Fact sheet 10 – National Voice Youth Advisory Group

An A4 fact sheet outlining the proposed permanent National Voice Youth Advisory Group.

Indigenous Voice **FACT SHEET 10**

National Voice Youth Advisory Group

More than half of Aboriginal and Torres Strait Islander people are aged 35 years or younger. An Active Aboriginal and Torres Strait Islander youth is important to their lives and to the community. Because of this, the proposed National Voice would have a permanent Youth Advisory Group made up of Aboriginal and Torres Strait Islander youth. The Youth Advisory Group would give advice to the National Voice on how laws and policies impact on Aboriginal and Torres Strait Islander youth. The group would also bring issues to the attention of the National Voice.

Influencing decisions

Aboriginal and Torres Strait Islander youth should be able to influence the decisions being made today. This is not just because these decisions will affect them in the future – a future they will shape. The world is changing rapidly, and it is important that our generation have our voices heard. How laws and policies affect Aboriginal and Torres Strait Islander youth without consulting them to them. The National Co-design Group looked at these issues and decided on incorporating a National Voice have a permanent Youth Advisory Group. This would be a group of the National Voice that can make recommendations on Aboriginal and Torres Strait Islander youth on complex issues that are not being dealt with by the National Voice. This group would also bring any matter or issue to the attention of the National Voice. The Youth Advisory Group would not replace or undermine any existing bodies or structures.

We want to hear your views on how a Youth Advisory Group might benefit Aboriginal and Torres Strait Islander youth, and what sorts of issues you think should be looked at by this group.

Have your say

You can have your say by:

- providing a submission on the proposal at www.indigenousvoice.gov.au
- undertaking a survey at www.indigenousvoice.gov.au
- sharing your views and ideas on social media, tagging #IndigenousVoice
- having a community discussion or a stakeholder meeting. If a COVID safe to do so, sharing the materials with your family, friends and community.

Visit www.indigenousvoice.gov.au to provide a submission, complete the survey or learn more about the Indigenous Voice proposals.

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E. Summary of meeting dates

As at 30 July 2021 there have been more than 100 meetings of co-design groups, working groups, member briefings and design discussions.

In addition there were:

- Meetings of all co-chairs, and regular discussion between co-chairs and the National Indigenous Australians Agency.
- Meetings of the Senior Officials Group, comprising state and territory officials and the Australian Local Government Association.

Co-design group meetings

Senior Advisory Group

Stage two

Date	Meeting
13 July 2021	Senior Advisory Group meeting
29 June 2021	Senior Advisory Group meeting
24 May 2021	Senior Advisory Group meeting

Stage one

Date	Meeting
14 October 2020	Senior Advisory Group meeting
29 September 2020	Senior Advisory Group meeting (local and regional and engagement focus)
21 September 2020	Senior Advisory Group meeting (national focus)
31 August 2020	Senior Advisory Group Engagement Working Group
27 August 2020	Senior Advisory Group meeting (local and regional focus)
25 August 2020	Senior Advisory Group meeting (national focus)
23 July 2020	Senior Advisory Group meeting (engagement focus)
08 July 2020	Senior Advisory Group meeting (consolidating feedback)
30 June 2020	Senior Advisory Group meeting (local and regional focus)
23 June 2020	Senior Advisory Group meeting (national focus)
17 February 2020	Senior Advisory Group meeting
13 November 2019	Senior Advisory Group meeting

National Co-design Group

Stage two

Date	Meeting
12 July 2021	National Co-design Group meeting
04 June 2021	National Co-design Group meeting
30 April 2021	National Co-design Group meeting

Stage one

Date	Meeting
06 October 2020	National Co-design Group meeting
08 September 2020	National Co-design Group meeting
18 August 2020	National Co-design Group meeting
10 August 2020	National Options Working Group
06 August 2020	National Functions Working Group
06 August 2020	National Structure and Membership Working Group
21 July 2020	National Co-design Group meeting (presentation of Senior Advisory Group feedback)
14 July 2020	National Establishment Working Group
12 May 2020	National Co-design Group meeting
26 March 2020	National Structure and Membership Working Group
24 March 2020	National Functions Working Group
25 & 26 Feb 2020	National Co-design Group meeting

Local & Regional Co-design Group

Stage two

Date	Meeting
12 July 2021	Local & Regional Co-design Group meeting
16 June 2021	Local & Regional Co-design Group meeting
13 April 2021	Local & Regional Co-design Group meeting
12 February 2021 ⁱ	Local & Regional Co-design Group meeting

Stage one

Date	Meeting
07 October 2020	Local & Regional Co-design Group meeting
14 September 2020	Local & Regional Co-design Group meeting
21 August 2020	Local & Regional Co-design Group meeting
13 August 2020	Local & Regional supplementary session
29 July 2020	Local & Regional Co-design Group meeting (presentation of Senior Advisory Group feedback)
28 July 2020	Local & Regional Linkages and Impact Working Groups (follow up)
24 July 2020	Local & Regional Impact Working Group
01 July 2020	Local & Regional supplementary session
19 June 2020	Local & Regional Regions Working Group
16 June 2020	Local & Regional supplementary session
26 May 2020	Local & Regional Co-design Group meeting
16 April 2020	Local & Regional Structures and Interface working group
08 April 2020	Local & Regional Framework Working Group
12 March 2020	Local & Regional supplementary session
10 and 11 March 2020	Local & Regional Co-design Group meeting

ⁱ This meeting did not proceed due to technical difficulties, but feedback was provided in follow up discussions with members.

Other meetings

Stage two

Transition and Implementation Working Group – representatives from all 3 co-design groups

Date	Meeting
21 June 2021	Transition and Implementation Working Group

Representatives from all 3 co-design groups

Date	Meeting
28 Jan 2021	Stage two preparation meeting
21 Jan 2021	Stage two preparation meeting

Stage one

Linkages Working Group – representatives from all 3 co-design groups

Date	Meeting
17 August 2020	Linkages Working Group
20 July 2020	Linkages Working Group

All co-chair meetings

Stage two

Date	Meeting
26 July 2021	All co-chair meeting
13 July 2021	All co-chair meeting
01 July 2021	All co-chair meeting
19 February 2021	All co-chair meeting
15 January 2021	All co-chair meeting

Stage one

Date	Meeting
8 October 2020	All co-chair meeting
1 October 2020	All co-chair meeting
17 September 2020	All co-chair meeting
25 August 2020	All co-chair meeting
17 June 2020	All co-chair meeting
18 May 2020	All co-chair briefing on the Coalition of Peaks
22 April 2020	All co-chair meeting

Member briefings and design discussionsⁱⁱ

Senior Advisory Group

Stage two

Date	Meeting
16 July 2021	Member session
09 July 2021	Member session
30 April 2021	Member session

Stage one

Date	Meeting
14 October 2020	Member session
12 October 2020	Member session
30 September 2020	Member session
18 September 2020	Member session
17 September 2020	Member session
15 September 2020	Member session
13 August 2020	Senior Advisory Group Youth engagement discussion
05 August 2020	Member session
22 July 2020	Member session
17 July 2020	Member session
06 July 2020	Member session
06 July 2020	Member session
29 June 2020	Member session
29 June 2020	Member session
26 June 2020	Member session
26 June 2020	Member session
22 June 2020	Member session
19 June 2020	Senior Advisory Group Youth engagement discussion
25 May 2020	Senior Advisory Group Non-Indigenous engagement discussion
20 May 2020	Member session
17 April 2020	Senior Advisory Group Youth engagement discussion
02 April 2020	Senior Advisory Group Youth engagement discussion
26 and 27 February 2020	Senior Advisory Group Youth engagement discussion

ⁱⁱ This list is intended to be comprehensive, but is not an exhaustive list of all co-design member interactions.

National Co-design Group

Stage two

Date	Meeting
09 July 2021	Member session
09 July 2021	Member session
08 July 2021	Member session
10 June 2021	Member session
03 June 2021	Member session
02 June 2021	Member session
20 May 2021	Co-design member discussion on the role and processes of Parliament and Government
28 April 2021	Member session
27 January 2021	Member session

Stage one

Date	Meeting
27 October 2020	Member session
14 October 2020	Disability advisory group design discussion
02 October 2020	Stage two engagement briefing session
02 October 2020	Member session
30 September 2020	Member session
28 September 2020	Youth advisory group design discussion
24 September 2020	Member session
22 September 2020	Member session
15 September 2020	Youth advisory group design discussion
11 September 2020	National Co-design Group briefing session: local and regional information
09 September 2020	Member session
02 September 2020	Disability advisory group design discussion
02 September 2020	Member session
27 August 2020	Member session
13 August 2020	Member session
31 July 2020	Member session
29 July 2020	Member session
27 July 2020	Member session
16 July 2020	Member session
28 May 2020	Member session

Local & Regional Co-design Group

Stage two

Date	Meeting
14 July 2021	Member session
14 July 2021	Member session
30 March 2021	Member session
24 March 2021	Member session
23 February 2021	Member session
16 February 2021	Member session
15 February 2021	Member session
12 February 2021	Member session
12 February 2021	Member session

Stage one

Date	Meeting
02 October 2020	Stage two engagement briefing session
28 September 2020	Local & Regional Co-design Group briefing session: national information

Senior Officials Group

Stage two

Date	Meeting
10 June 2021	Senior Officials Group meeting
01 April 2021	Bilateral meeting with Western Australia
30 March 2021	Bilateral meeting with the Australian Local Government Association
12 March 2021	Bilateral meeting with Victoria
02 March 2021	Bilateral meeting with Queensland
25 February 2021	Bilateral meeting with South Australia
17 February 2021	Bilateral meeting with Northern Territory
16 February 2021	Bilateral meeting with New South Wales
22 January 2021	Senior Officials Group meeting

Stage one

Date	Meeting
20 October 2020	Bilateral meeting with Victoria (emerging policy)
09 October 2020	Bilateral meeting with South Australia (emerging policy and engagement design)
07 October 2020	Bilateral meeting with Tasmania (emerging policy)
02 October 2020	Bilateral meeting with Western Australia (engagement design)
28 September 2020	Bilateral meeting with Victoria (engagement design)
23 September 2020	Bilateral meeting with New South Wales (emerging policy)
23 September 2020	Bilateral meeting with New South Wales (engagement design)
22 September 2020	Bilateral meeting with Northern Territory (emerging policy and engagement design)
15 September 2020	Bilateral meeting with Tasmania (engagement design)
20 August 2020	Senior Officials Group meeting
13 July 2020	Bilateral meeting with the Australian Local Government Association
7 July 2020	Bilateral meeting with Australian Capital Territory
24 June 2020	Bilateral meeting with Western Australia
18 June 2020	Bilateral meeting with Queensland
28 May 2020	Bilateral meeting with South Australia
27 May 2020	Bilateral meeting with New South Wales
20 May 2020	Bilateral meeting with Northern Territory
15 May 2020	Bilateral meeting with Victoria
7 May 2020	Bilateral meeting with Tasmania
7 April 2020	Senior Officials Group meeting
25 February 2020	Senior Officials Group meeting
19 and 20 February 2020	Senior Officials Group meeting (20 February teleconference, some members briefed separately on 19 February)



**Indigenous Voice Co-design Process
Final Report to the Australian Government**

July 2021

2020 AUSTRALIAN RECONCILIATION BAROMETER

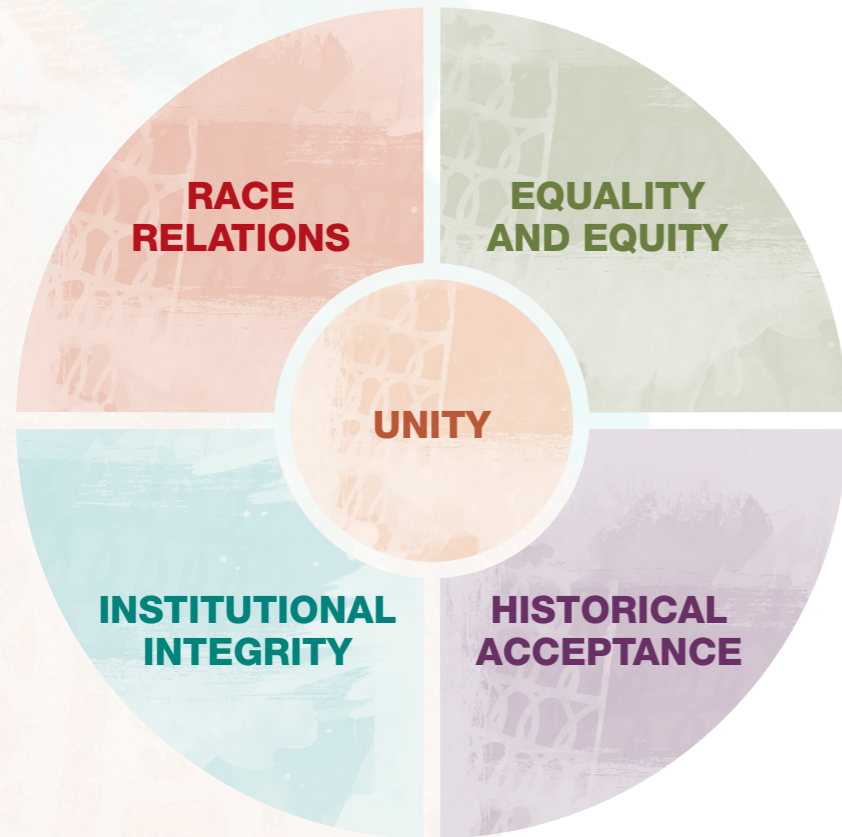


RECONCILIATION
AUSTRALIA

RECONCILIATION AUSTRALIA

Reconciliation Australia is the national lead organisation for reconciliation in Australia. We partner with business, government, education and community sectors to achieve our vision for a just, equitable and reconciled Australia.

FIVE DIMENSIONS OF RECONCILIATION



Race Relations

All Australians understand and value Aboriginal and Torres Strait Islander and non-Indigenous cultures, rights and experiences, which results in stronger relationships based on trust and respect that are free of racism.

Equality and Equity

Aboriginal and Torres Strait Islander peoples participate equally in a range of life opportunities and the unique rights of Aboriginal and Torres Strait Islander peoples are recognised and upheld.

Unity

An Australian society that values and recognises Aboriginal and Torres Strait Islander cultures and heritage as a proud part of a shared identity.

Institutional Integrity

The active support of reconciliation by the nation's political, business and community structures.

Historical Acceptance

All Australians understand and accept the wrongs of the past and the impact of these wrongs. Australia makes amends for the wrongs of the past and ensures these wrongs are never repeated.

2020 AUSTRALIAN RECONCILIATION BAROMETER – SUMMARY REPORT

The Australian Reconciliation Barometer (ARB) measures attitudes towards reconciliation, using the five dimensions of reconciliation to inform data collection and analysis. The 2020 ARB shows that support for a reconciled nation is higher than ever with steady improvement across most measures. However, inequality and racism against Aboriginal and Torres Strait Islander peoples still stand in our way.

The ARB is a biennial, national research study, undertaken by Reconciliation Australia since 2008. The research delves into the heart of our nation to identify the attitudes and perceptions Indigenous and non-Indigenous Australians hold about each other and about reconciliation, while mapping Australia's progress towards the five dimensions of reconciliation.

The 2020 ARB surveyed a national sample of 495 Aboriginal and Torres Strait Islander people and 1988 general community members, across all states and territories. Both the general community sample and Aboriginal and Torres Strait Islander sample are weighted to be representative in terms of age group, gender and location (state and territory populations), as per Australian Bureau of Statistics 2016 Census data.

Reconciliation Australia acknowledges the potential impact of COVID-19 in Australia during this survey period. The advent of heightened awareness and sentiments around the global and local Black Lives Matter movement, and the Juukan Gorge destruction may also have influenced attitudes to reconciliation and other issues this year.

2020 Australian Reconciliation Barometer

The 2020 ARB tells us that support for reconciliation is growing and that more Australians know how to get involved. As in previous years, almost all Australians—Aboriginal and Torres Strait Islander people and people in the general community—believe the relationship between each other is important.

More people surveyed accept key accounts of Australia's history as factual, and believe it is important for all Australians to learn about past issues.

As in 2018, an overwhelming majority of respondents believe it is important to undertake formal truth-telling processes in Australia.

There has been improvement in Aboriginal and Torres Strait Islander people feeling they can be true to their cultures in different settings. However, experiences of racial prejudice have increased for First Nations' Peoples.

Nearly all Australians want Aboriginal and Torres Strait Islander people to have a say in their own affairs, which may explain the growth in support for treaty, sovereignty and a constitutionally enshrined Voice.

While perceptions towards responsibility for Aboriginal and Torres Strait Islander people's disadvantage are varied, a majority of all Australians believe governments must do more to close the gap in health, justice, and employment.

RACE RELATIONS

All Australians understand and value Aboriginal and Torres Strait Islander and non-Indigenous cultures, rights and experiences, which results in stronger relationships that are based on trust and respect, and are free from racism.



Sorry Day walk. Photo: Sean Davey

Key findings: Relationships | Racism

As in previous years, almost all Australians–Aboriginal and Torres Strait Islander people and general community members–believe the relationship between each other is important. More effort is required to curb racism as experiences of racial prejudice increased for Aboriginal and Torres Strait Islander people in 2020.

Almost all Australians think the relationship is important.



95%

Aboriginal and Torres Strait Islander people (94% in 2018) and **91%** of the general community (90% in 2018) **feel our relationship is important.**

70%

people in the general community (unchanged since 2018) and 68% of Aboriginal and Torres Strait Islander people (56% in 2018) **believe that Australia is better off with many cultural groups.**

Australians largely feel they have good relationships with medical staff, local shop owners and police.



However, Aboriginal and Torres Strait Islander people are **much more likely to have a poor relationship with police** (16%) than the general community (6%).

There are still gaps in the trust that Aboriginal and Torres Strait Islander people and non-Indigenous people have for each other.



44% of Aboriginal and Torres Strait Islander people believe they have **high trust towards people in the general community** (46% in 2018).

30% of people in the general community believe they have **high trust towards Indigenous Australians** (27% in 2018).

60% of Aboriginal and Torres Strait Islander respondents agree that **Australia is a racist country** (51% in 2018), compared with **43%** of the general community (38% in 2018).



60%



43%

Experiences of racial prejudice have increased.



52% of Aboriginal and Torres Strait Islander people have **experienced** at least one form of **racial prejudice** in the past 6 months (43% in 2018).

EQUALITY AND EQUITY

Aboriginal and Torres Strait Islander peoples participate equally in a range of life opportunities, and the unique rights of Aboriginal and Torres Strait Islander peoples are recognised and upheld.



Pius Gregory, Yawuru Country Manager, Kimberley region, Western Australia. Photo: Jillian Mundy

Key findings: Self-determination | Socio-economic Conditions

Nearly all Australians want Aboriginal and Torres Strait Islander people to have a say in their own affairs. While perceptions towards responsibility for Aboriginal and Torres Strait Islander people's disadvantage are varied, a majority of all Australians believe governments must do more to close the gap in health, justice, and employment.

95% of the general community

94% of Aboriginal and Torres Strait Islander people

believe **it is important for Aboriginal and Torres Strait Islander people to have a say in matters that affect them.**

86% of the general community (85% in 2018)

91% of Aboriginal and Torres Strait Islander people (90% in 2018)

believe it is important to **establish a representative Indigenous Body.**

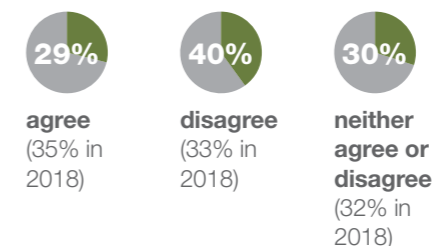
81% of the general community (77% in 2018)

88% of Aboriginal and Torres Strait Islander people (86% in 2018)

believe it is important to **protect an Indigenous Body within the Constitution, so it can't be removed by any government.**

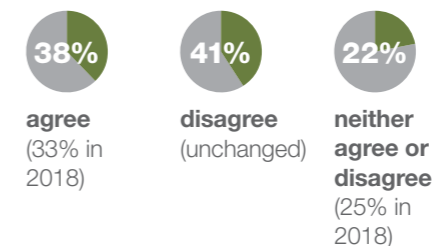
In Australia there has been some change in perceptions and attitudes towards **Aboriginal and Torres Strait Islander people being responsible for their own disadvantage.**

In the general Australian community



that Aboriginal and Torres Strait Islander people **are responsible for their own disadvantage.**

For Aboriginal and Torres Strait Islander people



that Aboriginal and Torres Strait Islander people **are responsible for their own disadvantage.**

Aboriginal and Torres Strait Islander people, and people in the general community, generally believe **more must be done by government departments to close the gap in outcomes for health, justice, and employment.**

Health

+ **60%** general community
73% Aboriginal and Torres Strait Islander people

Justice

⚖️ **62%** general community
71% Aboriginal and Torres Strait Islander people

Employment

👤 **57%** general community
64% Aboriginal and Torres Strait Islander people

Living Conditions



Since 2018 there has been some improvement for all Australians when considering their own living conditions.

