

Expenditure – lapsing programs (output initiatives including grants)

Question 7

For all programs (output initiatives including grants) with total funding of equal to or greater than \$5 million, that were to lapse in financial year 2020-21, where funding is to be extended in the 2021-22 Budget, please provide the:

- a) name of the program
- b) objective/s of the program
- c) expenditure in the financial years 2020-21 and 2021-22 (and where relevant, future years)
- d) details of how the program will be funded (i.e. through new output appropriation, Commonwealth funding, internal reprioritisation etc.)
- e) evidence of the continued need for the program, and Government's role in delivering it
- f) evidence of the program's progress toward its stated objectives and expected outcomes, including an alignment between the program, its output (as outlined in *Budget Paper No.3: Service Delivery*), departmental objectives and any government priorities
- g) evidence of the program being delivered within its scope, budget, expected timeframe and in line with appropriate governance and risk management practices
- h) extent and level of efficiencies realised in the delivery of the program
- i) information about what the nature of the impact of the program ceasing would be and what strategies have been identified to minimise any negative impacts
- j) evidence that the further funding reflects the actual cost required to deliver the program.

Guidance

Lapsing program – The Committee uses the definition of lapsing program as set out in the Department of Treasury and Finance, *Performance Management Framework – For Victorian Government Departments*: 'A program where funding is provided for a specified period only and for which funding is scheduled to conclude by the end of the current financial year'.

Response

a)	Name of the program	Delivering the State's commitment to treaty <ul style="list-style-type: none"> • To fund a dedicated State negotiation team and treaty staff within government to work in partnership with the First Peoples' Assembly of Victoria (Assembly). • To enable government to obtain expert advice on complex treaty matters.
b)	Objective/s of the program	

		<ul style="list-style-type: none"> To continue delivery of treaty communications, including the new Deadly & Proud campaign, to maintain momentum and efficacy of treaty communications. 						
c)	Expenditure in the financial years 2020-21 and 2021-22 (and where relevant, future years)	<table border="1"> <thead> <tr> <th>2020-21</th> <th>2021-22</th> <th>2022-23</th> </tr> </thead> <tbody> <tr> <td>\$7.4 million</td> <td>\$8.0 million</td> <td>\$8.0 million</td> </tr> </tbody> </table>	2020-21	2021-22	2022-23	\$7.4 million	\$8.0 million	\$8.0 million
2020-21	2021-22	2022-23						
\$7.4 million	\$8.0 million	\$8.0 million						
d)	Details of how the program will be funded	New funding through the 2021/22 Victorian Budget output initiative 'Delivering the State's commitment to Treaty for Victoria'.						
e)	Evidence of the continued need for the program and the Government's role in delivering it	The State has committed to advancing treaty in partnership with Aboriginal Victorians to lay the foundations for new, positive relationships between the State, Aboriginal Victorians and non-Aboriginal Victorians. Further funding is required to enable the State to continue to advance treaty and meet its existing commitments, including its legislated obligations under the <i>Advancing the Treaty Process with Aboriginal Victorians Act 2018</i> (Treaty Act). It is the role of the government to build support for treaty in Victoria and to inform Victorians about the treaty process. Given the far-reaching impacts treaty will have for all Victorians, continuation of the treaty public communications strategy is required to ensure targeted, accurate and effective communications on treaty.						
f)	Evidence of the program's progress toward its stated objectives and expected outcomes	<p>The Victorian Government's work to advance treaty has included:</p> <ul style="list-style-type: none"> facilitating passage of the Treaty Act through the Victorian Parliament supporting the Victorian Treaty Advancement Commission to establish the Assembly, including successfully holding a statewide election for Aboriginal Victorians preparing the Victorian Government to engage with the Assembly in treaty discussions, including establishing a State negotiating team and coordinating whole of government participation in advice and decision-making on treaty initiating discussions with the Assembly to develop and agree on the treaty elements required under the Treaty Act — a Treaty Authority, treaty negotiation framework, self-determination fund and dispute resolution process establishment of treaty conduct protocols and the first treaty element, the dispute resolution process, in partnership with the Assembly to guide the relationship between parties in this phase of the treaty process under the Treaty Act, the Victorian Government committed to address historic wrongs and ongoing injustices through the treaty process. In May 2021, the Yoo-rook Justice Commission was established as a Royal Commission to inquire into 						

