



FIRST PEOPLES'
ASSEMBLY OF
VICTORIA



WE ARE READY

ENTRY INTO
STATEWIDE TREATY
NEGOTIATIONS





**FIRST PEOPLES'
ASSEMBLY OF
VICTORIA**



Notification to the Treaty Authority that the First Peoples' Assembly of Victoria seeks be entered onto the Negotiations Database as the First Peoples' Representative Body to negotiate Statewide Treaty

The First Peoples' Assembly of Victoria Ltd (**Assembly**), as the Aboriginal Representative Body, notifies the Treaty Authority that it seeks to be entered onto the Negotiations Database as the First Peoples' Representative Body in accordance with clause 18.1 of the Treaty Negotiation Framework.

JULY 2024



1 ACKNOWLEDGEMENT AND INTRODUCTION

1.1 Acknowledgement

1. We, the Assembly, acknowledge the Traditional Owners of Country throughout Victoria and pay our deepest respects to them, their culture and their Elders past and present.
2. The Assembly is the independent body democratically elected to represent Aboriginal and Torres Strait Islander peoples on the journey to Treaty in Victoria. Our work takes us through all Country in the area now known as Victoria, from the coast to the mountains, the rivers and the plains. Treaty is our opportunity to make sure First Peoples always have the freedom and power to make the decisions that affect our communities, our culture and our Country.

1.2 About the Assembly

3. The Assembly is the democratically elected body for Aboriginal and Torres Strait Islander people on the journey to Treaty in Victoria.
4. Assembly Members represent communities across five voting regions that cover Victoria: the Metropolitan, North East, North West, South East and South West.
5. The Assembly's first election was held in 2019 and second in 2023.
6. Currently, there are 33 elected Members – all Traditional Owners of Country who have been chosen by their communities to represent their hopes, needs and ideas on the journey to Treaty.

Assembly Members



Melissa Jones
Latje Latje, Jupagulk
 Reserved Seat holder for First
 People of the Millewa Mallee AC



Ngarra Murray
*Wamba Wamba, Yorta Yorta,
 Dhudhuroa and Dja Dja Wurrung*
 Member for Metropolitan



Djaran Murray-Jackson
*Dja Dja Wurrung, Wamba Wamba,
 Yorta Yorta, Dhudhuroa, Waywuru,
 Barapa Barapa, Wergaia, Wiradjuri*
 Member for North West



Rodney Carter
Dja Dja Wurrung
 Member for North West



Alister Thorpe
*Gunai, Yorta Yorta, Gunditjmara
 and Wurundjeri Woi Wurrung*
 Member for Metropolitan



Tracey Evans
Gunditjmara and Bundjalung
 Member for Metropolitan



Belinda Briggs
Yorta Yorta, Wamba Wamba
 Member for North East



Aunty Esme Bamblett
Bangerang, Taungurung and Wiradjuri
 Member for Metropolitan



Troy Austin
Gunditjmara
 Member for Metropolitan



Dylan Clarke
*Wotjobaluk, Jaadwajali, Jadwaa,
 Wergaia, Jupagulk*
 Reserved Seat holder for Barengi
 Gadjin Land Council AC



Levi Power
Yorta Yorta
 Member for North East



Barry Firebrace-Briggs
Yorta Yorta, Ulupna
 Member for Metropolitan



Uncle Andrew Gardiner
Wurundjeri Woi-wurrung
 Reserved Seat holder for Wurundjeri Woi
 Wurrung Cultural Heritage AC



Jacinta Chaplin
Wadi Wadi and Wamba Wamba
 Member for North West



Matthew Burns
Taungurung
 Reserved Seat holder for Taungurung
 Land and Waters Council AC



Gnerick Gnerick Gary Murray
*Dhudhuroa, Yorta Yorta, Barapa Barapa,
 Dja Dja Wurrung, Wamba Wamba,
 Wergaia, Wiradjeri and Waywuru*
 Member for Metropolitan



Uncle Shane Charles
Wurundjeri, Boon Wurrung, Yorta Yorta
 Member for Metropolitan



Jason Kelly
Mutthi Mutthi and Wamba Wamba
 Member for North West



Nicole Atkinson
Bangerang, Gunditjmara
 Member for North East



Indi Clarke
*Wemba Wemba, Mutti Mutti, Boon
 Wurrung, Trawlwoolway and Lardil*
 Member for Metropolitan