18% of Aboriginal and Torres Strait Islander people **consider their living conditions to be worse** compared with the majority of people in Australia (23% in 2018).

13% of the general public **consider their own living conditions to be worse** than the majority of people in Australia (17% in 2018).

UNITY

An Australian society that values and recognises Aboriginal and Torres Strait Islander cultures and heritage as a proud part of a shared national identity.



ACT Ranger sharing knowledge on Reconciliation Day. Photo: Sean Davey

Key findings: Culture | Reconciliation | Representation | Recognition

The desire to become a more reconciled nation has increased, with more Australians knowing what they can do to help. Most Australians believe it is important for Aboriginal and Torres Strait Islander histories and cultures to be taught in schools. Support for treaty and sovereignty has grown.

Pride in Aboriginal and Torres Strait Islander cultures remains strong.



87%

Aboriginal and Torres Strait Islander people (86% in 2018)

64%

people in the general community (62% in 2018)

agree they are **proud of Australia's Aboriginal and Torres Strait Islander cultures.**

Pride in Australia's multiculturalism is unchanged since 2018.

72%

Aboriginal and Torres Strait Islander people

74%

general community

are **proud of Australia's multiculturalism.**

Australians increasingly want to do something to **help improve reconciliation.**



78%

of Aboriginal and Torres Strait Islander people (73% in 2018)

61%

of the general community (54% in 2018)

And more of us **know what we can do to help:**

56%

of Aboriginal and Torres Strait Islander people (44% in 2018)

32%

of the general community (29% in 2018)

More of us believe it's **important for Aboriginal and Torres Strait Islander histories and cultures to be taught in schools.**



91%

of Aboriginal and Torres Strait Islander people (89% in 2018)

83%

of the general community (79% in 2018)

Support for **Treaty and Sovereignty** continues to grow.



53%

of the general community (47% in 2018)

69%

of Aboriginal and Torres Strait Islander people (64% in 2018) **support a treaty**

39%

of the general community (31% in 2018)

58%

of Aboriginal and Torres Strait Islander people (55% in 2018) **support sovereignty**

INSTITUTIONAL INTEGRITY

The active support of reconciliation by the nation's political, business and community structures.

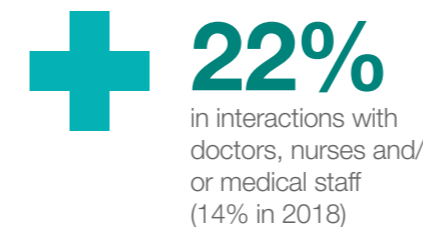
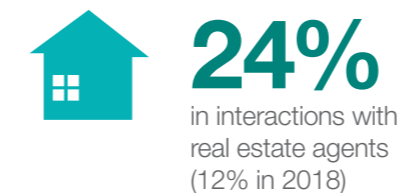


International Towers at Barangaroo, Sydney. Photo: Stephen G Reinhardt

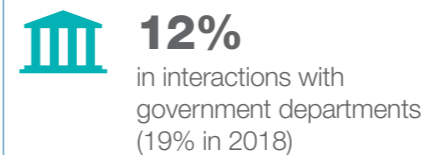
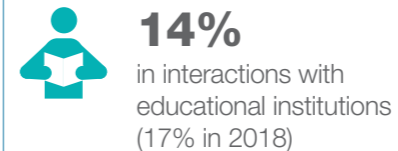
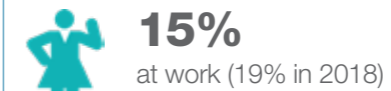
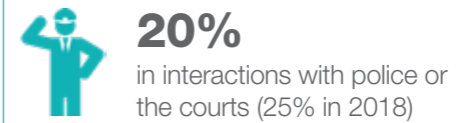
Key findings: Institutional Racism | Cultural Safety | Media

Experiences of racial prejudice by Aboriginal and Torres Strait Islander have increased in the last year. The feeling that media portrayal of Aboriginal and Torres Strait Islander people is usually negative has continued to be high. There has been some improvement in Aboriginal and Torres Strait Islander people feeling they can be true to their cultures in different settings.

Aboriginal and Torres Strait Islander people are more likely to have **experienced racial discrimination** in the **last 12 months**.



There has been some improvement in Aboriginal and Torres Strait Islander people feeling they cannot be true to their cultures in a number of different settings.



46% of Aboriginal and Torres Strait Islander people (50% in 2018)

44% of the general community (42% in 2018)

believe media portrayal of Aboriginal and Torres Strait Islander people is **usually negative**.

HISTORICAL ACCEPTANCE

All Australians understand and accept the wrongs of the past and the impact of these wrongs. Australia makes amends for the wrongs of the past and ensures these wrongs are never repeated.



Identifying Country on the AIATSIS Map of Indigenous Australia. Photo: Sean Davey

Key findings: Understanding history | Truth-telling

Most Australians believe formal truth-telling processes should be undertaken in Australia, while more accept key accounts of Australia's history as factual, and believe it is important for all Australians to learn about past issues.

More Australians in the **general community** believe key accounts of Australia's past are factual.

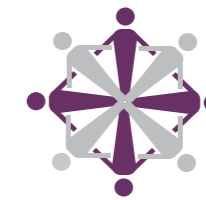


81% believe it is true that government policy enabled Aboriginal and Torres Strait Islander children to be removed from their families without permissions until the 1970s.

76% believe it is true that Aboriginal and Torres Strait Islander people were subject to mass killings, incarceration, forced removal from land and restricted movement throughout the 1800s.

80% believe it is true that Aboriginal and Torres Strait Islander people did not have full voting rights through Australia until the 1960s.

More Australians want Australia's shared history to be brought into view through truth-telling.



89%

of the general community and 93% of Aboriginal and Torres Strait Islander people believe it is important to undertake formal truth-telling processes in relation to Australia's shared history.



90%

of the general community (86% in 2018) feel it is **important for all Australians to learn about past issues**, compared with 93% of Aboriginal and Torres Strait Islander people (91% in 2018).

35%

Aboriginal and Torres Strait Islander people (40% in 2018) believe **the wrongs of the past must be rectified** before we can move on with reconciliation, compared with 29% of the general community (28% in 2018).

What must we do as a nation?

The results of the 2020 Australian Reconciliation Barometer, while reaffirming increased public understanding of First Nations histories and cultures, and increased support for reconciliation and justice, also indicate that more progress is needed for reconciliation to be achieved.

It is the more difficult, substantive change that will propel us towards a more reconciled country.

As we consider how to maintain the momentum towards meaningful national reconciliation, one thing is clear from the evidence: there is much more to do.

The following actions focus on the key findings from each dimension, and propose actions that, if addressed, would help propel us towards a reconciled nation.

Race Relations

Almost all Australians – Aboriginal and Torres Strait Islander people and general community members – believe the relationship with each other is important. This is a foundation stone upon which we can address more difficult issues.

Significant among these issues is that more than half of Aboriginal and Torres Strait Islander people have experienced at least one form of racial prejudice. Sixty percent of Aboriginal and Torres Strait Islander People agree that Australia is a racist country (compared with 43% of the general community).

It is clear that more effort is required to curb racism. Such experiences have remained stubbornly high in previous Australian Reconciliation Barometer research. Continued racism is both a barrier to reconciliation, and an infringement on the rights of Aboriginal and Torres Strait Islander people.

Key actions – addressing racism:

- Maintain legal protections against racism.
- Support public campaigns against racism.
- Support public education on First Nations' cultures and histories.

Equality and Equity

Nearly all Australians (95%) want Aboriginal and Torres Strait Islander people to have a say in their own affairs, and more than 80% of the general community believes it is important to protect a First Nations' representative body within the Constitution.

A majority also believes governments must do more to close the gap in health (60%), justice (62%), and employment (57%).

This positive support from the broader community is ahead of the political response to these issues, and provides a basis for demanding more of our political leaders. It is clear that more must be done, and it must be done with Aboriginal and Torres Strait Islander people having a say when decisions are being made.

Key actions – voice and socio-economic gaps:

- All future policy development, implementation and monitoring of Indigenous Affairs is done in genuine partnership with Aboriginal and Torres Strait Islander peoples and their representative bodies.
- The calls in the Uluru Statement from the Heart, including for a constitutionally enshrined Voice to Parliament, should be supported by parliaments, corporate and civil society, and the broader community.

Unity

The desire to become a more reconciled nation has increased, with more Australians knowing what they can do to help. Most Australians believe it is important to learn about Aboriginal and Torres Strait Islander histories and cultures.

More than 60% of people in the general community are proud of Australia's Aboriginal and Torres Strait Islander cultures, and want to do something to help improve reconciliation. Over 80% believe it is important for Aboriginal and Torres Strait Islander histories and cultures to be taught in schools.

This provides a platform from which to lift our national ambition, and turn strong support and attitudes into positive outcomes.

Key actions – promoting First Nations' culture and histories:

- Governments, the corporate sector, education and media institutions should support initiatives that celebrate, promote and enhance public education about First Peoples' history, culture, and achievements.
- Government should promote discussion about enhancing our national identity by embedding Aboriginal and Torres Strait Islander culture and history into our national story.

Institutional Integrity

There has been improvement in First Nations' people feeling they can be true to their culture in different settings. However, almost half of Aboriginal and Torres Strait Islander people feel media portrayal of them is usually negative, and experiences of institutional racial prejudice have increased for Aboriginal and Torres Strait Islander people in the last year.

Building institutional respect and recognition of First Nations' cultures is critical to reconciliation. Aboriginal and Torres Strait Islander people have the right to practice their culture and enjoy a life free from racial discrimination.

Key actions – building cultural safety:

- Governments, corporate organisations and civil society should work with Aboriginal and Torres Strait Islander peoples to improve the protection of Aboriginal and Torres Strait Islander rights in accordance with the UN Declaration on the Rights of Indigenous Peoples.

Historical Acceptance

Most Australians believe formal truth-telling processes should be undertaken in Australia, while more accept key accounts of Australia's history as factual, and believe it is important for all Australians to learn about past issues.

Truth-telling offers the opportunity to understand and accept the wrongs of the past and the impact of these wrongs. It can provide a means through which Australia can make amends for these wrongs and ensure they are never repeated.

Key actions – supporting truth-telling:

- Governments at a federal, state and local level should support truth-telling in local communities to build national understanding of our shared past, and build a culture and movement of truth-telling.
- Governments, working with our educational institutions, should work with First Peoples to improve the teaching of First Nations history and culture in our schools.



RECONCILIATION
AUSTRALIA

Reconciliation Australia
PO Box 4773
Kingston ACT 2604

Tel: 02 6153 4400
reconciliation.org.au

Reconciliation Australia acknowledges the Traditional Owners of Country throughout Australia and recognises their continuing connection to land, waters and community. We pay our respects to the Traditional Owners of Country and their cultures; and to Elders both past and present.

Aboriginal and Torres Strait Islander peoples should be aware that this publication may contain images or names of people who have since passed away.



yonder.

Barooga Regional Multi-Sport Precinct

Final Master Plan

Burkinshaw Road, Barooga

Date: 27 May 2022

Revision: E

Prepared for Berrigan Shire Council by

YONDER LANDSCAPE ARCHITECTURE ©

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Project: Barooga Regional Multi-Sport Precinct
Master Plan

Commissioned by: Berrigan Shire Council

Prepared by: Yonder Landscape Architecture,
PO Box 1198, Albury NSW 2640 Australia
ABN 68 437 343 209

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Trustee for the Sims and Slade Family Trust trading
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STATUS	DATE	BY	REVISION
Review	28.09.21	FS	A
Approval	29.09.21	FS	B
Consultation	08.10.21	FS	C
Approval	04.04.22	FS	D
Final issue	27.05.22	FS	E

Introduction

Project summary

Yonder Landscape Architecture have been engaged by Berrigan Shire Council (BSC) to work with the community to prepare a Master Plan for Barooga Recreation Reserve. The Master Plan is an aspirational and strategic plan which aims to guide future funding applications and on-ground works.

The Master Plan will provide a framework for the staged redevelopment of the Reserve's facilities, upgrade of existing facilities, investment in new facilities and services and supports strategic linkages between the Barooga Recreation Reserve and the sports facilities operated by the Barooga Sporties Group.

Brief

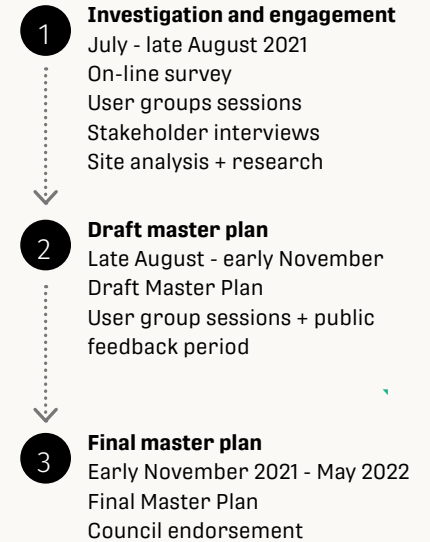
The Brief called for the following to be addressed:

- ▶ Review and upgrade netball courts, tennis courts, equestrian precinct, and other sporting facilities.
- ▶ Investigate pedestrian and vehicular interaction and manage conflicts.
- ▶ Review and up-grade cricket nets, playground and equestrian area.
- ▶ Consider the athletic facilities as a single precinct.
- ▶ Ensure the facility is a quality regional sports precinct.
- ▶ Collaborate with Barooga Sporties Group in preparing and delivering improvements.

Project process

The master planning process is comprised of three key stages.

A second round of engagement occurred in October when the community had the opportunity to provide feedback on the Draft Master Plan.



The Site

Context

The Barooga Recreation Reserve is located in a cross-border (Victoria/ NSW) regional-level sporting and recreational precinct, within the township of Barooga.

It is bounded by Burkinshaw Road, Snell Road, Cobram-Barooga Golf Club Resort, Barooga Sporties Club and the Barooga Aquatic and Recreation Centre. The reserve is mainly accessed from Burkinshaw Street.

Study area

The Barooga Recreation Reserve, in association with the Barooga Sporties Group, has a long history of hosting National and Victorian (State) level Championships and Sports Carnivals for junior cricket, veterans' cricket and PGA Golf Tournaments.

The Reserve is home to the Barooga Football and Netball Club, the Barooga Cricket Club, the Cobram Barooga Equestrian Club, Barooga Little Athletics and the Barooga Tennis Club. A council depot with water storage has recently been developed on the north-east corner of the site.

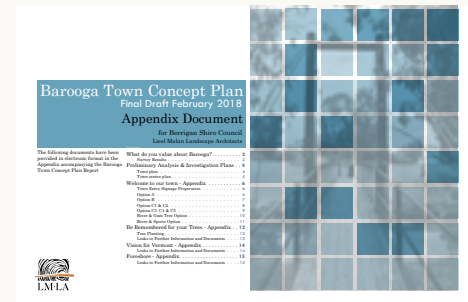
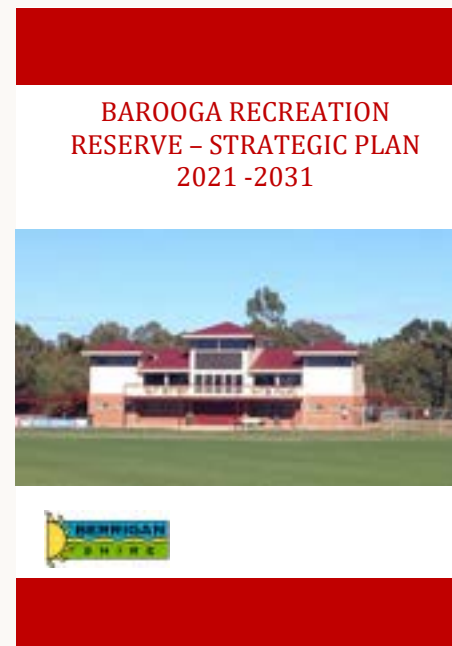


Main image: Context plan.
Inset: Study area plan.

Background

A review of the following documents has informed the preparation of the Master Plan:

- ▶ Barooga Sports Precinct Redevelopment Plan 2019-2023 prepared by Sporties Barooga.
- ▶ Berrigan Shire Budget Proposal 2021-22 Sports Tourism program.
- ▶ Barooga Recreation Reserve Strategic Plan 2021 - 2031 prepared by Berrigan Shire Council.
- ▶ Barooga Town Concept Plan prepared by LMLA.
- ▶ Cobram-Barooga Equestrian Club 2019 -2023 Ground Improvement Plan.
- ▶ Submissions and letters of support from user groups.
- ▶ Risk assessment review prepared by Berrigan Shire Council 2021.



Engagement process

Phase 1 - Investigation and Engagement

Two engagement phases have formed part of the project process. The first engagement phase, the Investigation and Engagement phase (phase 1) identified key strengths, issues and opportunities for the upgrade of Barooga Recreation Reserve.

A comprehensive engagement process was delivered and the aim of the engagement was to seek community input and feedback on the key strengths, issues and opportunities.

Yonder engaged with community groups and individuals within the study area, and also with the broader users to understand the strengths and issues.

Relevant feedback was incorporated in the Draft Master Plan. The findings of the first and second engagement phases have informed the development of this report, the Final Master Plan.

Summary of activities

Method	Date	Summary	Participation
Online survey	10 July - 9 August 2021	An Online Survey was available on the Berrigan Shire Council website for residents and visitors to Barooga.	236 community survey responses
Individual workshops with user groups	29 + 30 July 2021	Face to face workshops with the five user groups and representatives from Barooga Sporties Group.	6 face to face workshops
Video interviews with stakeholders	16 - 17 August 2021	Interviews with stakeholder representatives from Barooga Aquatic Centre, Berrigan Shire Council project management team and Barooga Advancement Group.	3 video calls



Phase 2 - Draft Master Plan

The second engagement phase was undertaken by Berrigan Shire Council and provided the community with the opportunity to examine, discuss, and provide feedback on the Draft Master Plan.

Council facilitated face to face workshops with each of the six user groups, and formal submissions were received from all, except Sporties Group.

Council sought formal submissions from the community; the Draft Master Plan document was placed on public exhibition for a three week period and was promoted on Council's website as well as social media channels.

Summary of activities

Method	Date	Summary	Participation
Face to face workshops with user groups	13 October 2021	Face to face workshops with the five user groups and representatives from Barooga Sporties Group.	Face to face workshops - between 3 and 5 people attended from each club
Submissions	13 October - 4 November 2021	Feedback was received in the form of letters or emails.	3 submissions
Informal feedback		Comments on facebook posts	



Some positive comments from Berrigan Shire Council Facebook post dated 18 October 2021

Engagement findings

User group submissions

The following pages provide a summary of the formal submissions received from the five user groups and how the relevant feedback has been incorporated in the Final Master plan.

Summary of user group feedback

Issue	Opportunity from Phase 2 engagement	Considered in Final Master Plan	For further consideration
Barooga Cricket Club INC			
Staging of improvements	▶ The replacement of cricket nets should form part of stage one works given the safety risks associated with the existing facility.	▶ New cricket nets have been included in short term works.	
Cricket nets	▶ 6 nets is preferred.	▶ 6 nets has been included.	
Running track	▶ Relocate to just inside the boundary track of Oval 2 to provide adequate space for cricket to be played at junior and senior levels.	▶ 400m, 4 lane track has been included.	
Playground	▶ Relocate playground to a location where both spectating sport and supervising children is possible.	▶ Playground to be upgraded at a location close to existing.	
Barooga Little Athletics			
Reserve entry	▶ Consider safety of proposed intersection. ▶ Entrance archway should be remain where in its existing position.	▶ Detailed engineering design will form part of the delivery phase.	■
Playground	▶ Small additional playground near Oval 2.		
Running	▶ 3 lane track is preferred.	▶ 4 lanes have been included.	
Throwing	▶ Discus and shotput areas to be angled to the west.		■
Little Athletics Club-rooms	▶ Locate club-rooms closer to Oval 2 , facing the finish line and field events, and include an ambulant toilet.	▶ Club-rooms located close to Oval 2, with public toilet included.	