		<p>historic and ongoing systemic injustices committed against Aboriginal Victorians. This commitment to truth-telling is shared between the State and the Assembly and was a result of the commitment to develop terms of reference for a truth and justice process with the Assembly</p> <ul style="list-style-type: none"> continuing the treaty public communications strategy to build understanding between Aboriginal Victorians and non-Aboriginal Victorians and increase public support and engagement for treaty.
g)	Evidence of the program being delivered within its scope, budget, expected timeframe and in line with appropriate governance and risk management practices	<p>The Victorian Government and the Assembly provide an annual report to Parliament detailing progress towards treaty, as required under the Treaty Act.</p> <p>The State and Assembly have worked in strong partnership to progress treaty in Victoria, including:</p> <ul style="list-style-type: none"> formal commencement of negotiations to establish the treaty elements required before negotiating a treaty/treaties establishment of a dispute resolution process and treaty conduct protocols in partnership with the State to guide the relationship between parties in this phase of the treaty process. <p>Treaty-based expenditure is reviewed regularly by responsible DPC executives to ensure treaty workstreams are delivered with scope and budget.</p> <p>With both the dispute resolution process and protocols to guide negotiation conduct now in effect, the State and the Assembly are well positioned to commence detailed negotiations on the remaining treaty elements required before negotiating a treaty/treaties. This is anticipated to occur in late 2022.</p>
h)	Extent and level of efficiencies realised in the delivery of the program	<p>DPC continually reviews programs and investigates ways to find efficiencies across programs. Treaty funding has been utilised flexibly and effectively to support the establishment of the Yoo-rrook Justice Commission. Strategy, negotiation and policy teams have been restructured as treaty work changes to ensure staff are used efficiently and effectively based on areas of current focus.</p>
i)	Nature of the impact of the program ceasing and what strategies have been identified to minimise any negative impacts	<p>Cessation of funding to Victoria's treaty process will result in the State being unable to meet its commitment to advance treaty and fulfill its obligations under the Treaty Act.</p>
j)	Evidence that the further funding reflects the actual cost required to deliver the program	<p>The funding has been based on the cost to deliver the programs to date.</p>

a)	Name of the program	Aboriginal Community Infrastructure Fund (ACIF) (including the Aboriginal Community Infrastructure Program (ACIP) and the First Mortgage and Community Infrastructure Program (FMCIP)) (part of the 2021–22 output initiative ‘Empowering Victorian Aboriginal communities through infrastructure and organisational sustainability’)		
b)	Objective/s of the program	<ul style="list-style-type: none"> • To address infrastructure needs of Aboriginal organisations now and for the long-term to ensure high-quality service delivery by and for Aboriginal communities. • To provide employment opportunities for local Aboriginal communities and increased control and choice for Aboriginal organisations over their properties. • To increase control of and choice for Aboriginal organisations over their properties • To strengthen the economic capacity and sustainability of Aboriginal organisations to move towards self-determination. 		
c)	Expenditure in the financial years 2020-21 and 2021-22 (and where relevant, future years)	2020–21 \$8.478 million*	2021–22 \$17.841 million**	2022–23 \$10.691 million
		<small>*Includes 2017/18 State Budget allocation for <i>Self-Determination and community infrastructure</i> and 2020/21 State Budget allocation for <i>Priority infrastructure and cultural heritage protection for Aboriginal Victorians</i>. **Includes 2020/21 State Budget allocation for <i>Priority infrastructure and cultural heritage protection for Aboriginal Victorians</i>.</small>		
d)	Details of how the program will be funded	New funding through the <i>2021/22 Victorian Budget</i> output initiative ‘Empowering Victorian Aboriginal communities through infrastructure and organisational sustainability’.		
e)	Evidence of the continued need for the program and the Government’s role in delivering it	Round 4 of the ACIP attracted 39 applications with a total value of \$32,931,536. This is ten times the value allocated to the program for 2020–21 from the 2017–18 State Budget. The ACIF Evaluation completed by PricewaterhouseCoopers’ Indigenous Consultancy (PIC) in October 2020 included consultation with 12 Aboriginal organisations. These organisations stated the program was the only viable and culturally-responsive funding option for Aboriginal organisations seeking fit-for-purpose infrastructure and autonomy over the use of their property. DPC has made progress in the FMCIP, removing 25 first mortgages with 34 remaining, but spread across only 16 organisations. This work has a clear end goal, of removing		