Zoe Upton
Bunurong, Trawlwoolway
 Reserved Seat holder for
 Bunurong Land Council AC



Lowana Moore
Wamba Wamba
 Reserved Seat Holder
 for Wamba Wemba AC



Nerita Waight
Yorta Yorta and Narrandjeri
 Member for Metropolitan



Aunty Donna Wright

*Kerrupmara, Nillaan, Gunditjmarra,
Dhauwurd wurrung, Djab wurrung,
Kamilaroi*
Reserved Seat holder for Gunditj Mirring
Traditional Owners AC



Rueben Berg

Gunditjmarra
Reserved Seat holder
for Eastern Maar AC



Uncle Bryon Powell

Wadawurrung
Reserved Seat holder for
Wadawurrung Traditional Owners AC



Brian Stevens

Gunai
Member for South East



Sheree Lowe

*Gunditjmarra, Peek Whurrung, Djab
Whurrung, Kirrae Whurrung*
Member for South West



Alice Pepper

*Gunnai, Yorta Yorta, Mutti Mutti,
Gunditjmarra and Arremte*
Member for South East



Peter Hood

Kurnai
Member for South East



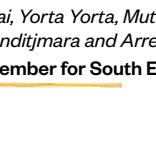
Jordan Edwards

*Gunditjmarra, Waddawurrung
and Arremte*
Member for South West



Uncle Michael "Mookeye" Bell

Gunditjmarra, Boandik
Member for South West



Troy McDonald

Gunaikurnai
Reserved Seat holder for
Gunaikurnai Land and Waters AC

1.3 About this notification

7. Part C of the Treaty Negotiation Framework (**Framework**) provides a process for entry into Statewide Treaty negotiations. The process supports the right to self-determination of First Peoples across Victoria to decide how to come together politically and make collective decisions.
8. The Primary Negotiating Parties in relation to a Statewide Treaty will be the First Peoples' Representative Body and the State of Victoria, as entered onto the Negotiations Database by the Treaty Authority.
9. Under clause 18.1 of the Framework, the Assembly, as the Aboriginal Representative Body, must notify the Treaty Authority that it seeks to be entered onto the Negotiations Database as the Body.
10. This is the Assembly's notification to the Treaty Authority that it seeks to be entered onto the Negotiations Database as the Body.
11. This notification includes:
 - 11.1. the Assembly's satisfaction of the Minimum Standards in accordance with clause 16.2 of the Framework (Part 2 below), and
 - 11.2. how the Assembly has fulfilled the Additional Requirement in accordance with clause 16.3 of the Framework (Part 3 below).
12. Material referred to in this notification is included at **Annexure A: Supporting material**.

2 THE ASSEMBLY'S SATISFACTION OF THE MINIMUM STANDARDS

13. The Framework provides that whether the First Peoples' Representative Body satisfies the Minimum Standards to enter into Statewide Treaty negotiations is a matter for satisfaction of the Body, in accordance with the principle of self-determination and empowerment.
14. The Minimum Standards to enter into Treaty negotiations are in relation to:
 - land and waters (clause 16.2(b)(i)) (Part 2.1 below),
 - community (clause 16.2(b)(ii)) (Part 2.2 below),
 - leadership (clause 16.2(b)(iii)) (Part 2.3 below), and
 - inclusivity (clause 16.2(b)(iv)) (Part 2.4 below).
15. We, the Assembly, are satisfied that the Assembly meets the Minimum Standards to enter into Statewide Treaty negotiations, as identified below.

LAND & WATERS



COMMUNITY

LEADERSHIP



INCLUSIVITY



2.1 Land and Waters

We represent the First Peoples of Victoria, being Traditional Owners of Country in Victoria and Aboriginal and Torres Strait Islander peoples living on the land and waters now known as Victoria. As such, we will negotiate Statewide Treaty alongside the authority of Traditional Owners to speak for their Country and to negotiate Traditional Owner Treaties.