Issue	Opportunity from Phase 2 engagement	Considered in Final Master Plan	For further consideration
Barooga Football and Netball Club			
Netball facilities	▶ Remove half court as it is too small for warm-up.	▶ Half court has been removed.	
	▶ Car parking near netball courts is too close - replace with covered grandstand seating.	▶ Covered stadium seating has been included.	
	▶ Team benches to accommodate 10 people and score bench is big enough for 4 people.	▶ Longer seats have been shown.	
Playground	▶ Site playground to a location which is visible, easy to access and away from traffic.	▶ Playground to be upgraded at a location close to existing.	
Toilet facilities	▶ Upgrade toilet in current location to allow for more parking.	▶ Included.	
Access	▶ Provide a lift at Ray Nye Building.	▶ Included.	
	▶ Consider mechanism to ensure emergency exit from sports club is protected.		▪
Reserve entry	▶ Consider locating the gatehouse further into the reserve to prevent queuing vehicles extending into the road.	▶ Gatehouse has been shown 64m from the reserve entry.	
Trees	▶ Ensure trees do not have invasive root systems.		▪
Golf cart track	▶ Concern that an additional gate would require more volunteer resources on game days.		▪



Careful selection of trees to ensure facilities are not damaged by roots.



Upgrade playground in its current location.



Covered arena example.



Include a rebound wall with the new tennis courts.

Issue	Opportunity from Phase 2 engagement	Considered in Final Master Plan	For further consideration
Cobram Barooga Equestrian Club			
Access	<ul style="list-style-type: none"> ▶ Retain show jumping in the north-west corner of the site and locate the turning area outside the equestrian precinct. ▶ Provide access and a designated gate to Oval 2 for horses 	<ul style="list-style-type: none"> ▶ Access road (and parking) has been removed. The turning area is now outside the fence. ▶ A horse track and gate connects the equestrian area to Oval 2. 	
Equestrian facilities	<ul style="list-style-type: none"> ▶ Reduce the multiple arenas and provide one large covered arena with adjacent car/float/truck parking and grass warm up areas. 	<ul style="list-style-type: none"> ▶ A single covered arena has been shown with covered yards along the north. 	
Barooga Tennis Club			
Staging	<ul style="list-style-type: none"> ▶ Stage 1 works should include 4 courts, lighting, rebound wall and club-room building. 	<ul style="list-style-type: none"> ▶ Included in staging plan as a recommendation. 	
Tennis facilities	<ul style="list-style-type: none"> ▶ Reduce the costs of constructing 6 new courts from scratch - consider re-surfacing of the existing courts. ▶ Include a wall for hitting practice. ▶ Consider locating the tennis clubroom building on the bank to the south side of the courts. 	<ul style="list-style-type: none"> ▶ To be investigated. ▶ Rebound wall has been included. ▶ Club-room has been sited as suggested. 	
Playground	<ul style="list-style-type: none"> ▶ Playground needs to be accessible for all users, with good surveillance and away from traffic. 	<ul style="list-style-type: none"> ▶ Playground to be upgraded at a location close to existing. 	

Public exhibition submissions

Council received a total of 3 submissions during the public exhibition period. Feedback was received in the form of letters or emails. The overall community sentiment was very positive, and most of the discussion and comments were in support of the plans. A summary of the comments is included.

Summary of submissions

Opportunity from Phase 2 engagement	Considered in Final Master Plan	For further consideration
▶ Sound bowl for concerts and entertainment.		■
▶ 3 lane track around the outside of Oval 2 with distance markers for 100m, 200m and 400m.	▶ 4 lane track within Oval 2 has been included.	
▶ Upgrade and enlarge equestrian arena.	▶ 120 x 60m covered area has been shown.	
▶ Entry road to be flat with no speed humps, suitable for trucks towing horse floats.	▶ Entry road remains in the same location with at grade pedestrian crossing points.	
▶ Extend fence to western boundary with access gate	▶ Included.	
▶ Provide visitor parking and pedestrian access outside equestrian area.	▶ Designated and overflow parking has been included.	
▶ Ongoing maintenance of the existing netball clubroom to be considered.		■



Melbourne Olympic Park is an example of a running track outside an AFL oval.

Barooga Cricket Club

- Issues**
- ▶ Cricket nets are poor quality.
 - ▶ Cricket facilities are disconnected from Ray Nye Building.
 - ▶ Off-season storage is inadequate and disconnected.
 - ▶ Difficult to access the disabled ramp in a wheelchair from a vehicle.

- Opportunities**
- ▶ Consolidate storage with club-room and adjacent parking.
 - ▶ Re-locate and upgrade cricket nets.
 - ▶ Provide designated disabled parking and access.

Barooga Tennis Club

- Issues**
- ▶ Courts are under-utilised, degraded and not to competition standard.
 - ▶ Club-rooms are degraded.

- Opportunities**
- ▶ Upgrade courts, lighting and club-room in a similar location.
 - ▶ Re-arrange for better spectator viewing.

Barooga Football Netball Club

- Issues**
- ▶ Courts are under-utilised, degraded and not to competition standard.
 - ▶ Club-rooms are degraded.

- Opportunities**
- ▶ Re-locate netball courts closer to football building.
 - ▶ Provide additional netball facilities (change-rooms and toilets).

Cobram Barooga Equestrian Club INC

- Issues**
- ▶ Arena is sub-standard.
 - ▶ Drainage, weed and pest problems.
 - ▶ Area not utilised to its full potential.
 - ▶ Lack of shade.

- Opportunities**
- ▶ Provide arenas to international standards for show jumping and dressage.
 - ▶ Provide designated and fenced truck and horse float parking.
 - ▶ Provide club-rooms and upgrade/expand day yards.
 - ▶ Address on-going weed and pest animals issues.

Barooga Little Athletics Club

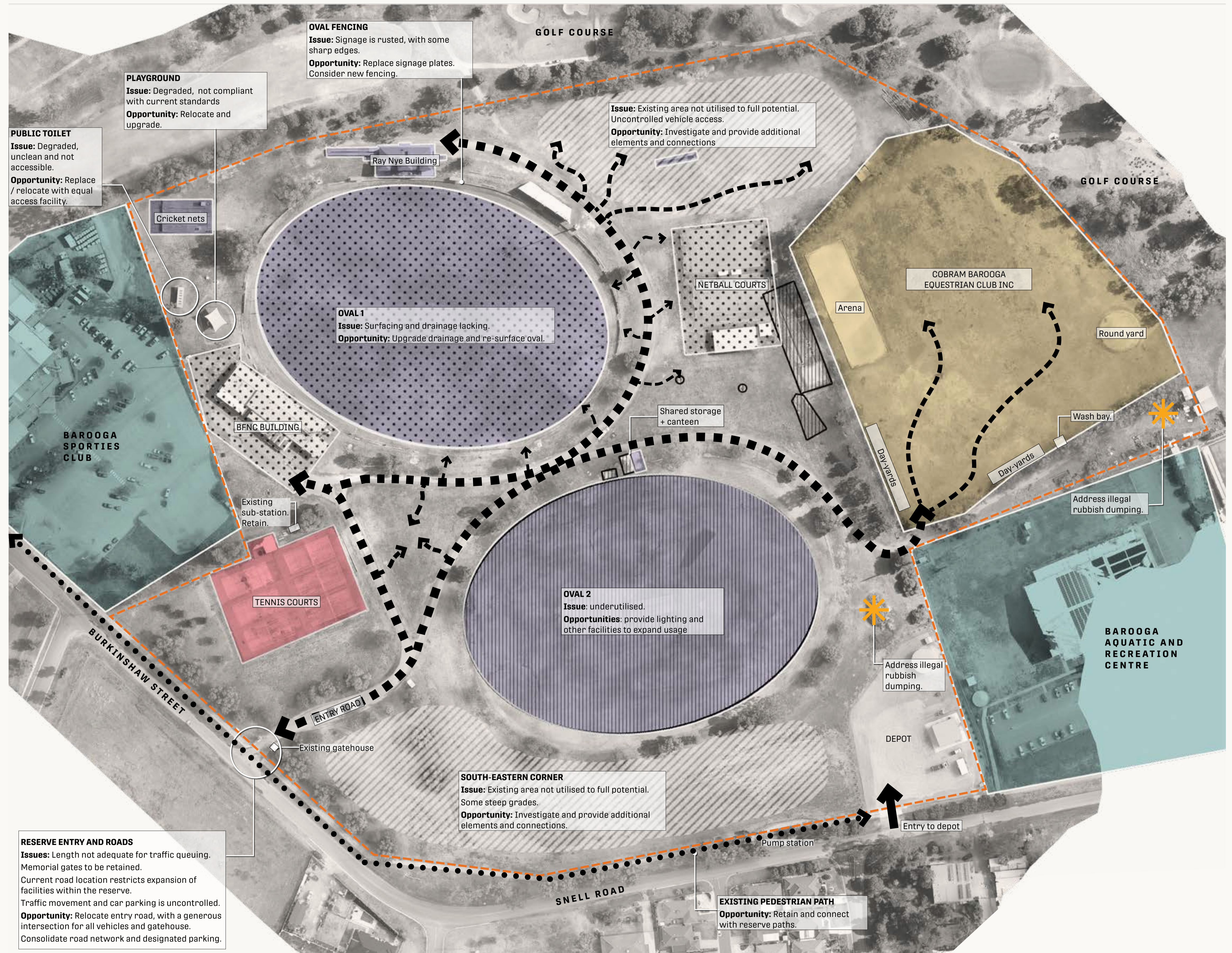
- Issues**
- ▶ Road to access the equestrian area is a safety issue.
 - ▶ Facilities are sub-standard and fragmented.
 - ▶ Lack of shade.
 - ▶ Use is defined by daylight hours.

- Opportunities**
- ▶ Consolidate and upgrade facilities, including lighting.
 - ▶ Remove portion of road to create a single precinct and provide organised parking.

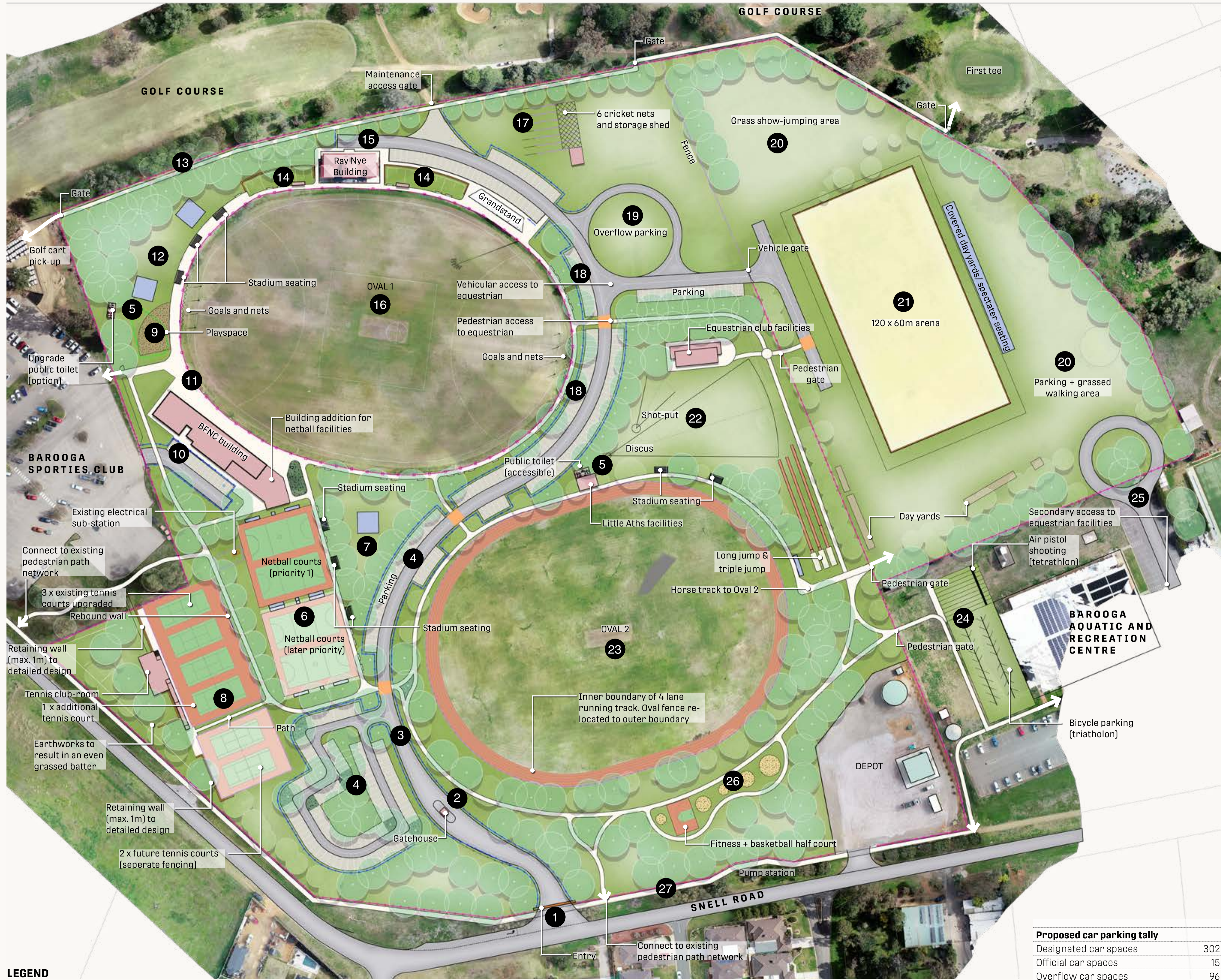
Barooga Sports Club, Barooga Aquatic and Recreation Centre and Cobram-Barooga Golf Club

- Issues**
- ▶ Lack of connection to and from the reserve, including from the equestrian area.
 - ▶ Lack of accessible connection from the golf cart pick up to the first tee.

- Opportunities**
- ▶ Provide additional facilities to encourage further shared use of the reserve.
 - ▶ Formalise pedestrian connections from the reserve to adjacent facilities operated by Sporties Group.

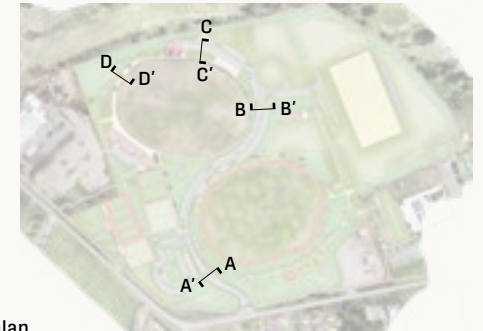


- 1 New reserve entry / exit for vehicles**
Relocate memorial entry gates to new location. Undertake detailed engineering design for intersection, including new slip lane.
- 2 New gatehouse**
Locate a new gatehouse on a central splitter island, 70 metres in from the reserve entry to allow for queuing traffic.
- 3 Improve traffic flow**
Re-align entry road from Snell Road, apply a spray seal finish, and install vehicle barriers (e.g. bollards) to control vehicular movement. Provide raised pedestrian access-ways to further slow traffic and prioritise pedestrians.
- 4 Organise car parking**
Formalise car parking, apply a spray seal finish, install line-marking and vehicle barriers.
- 5 Public toilets**
New accessible toilets at little athletics facilities and current location.
- 6 Upgrade netball courts and facilities**
Provide 2 x new netball courts, and 2 x additional courts at a later stage. Provide seating and shelter; 2 x covered stadium seating, 4 x umpire and 8 x player benches surrounding the courts. Construct club-rooms as an extension to the existing BFNC building.
- 7 Grass area for passive use**
Provide open lawn, tree planting, picnic hub with BBQ, table and shelter.
- 8 Upgrade tennis courts**
Upgrade 4 x tennis courts, 2 x additional future courts at a later stage, including lighting, fencing and new retaining walls (max. 1m height) as required. Provide spectator seating areas, and DDA compliant walkways to new clubroom. Club room with kitchen and common room to be located on the southern batter for a prospect view of the courts.
- 9 New playspace**
Upgrade the playground. Provide a range of play experiences which complement the existing adventure playground in Barooga.
- 10 Limit vehicular access**
Provide controlled access via existing locked gate from Sporties car park for officials and emergency access only. Allow for 15 x car spaces for officials only.
- 11 Improve pedestrian access**
Provide pedestrian pathways around the ovals. Upgrade bench seating around oval fence-line.
- 12 Passive space for flexible use**
Remove cricket nets. Install passive recreation area between football and cricket building including grass areas, tree planting, stadium seating, upgraded toilets and playspace, picnic hubs with BBQ, tables and shelters.
- 13 Golf cart / mobility scooter path**
Provide a 2m wide path from golf cart pick-up point to the first tee.
- 14 Expand spectator areas**
Remove time-keepers building. Construct 2 x spectator grass mounds made up of a low wall retaining a grassed slope towards the oval. Retain covered team shelters.
- 15 Improve disabled access to building**
Provide designated disabled car parking with compliant access to ramp. Investigate addition of a lift to the north of Ray Nye Building.

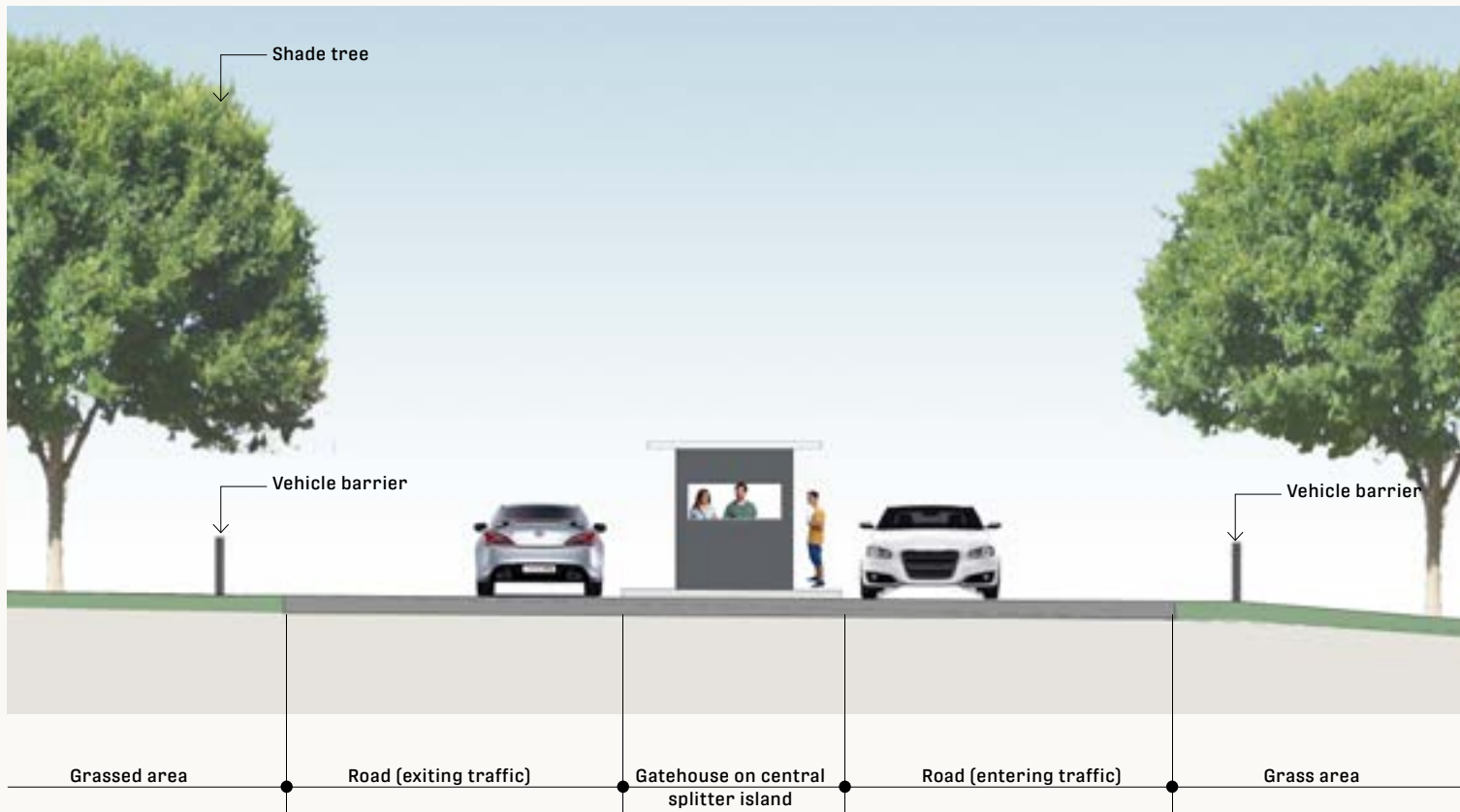


- 16 Improve Oval 1**
Improve drainage at Oval 1 and undertake a complete re-surface. Replace goal posts and nets, as well as signage boards and /or perimeter fencing.
- 17 Re-locate and upgrade cricket nets**
Provide 6 x new cricket nets, bowling machine and a new storage facility, close to new car parking.
- 18 Improve traffic safety**
Remove mounding on the northern end of Oval 1. Provide designated parking and vehicle barriers facing the oval.
- 19 Overflow Parking**
Remove cricket pitch and netball courts. Open grassed space for overflow parking and events.
- 20 Grass show-jumping area**
Flatten grass area and fence to western boundary.
- 21 Upgrade the Equestrian Club precinct**
Remove existing arena. Provide new facilities including 1 x covered dressage arenas [120x60m]. Retain existing day-yards, wash bay (including water supply) and round-yard. Re-purpose the existing netball club building as a club room. Provide connections to club facilities and Oval 2. Provide compost bins. Repair fencing where required and ensure all equestrian areas are fenced. Investigate drainage issues from the north and incorporate regular pest and weed eradication programs. Plant trees for micro-climatic benefit.
- 22 Upgrade the Little Athletics precinct**
Remove section of road connecting to the equestrian area. Upgrade field events in new locations. Provide generous tree plantings for shade, as well as 1 x shade shelter close to jump pit. Provide 2 x covered stadium seating facing Oval 2. Install LED lights to Oval 2. Upgrade facilities and provide new public toilet.
- 23 Provide a permanent running track to Oval 2**
Construct a 4 lane, 400m synthetic running track within Oval 2 with 100m, 200m and 400m distance markers. Relocate oval fence to outer boundary. Investigate re-surfacing of Oval 2.
- 24 Promote stronger connection with the Barooga Aquatic and Recreation Centre**
Provide pedestrian paths and way-finding signage for clearer connection to the Aquatic and Recreation Centre. Liaise with Sporties to develop facilities within the Centre which support event based sport and encourage co-use of the reserve and aquatic centre, such as air pistol shooting; which makes up one of the four events of a tetraathlon [others are horse riding, running and swimming]; and bicycle parking for triathlon events (plus swimming and running).
- 25 Access from Aquatic Centre car park**
Provide an access point for emergency vehicles or drop off only to the equestrian precinct.
- 26 Opportunities for further recreation**
Provide a fitness zone which is easily accessed by general community. Consider static and hydraulic equipment with possible shade sails over. Provide a half basketball court.
- 27 Boundary running track**
Connect pedestrian access within reserve to running track circumventing the precinct.