		all first mortgages held by the Minister for Aboriginal Affairs, which cannot occur without support from Government.
f)	Evidence of the program's progress toward its stated objectives and expected outcomes	Round 4 supported 14 organisations to secure funding for community infrastructure needs. Applications are assessed through a robust process of several assessing groups with the final moderation panel making recommendation to the Minister to consider. The FMCIP objective is for Aboriginal organisations to have full control of their assets and have the autonomy to grow and plan for the future. This is ongoing and has been successful to date. 25 first mortgages have been lifted. DPC will continue to implement innovative ways to deliver this program and will continue to support Aboriginal organisations to apply.
g)	Evidence of the program being delivered within its scope, budget, expected timeframe and in line with appropriate governance and risk management practices	DPC has a Memorandum of Understanding (MoU) with DJPR who provide infrastructure subject matter expertise to organisations applying for funding. DJPR play a crucial role in managing the scope of projects with their expertise when engaging with applicants. The funding allocated each financial year has not been exceeded and therefore the program has always been delivered within budget. Governance and risk management of the ACIP are maintained in monthly Steering Committee meetings held between DPC and DJPR where concerns and issues are raised and mitigated. The FMCIP has been delivered within budget. The removal of any first mortgage is assessed by an independent moderation Panel of five experts who adhere to the terms of reference and this structure continues to function well.
h)	Extent and level of efficiencies realised in the delivery of the program	To assist applicants to meet the criteria for funding, applicants are required to contact DJPR prior to submitting their application, to discuss their intended project. This increases the quality of applications and provides an additional layer of support to Aboriginal organisations in the process. DPC and DJPR are continually implementing lessons learned in the delivery of the program in addition to moving to implement the recommendations for the PIC evaluation. DPC has identified that increased exposure and on-ground engagement of the FMCIP is required to promote the program and will continue to provide support to organisations throughout the process.
i)	Nature of the impact of the program ceasing and what strategies have been identified to minimise any negative impacts	Ceasing the program would significantly impact Aboriginal organisations' ability to meet the future needs of their communities and recognise a self-determined future for their organisations and communities. Without ACIF, organisations would have

		<p>limited opportunities to expand and improve existing infrastructure, which would result in poorer quality services for Aboriginal people, with flow-on effects to broader long term life outcomes and require more significant government investment to address future impacts.</p> <p>DPC believe ceasing the Program would damage the relationship between DPC, DJPR and the Aboriginal community who have engaged in the program and the PIC evaluation, which identified the need for continued and increased funding.</p> <p>DPC believe ceasing the FMCIP would appear confusing to all stakeholders given there are still 16 organisations where the Minister for Aboriginal Affairs holds a first mortgage and 25 have been lifted so far. Ceasing the FMCIP would damage the relationship between the Government and the Aboriginal community.</p>
j)	Evidence that the further funding reflects the actual cost required to deliver the program	<p>Round 4 of the ACIP attracted 39 applications with a total value of \$32,931,536. This is ten times the value allocated to the Program for 2020-21 from the 2017/18 State Budget. Given limited public promotion of ACIP, it is likely that there is even greater demand than that reflected in applications to date. Without investment, Aboriginal organisations face the prospect of continuing to utilise aging infrastructure or buildings that were not designed/fit-for-purpose for the current use, and have not been improved, repaired or upgraded for many years.</p> <p>FMCIP eligible organisations access up to \$50,000 for urgent repairs and maintenance per property, up to \$50,000 to complete a feasibility study of all properties with a first mortgage to prepare to apply for first mortgage removal. Although organisations may not access these categories for all of their properties, it is critical that the option is provided for this important work.</p>