Indicative cross-sections

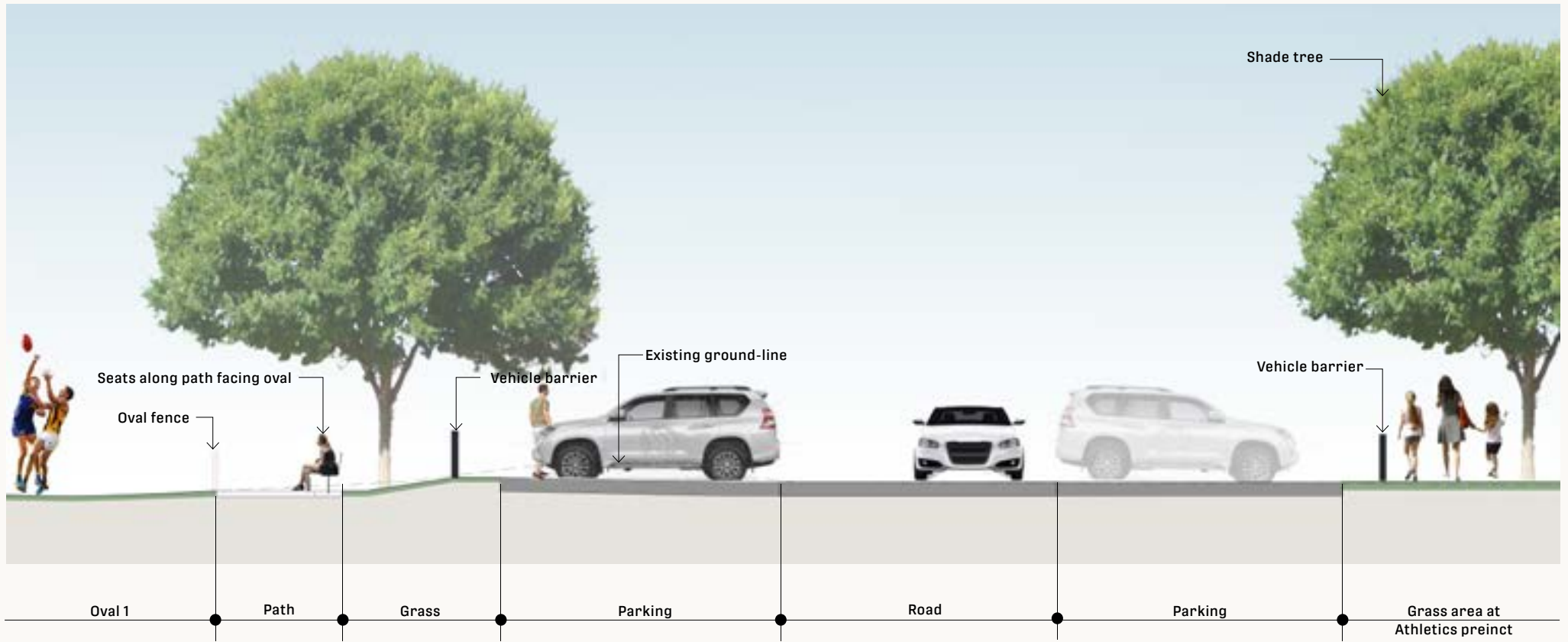
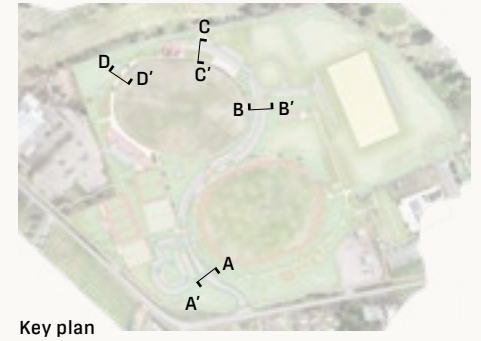


Key plan



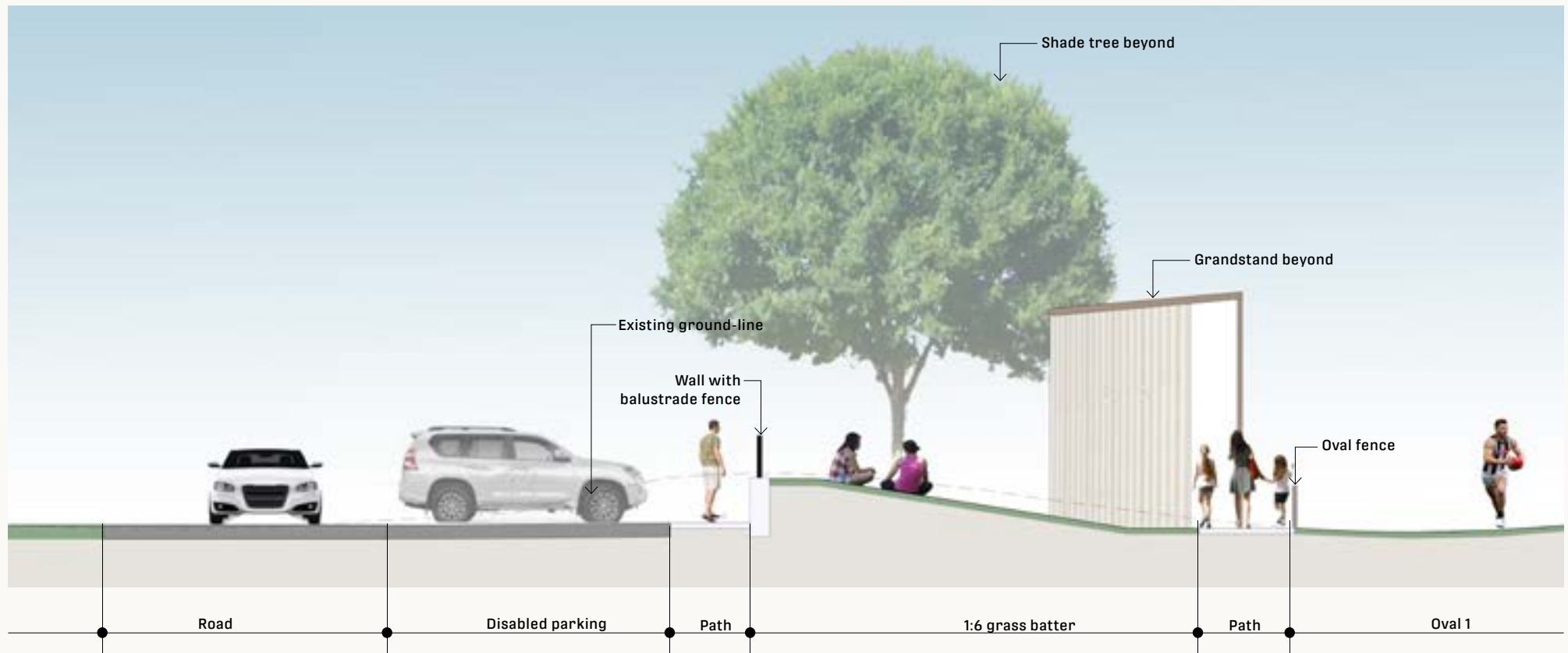
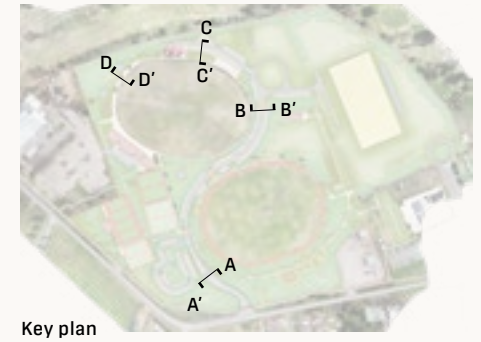
SECTION A - A' New Entry Road and Gatehouse (looking north-west) Scale 1:100

Indicative cross-sections

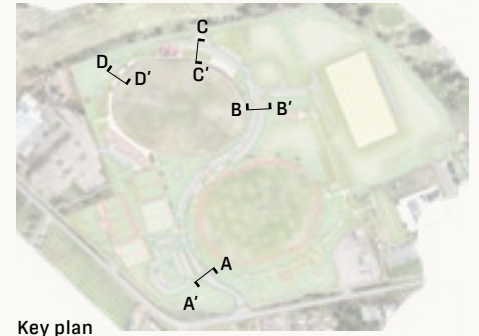


SECTION B - B' Flat oval edge Scale 1:100

Indicative cross-sections

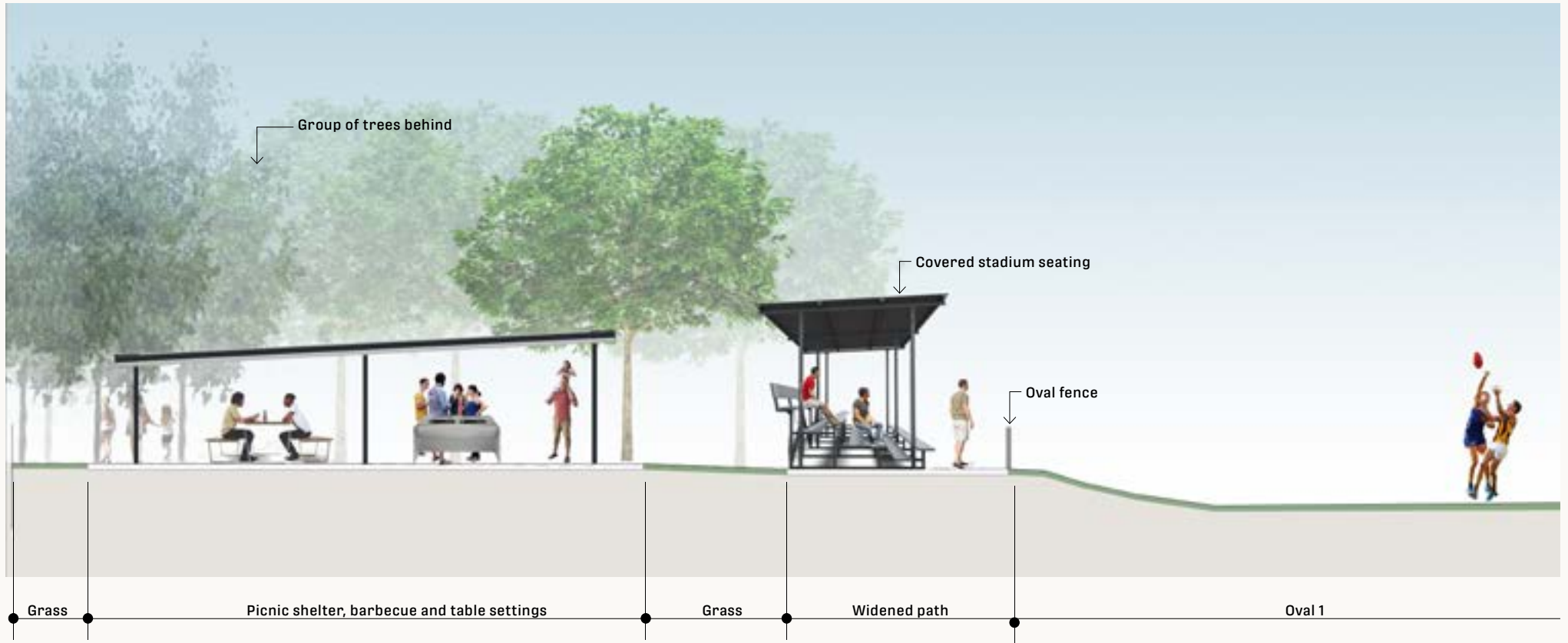


SECTION C - C' Spectator grass mound Scale 1:100



Key plan

Indicative cross-sections



SECTION D - D' Passive use / picnic area Scale 1:100

Reference images



Covered day-yards.



Day-yards.



Retaining wall at rear of spectator grass mound.



Covered seating along netball courts.



Covered dressage arena.



Bicycle parking.



Spectator grass mound.



Covered stadium seating.

The images above demonstrate what the proposed improvements might look like.



Public toilets.



Synthetic athletic track.



Fitness equipment.



Bollard and rail vehicle restriction barrier.



Air pistol shooting - part of the tetrathlon.



Pedestrian access-way.



Tennis courts and club-rooms.



Ticket gatehouse.

The images above demonstrate what the proposed improvements might look like.

Anticipated order of costs

The table to the right provides an indication of likely overall project cost for each component. The costs have been formulated based on current industry rates, current as of 2022, and the team's experience with past projects of a similar nature.

The level of detail is broad given it is a master plan, however it does provide an indication of the anticipated order of costs for the purposes of feasibility and funding.

Note that anticipated order of costs do not allow for GST, any internal Council costs, contingency allowances or escalation.

Item Description	Amount (ex GST)	Summary (ex GST)
1 Civil construction		\$2,275,500.00
Construct new intersection and slip lane on Snell Road	\$ 150,000.00	
Relocate memorial gates		tbc
Demolition (includes existing roads and mounds surrounding Oval 1) and associated earthworks		tbc
Grading, filling and surfacing of new road	\$ 1,010,100.00	
Flush concrete edge to new road	\$ 132,500.00	
Parking areas	\$ 446,400.00	
Kerb island at entry for gatehouse	\$ 7,500.00	
Pedestrian access-ways. Vehicular duty coloured concrete	\$ 72,000.00	
Vehicle barriers (bollards)	\$ 427,000.00	
Line marking	\$ 30,000.00	
2 Hard landscape construction		\$852,500.00
Demolish existing concrete	\$ 15,000.00	
New concrete paths	\$ 672,000.00	
Retaining walls	\$ 55,500.00	
Balustrade on walls	\$ 20,000.00	
2m wide golf cart/mobility scooter path from golf cart pick-up to first tee	\$ 90,000.00	
3 Furniture		\$283,500.00
Rubbish bins	\$ 50,000.00	
Seating (various types)	\$ 70,000.00	
Stadium seating	\$ 10,500.00	
Shelters	\$ 45,000.00	
Picnic settings	\$ 60,000.00	
Bike racks	\$ 3,000.00	
Electric BBQ's	\$ 45,000.00	

Item Description	Amount (ex GST)	Summary (ex GST)
4 Soft Landscape construction		\$300,000.00
Spectator grass mounds. Includes earthworks, fill, topsoil, grassing	\$ 30,000.00	
Semi-adv trees (2.0 - 3.0m high, 40-50lt, 30mm min. cal.)	\$ 60,000.00	
Grassing (new or make good)	\$ 210,000.00	
5 Oval improvements		\$1,169,000.00
Drainage, ripping, topsoiling and grass to Oval 1	\$ 700,000.00	
Ripping, topsoiling and grass to Oval 2	\$ 400,000.00	
New goal posts and nets to Oval 1	\$ 50,000.00	
New perimeter fencing to Oval 2	\$ 15,000.00	
New set-out to Oval 2	\$ 4,000.00	
6 Playspace		\$160,000.00
Demolish existing playground and remove off site	\$ 2,500.00	
Play equipment	\$ 100,000.00	
Drainage, softfall mulch and edging	\$ 7,500.00	
Shade sail	\$ 50,000.00	
7 Fitness space		\$162,500.00
Half court basketball (includes surfacing, backboard, hoop and line-marking)	\$ 30,000.00	
Fitness equipment	\$ 75,000.00	
Drainage, softfall mulch and edging	\$ 7,500.00	
Shade sail	\$ 50,000.00	



Anticipated order of costs

Item Description	Amount (ex GST)	Summary (ex GST)
8 Signage		\$70,000.00
Traffic signage	\$ 15,000.00	
Directional and way-finding signage	\$ 30,000.00	
Interpretive signage	\$ 25,000.00	
9 Lighting		\$530,000.00
Lighting to roadway	\$ 100,000.00	
Lighting to Oval 2	\$ 360,000.00	
Lighting to netball & tennis facilities	\$ 70,000.00	
10 Tennis facilities		\$775,000.00
New clubroom (part retaining and raised with steps and disabled access)	\$ 250,000.00	
Improved tennis courts x3 on existing base with synthetic turf	\$ 230,000.00	
New tennis courts x3 with new base and synthetic turf	\$ 285,000.00	
New wall for solo practice	\$ 10,000.00	
11 Equestrian facilities		\$474,000.00
Earthworks and drainage	\$ 60,000.00	
60 x 120m covered arena	\$ 250,000.00	
Refurbish existing club-room building	\$ 100,000.00	
Covered spectator seating and new day yards	\$ 40,000.00	
Compost bins	\$ 3,000.00	
Repair fencing and extend to western boundary with new gates	\$ 15,000.00	
New gates to match	\$ 6,000.00	
Tree planting (included in Section 4)		

Item Description	Amount (ex GST)	Summary (ex GST)
12 Cricket facilities		\$227,000.00
Demolition of existing cricket nets	\$ 2,000.00	
6 x cricket nets with 1 x mechanical bowling machine	\$ 220,000.00	
Storage facility	\$ 5,000.00	
Elevator to the north of Ray Nye Building	tbc	
13 Netball facilities		\$1,238,000.00
2 x new netball courts (priority 1)	\$ 600,000.00	
2 x new netball courts (later priority)	\$ 600,000.00	
Covered stadium seating	\$ 12,000.00	
Player benches	\$ 20,000.00	
Umpire seats	\$ 6,000.00	
Clubroom (extension to BFNC building)	tbc	
14 Little Athletics facilities		\$1,250,000.00
New shot-put and discus facilities	\$ 10,000.00	
New long jump and triple jump facilities	\$ 30,000.00	
Covered stadium seating	\$ 10,000.00	
4 lane, 400mm synthetic running track	\$ 1,200,000.00	
New club-room (includes public toilet) and storage facility	tbc	
15 Barooga Aquatic and Recreation Centre		\$66,000.00
Concrete paths	\$ 36,000.00	
Air pistol shooting facility	\$ 25,000.00	
Bicycle parking facility	\$ 5,000.00	

Priorities and implementation

Priorities

Proposed improvements have been considered as immediate, short term and medium term priorities.

Immediate priorities include entry road/ parking, 2 new netball courts and 4 new tennis courts and associated works as funding is in hand for the 2021 - 2022 financial year. Replacement of the cricket nets is a short term project, while the balance of the works are medium projects.

Implementation

Following endorsement of this Master Plan, it is recommended that Council undertake the following actions prior to proceeding with implementation of the works:

- ▶ Detailed landscape and engineering design to develop design and establish costings.
- ▶ Seek funding based on the outcomes of detailed design.
- ▶ Tender the individual staged works packages.





yonder.

Finley Associated Stock & Station Agents Inc

ABN 16 315 178 818

c/- 118 Murray Street

FINLEY NSW 2713

E: nathaneveringhamco@gmail.com P: 03 5883 1100

5/7/22

Berrigan Shire Council
Chanter Street,
BERRIGAN NSW 2712

Re Sheep Ramps at Saleyards

After our meeting yesterday on site at sheep yards it has been suggested that only 3 new ramps will now get installed. In all the prior discussions it was always to be 4 ramps, and when you applied for the grants, I believe it was for 4 ramps? I feel there has been no consultation with the agents/carriers to see if losing 1 ramp would be either manageable or practical? The only person I have heard is that Brendan Carey said it wouldn't matter, who has only been to 1 sheep sale in last 10 years. The benefits to having an extra ramp is for quicker access on sale days for unloading, but mostly for delivery post sale when we have multiple trucks lined up to load out sheep who have a deadline and restrictions with their driving times to be able load swiftly and safely.

I do urge this process happens immediately as of yesterday another winch on ramp is not working. So currently we only have 1 ramp accessible for b-doubles that is working properly, which is disgraceful and embarrassing. Brendan's idea that we are getting new ones so he won't repair is not giving any consideration to the poor truckies currently trying to load out.

The manufacturer said he has made 5 ramps, so it will not delay anything to put in the extra 4th ramp. I would also think wise to install all together while different contractors here and on site rather than doing at a later date. We do look forward to these new ramps and hope it is now only days away from being installed and completed.

Regards Nathan Everingham



President Finley Associated Agents



CERTIFICATE OF RATES AND CHARGES LEVIED AND BROUGHT TO ACCOUNT FOR YEAR ENDING - 30/06/2022

30/06/2022 - SUMMARY - RATES LEVIES & REVENUES

DIFF RATE FUND	ARREARS		RATES	WATER	LEVIES			RECEIPTS	WRITE OFFS	SUBSID UNALLOCATED		BALANCE
	RATES	INTEREST			DR SUPP.	CR SUPP.	INTEREST			GOVERNMENT	RECEIPTS	
99 Non-Rateable												
GENERAL	\$452.73	\$532.03					\$27.22					\$1,011.98
WATER	\$4,754.83	\$703.02	\$57,886.00				\$325.87	\$56,695.55	\$0.58			\$6,973.59
SEWER	\$6,231.62	\$719.13	\$76,182.00				\$380.23	\$75,865.27	\$10.49			\$7,637.22
DOMESTIC WASTE	\$3,903.50	\$94.11	\$38,315.00			\$286.20	\$123.92	\$40,716.93	\$4.08			\$1,429.32
WATER CONSUMPTION	\$7,939.38	\$60.68		\$77,012.48	\$245.50		\$401.42	\$77,093.44	\$33.75			\$8,532.27
STORMWATER CHARGE	\$31.25	\$0.68	\$175.00				\$2.26	\$156.34	\$0.03			\$52.82
BUSINESS GARBAGE	\$196.67	\$1.16	\$18,915.00			\$576.00	\$25.55	\$18,468.46	\$4.72			\$89.20
Unallocated Rates Receipt											-\$4,590.05	-\$4,590.05
Unallocated Water Receipt											-\$1,290.76	-\$1,290.76
GROUP TOTAL	\$23,509.98	\$2,110.81	\$191,473.00	\$77,012.48	\$245.50	\$862.20	\$1,286.47	\$268,995.99	\$53.65		-\$5,880.81	\$19,845.59
1101 Farmland - Berrigan												
GENERAL	\$8,023.54	\$280.40	\$527,144.01		\$488.95	\$512.00	\$378.30	\$528,050.11	\$28.57	\$884.38		\$6,840.14
WATER			\$2,810.00				\$0.51	\$2,723.01		\$87.50		\$0.00
DOMESTIC WASTE			\$656.00					\$560.24		\$95.76		\$0.00
WATER CONSUMPTION				\$1,528.00			\$0.47	\$1,528.29	\$0.18			\$0.00
Unallocated Rates Receipt											-\$6,234.98	-\$6,234.98
Unallocated Water Receipt											-\$61.38	-\$61.38
GROUP TOTAL	\$8,023.54	\$280.40	\$530,610.01	\$1,528.00	\$488.95	\$512.00	\$379.28	\$532,861.65	\$28.75	\$1,067.64	-\$6,296.36	\$543.78
1103 Farmland - Barooga												
GENERAL	\$8,247.46	\$183.23	\$706,441.92		\$1,047.75	\$1,060.37	\$598.64	\$707,995.90	\$62.15	\$750.00		\$6,650.58
WATER			\$2,248.00					\$2,248.00				\$0.00
SEWER			\$579.00					\$579.00				\$0.00
DOMESTIC WASTE	\$3.75		\$984.00		\$166.25		\$0.42	\$1,067.25	\$3.75			\$83.42
LEGALS					\$1,168.80			\$584.40				\$584.40
WATER CONSUMPTION		\$0.08		\$1,221.50	\$168.00		\$2.28	\$1,309.09	\$3.14			\$79.63
Unallocated Rates Receipt											-\$3,027.44	-\$3,027.44
Unallocated Water Receipt											-\$2.94	-\$2.94
GROUP TOTAL	\$8,251.21	\$183.31	\$710,252.92	\$1,221.50	\$2,550.80	\$1,060.37	\$601.34	\$713,783.64	\$69.04	\$750.00	-\$3,030.38	\$4,367.65
1105 Farmland - Finley												
GENERAL	\$13,481.38	\$309.57	\$441,747.88		\$1,609.64	\$1,540.37	\$728.51	\$440,614.80	\$19.73	\$753.15		\$14,948.93
WATER	\$0.02		\$4,496.00				\$0.16	\$4,408.66	\$0.02	\$87.50		\$0.00
DOMESTIC WASTE			\$1,045.00					\$1,045.00				\$0.00
LEGALS	\$685.56				\$584.40			\$1,229.58				\$40.38
WATER CONSUMPTION				\$1,453.50	\$29.00		\$0.82	\$1,397.38	\$0.30			\$85.64
BUSINESS GARBAGE			\$445.00				\$0.28	\$445.28				\$0.00
BANK CHARGE												\$0.00
Unallocated Rates Receipt											-\$3,355.87	-\$3,355.87
Unallocated Water Receipt											-\$32.68	-\$32.68
GROUP TOTAL	\$14,166.96	\$309.57	\$447,733.88	\$1,453.50	\$2,223.04	\$1,540.37	\$729.77	\$449,140.70	\$20.05	\$840.65	-\$3,388.55	\$11,686.40
1106 Farmland - Tocumwal												
GENERAL	\$7,472.22	\$94.11	\$286,667.93		\$299.40	\$1,128.79	\$425.09	\$291,018.00	\$42.26	\$250.00		\$2,519.70
WATER			\$4,496.00					\$4,496.00				\$0.00

	SEWER			\$161.00				\$161.00				\$0.00
	DOMESTIC WASTE			\$1,640.00				\$1,640.00				\$0.00
	LEGALS											
	WATER CONSUMPTION	\$134.64	\$0.45		\$2,744.94		\$2.82	\$2,864.93	\$5.36			\$12.56
	Unallocated Rates Receipt											-\$8,275.65
	Unallocated Water Receipt											-\$150.38
	GROUP TOTAL	\$7,606.86	\$94.56	\$292,964.93	\$2,744.94	\$299.40	\$1,128.79	\$427.91	\$300,179.93	\$47.62	\$250.00	-\$8,426.03
												-\$5,893.77
1107	Residential Barooqa											
	GENERAL	\$14,002.60	\$193.48	\$609,450.56		\$426.39	\$337.32	\$807.99	\$577,074.14	\$5.05	\$30,241.15	\$17,223.36
	WATER	\$10,011.41	\$147.68	\$429,930.00		\$278.69		\$588.69	\$411,410.93	\$3.60	\$15,941.66	\$13,600.28
	SEWER	\$11,754.44	\$170.89	\$445,623.00		\$381.07	\$161.00	\$649.02	\$427,294.92	\$4.63	\$15,941.66	\$15,176.21
	DOMESTIC WASTE	\$6,982.76	\$100.80	\$240,095.00		\$2,619.35	\$459.60	\$406.19	\$225,080.92	\$28.99	\$15,241.12	\$9,393.47
	LEGALS	\$1,744.20				\$3,251.76			\$1,984.93			\$3,011.03
	WATER CONSUMPTION	\$15,034.99	\$162.96		\$184,585.50	\$1,372.00	\$13.50	\$531.84	\$185,705.32	\$424.03		\$15,544.44
	STORMWATER CHARGE	\$564.09	\$7.73	\$15,925.00		\$49.46		\$32.60	\$15,768.76	\$104.78		\$705.34
	SEWER LOCAL LOAN RAT											\$0.00
	BUSINESS GARBAGE			\$288.00		\$49.78			\$337.78			\$0.00
	BANK CHARGE/DISHON											\$0.00
	WATER RESTRICTION RE											\$0.00
	Unallocated Rates Receipt											-\$42,028.79
	Unallocated Water Receipt											-\$13,447.62
	GROUP TOTAL	\$60,094.49	\$783.54	\$1,741,311.56	\$184,585.50	\$8,428.50	\$971.42	\$3,016.33	\$1,844,657.70	\$571.08	\$77,365.59	-\$55,476.41
												\$19,177.72
1108	Residential - Berrigan											
	GENERAL	\$17,760.44	\$550.61	\$355,528.11		\$660.99		\$865.97	\$335,512.51	\$3.13	\$23,227.40	\$16,623.08
	WATER	\$16,077.11	\$584.58	\$255,710.00		\$420.35		\$831.33	\$245,661.53	\$2.25	\$11,767.02	\$16,192.57
	SEWER	\$16,854.80	\$552.52	\$254,812.00		\$1,012.06		\$845.25	\$246,369.98	\$2.33	\$11,767.02	\$15,937.30
	DOMESTIC WASTE	\$9,184.50	\$275.17	\$141,085.00		\$693.54	\$88.41	\$468.09	\$132,396.93	\$11.05	\$10,348.60	\$8,861.31
	LEGALS	\$4,870.42				\$789.76			\$1,545.92			\$4,114.26
	WATER CONSUMPTION	\$10,662.24	\$429.60		\$98,500.50	\$1,073.00		\$402.10	\$100,309.40	\$170.61		\$10,587.43
	STORMWATER CHARGE	\$751.56	\$21.60	\$9,925.00		\$18.70		\$38.50	\$10,030.65	\$43.34		\$681.37
	BUSINESS GARBAGE	\$0.81		\$1,021.00					\$1,021.00	\$0.81		\$0.00
	WATER RESTRICTION											
	Unallocated Rates Receipt											-\$41,292.33
	Unallocated Water Receipt											-\$12,975.33
	GROUP TOTAL	\$76,161.88	\$2,414.08	\$1,018,081.11	\$98,500.50	\$4,668.40	\$88.41	\$3,451.24	\$1,072,847.92	\$233.52	\$57,110.04	-\$54,267.66
												\$18,729.66
1109	Residential - Finley											
	GENERAL	\$34,448.84	\$1,429.20	\$725,993.98		\$1,302.37	\$655.17	\$1,358.09	\$681,489.83	\$8.61	\$45,924.47	\$36,454.40
	WATER	\$22,845.02	\$868.25	\$519,288.00		\$498.87	\$562.00	\$963.21	\$496,630.92	\$5.58	\$23,639.90	\$23,624.95
	SEWER	\$24,995.60	\$864.20	\$533,252.00		\$1,092.96	\$579.00	\$1,075.79	\$511,267.03	\$6.06	\$23,639.90	\$25,788.56
	DOMESTIC WASTE	\$15,011.37	\$516.95	\$308,411.00		\$842.05	\$479.47	\$657.83	\$288,481.73	\$7.57	\$21,584.03	\$14,886.40
	LEGALS	\$7,974.74				\$4,173.88			\$7,192.96			\$4,955.66
	WATER CONSUMPTION	\$19,514.60	\$471.14		\$213,780.50	\$1,552.50	\$106.50	\$712.93	\$212,657.68	\$779.73		\$22,487.76
	STORMWATER CHARGE	\$1,383.58	\$53.23	\$21,025.00		\$31.44	\$25.00	\$59.47	\$21,061.35	\$122.69		\$1,343.68
	BUSINESS GARBAGE	\$419.42		\$1,886.00				\$2.49	\$1,729.84			\$578.07
	WATER RESTRICTION		\$4.23						\$1.82			\$2.41
	Unallocated Rates Receipt											-\$71,868.47
	Unallocated Water Receipt											-\$22,185.39
	GROUP TOTAL	\$126,593.17	\$4,207.20	\$2,109,855.98	\$213,780.50	\$9,494.07	\$2,407.14	\$4,829.81	\$2,220,513.16	\$930.24	\$114,788.30	-\$94,053.86
												\$36,068.03
1110	Residential-Tocumwal											
	GENERAL	\$18,884.26	\$739.43	\$856,700.50		\$4,225.56	\$337.58	\$1,109.49	\$804,899.95	\$10.01	\$54,795.07	\$21,616.63

	WATER	\$14,592.80	\$650.77	\$596,282.00		\$3,624.54		\$823.15	\$571,672.84	\$7.18	\$28,364.03		\$15,929.21
	SEWER	\$16,165.14	\$684.76	\$617,812.00		\$3,734.14		\$905.75	\$594,128.20	\$9.06	\$28,189.03		\$16,975.50
	DOMESTIC WASTE	\$8,780.84	\$341.99	\$329,638.00		\$2,915.35	\$1,046.61	\$492.88	\$305,438.23	\$23.74	\$26,107.11		\$9,553.37
	LEGALS	\$1,312.80				\$1,753.20			\$1,748.53				\$1,317.47
	WATER CONSUMPTION	\$12,729.89	\$252.95		\$196,591.98	\$1,630.44	\$36.38	\$383.14	\$198,612.71	\$447.04			\$12,492.27
	STORMWATER CHARGE	\$841.51	\$37.78	\$22,612.50		\$12.50		\$44.34	\$22,653.29	\$128.05			\$767.29
	BUSINESS GARBAGE			\$1,468.00				\$1.53	\$1,469.53				\$0.00
	BANK CHARGE					\$120.00			\$120.00				\$0.00
	WATER RESTRICTION												\$0.00
	Unallocated Rates Receipt												-\$57,238.62
	Unallocated Water Receipt												-\$16,140.48
	GROUP TOTAL	\$73,307.24	\$2,707.68	\$2,424,513.00	\$196,591.98	\$18,015.73	\$1,420.57	\$3,760.28	\$2,500,743.28	\$625.08	\$137,455.24		-\$73,379.10
1116	Farmland-Gravel Pits												
	GENERAL			\$32,328.19				\$14.01	\$32,339.65	\$2.55			
	Unallocated Rates Receipt												-\$278.94
	Unallocated Water Receipt												-\$278.94
	GROUP TOTAL			\$32,328.19				\$14.01	\$32,339.65	\$2.55			-\$278.94
1117	Business Ind-Barooqa												
	GENERAL			\$5,093.37					\$5,093.37				\$0.00
	WATER			\$1,124.00					\$1,124.00				\$0.00
	SEWER			\$579.00					\$579.00				\$0.00
	WATER CONSUMPTION				\$153.50				\$153.50				\$0.00
	STORMWATER CHARGE			\$50.00					\$50.00				\$0.00
	BUSINESS GARBAGE			\$288.00					\$288.00				\$0.00
	Unallocated Rates Receipt												\$0.00
	Unallocated Water Receipt												\$0.00
	GROUP TOTAL			\$7,134.37	\$153.50				\$7,287.87				\$0.00
1118	Business Ind-Berrigan												
	GENERAL	\$3,157.31	\$20.69	\$29,797.80				\$88.25	\$29,748.81		\$250.00		\$3,065.24
	WATER	\$1,366.12	\$13.20	\$11,802.00				\$49.41	\$11,834.36		\$87.50		\$1,308.87
	SEWER			\$3,474.00				\$3.64	\$3,390.14		\$87.50		\$0.00
	WATER CONSUMPTION	\$456.09	\$0.79		\$2,977.00			\$11.60	\$3,285.27	\$4.46			\$155.75
	STORMWATER CHARGE	\$43.75		\$275.00				\$0.26	\$275.26				\$43.75
	BUSINESS GARBAGE			\$2,461.00				\$1.34	\$2,462.34				\$0.00
	Unallocated Rates Receipt												-\$4,750.75
	Unallocated Water Receipt												-\$749.80
	GROUP TOTAL	\$5,023.27	\$34.68	\$47,809.80	\$2,977.00			\$154.50	\$50,996.18	\$4.46	\$425.00		-\$5,500.55
1119	Business Ind-Finley												
	GENERAL	\$1,863.01	\$45.75	\$68,861.67		\$155.49		\$147.93	\$67,295.81	\$0.10	\$397.78		\$3,069.18
	WATER	\$960.28	\$25.52	\$28,662.00				\$77.39	\$27,951.28	\$0.12	\$175.00		\$1,598.79
	SEWER	\$1,033.39	\$26.97	\$24,318.00				\$76.48	\$23,617.67	\$0.14	\$175.00		\$1,662.03
	DOMESTIC WASTE	\$80.44	\$0.54	\$2,624.00		\$179.47		\$0.81	\$2,782.98	\$0.06	\$102.22		\$0.00
	LEGALS	\$5.78				\$581.40			\$5.78				\$581.40
	WATER CONSUMPTION	\$127.67	\$1.57		\$8,788.50	\$62.50		\$17.07	\$8,516.35	\$433.49			\$47.47
	STORMWATER CHARGE	\$53.94	\$1.32	\$875.00				\$3.36	\$865.15	\$4.99			\$63.48
	BUSINESS GARBAGE	\$87.00	\$1.13	\$4,791.00		\$250.92	\$215.88	\$3.23	\$4,914.31	\$3.09			\$0.00
	Unallocated Rates Receipt												-\$3,879.07
	Unallocated Water Receipt												-\$23.93
	GROUP TOTAL	\$4,211.51	\$102.80	\$130,131.67	\$8,788.50	\$1,074.29	\$371.37	\$326.27	\$135,949.33	\$441.99	\$850.00		-\$3,903.00

1120 Business Ind Tocumwal											
GENERAL	\$186.87	\$6.72	\$14,493.49				\$21.87	\$14,708.95			\$0.00
WATER	\$138.35	\$4.98	\$8,992.00				\$14.84	\$9,150.17			\$0.00
SEWER	\$96.54	\$0.75	\$8,685.00				\$10.69	\$8,792.53	\$0.45		\$0.00
WATER CONSUMPTION	\$20.46	\$0.97		\$2,902.92			\$2.76	\$2,865.86	\$0.04		\$61.21
STORMWATER CHARGE	\$12.52	\$0.27	\$175.00				\$0.76	\$188.55			\$0.00
BUSINESS GARBAGE	\$196.86	\$3.35	\$864.00		\$92.20		\$9.40	\$1,150.14			\$15.67
Unallocated Rates Receipt											-\$369.01
Unallocated Water Receipt											-\$0.72
GROUP TOTAL	\$651.60	\$17.04	\$33,209.49	\$2,902.92	\$92.20		\$60.32	\$36,856.20	\$0.49		-\$369.73
1127 Res Rural Barooga											
GENERAL	\$2,470.83	\$21.26	\$142,603.36		\$1,289.84	\$1,366.65	\$163.46	\$137,652.10	\$5.25	\$3,168.02	\$4,356.73
WATER	\$700.82	\$4.94	\$46,646.00		\$420.35		\$40.97	\$45,353.60	\$1.28	\$1,093.75	\$1,364.45
SEWER	\$154.00	\$1.21	\$15,039.00				\$13.89	\$14,661.28	\$0.12	\$175.00	\$371.70
DOMESTIC WASTE	\$186.25	\$1.32	\$16,583.00		\$440.02		\$12.35	\$16,201.88	\$6.06	\$519.85	\$495.15
LEGALS											
WATER CONSUMPTION	\$1,743.65	\$8.11		\$25,310.00	\$129.00		\$35.73	\$25,801.40	\$9.31		\$1,415.78
BUSINESS GARBAGE			\$158.00					\$158.00			\$0.00
Unallocated Rates Receipt											-\$4,214.26
Unallocated Water Receipt											-\$783.48
GROUP TOTAL	\$5,255.55	\$36.84	\$221,029.36	\$25,310.00	\$2,279.21	\$1,366.65	\$266.40	\$239,828.26	\$22.02	\$4,956.62	-\$4,997.74
1128 Res Rural Berrigan											
GENERAL	\$733.05	\$12.26	\$34,071.88			\$34,817.19	\$71.78	\$32,458.96	\$1.64	\$1,198.00	\$1,230.37
WATER	\$257.39	\$1.74	\$24,166.00			\$24,425.13	\$30.85	\$23,403.94	\$4.01	\$481.25	\$566.78
SEWER	\$141.97	\$0.87	\$3,056.00			\$3,198.84	\$12.69	\$2,868.21			\$343.32
DOMESTIC WASTE	\$50.60	\$0.27	\$5,248.00		\$172.54	\$5,471.41	\$4.06	\$5,208.60	\$3.36	\$263.51	\$0.00
LEGALS						\$0.00					
WATER CONSUMPTION	\$3,171.49	-\$74.90		\$14,174.50	\$6.00	\$17,277.09	\$190.26	\$13,024.28	\$7.78		\$4,435.29
BUSINESS GARBAGE			\$864.00			\$864.00	\$0.33	\$864.33			\$0.00
Unallocated Rates Receipt											-\$1,149.85
Unallocated Water Receipt											-\$80.67
GROUP TOTAL	\$4,354.50	-\$59.76	\$67,405.88	\$14,174.50	\$178.54	\$86,053.66	\$309.97	\$77,828.32	\$16.79	\$1,942.76	-\$1,230.52
1129 Res Rural - Finley											
GENERAL	\$2,130.19	\$42.55	\$55,555.99		\$2,167.96		\$80.16	\$57,086.90	\$6.49	\$2,007.79	\$875.67
WATER			\$11,802.00		\$3,376.62		\$10.06	\$14,436.39	\$0.02	\$437.50	\$314.77
SEWER			\$3,474.00		\$3,478.77		\$9.79	\$6,638.26	\$0.02		\$324.28
DOMESTIC WASTE			\$7,109.00				\$2.47	\$6,420.81	\$1.92	\$688.74	\$0.00
WATER CONSUMPTION	\$1,390.50	\$2.65		\$8,391.00	\$31.00		\$15.91	\$8,522.46	\$4.45		\$1,304.15
Unallocated Rates Receipt											-\$4,527.26
Unallocated Water Receipt											-\$1,068.38
GROUP TOTAL	\$3,520.69	\$45.20	\$77,940.99	\$8,391.00	\$9,054.35		\$118.39	\$93,104.82	\$12.90	\$3,134.03	-\$5,595.64
1130 Res Rural - Tocumwal											
GENERAL	\$3,705.00	\$95.45	\$152,364.20		\$4,652.95		\$219.23	\$147,693.59	\$6.81	\$9,089.49	\$4,247.40
WATER	\$927.66	\$11.22	\$58,448.00		\$2,101.75		\$69.88	\$58,517.21	\$3.64	\$1,621.38	\$1,416.28
SEWER	\$141.99	\$2.25	\$32,902.00		\$2,165.30		\$28.40	\$34,270.98	\$0.27	\$637.00	\$331.69
DOMESTIC WASTE	\$438.95	\$9.48	\$24,661.00		\$986.43	\$46.13	\$32.75	\$24,245.44	\$14.18	\$1,229.89	\$592.97
LEGALS					\$584.40			\$393.67			\$190.73
WATER CONSUMPTION	\$3,929.64	\$49.32		\$17,470.86	\$64.68		\$75.76	\$19,972.15	\$6.72		\$1,611.39
STORMWATER CHARGE			\$25.00					\$25.00			\$0.00