a)	Name of the program	<p>Koorie Youth Council and Koorie Heritage Trust (part of the 2021–22 output initiative ‘Empowering Victorian Aboriginal communities through infrastructure, innovation and organisational sustainability’)</p>
b)	Objective/s of the program	<ul style="list-style-type: none"> • Koorie Youth Council (KYC) — representative body for Aboriginal and Torres Strait Islander young people in Victoria to advocate to government and the community to advance the rights and representation of the young people. • Koorie Heritage Trust (KHT) — to protect, preserve and promote the living culture of the Aboriginal people of south-eastern Australia.

		2020–21	2021–22	2022–23	2023–24	2024–25
c)	Expenditure in the financial years 2020-21 and 2021-22 (and where relevant, future years)	KYC: \$0.564 million to KYC plus \$0.069 million to Social Compass for the evaluation- no payments outstanding KHT: \$0.649 million has been paid with no outstanding payments for 2020–21.*	\$1.733 million**	\$1.833 million	\$2.249 million	\$2.349 million
		*Includes 2017/18 State Budget allocation for <i>Self-determination and strong culture</i> plus 2018/2019 State Budget allocation for <i>Koori Heritage Trust support</i> . **Includes 2018/2019 State Budget for <i>Koori Heritage Trust support</i> .				
d)	Details of how the program will be funded	New funding through the 2021/22 Victorian Budget output initiative ‘Empowering Victorian Aboriginal communities through infrastructure and organisational sustainability’.				
e)	Evidence of the continued need for the program and the Government’s role in delivering it	<p>Funding is due to lapse for peak Aboriginal community-controlled organisations, KHT and KYC in 2020–21 and 2021–22 respectively. Both organisations have significant statewide reach and provide key service delivery to Aboriginal Victorians.</p> <p>An independent lapsing program evaluation of KYC recommended continued and increased funding to KYC which would support them to become incorporated and establish a greater regional presence. KYC is the representative organisation for Aboriginal young people throughout Victoria and one of the only organisations that takes on this role across Australia.</p> <p>KHT is one of two pre-eminent providers for services to the Stolen Generations, and also offers broader cultural education and promotion to the wider community. KHT is not only critical for supporting the Stolen Generations and preserving Aboriginal cultural heritage and history; it also enables an increased Aboriginal</p>				

		presence in the Melbourne CBD supporting Victorian educational, truth-telling, and tourism demands.
f)	Evidence of the program's progress toward its stated objectives and expected outcomes	<p>KYC has achieved: The 2020 Koorie Youth Summit in a virtual capacity, multi-day event that supported Victorian Aboriginal young people to connect with each other on issues that affect them.</p> <ul style="list-style-type: none"> • administration and leadership of the Koorie Youth Participation Network (KYPN), which allows Aboriginal young people to share best practice and learnings, especially on Aboriginal youth participation engagement • delivery of the Yarning Education Project (funded by the Department of Education and Training) by facilitating yarning circle discussions to advocate for the needs of Aboriginal students • leadership of the Marram Nganyin [mA-ram n-gan-yin] ('We are strong') program to develop Aboriginal youth mentoring programs • key policy advice and advocacy in education, justice, youth, health and human services • representation through several advisory committees, including the Aboriginal Executive Council (AEC), Aboriginal Justice Caucus and the Aboriginal Children's Forum. <p>KHT continue to implement the Koori Family History Service (KFHS) researching family trees for Stolen Generations clients, including through COVID-19 lockdowns, providing a high quality, confidential genealogical research and referral service. The KFHS provided workshops for Stolen Generations Survivors via Zoom and will be using Zoom even beyond COVID-19 to improve outreach to clients in regional areas, particularly Stolen Generations clients and their families. The Koori Oral History Service (KOHS) continues to successfully preserve stories but their methodology had to be adjusted during the pandemic restrictions switching to online measure of preserving oral history.</p>
g)	Evidence of the program being delivered within its scope, budget, expected timeframe and in line with appropriate governance and risk management practices	<p>DPC has made the final payment against KYCs current two-year Victorian Common Funding Agreement (VCFA). KYC have consistently met key milestones and BP3 measures.</p> <p>DPC has also made six payments and has six remaining on the three VCFA's with KHT. KHT have consistently met key milestones and BP3 measures.</p>