1147 Business Hosp-Barooga											
	GENERAL	\$6.00	\$0.04	\$59,569.80			\$8.37	\$59,581.65	\$2.56		\$0.00
	WATER			\$8,992.00			\$1.57	\$8,993.27	\$0.30		\$0.00
	SEWER			\$41,352.00			\$6.32	\$41,355.25	\$3.07		\$0.00
	DOMESTIC WASTE			\$3,280.00				\$3,280.00			\$0.00
	WATER CONSUMPTION	\$548.00	\$0.95		\$23,440.00		\$4.38	\$23,988.23	\$5.10		\$0.00
	STORMWATER CHARGE			\$275.00			\$0.13	\$275.13			\$0.00
	BUSINESS GARBAGE			\$864.00		\$545.70		\$1,409.70			\$0.00
	Unallocated Rates Receipt										-\$297.25
	Unallocated Water Receipt										-\$128.00
	GROUP TOTAL	\$554.00	\$0.99	\$114,332.80	\$23,440.00	\$545.70	\$20.77	\$138,883.23	\$11.03		-\$425.25
1148 Business Hosp-Berrigan											
	GENERAL	\$351.55	\$2.08	\$16,730.00			\$59.98	\$16,545.75	\$190.93		\$406.93
	WATER	\$137.73	\$0.81	\$5,058.00			\$12.43	\$4,839.07	\$87.50		\$282.40
	SEWER	\$141.98	\$0.84	\$9,255.00			\$17.93	\$8,842.82	\$87.50		\$485.43
	DOMESTIC WASTE			\$328.00				\$268.93	\$59.07		\$0.00
	WATER CONSUMPTION	\$1,338.50	\$5.81		\$6,821.00	\$505.00	\$22.81	\$8,618.35	\$3.15		\$71.62
	STORMWATER CHARGE	\$6.25	\$0.04	\$150.00			\$0.30	\$150.30			\$6.29
	BUSINESS GARBAGE	\$70.49	\$0.41	\$4,952.00		\$636.76	\$11.27	\$5,302.11			\$368.82
	Unallocated Rates Receipt										\$0.00
	Unallocated Water Receipt										-\$688.41
	GROUP TOTAL	\$2,046.50	\$9.99	\$36,473.00	\$6,821.00	\$1,141.76	\$124.72	\$44,567.33	\$3.15	\$425.00	-\$688.41
1149 Business Hosp-Finley											
	GENERAL		\$0.23	\$21,205.09			\$15.16	\$20,820.77	\$1.54		\$398.17
	WATER		\$0.16	\$7,868.00			\$6.56	\$7,732.81	\$0.57		\$141.34
	SEWER		\$0.27	\$18,654.00			\$12.83	\$18,520.40	\$1.08		\$145.62
	DOMESTIC WASTE				\$9,192.50		\$12.67	\$8,384.86	\$3.49		\$992.62
	WATER CONSUMPTION	\$175.50	\$0.30				\$0.29	\$243.97	\$0.02		\$6.30
	STORMWATER CHARGE			\$250.00			\$1.52	\$4,273.68	\$4.73		\$0.00
	BUSINESS GARBAGE	\$2.62	\$0.09	\$3,927.00		\$347.18					\$0.00
	Unallocated Rates Receipt										-\$3.17
	Unallocated Water Receipt										\$0.00
	GROUP TOTAL	\$178.12	\$1.05	\$51,904.09	\$9,192.50	\$347.18	\$49.03	\$59,976.49	\$11.43		-\$3.17
1150 Business Hosp-Tocumwal											
	GENERAL	\$513.60	\$3.78	\$53,123.30			\$51.64	\$51,389.05	\$1.70		\$2,301.57
	WATER	\$275.45	\$1.78	\$13,488.00			\$13.56	\$13,213.70	\$0.61		\$564.48
	SEWER	\$1,312.31	\$8.67	\$38,958.00			\$36.24	\$38,188.03	\$2.90		\$2,124.29
	DOMESTIC WASTE	\$482.88	\$2.88	\$2,296.00			\$3.20	\$2,784.03	\$0.93		\$0.00
	WATER CONSUMPTION	\$7,182.78	\$64.32		\$25,705.35	\$397.32	\$109.37	\$27,584.19	\$2,055.28		\$3,819.67
	STORMWATER CHARGE	\$12.50	\$0.08	\$450.00			\$0.68	\$438.09	\$0.03		\$25.14
	BUSINESS GARBAGE	\$500.44	\$3.39	\$8,644.00		\$268.22	\$16.90	\$7,846.92	\$2.04		\$1,583.99
	Unallocated Rates Receipt										-\$960.38
	Unallocated Water Receipt										-\$536.17
	GROUP TOTAL	\$10,279.96	\$84.90	\$116,959.30	\$25,705.35	\$665.54	\$231.59	\$141,444.01	\$2,063.49		-\$1,496.55
1157 Business Rural-Barooga											
	GENERAL			\$1,884.11			\$0.33	\$1,884.39	\$0.05		\$0.00
	WATER			\$562.00				\$562.00			\$0.00
	WATER CONSUMPTION				\$17,717.50	\$8,473.00	\$20.82	\$26,203.92	\$7.40		\$0.00
	Unallocated Rates Receipt										-\$0.29
	Unallocated Water Receipt										\$0.00
	GROUP TOTAL			\$2,446.11	\$17,717.50	\$8,473.00	\$21.15	\$28,650.31	\$7.45		-\$0.29

1158 Business Rural-Berrigan											
GENERAL			\$2,413.41				\$2,413.41				\$0.00
WATER											\$0.00
WATER CONSUMPTION											\$0.00
Unallocated Rates Receipt											\$0.00
Unallocated Water Receipt											\$0.00
GROUP TOTAL			\$2,413.41				\$2,413.41				\$0.00
1159 Business Rural-Finley											
GENERAL			\$17,138.95			\$0.42	\$17,139.37				\$0.00
WATER			\$1,686.00			\$0.16	\$1,686.16				\$0.00
SEWER			\$1,317.00			\$0.37	\$1,317.37				\$0.00
DOMESTIC WASTE			\$1,968.00			\$0.47	\$1,968.47				\$0.00
WATER CONSUMPTION	\$10.50	\$0.11		\$611.00		\$0.15	\$621.50	\$0.26			\$0.00
STORMWATER CHARGE			\$25.00			\$0.01	\$25.01				\$0.00
BUSINESS GARBAGE			\$288.00				\$288.00				\$0.00
Unallocated Rates Receipt											\$0.00
Unallocated Water Receipt											\$-2.00
GROUP TOTAL	\$10.50	\$0.11	\$22,422.95	\$611.00		\$1.58	\$23,045.88	\$0.26			\$-2.00
1160 Business Rural-Tocumwal											
GENERAL	\$444.51	\$7.93	\$69,801.82		\$1,328.09	\$515.97	\$79.61	\$70,884.50	\$0.51		\$260.98
WATER	\$137.62	\$4.37	\$29,224.00				\$23.78	\$29,379.55	\$4.15		\$6.07
SEWER	\$141.87	\$4.90	\$25,233.00				\$21.84	\$25,394.11	\$7.50		\$0.00
DOMESTIC WASTE			\$328.00					\$328.00			\$0.00
WATER CONSUMPTION		\$0.49		\$7,819.02			\$9.76	\$5,595.81	\$1,774.41		\$459.05
STORMWATER CHARGE			\$500.00				\$0.22	\$497.62	\$2.60		\$0.00
BUSINESS GARBAGE			\$1,466.00				\$0.23	\$1,466.23			\$0.00
BANK CHARGE/DISHONOU	\$40.00							\$40.00			\$0.00
Unallocated Rates Receipt											\$-1,214.48
Unallocated Water Receipt											\$-2,275.57
GROUP TOTAL	\$764.00	\$17.69	\$126,552.82	\$7,819.02	\$1,328.09	\$515.97	\$135.44	\$133,585.82	\$1,789.17		\$-3,490.05
1163 Business Alt Energy - Finley											
GENERAL	\$20.97	\$2.03	\$36,185.00				\$1.24	\$36,185.91			\$24.24
Unallocated Rates Receipt											
Unallocated Water Receipt											
GROUP TOTAL	\$20.97	\$2.03	\$36,185.00				\$1.24	\$36,185.91			\$24.24
1167 Residential Riverland-B											
Unallocated Rates Receipt											\$0.00
Unallocated Water Receipt											\$0.00
GROUP TOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1170 Residential Riverland-T											
Unallocated Rates Receipt											\$0.00
Unallocated Water Receipt											\$0.00
GROUP TOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1180 Residential											
GENERAL	\$1,032.54	\$8.84	\$48,536.21		\$49,577.59		\$69.53	\$48,217.49	\$6.87		\$1,422.76
WATER	\$412.86	\$3.35	\$11,802.00		\$12,218.21		\$21.53	\$11,810.74	\$1.57		\$427.43
SEWER	\$426.00	\$3.50	\$12,481.00		\$12,910.50		\$22.38	\$12,486.99	\$2.40		\$443.49
WATER CONSUMPTION				\$884.40	\$884.40		\$0.35	\$884.69	\$0.06		\$0.00
Unallocated Rates Receipt					\$0.00						\$-1,148.00



CERTIFICATE OF RATES AND CHARGES LEVIED AND BROUGHT TO ACCOUNT FOR YEAR ENDING - 30/06/2022

30/06/2022 SUMMARY - ALL RATES LEVIES & REVENUES

FUND	RATE	FUND	ARREARS		2021/22 LEVIES				INTEREST	RECEIPTS	WRITE OFFS	PENSION UNALLOCATED REBATE	RECEIPTS	BALANCE
			RATES	INTEREST	RATES	WATER	DR SUPP.	CR SUPP.						
99	Non-Rateable	GENERAL	\$452.73	\$532.03					\$27.22					\$1,011.98
		WATER	\$4,754.83	\$703.02	\$57,886.00				\$325.87	\$56,695.55	\$0.58			\$6,973.59
		SEWER	\$6,231.62	\$719.13	\$76,182.00				\$380.23	\$75,865.27	\$10.49			\$7,637.22
		DOMESTIC WASTE	\$3,903.50	\$94.11	\$38,315.00			\$286.20	\$123.92	\$40,716.93	\$4.08			\$1,429.32
		WATER CONSUMPTION	\$7,939.38	\$60.68		\$77,012.48	\$245.50		\$401.42	\$77,093.44	\$33.75			\$8,532.27
		STORM WATER	\$31.25	\$0.68	\$175.00				\$2.26	\$156.34	\$0.03			\$52.82
		BUSINESS GARBAGE	\$196.67	\$1.16	\$18,915.00			\$576.00	\$25.55	\$18,468.46	\$4.72			\$89.20
		Unallocated Rates Receipt											-\$4,590.05	-\$4,590.05
		Unallocated Water Receipt											-\$1,290.76	-\$1,290.76
		TOTAL	\$23,509.98	\$2,110.81	\$191,473.00	\$77,012.48	\$245.50	\$862.20	\$1,286.47	\$268,995.99	\$53.65		-\$5,880.81	\$19,845.59

SUMMARY - NON-RATEABLE TOTALS AS AT 30/06/2022

RATE / FUND	ARREARS		2021/22 LEVIES				INTEREST	RECEIPTS	WRITE OFFS	PENSION UNALLOCATED REBATE	RECEIPTS	BALANCE	
	RATES	INTEREST	RATES	WATER	DR SUPP.	CR SUPP.							
GENERAL	\$452.73	\$532.03	\$0.00	\$0.00	\$0.00	\$0.00	\$27.22	\$0.00	\$0.00	\$0.00	\$0.00	\$1,011.98	
WATER	\$4,754.83	\$703.02	\$57,886.00	\$0.00	\$0.00	\$0.00	\$325.87	\$56,695.55	\$0.58	\$0.00	\$0.00	\$6,973.59	
SEWER	\$6,231.62	\$719.13	\$76,182.00	\$0.00	\$0.00	\$0.00	\$380.23	\$75,865.27	\$10.49	\$0.00	\$0.00	\$7,637.22	
DOMESTIC WASTE	\$3,903.50	\$94.11	\$38,315.00	\$0.00	\$0.00	\$286.20	\$123.92	\$40,716.93	\$4.08	\$0.00	\$0.00	\$1,429.32	
WATER CONSUMPTION	\$7,939.38	\$60.68	\$0.00	\$77,012.48	\$245.50	\$0.00	\$401.42	\$77,093.44	\$33.75	\$0.00	\$0.00	\$8,532.27	
STORM WATER	\$31.25	\$0.68	\$175.00	\$0.00	\$0.00	\$0.00	\$2.26	\$156.34	\$0.03	\$0.00	\$0.00	\$52.82	
BUSINESS GARBAGE	\$196.67	\$1.16	\$18,915.00	\$0.00	\$0.00	\$576.00	\$25.55	\$18,468.46	\$4.72	\$0.00	\$0.00	\$89.20	
Unallocated Rates Receipt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	-\$4,590.05	
Unallocated Water Receipt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	-\$1,290.76	
FUND SUMMARY TOTAL	\$23,509.98	\$2,110.81	\$191,473.00	\$77,012.48	\$245.50	\$862.20	\$1,286.47	\$268,995.99	\$53.65	\$0.00		-\$5,880.81	\$19,845.59



CERTIFICATE OF RATES AND CHARGES LEVIED AND BROUGHT TO ACCOUNT FOR YEAR ENDING - 30/06/2022

30/06/2022 SUMMARY - ALL RATES LEVIES & REVENUES

FUND	RATE	FUND	ARREARS		2021/2022 LEVIES				RECEIPTS	WRITE OFFS	PENSION REBATE	UNALLOCATED RECEIPTS	BALANCE
			RATES	INTEREST	RATES	WATER	DR SUPP.	CR SUPP.					
1127	Res Rural	Barooga											
		GENERAL	\$2,470.83	\$21.26	\$142,603.36		\$1,289.84	\$1,366.65	\$163.46	\$137,652.10	\$5.25	\$3,168.02	\$4,356.73
		WATER	\$700.82	\$4.94	\$46,646.00		\$420.35		\$40.97	\$45,353.60	\$1.28	\$1,093.75	\$1,364.45
		SEWER	\$154.00	\$1.21	\$15,039.00				\$13.89	\$14,661.28	\$0.12	\$175.00	\$371.70
		DOMESTIC WASTE	\$186.25	\$1.32	\$16,583.00		\$440.02		\$12.35	\$16,201.88	\$6.06	\$519.85	\$495.15
		LEGALS											
		WATER CONSUMPTION	\$1,743.65	\$8.11		\$25,310.00	\$129.00		\$35.73	\$25,801.40	\$9.31		\$1,415.78
		BUSINESS GARBAGE			\$158.00					\$158.00			\$0.00
		Unallocated Rates Receipt											-\$4,214.26
		Unallocated Water Receipt											-\$783.48
		GROUP TOTAL	\$5,255.55	\$36.84	\$221,029.36	\$25,310.00	\$2,279.21	\$1,366.65	\$266.40	\$239,828.26	\$22.02	\$4,956.62	-\$4,997.74
1128	Res Rural	Berrigan											
		GENERAL	\$733.05	\$12.26	\$34,071.88				\$71.78	\$32,458.96	\$1.64	\$1,198.00	\$1,230.37
		WATER	\$257.39	\$1.74	\$24,166.00				\$30.85	\$23,403.94	\$4.01	\$481.25	\$566.78
		SEWER	\$141.97	\$0.87	\$3,056.00				\$12.69	\$2,868.21			\$343.32
		DOMESTIC WASTE	\$50.60	\$0.27	\$5,248.00		\$172.54		\$4.06	\$5,208.60	\$3.36	\$263.51	\$0.00
		LEGALS											
		WATER CONSUMPTION	\$3,171.49	-\$74.90		\$14,174.50	\$6.00		\$190.26	\$13,024.28	\$7.78		\$4,435.29
		BUSINESS GARBAGE			\$864.00				\$0.33	\$864.33			\$0.00
		Unallocated Rates Receipt											-\$1,149.85
		Unallocated Water Receipt											-\$80.67
		GROUP TOTAL	\$4,354.50	-\$59.76	\$67,405.88	\$14,174.50	\$178.54		\$309.97	\$77,828.32	\$16.79	\$1,942.76	-\$1,230.52
1129	Res Rural	Finley											
		GENERAL	\$2,130.19	\$42.55	\$55,555.99		\$2,167.96		\$80.16	\$57,086.90	\$6.49	\$2,007.79	\$875.67
		WATER			\$11,802.00		\$3,376.62		\$10.06	\$14,436.39	\$0.02	\$437.50	\$314.77
		SEWER			\$3,474.00		\$3,478.77		\$9.79	\$6,638.26	\$0.02		\$324.28
		DOMESTIC WASTE			\$7,109.00				\$2.47	\$6,420.81	\$1.92	\$688.74	\$0.00
		WATER CONSUMPTION	\$1,390.50	\$2.65		\$8,391.00	\$31.00		\$15.91	\$8,522.46	\$4.45		\$1,304.15
		Unallocated Rates Receipt											-\$4,527.26
		Unallocated Water Receipt											-\$1,068.38
		GROUP TOTAL	\$3,520.69	\$45.20	\$77,940.99	\$8,391.00	\$9,054.35		\$118.39	\$93,104.82	\$12.90	\$3,134.03	-\$5,595.64
1130	Res Rural	Tocumwal											
		GENERAL	\$3,705.46	\$95.45	\$152,364.20		\$4,652.95		\$219.23	\$147,693.59	\$6.81	\$9,089.49	\$4,247.40
		WATER	\$927.66	\$11.22	\$58,448.00		\$2,101.75		\$69.88	\$58,517.21	\$3.64	\$1,621.38	\$1,416.28
		SEWER	\$141.99	\$2.25	\$32,902.00		\$2,165.30		\$28.40	\$34,270.98	\$0.27	\$637.00	\$331.69
		DOMESTIC WASTE	\$438.95	\$9.48	\$24,661.00		\$986.43	\$46.13	\$32.75	\$24,245.44	\$14.18	\$1,229.89	\$592.97
		LEGALS					\$584.40			\$393.67			\$190.73
		WATER CONSUMPTION	\$3,929.64	\$49.32		\$17,470.86	\$64.68		\$75.76	\$19,972.15	\$6.72		\$1,611.39
		STORMWATER CHARGE			\$25.00					\$25.00			\$0.00
		Unallocated Rates Receipt											-\$7,540.69
		Unallocated Water Receipt											-\$3,594.00
		GROUP TOTAL	\$9,143.70	\$167.72	\$268,400.20	\$17,470.86	\$10,555.51	\$46.13	\$426.02	\$285,118.04	\$31.62	\$12,577.76	-\$11,134.69
		REPORT TOTAL	\$22,274.44	\$190.00	\$634,776.43	\$65,346.36	\$22,067.61	\$1,412.78	\$1,120.78	\$695,879.44	\$83.33	\$22,611.17	-\$22,958.59