h)	Extent and level of efficiencies realised in the delivery of the program	DPC continues to work in partnership with KHT and KYC to review the level of efficiencies of their program delivery. Both organisations during the past 12 months have adapted their service delivery during the pandemic and have been able to increase their service delivery reach by adopting online and virtual service delivery. KYC and KHT have continued to incorporate online and virtual service delivery to complement their face to face service delivery post pandemic restrictions.
i)	Nature of the impact of the program ceasing and what strategies have been identified to minimise any negative impacts	KYC and KHT do not receive ongoing funding from the Victorian Government and ceasing investment will severely restrict both organisations' scope of work, if not render them inoperable. Not funding the organisations would leave a critical service gap within the Victorian Aboriginal community, particularly for Aboriginal young people and Stolen Generations members.
j)	Evidence that the further funding reflects the actual cost required to deliver the program	The funding provided in the 2021–22 State Budget provides a continuation of lapsing funding. While meeting the basic operational needs of the organisations, this does not allow the organisations to grow and expand their service offerings. The funding provided will be fully utilised as per previous purpose and performance.

a)	Name of the program	Traditional Owner Nation-building Package (part of the 2021–22 output initiative 'An advanced Aboriginal cultural heritage protection system for a growing economy')		
b)	Objective/s of the program	To resource Traditional Owners to undertake nation-building activities, progress formal recognition and prepare for treaty negotiations.		
c)	Expenditure in the financial years 2020-21 and 2021-22 (and where relevant, future years)	2020-21 \$5.893 million	2021-22 \$5.562 million	2022-23 \$5.562 million
d)	Details of how the program will be funded	New funding through the 2021/22 Victorian Budget output initiative 'An advanced Aboriginal cultural heritage protection system for a growing economy'.		
e)	Evidence of the continued need for the program and the Government's role in delivering it	Long-term investment in strong, inclusive and effective Traditional Owner corporations is essential to the delivery of statutory and cultural responsibilities and to the State's foundational and enduring commitment to self-determination for Aboriginal communities. Investment in Traditional Owner groups is essential to ensure groups are ready for treaty negotiations, can participate in formal recognition processes (e.g. native title, agreements under the <i>Traditional Owner Settlement Act 2010</i> , or		

		Registered Aboriginal Party (RAP) status under the <i>Aboriginal Heritage Act 2006</i>) and supports Victoria delivering its obligations under human rights legislation and agreements.
f)	Evidence of the program's progress toward its stated objectives and expected outcomes	<p>The Nation-building Resource Pool</p> <ul style="list-style-type: none"> the Package provides \$4.335 million over two years in flexible funding available equitably across Victoria to Traditional Owners to deliver on their nation building priorities, as determined by the groups themselves applications opened in September 2020 approximately one quarter of this funding now allocated. <p>Traditional Owner mapping and formal recognition support</p> <p>This funding allows First Nations Legal & Research Services (First Nations) to engage lawyers and researchers to progress formal recognition research and services in Far East Gippsland, North East, Central North and Mid North West regions.</p> <p>Strong Roots for Our Futures Program</p> <ul style="list-style-type: none"> the funding employs one Senior Project Officer to deliver the Strong Roots for Our Futures Program, in coordination with the Nation-Building Package the Strong Roots for Our Futures Program was co-designed with Traditional Owners of the regions without formal recognition to support strong Traditional Owner groups through a focus on outcome of healing, culture and Country, governance, young people and relationships <p>Engagement Officers funded in formally recognised Traditional Owner corporations and regions without formal recognition</p> <ul style="list-style-type: none"> traditional Owner Engagement Officers are employed in ten of the eleven RAPs and are playing a significant role in engaging corporation and full group members in nation-building, to strengthen engagement, and prepare for treaty negotiations Regional Engagement Officers (REOs) have been employed by DPC in the Mid North West, Central North, and North East since July 2020. <p>Federation of Victorian Traditional Owner Corporations – core funding</p> <p>Funding to ensure the Federation continues to provide effective, coordinated and strategic support to Traditional Owner organisations, implement innovative Aboriginal-led proposals and provide support for in government policy and program development.</p>