SUMMARY - RES RURAL TOTALS AS AT 30/06/2022

RATE / FUND	ARREARS		2021/2022 LEVIES				RECEIPTS	WRITE OFFS	PENSION REBATE	UNALLOCATED RECEIPTS	BALANCE
	RATES	INTEREST	RATES	WATER	DR SUPP.	CR SUPP.					
GENERAL	\$9,039.63	\$171.52	\$384,595.43		\$8,110.75	\$1,366.65	\$534.63	\$374,891.55	\$20.19	\$15,463.30	\$10,710.17
WATER	\$1,885.87	\$17.90	\$141,062.00		\$5,898.72	\$0.00	\$151.76	\$141,711.14	\$8.95	\$3,633.88	\$3,662.28
SEWER	\$437.96	\$4.33	\$54,471.00		\$5,644.07	\$0.00	\$64.77	\$58,438.73	\$0.41	\$812.00	\$1,370.99
DOMESTIC WASTE	\$675.80	\$11.07	\$53,601.00		\$1,598.99	\$46.13	\$51.63	\$52,076.73	\$25.52	\$2,701.99	\$1,088.12
LEGALS	\$0.00	\$0.00	\$0.00		\$584.40	\$0.00	\$0.00	\$393.67	\$0.00	\$0.00	\$190.73
WATER CONSUMPTION	\$10,235.28	-\$14.82	\$0.00	\$65,346.36	\$230.68	\$0.00	\$317.66	\$67,320.29	\$28.26	\$0.00	\$8,766.61
STORMWATER CHARGE	\$0.00	\$0.00	\$25.00		\$0.00	\$0.00	\$0.00	\$25.00	\$0.00	\$0.00	\$0.00
SEWER LOCAL LOAN RAT	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
BUSINESS GARBAGE	\$0.00	\$0.00	\$1,022.00		\$0.00	\$0.00	\$0.33	\$1,022.33	\$0.00	\$0.00	\$0.00
BANK CHARGE/DISHONOU	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
WATER RESTRICTION RE	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Unallocated Rates Receipt	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	-\$17,432.06
Unallocated Water Receipt	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	-\$5,526.53
FUND SUMMARY TOTAL	\$22,274.44	\$190.00	\$634,776.43	\$65,346.36	\$22,067.61	\$1,412.78	\$1,120.78	\$695,879.44	\$83.33	\$22,611.17	-\$22,958.59



CERTIFICATE OF RATES AND CHARGES LEVIED AND BROUGHT TO ACCOUNT 2021/2022

SUMMARY - NON-RATEABLE TOTALS AS AT 30/06/2022

RATE / FUND	ARREARS		2021/2022 LEVIES							WRITE OFFS	PENSION REBATE	UNALLOCATED RECEIPTS	BALANCE
	RATES	INTEREST	RATES	WATER	DR SUPP.	CR SUPP.	INTEREST	RECEIPTS					
GENERAL	\$452.73	\$532.03	\$0.00	\$0.00	\$0.00	\$0.00	\$27.22	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,011.98
WATER	\$4,754.83	\$703.02	\$57,886.00	\$0.00	\$0.00	\$0.00	\$325.87	\$56,695.55	\$0.58	\$0.00	\$0.00	\$0.00	\$6,973.59
SEWER	\$6,231.62	\$719.13	\$76,182.00	\$0.00	\$0.00	\$0.00	\$380.23	\$75,865.27	\$10.49	\$0.00	\$0.00	\$0.00	\$7,637.22
DOMESTIC WASTE	\$3,903.50	\$94.11	\$38,315.00	\$0.00	\$0.00	\$286.20	\$123.92	\$40,716.93	\$4.08	\$0.00	\$0.00	\$0.00	\$1,429.32
WATER CONSUMPTION	\$7,939.38	\$60.68	\$0.00	\$77,012.48	\$245.50	\$0.00	\$401.42	\$77,093.44	\$33.75	\$0.00	\$0.00	\$0.00	\$8,532.27
STORM WATER	\$31.25	\$0.68	\$175.00	\$0.00	\$0.00	\$0.00	\$2.26	\$156.34	\$0.03	\$0.00	\$0.00	\$0.00	\$52.82
BUSINESS GARBAGE	\$196.67	\$1.16	\$18,915.00	\$0.00	\$0.00	\$576.00	\$25.55	\$18,468.46	\$4.72	\$0.00	\$0.00	\$0.00	\$89.20
Unallocated Rates Receipt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	-\$4,590.05	-\$4,590.05
Unallocated Water Receipt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	-\$1,290.76	-\$1,290.76
FUND SUMMARY TOTAL	\$23,509.98	\$2,110.81	\$191,473.00	\$77,012.48	\$245.50	\$862.20	\$1,286.47	\$268,995.99	\$53.65	\$0.00	-\$5,880.81	\$19,845.59	

SUMMARY - FARMLAND TOTALS AS AT 30/06/2022

RATE / FUND	ARREARS		2021/2022 LEVIES							WRITE OFFS	PENSION REBATE	UNALLOCATED RECEIPTS	BALANCE
	RATES	INTEREST	RATES	WATER	DR SUPP.	CR SUPP.	INTEREST	RECEIPTS					
GENERAL	\$37,224.60	\$867.31	\$1,994,329.93		\$3,445.74	\$4,241.53	\$2,144.55	\$2,000,018.46	\$155.26	\$2,637.53			\$30,959.35
WATER	\$0.02	\$0.00	\$14,050.00		\$0.00	\$0.00	\$0.67	\$13,875.67	\$0.02	\$175.00			\$0.00
SEWER	\$0.00	\$0.00	\$740.00			\$0.00	\$0.00	\$740.00	\$0.00	\$0.00			\$0.00
DOMESTIC WASTE	\$3.75	\$0.00	\$4,325.00		\$166.25	\$0.00	\$0.42	\$4,312.49	\$3.75	\$95.76			\$83.42
LEGALS	\$685.56	\$0.00	\$0.00		\$1,753.20	\$0.00	\$0.00	\$1,813.98	\$0.00	\$0.00			\$624.78
WATER CONSUMPTION	\$134.64	\$0.53	\$0.00	\$6,947.94	\$197.00	\$0.00	\$6.39	\$7,099.69	\$8.98	\$0.00			\$177.83
BUSINESS GARBAGE	\$0.00	\$0.00	\$445.00		\$0.00	\$0.00	\$0.28	\$445.28	\$0.00	\$0.00			\$0.00
BANK CHARGE/DISHO	\$0.00		\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			\$0.00
Unallocated Rates Receipt												-\$21,172.88	-\$21,172.88
Unallocated Water Receipt												-\$247.38	-\$247.38
FUND SUMMARY TOTAL	\$38,048.57	\$867.84	\$2,013,889.93	\$6,947.94	\$5,562.19	\$4,241.53	\$2,152.31	\$2,028,305.57	\$168.01	\$2,908.29	-\$21,420.26	\$10,425.12	

SUMMARY - RES RURAL TOTALS AS AT 30/06/2022

RATE / FUND	ARREARS		2021/2022 LEVIES							WRITE OFFS	PENSION REBATE	UNALLOCATED RECEIPTS	BALANCE
	RATES	INTEREST	RATES	WATER	DR SUPP.	CR SUPP.	INTEREST	RECEIPTS					
GENERAL	\$9,039.53	\$171.52	\$384,595.43		\$8,110.75	\$1,366.65	\$534.63	\$374,891.55	\$20.19	\$15,463.30			\$10,710.17
WATER	\$1,885.87	\$17.90	\$141,062.00		\$5,898.72	\$0.00	\$151.76	\$141,711.14	\$8.95	\$3,633.88			\$3,662.28
SEWER	\$437.96	\$4.33	\$54,471.00		\$5,644.07	\$0.00	\$64.77	\$58,438.73	\$0.41	\$812.00			\$1,370.99
DOMESTIC WASTE	\$675.80	\$11.07	\$53,601.00		\$1,598.99	\$46.13	\$51.63	\$52,076.73	\$25.52	\$2,701.99			\$1,088.12
LEGALS	\$0.00	\$0.00	\$0.00		\$584.40	\$0.00	\$0.00	\$393.67	\$0.00	\$0.00			\$190.73
WATER CONSUMPTION	\$10,235.28	-\$14.82	\$0.00	\$65,346.36	\$230.68	\$0.00	\$317.66	\$67,320.29	\$28.26	\$0.00			\$8,766.61
STORMWATER CHARGE	\$0.00	\$0.00	\$25.00		\$0.00	\$0.00	\$0.00	\$25.00	\$0.00	\$0.00			\$0.00
SEWER LOCAL LOAN RAT	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			\$0.00
BUSINESS GARBAGE	\$0.00	\$0.00	\$1,022.00		\$0.00	\$0.00	\$0.33	\$1,022.33	\$0.00	\$0.00			\$0.00
BANK CHARGE/DISHONOU	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			\$0.00
WATER RESTRICTION RE	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			\$0.00
Unallocated Rates Receipt	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		-\$17,432.06	-\$17,432.06
Unallocated Water Receipt	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		-\$5,526.53	-\$5,526.53
FUND SUMMARY TOTAL	\$22,274.44	\$190.00	\$634,776.43	\$65,346.36	\$22,067.61	\$1,412.78	\$1,120.78	\$695,879.44	\$83.33	\$22,611.17	-\$22,958.59	\$2,830.31	

SUMMARY - RESIDENTIAL TOTALS AS AT 30/06/2022

RATE / FUND	ARREARS		2021/2022 LEVIES							WRITE OFFS	PENSION REBATE	UNALLOCATED RECEIPTS	BALANCE
	RATES	INTEREST	RATES	WATER	DR SUPP.	CR SUPP.	INTEREST	RECEIPTS					
GENERAL	\$86,128.68	\$2,921.56	\$2,596,209.36		\$6,615.31	\$1,330.07	\$4,211.07	\$2,447,193.92	\$33.67	\$154,188.09			\$93,340.23
WATER	\$63,939.20	\$2,254.63	\$1,813,012.00		\$4,822.45	\$562.00	\$3,227.91	\$1,737,186.96	\$20.18	\$79,712.61			\$69,774.44
SEWER	\$70,195.98	\$2,275.87	\$1,863,980.00		\$6,220.23	\$740.00	\$3,498.19	\$1,791,547.12	\$24.48	\$79,537.61			\$74,321.06
DOMESTIC WASTE	\$39,959.47	\$1,234.91	\$1,019,229.00		\$7,070.29	\$2,074.09	\$2,024.99	\$951,397.81	\$71.35	\$73,280.86			\$42,694.55
LEGALS	\$15,902.16	\$0.00	\$0.00		\$9,968.60	\$0.00	\$0.00	\$12,472.34	\$0.00	\$0.00			\$13,398.42
WATER CONSUMPTION	\$57,941.72	\$1,316.65	\$0.00	\$694,342.88	\$5,627.94	\$156.38	\$2,030.36	\$698,169.80	\$1,821.47				\$61,111.90
STORMWATER CHARGE	\$3,540.74	\$120.34	\$69,487.50		\$112.10	\$25.00	\$174.91	\$69,514.05	\$398.86				\$3,497.68
BUSINESS GARBAGE	\$420.23	\$0.00	\$4,663.00		\$49.78	\$0.00	\$4.02	\$4,558.15	\$0.81				\$578.07
BANK CHARGE	\$0.00	\$0.00	\$0.00		\$120.00	\$0.00	\$0.00	\$120.00	\$0.00				\$0.00
WATER RESTRICTION	\$0.00	\$4.23	\$0.00		\$0.00	\$0.00	\$0.00	\$1.82	\$0.00				\$2.41
Unallocated Rates Receipt												-\$213,576.11	-\$213,576.11
Unallocated Water Receipt												-\$65,165.55	-\$65,165.55
FUND SUMMARY TOTAL	\$338,028.18	\$10,128.19	\$7,366,580.86	\$694,342.88	\$40,606.70	\$4,887.54	\$15,171.45	\$7,712,161.97	\$2,370.82	\$386,719.17	-\$278,741.66	\$79,977.10	

SUMMARY - BUSINESS TOTALS AS AT 30/06/2022

RATE / FUND	ARREARS		2021/2022 LEVIES							WRITE OFFS	PENSION REBATE	UNALLOCATED RECEIPTS	BALANCE
	RATES	INTEREST	RATES	WATER	DR SUPP.	CR SUPP.	INTEREST	RECEIPTS					
GENERAL	\$10,769.75	\$183.73	\$597,733.80		\$1,328.09	\$671.46	\$653.16	\$593,876.78	\$10.93	\$1,599.27			\$14,510.09
WATER	\$6,527.46	\$117.48	\$228,734.00		\$0.00	\$0.00	\$354.13	\$227,742.19	\$9.60	\$700.00			\$7,281.28
SEWER	\$6,121.77	\$108.42	\$285,111.00		\$0.00	\$0.00	\$349.58	\$283,026.88	\$19.75	\$700.00			\$7,944.14
DOMESTIC WASTE	\$714.07	\$8.98	\$20,336.00		\$179.47	\$1,311.97	\$20.01	\$19,195.41	\$1.05	\$400.73			\$349.37
LEGALS	\$5.78	\$0.00	\$0.00		\$581.40	\$0.00	\$0.00	\$5.78	\$0.00	\$0.00			\$581.40
WATER CONSUMPTION	\$11,943.33	\$89.13	\$0.00	\$138,568.90	\$9,721.32	\$0.00	\$320.51	\$147,406.11	\$4,310.55				\$8,926.53
STORMWATER CHARGE	\$291.19	\$5.05	\$7,375.00		\$0.00	\$0.00	\$13.74	\$7,356.62	\$18.58				\$309.78
BUSINESS GARBAGE	\$2,315.16	\$37.24	\$76,991.00		\$3,159.43	\$1,028.44	\$87.70	\$78,925.04	\$35.60				\$2,601.45
BANK CHARGE	\$40.00	\$0.00	\$0.00		\$16.00	\$0.00	\$0.00	\$56.00					\$0.00
WATER RESTRICTION	\$0.00	\$0.00	\$0.00										\$0.00
Unallocated Rates Receipt												-\$18,316.61	-\$18,316.61
Unallocated Water Receipt												-\$5,186.28	-\$5,186.28
FUND SUMMARY TOTAL	\$38,728.51	\$550.03	\$1,216,280.80	\$138,568.90	\$14,985.71	\$3,011.87	\$1,798.83	\$1,357,590.81	\$4,406.06	\$3,400.00	-\$23,502.89	\$19,001.15	

SUMMARY - ALL TOTALS AS AT 30/06/2022

	ARREARS		2021/2022 LEVIES		WRITE	PENSION	UNALLOCATED
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CERTIFICATE OF RATES AND CHARGES LEVIED AND BROUGHT TO ACCOUNT 2021/2022

RATE / FUND	RATES	INTEREST	RATES	WATER	DR SUPP.	CR SUPP.	INTEREST	RECEIPTS	OFFS	REBATE	RECEIPTS	BALANCE
GENERAL	\$143,615.29	\$4,676.15	\$5,572,868.52		\$19,499.89	\$7,609.71	\$7,570.63	\$5,415,980.71	\$220.05	\$173,888.19		\$150,531.82
WATER	\$77,107.38	\$3,093.03	\$2,254,744.00		\$10,721.17	\$562.00	\$4,060.34	\$2,177,211.51	\$39.33	\$84,221.49		\$87,691.59
SEWER	\$82,987.33	\$3,107.75	\$2,280,484.00		\$11,864.30	\$740.00	\$4,292.77	\$2,209,618.00	\$55.13	\$81,049.61		\$91,273.41
DOMESTIC WASTE	\$45,256.59	\$1,349.07	\$1,135,806.00		\$9,015.00	\$3,718.39	\$2,220.97	\$1,067,699.37	\$105.75	\$76,479.34		\$45,644.78
LEGALS	\$16,593.50				\$12,887.60			\$14,685.77				\$14,795.33
WATER CONSUMPTION	\$88,194.35	\$1,452.17		\$982,218.56	\$16,022.44	\$156.38	\$3,076.34	\$997,089.33	\$6,203.01			\$87,515.14
STORMWATER CHARGE	\$3,863.18	\$126.07	\$77,062.50		\$112.10	\$25.00	\$190.91	\$77,052.01	\$417.47			\$3,860.28
BUSINESS GARBAGE	\$2,932.06	\$38.40	\$102,036.00		\$3,209.21	\$1,604.44	\$117.88	\$103,419.26	\$41.13			\$3,268.72
BANK CHARGE	\$40.00				\$136.00			\$176.00				
WATER RESTRICTION	\$0.00	\$4.23						\$1.82				\$2.41
Unallocated Rates Receipt												-\$275,087.71
Unallocated Water Receipt												-\$77,416.50
FUND SUMMARY TOTAL	\$460,589.68	\$13,846.87	\$11,423,001.02	\$982,218.56	\$83,467.71	\$14,415.92	\$21,529.84	\$12,062,933.78	\$7,081.87	\$415,638.63	-\$352,504.21	\$132,079.27

Berrigan Shire Council - General Ledger Transaction 01/07/2021 - 30/06/2022

Summary - ALL GL FUNDS

SUMMARY - ALL TOTALS AS AT 30/06/2022

RATE / FUND	2021/22 LEVIES					WRITE	PENSION	BALANCE
	RATES	WATER	DR SUPP.	CR SUPP.	INTEREST	OFFS	REBATE	
GENERAL	\$143,615.29	\$4,676.15	\$19,499.89	\$7,609.71	\$7,570.63	\$220.05	\$173,888.19	\$150,531.82
WATER	\$77,107.38	\$3,093.03	\$10,721.17	\$562.00	\$4,060.34	\$39.33	\$84,221.49	\$87,691.59
SEWER	\$82,987.33	\$3,107.75	\$11,864.30	\$740.00	\$4,292.77	\$55.13	\$81,049.61	\$91,273.41
DOMESTIC WASTE	\$45,256.59	\$1,349.07	\$9,015.00	\$3,718.39	\$2,220.97	\$105.75	\$76,479.34	\$45,644.78
LEGALS	\$16,593.50		\$12,887.60					\$14,795.33
WATER CONSUMPTION	\$88,194.35	\$1,452.17	\$16,022.44	\$156.38	\$3,076.34	\$6,203.01		\$87,515.14
STORMWATER CHARGE	\$3,863.18	\$126.07	\$112.10	\$25.00	\$190.91	\$417.47		\$3,860.28
BUSINESS GARBAGE	\$2,932.06	\$38.40	\$3,209.21	\$1,604.44	\$117.88	\$41.13		\$3,268.72
BANK CHARGE	\$40.00		\$136.00					
WATER RESTRICTION	\$0.00	\$4.23						\$2.41
FUND SUMMARY TOTAL	\$460,589.68	\$13,846.87	\$83,467.71	\$14,415.92	\$21,529.84	\$7,081.87	\$415,638.63	\$484,583.48

Michael Millar

Revenue Coordinator

The Common Seal of the Council of Berrigan was hereto affixed
 this _____ day of _____, 2022 in pursuance of
 Resolution no. _____ of the Council passed on the _____
 Mayor _____ Chief Executive Officer _____

**CERTIFICATE OF RATES AND CHARGES LEVIED AND BROUGHT TO ACCOUNT FOR 2022/23 - as at 08/07/2022****08/07/2022 SUMMARY - ALL RATES LEVIES & REVENUES**