g)	Evidence of the program being delivered within its scope, budget, expected timeframe and in line with appropriate governance and risk management practices	<p>Collaboration agreement in place between DPC, First Nations Legal & Research Services and Federation of Victorian Traditional Owner Corporations to oversee delivery of Package.</p> <p>Funding agreements in place with First Nations Legal & Research Services, Federation of Victorian Traditional Owner Corporations and 10 of 11 Traditional Owner corporations for delivery of the Package.</p> <p>Nation-building manager, senior project officer and 3 of 4 Regional Engagement Officers employed by DPC to drive DPC delivery responsibilities.</p> <p>Strong Roots for Our Futures Program co-designed with Traditional Owners and Program guidelines respond to the priorities and context of Traditional Owners and are approved by the Minister.</p> <p>Peer Assessors Panel comprising Traditional Owners of the regions with expertise in the program outcomes and project management to assess program applications for small and large projects.</p> <p>Monitoring AND evaluation plan to facilitate continuous monitoring, evaluation and learning and reporting back to Traditional Owners.</p>
h)	Extent and level of efficiencies realised in the delivery of the program	<p>The nation-building partnership between DPC, First Nations and Federation is delivering greater coordination and collaboration in service delivery for Traditional Owners.</p> <p>DPC continually reviews programs and investigates ways to find efficiencies across programs. In 2021–22, efficiencies will be realised in delivery of programs with similar objectives by incorporating the Strong Roots for Our Futures Program with the Nation-building package. This will ensure coordination of service and resource delivery through the nation-building partnership, while maintaining accountability to Traditional Owners of the regions.</p>
i)	Nature of the impact of the program ceasing and what strategies have been identified to minimise any negative impacts	<p>Without strong, inclusive and capable Traditional Owner corporations government cannot effectively enter into treaty negotiations, nor have reliable statutory approvals</p> <p>The Traditional Owner Nation-building Support Package is required to deliver critical nation-building services and resources for Traditional Owner groups as they prepare for future treaty negotiations.</p> <p>Traditional Owners need sustainable, culturally strong and inclusive organisations to be in a strong position to represent <i>all</i> of their community’s collective interests, to engage adequately in processes (including undertake statutory approvals) and potentially enter into treaty negotiations.</p>

		<p>Traditional Owner groups are integral to the operation of the First People's Assembly with each of the 11 formally recognised groups having a designated representative and the Assembly. Further, Traditional Owner groups via Registered Aboriginal Parties, make the statutory decisions for development approvals across over 70 per cent of Victoria.</p> <p>For Traditional Owners of the regions without formal recognition, without tailored, responsive and long-term resourcing for foundational activities, formal recognition and treaty readiness, these groups risk being left behind formally recognised groups impacting the progress of treaty negotiations and the reliability of statutory approvals. The need for investment in treaty readiness initiatives has been identified as a potential risk to the treaty process by the then Victorian Treaty Advancement Commissioner.</p>
j)	Evidence that the further funding reflects the actual cost required to deliver the program	Funding sought matches existing funding.