FUND	-ARREARS-		2022/23 LEVIES-					UNALLOCATED				
	RATES	INTEREST	RATES	WATER	DR SUPP.	CR SUPP.	CURRENT INTEREST	RECEIPTS	WRITE OFFS	PENSION REBATE	RECEIPTS	BALANCE
WATER RESTRICTION RE												
Unallocated Rates Receipts											-\$6,089.27	-\$6,089.27
Unallocated Water Receipts											-\$16,187.40	-\$16,187.40
GROUP TOTAL	\$77,223.37	\$1,428.37	\$2,511,970.10		\$5.28		\$80.69	\$64,044.22		\$134,945.49	-\$22,276.67	\$2,369,441.43
1116 Farmland-Gravel Pits												
GENERAL			\$32,967.11					\$278.94				\$32,688.17
Unallocated Rates Receipts												\$0.00
Unallocated Water Receipts												\$0.00
GROUP TOTAL	\$0.00	\$0.00	\$32,967.11					\$278.94				\$32,688.17
1117 Business Ind-Barooga												
GENERAL			\$5,187.00									\$5,187.00
WATER			\$1,164.00									\$1,164.00
SEWER			\$599.00									\$599.00
WATER CONSUMPTION												
STORMWATER CHARGE			\$50.00									\$50.00
BUSINESS GARBAGE			\$298.00									\$298.00
Unallocated Rates Receipts												
Unallocated Water Receipts												
GROUP TOTAL			\$7,298.00									\$7,298.00
1118 Business Ind-Berrigan												
GENERAL	\$3,056.59	\$8.65	\$30,395.87				\$0.76	\$3,157.55		\$250.00		\$30,054.32
WATER	\$1,302.90	\$5.97	\$12,222.00				\$0.51	\$1,187.27		\$87.50		\$12,256.61
SEWER			\$3,594.00					\$390.07		\$87.50		\$3,116.43
WATER CONSUMPTION	\$155.50	\$0.25					\$0.18					\$155.93
STORMWATER CHARGE	\$43.75		\$275.00					\$18.75				\$300.00
BUSINESS GARBAGE			\$2,547.00					\$137.11				\$2,409.89
Unallocated Rates Receipts												
Unallocated Water Receipts												
GROUP TOTAL	\$4,558.74	\$14.87	\$49,033.87				\$1.45	\$4,890.75		\$425.00	-\$749.80	\$47,543.38
1119 Business Ind-Finley												
GENERAL	\$2,911.89	\$157.29	\$70,502.98				\$2.83	\$2,486.21		\$397.50		\$70,691.18
WATER	\$1,520.73	\$78.06	\$29,682.00				\$1.59	\$1,015.08		\$175.00		\$30,092.30
SEWER	\$1,581.03	\$81.00	\$25,757.00				\$1.65	\$1,031.30		\$175.00		\$26,214.38
DOMESTIC WASTE			\$2,925.00					\$65.52		\$102.50		\$2,756.98
LEGALS	\$581.40											\$581.40
WATER CONSUMPTION	\$45.80	\$1.67					\$0.05					\$47.52
STORMWATER CHARGE	\$59.59	\$3.89	\$875.00				\$0.06	\$31.29				\$907.25
BUSINESS GARBAGE			\$5,285.00									\$5,285.00
Unallocated Rates Receipts												
Unallocated Water Receipts												
GROUP TOTAL	\$6,700.44	\$321.91	\$135,026.98				\$6.18	\$4,629.40		\$850.00	-\$23.93	\$136,552.08
1120 Business Ind-Tocumwal												
GENERAL			\$14,682.21									\$14,682.21
WATER			\$9,312.00									\$9,312.00
SEWER			\$8,985.00									\$8,985.00
WATER CONSUMPTION	\$58.36	\$2.85					\$0.06					\$61.27
STORMWATER CHARGE			\$175.00									\$175.00
BUSINESS GARBAGE	\$15.58	\$0.09	\$1,058.00				\$0.02					\$1,073.69
Unallocated Rates Receipts												
Unallocated Water Receipts												
GROUP TOTAL	\$73.94	\$2.94	\$34,212.21				\$0.08				-\$369.01	\$33,919.44
1127 Res Rural - Barooga												
GENERAL	\$4,287.00	\$69.73	\$146,757.82				\$4.77	\$3,597.35		\$2,914.23		\$144,607.74
WATER	\$1,348.97	\$15.48	\$48,888.00				\$1.42	\$1,208.00		\$1,006.25		\$48,039.62
SEWER	\$369.39	\$2.31	\$15,563.00				\$0.33	\$185.54		\$175.00		\$15,574.49
DOMESTIC WASTE	\$492.26	\$2.89	\$18,219.00				\$0.52	\$82.25		\$524.88		\$18,107.54
LEGALS												
WATER CONSUMPTION	\$1,411.18	\$4.60					\$1.58	\$50.00				\$1,367.36
STORMWATER CHARGE			\$25.00									\$25.00
BUSINESS GARBAGE			\$164.00									\$164.00
Unallocated Rates Receipts												
Unallocated Water Receipts												
GROUP TOTAL	\$7,908.80	\$95.01	\$229,616.82				\$8.62	\$5,123.14		\$4,620.36	-\$1,047.56	\$226,838.19
1128 Res Rural - Berrigan												
GENERAL	\$1,191.71	\$38.66	\$34,741.72				\$1.38	\$659.44		\$1,503.01		\$33,811.02
WATER	\$560.90	\$5.88	\$25,026.00				\$0.64	\$355.27		\$700.00		\$24,538.15
SEWER	\$337.70	\$5.62	\$3,162.00				\$0.39	\$191.53				\$3,314.18
DOMESTIC WASTE			\$5,763.00					\$20.61		\$363.46		\$5,378.93
LEGALS												
WATER CONSUMPTION	\$4,338.88	\$96.41					\$4.93	\$64.97				\$4,375.25
BUSINESS GARBAGE			\$894.00									\$894.00
WATER RESTRICTION RE												
Unallocated Rates Receipts												
Unallocated Water Receipts												
GROUP TOTAL	\$6,429.19	\$146.57	\$69,586.72				\$7.34	\$1,291.82		\$2,566.47	-\$80.70	\$72,230.83
1129 Res Rural - Finley												
GENERAL	\$870.03	\$5.64	\$59,567.59				\$0.62	\$1,698.24		\$1,888.85		\$56,856.79
WATER	\$312.55	\$2.22	\$16,878.00				\$0.36	\$1,378.71		\$437.50		\$15,376.92
SEWER	\$321.99	\$2.29	\$8,386.00				\$0.37	\$599.00				\$8,111.65
DOMESTIC WASTE			\$7,347.00					\$706.62		\$692.91		\$5,947.47
WATER CONSUMPTION	\$1,302.00	\$2.15					\$1.50					\$1,305.65
STORM WATER												
Unallocated Rates Receipts												
Unallocated Water Receipts												
GROUP TOTAL	\$2,806.57	\$12.30	\$92,178.59				\$2.85	\$4,382.57		\$3,019.26	-\$620.82	\$85,909.28
1130 Res Rural-Tocumwal												
GENERAL	\$4,114.82	\$132.58	\$161,732.16				\$4.38	\$4,676.68		\$9,244.90		\$152,062.36
WATER	\$1,397.03	\$19.25	\$64,020.00				\$1.46	\$2,318.20		\$1,662.50		\$61,457.04
SEWER	\$329.21	\$2.48	\$37,051.00				\$0.26	\$1,186.85		\$612.50		\$35,583.60
DOMESTIC WASTE	\$580.07	\$12.90	\$26,655.00				\$0.54	\$773.40		\$1,234.80		\$25,240.51
LEGALS	\$190.73											\$190.73
WATER CONSUMPTION	\$1,585.48	\$25.91					\$1.83					\$1,618.50
STORMWATER CHARGE			\$50.00					\$6.28				\$43.72
BUSINESS GARBAGE												
Unallocated Rates Receipts												
Unallocated Water Receipts												
GROUP TOTAL	\$8,197.34	\$193.12	\$289,508.16		\$5.28		\$8.47	\$8,961.41		\$12,754.50	-\$52.07	\$272,540.39
1137 Business Ord-Barooga												

08/07/2022 SUMMARY - ALL RATES LEVIES & REVENUES

FUND	-ARREARS-		2022/23 LEVIES-					UNALLOCATED				
	RATES	INTEREST	RATES	WATER	DR SUPP.	CR SUPP.	CURRENT INTEREST	RECEIPTS	WRITE OFFS	PENSION REBATE	RECEIPTS	BALANCE
Unallocated Rates Receipts												
Unallocated Water Receipts												
GROUP TOTAL			\$2,461.85									\$2,461.85
1159 Business Rural-Finley												
GENERAL			\$17,627.71									\$17,627.71
WATER			\$1,746.00									\$1,746.00
SEWER			\$1,361.00									\$1,361.00
DOMESTIC WASTE			\$2,034.00									\$2,034.00
WATER CONSUMPTION												\$0.00
STORMWATER CHARGE			\$25.00									\$25.00
BUSINESS GARBAGE			\$298.00									\$298.00
Unallocated Rates Receipts												\$0.00
Unallocated Water Receipts												-\$2.00
GROUP TOTAL			\$23,091.71								-\$2.00	\$23,089.71
1160 Business Rural-Tocumwal												
GENERAL	\$259.00	\$1.98	\$72,311.40				\$0.30	\$745.42				\$71,827.26
WATER	\$6.04	\$0.03	\$30,846.00				\$0.01	\$290.39				\$30,561.69
SEWER			\$26,704.00					\$149.96				\$26,554.04
DOMESTIC WASTE			\$339.00									\$339.00
WATER CONSUMPTION	\$457.03	\$2.02					\$0.51	\$42.24				\$417.32
STORMWATER CHARGE			\$500.00					\$6.25				\$493.75
BUSINESS GARBAGE			\$1,518.00					\$57.46				\$1,460.54
BANK CHARGE												\$0.00
Unallocated Rates Receipts												\$0.00
Unallocated Water Receipts												-\$2,310.57
GROUP TOTAL	\$722.07	\$4.03	\$132,218.40				\$0.82	\$1,291.72	\$0.00		-\$2,310.57	\$129,343.03
1161 Business Alt Energy-FIN												
GENERAL	\$24.12	\$0.12	\$36,185.91				\$0.03					\$36,210.18
Unallocated Rates Receipts												
Unallocated Water Receipts												
GROUP TOTAL	\$24.12	\$0.12	\$36,185.91				\$0.03					\$36,210.18
1167 Residential Riverland-BGA												
GENERAL												\$0.00
Unallocated Rates Receipts												\$0.00
Unallocated Water Receipts												\$0.00
GROUP TOTAL												\$0.00
1170 Residential Riverland-TOC												
Unallocated Rates Receipts												\$0.00
Unallocated Water Receipts												\$0.00
GROUP TOTAL												\$0.00
1180 Residential												
GENERAL	\$1,405.21	\$17.55	\$49,495.13				\$1.28	\$1,670.60				\$49,248.57
WATER	\$421.12	\$6.31	\$12,804.00				\$0.46	\$286.82				\$12,945.07
SEWER	\$436.95	\$6.54	\$12,913.00				\$0.47	\$264.91				\$13,082.05
WATER CONSUMPTION												\$0.00
Unallocated Rates Receipts												\$0.00
Unallocated Water Receipts												-\$416.73
GROUP TOTAL	\$2,263.28	\$30.40	\$75,212.13				\$2.21	\$2,222.33			-\$416.73	\$74,868.96
REPORT TOTAL	\$470,877.48	\$13,706.00	\$11,822,724.94	\$3,369.06			\$466.30	\$304,392.33	\$0.00	\$407,067.70	-\$101,745.94	\$11,497,937.71

1/ SUMMARY - RATES AND CHARGES

AS AT 08/07/2022

FUND	-ARREARS-		2022/23 LEVIES-					UNALL				
	RATES	INTEREST	RATES	WATER	DR SUPP.	CR SUPP.	CURRENT INTEREST	RECEIPTS	WRITE OFFS	PENSION REBATE	RECEIPTS	BALANCE
GENERAL	\$146,181.30	\$4,350.52	\$5,705,813.44				\$145.47	\$139,977.72	\$0.00	\$170,163.35		\$5,546,349.56
WATER	\$84,597.46	\$3,094.13	\$2,355,936.00				\$85.39	\$71,418.41	\$0.00	\$82,468.75		\$2,289,825.82
SEWER	\$88,234.18	\$3,039.23	\$2,381,710.00				\$90.61	\$58,269.81	\$0.00	\$79,100.00		\$2,335,704.21
DOMESTIC WASTE	\$44,464.54	\$1,180.24	\$1,188,333.00				\$44.86	\$26,070.25	\$0.00	\$75,335.60		\$1,132,616.79
LEGALS	\$14,795.33	\$0.00			\$3,312.00			\$583.07				\$17,524.26
WATER CONSUMPTION	\$85,590.28	\$1,924.88			\$57.06		\$92.79	\$6,011.81	\$0.00			\$81,653.18
STORMWATER CHARGE	\$3,760.48	\$99.80	\$77,837.50				\$3.94	\$1,649.02	\$0.00			\$80,052.70
BUSINESS GARBAGE	\$3,253.91	\$14.81	\$113,095.00				\$3.24	\$412.24	\$0.00			\$115,954.72
BANK CHARGE/DISHONOU	\$0.00								\$0.00			\$0.00
WATER RESTRICTION RE		\$2.41										\$2.41
Unallocated Rates Receipts												-\$23,315.82
Unallocated Water Receipts												-\$78,430.12
FUND SUMMARY TOTAL	\$470,877.48	\$13,706.00	\$11,822,724.94	\$3,369.06			\$466.30	\$304,392.33	\$0.00	\$407,067.70	-\$101,745.94	\$11,497,937.71
	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Balance of Rates and Charges after Levy 08/07/2022 \$11,497,937.71

2/ GL SUMMARY - ALL RATES & CHARGES as at 08/07/2022

ORDINARY RATES

9100-1000-0000	FARMLAND	\$2,031,973.69
9100-1001-0000	RESIDENTIAL RURAL	\$402,799.29
9100-1010-0000	RESIDENTIAL	\$49,495.13
9100-1002-0000	BAROOGA	\$721,373.13
9100-1003-0000	BERRIGAN	\$447,507.13
9100-1004-0000	FINLEY	\$974,591.20
9100-1005-0000	TOCUMWAL	\$1,078,073.87
		\$5,705,813.44

WATER CHARGES

4110-1000-0001	BAROOGA	\$523,800.00
4110-1000-0002	BERRIGAN	\$334,068.00
4110-1000-0003	FINLEY	\$647,766.00
4110-1000-0004	TOCUMWAL	\$790,938.00
4110-1000-0005	NON-RATEABLE	\$59,364.00
		\$2,355,936.00

SEWER CHARGES

5110-1000-0001	BAROOGA	\$540,398.00
5110-1000-0002	BERRIGAN	\$304,147.00
5110-1000-0003	FINLEY	\$652,504.00
5110-1000-0004	TOCUMWAL	\$805,991.00
5110-1000-0005	NON-RATEABLE	\$78,670.00
		\$2,381,710.00



CERTIFICATE OF RATES AND CHARGES LEVIED AND BROUGHT TO ACCOUNT FOR 2022/23 - as at 08/07/2022

08/07/2022 SUMMARY - ALL RATES LEVIES & REVENUES

FUND	-ARREARS-		2022/23 LEVIES					UNALLOCATED				
	RATES	INTEREST	RATES	WATER	DR SUPP.	CR SUPP.	CURRENT INTEREST	RECEIPTS	WRITE OFFS	PENSION REBATE	RECEIPTS	BALANCE
DOMESTIC WASTE CHARGES												
3660-1000-0000	DOM WASTE CHARGES		\$1,188,333.00									
			\$1,188,333.00									
NON-DOMESTIC WASTE (BUSINESS) CHARGES												
3670-1000-0000	BUSINESS GARBAGE		\$113,095.00									
			\$113,095.00									
STORMWATER/DRAINAGE CHARGES												
3750-1000-0000	STORMWATER/DRAINAGE		\$77,837.50									
			\$77,837.50									
TOTAL ALL REVENUES LEVIED			\$11,822,724.94									

2/ SUMMARY - RATES AND CHARGES LEVIED 08/07/2022

SUMMARY.2	
TOTAL VG LAND VALUE	\$821,343,080.00
Net Rateable Land Value	\$806,606,190.00
Total ALL Instalments on Notices	\$11,497,937.71
Arrears	-\$484,583.48
Pending Receipts	\$301,023.27
	\$11,314,377.50
+ Rebates	\$407,067.70
	\$11,721,445.20
+ Credit B/f	\$101,745.94
	\$11,823,191.14

SUMMARY.2	
Total Due on ALL Notices	\$11,497,937.71
+ Rebates	\$407,067.70
+ Credit B/f	\$101,745.94
Arrears	-\$484,583.48
Pending Receipts	\$301,023.27
	\$11,823,191.14

3/ GL SUMMARY - RATES & CHARGES as at 08/07/2022

SUMMARY.3			
9100-1000-		ORDINARY RATES	\$5,705,813.44
4110-1000-		WATER CHARGES	\$2,355,936.00
5110-1000-		SEWER CHARGES	\$2,381,710.00
3660-1000-		DOM WASTE UNCOLL CHARGES	\$1,188,333.00
3670-1000-		BUSINESS GARBAGE CHARGES	\$113,095.00
3750-1000-		STORMWATER/DRAINAGE CHARGES	\$77,837.50
		GROSS TOTAL	\$11,822,724.94

Michael Millar
Revenue Coordinator



CERTIFICATE OF RATES AND CHARGES LEVIED AND BROUGHT TO ACCOUNT FOR 2022/2023 - as at 08/07/2022

08/07/2022 SUMMARY - ALL RATES LEVIES & REVENUES

1/ SUMMARY - RATES AND CHARGES

AS AT 08/07/2021

FUND	-ARREARS-		2020/2021 LEVIES		WATER	DR SUPP.	CR/ SUPP.	CURRENT INTEREST	RECEIPTS	WRITE OFFS	PENSION REBATE	UNALL RECEIPTS	BALANCE	
	RATES	INTEREST	RATES	RATES										
GENERAL	#####	\$4,350.52	\$5,705,813.44				\$ 145.47	\$ 139,977.72	\$ -	\$ 170,163.35			\$ 5,546,349.56	
WATER	\$ 84,597.46	\$ 3,094.13	\$ 2,355,936.00				\$ 85.39	\$ 71,418.41	\$ -	\$ 82,468.75			\$ 2,289,825.82	
SEWER	\$ 88,234.18	\$ 3,039.23	\$ 2,381,710.00				\$ 90.61	\$ 58,269.81	\$ -	\$ 79,100.00			\$ 2,335,704.21	
DOMESTIC WASTE	\$ 44,464.54	\$ 1,180.24	\$ 1,188,333.00				\$ 44.86	\$ 26,070.25	\$ -	\$ 75,335.60			\$ 1,132,616.79	
LEGALS	\$ 14,795.33	\$ -			\$ 3,312.00			\$ 583.07					\$ 17,524.26	
WATER CONSUMPTION	\$ 85,590.28	\$ 1,924.86			\$ 57.06		\$ 92.79	\$ 6,011.81	\$ -				\$ 81,653.18	
STORMWATER CHARGE	\$ 3,760.48	\$ 99.80	\$ 77,837.50				\$ 3.94	\$ 1,649.02	\$ -				\$ 80,052.70	
BUSINESS GARBAGE	\$ 3,253.91	\$ 14.81	\$ 113,095.00				\$ 3.24	\$ 412.24	\$ -				\$ 115,954.72	
BANK CHARGE/DISHONOR	\$ -	\$ -							\$ -				\$ -	
WATER RESTRICTION RE		\$ 2.41											\$ 2.41	
Unallocated Rates Receipts												\$ 23,315.82	\$ 23,315.82	
Unallocated Rates Receipts												\$ 78,430.12	\$ 78,430.12	
FUND SUMMARY TOTAL	\$470,877.48	\$13,706.00	\$11,822,724.94				\$466.30	\$304,392.33	\$0.00	\$407,067.70	-\$ 101,745.94		\$11,497,937.71	
Gross Levy													Balance of Rates and Charges after Levy 08/07/2022	\$11,497,937.71

2/ SUMMARY - RATES AND CHARGES LEVIED 08/07/2022

SUMMARY.2A

TOTAL VG LAND VALUE	\$821,343,080
Net Rateable Land Value	\$806,606,190
Total ALL Instalments on Notices	\$11,497,937.71
-Arrears	-\$484,583.48
-Pending Receipts	\$301,023.27
+ Rebates	\$407,067.70
	\$11,314,377.50
+ Credit B/f	\$ 101,745.94
	\$11,416,123.44

SUMMARY.2B

Total Due on ALL Notices	\$11,497,937.71
+ Rebates	\$407,067.70
+ Credit B/f	\$ 101,745.94
-Arrears	-\$484,583.48
-Pending Receipts	\$301,023.27
	\$11,823,191.14

3/ GL SUMMARY - RATES & CHARGES as at 08/07/2022

SUMMARY.3

9100-1000-	ORDINARY RATES	\$5,705,813.44
4110-1000-	WATER CHARGES	\$2,355,936.00
5110-1000-	SEWER CHARGES	\$2,381,710.00
3660-1000-	DOM WASTE UNCOLL CHARGES	\$1,188,333.00
3670-1000-	BUSINESS GARBAGE CHARGES	\$113,095.00
3750-1000-	STORMWATER/DRAINAGE CHARGES	\$77,837.50
TOTAL		\$11,822,724.94

Michael Millar
Revenue Coordinator

The Common Seal of the Council of Berrigan was hereto affixed this _____ day of _____, 2022 in pursuance of Resolution no. _____ of the Council passed on the _____

Chief Executive Officer _____ Mayor _____