2.1.1 The land and waters over which the Assembly intends to negotiate a Statewide Treaty

16. The Assembly identifies that the land and waters that constitute what is now known as the State of Victoria and all other land and waters vested in the State of Victoria, are the areas over which it intends to negotiate a Statewide Treaty.
17. The Assembly stands alongside and recognises the authority of Traditional Owners to speak for their Country, including to negotiate Traditional Owner Treaties in accordance with the Framework.



2.2 Community

We represent the diversity of First Peoples through our established governance structure, including holding elections and reserving seats. Our way of working is to meaningfully engage with all First Peoples, speaking through traditional and contemporary structures and groupings and as individuals, whether Traditional Owners, Aboriginal Community Controlled Organisations, Aboriginal Trusts, members of the Stolen Generations, and First Peoples whose traditional lands are elsewhere but whose home is Victoria.

2.2.1 How the Assembly represents the diversity of First Peoples in Victoria

18. The Assembly recognises and represents the diversity of First Peoples in Victoria. This includes Traditional Owners of Country in Victoria and Aboriginal and Torres Strait Islander peoples living on the lands and waters now known as Victoria. The Assembly proudly represents First Peoples in all their diversity, including age, sex, gender, sexuality and ability.
19. The Assembly represents the diversity of First Peoples in Victoria through its representative Members (General and Reserved Members), in accessible and inclusive community engagement with mob across Victoria, through electors on the Assembly's electoral roll who can vote in the Assembly's elections, and through the Assembly's Elders' Voice and Youth Voice.

- 19.1. The **Members of the Assembly** comprise General Members and Reserved Members.
- (a) **General Members**, who are elected at state-wide elections held at least every three years, represent communities across five voting regions that cover Victoria: the Metropolitan, North East, North West, South East and South West regions.
 - (b) **Reserved Members**, who are representatives of Traditional Owners of Country in Victoria, are selected at least every three years by their respective Traditional Owner Groups through a self-determined selection process. Each Traditional Owner Group formally recognised under legislation is reserved one seat on the Assembly, and the Assembly has an additional pathway for Traditional Owners not formally recognised under legislation to be reserved a seat. At the time of this notification, there has been one new reserved seat created under the additional pathway process.
- 19.2. **Members of the Assembly meaningfully represent their communities by:** holding regular engagement activities, being contactable by the communities they represent and understanding their views so they can inform the Assembly's work.
- 19.3. **The Assembly's approach to community engagement uses community organising** to engage and empower First Peoples.
- 19.4. **The Assembly engages with First Peoples of diverse backgrounds and circumstances in its community engagement.** This includes engagement with members of the Stolen Generations and Aboriginal and Torres Strait Islander peoples living off Country in Victoria. It includes engagement with mob with diverse accessibility requirements, LGBTQIA+ communities and mob in custody.
- 19.5. **First Peoples on the Assembly's electoral roll can vote for General Members of the Assembly.** The Assembly's electoral roll is open to all Traditional Owners of Country in Victoria (living either in Victoria or interstate) and Aboriginal and Torres Strait Islander peoples living in Victoria who are 15 years old or over and have been living in Victoria for three out of the last five years, and First Peoples on the electoral roll who are 16 years old or over can vote.
- (a) The Assembly's enrolment and voting processes are designed to be accessible to and inclusive of all First Peoples. The Assembly has **special registration processes for people that may have difficulty with the general registration processes**, including people with diverse accessibility requirements, who are under 18 years of age, experiencing homelessness, living in out-of-home care, serving in the armed forces, or in custody.
 - (b) The electoral roll is comprised of First Peoples across all regions of Victoria. It includes both Traditional Owners and First Peoples who are not Traditional Owners of Country in Victoria, different genders, a range of ages, and people in custody. At the time of this notification, there are over 8,000 people enrolled on the Assembly's electoral roll.

(c) The Assembly has a **state-wide community engagement program** that actively promotes and encourages enrolment with the Assembly. The Assembly's engagement and enrolment activities are designed to be respectful of age, gender, sexuality and ability, and accessible and inclusive for all mob.

- The **Assembly's engagement team** carry out a wide range of community engagement activities encouraging people to enrol across Victoria. Activities include running and attending community events, in-person and online yarns and gatherings, one-on-one conversations, phone calls, texts, and visits to prisons, youth justice centres and aged care facilities.
- The Assembly's enrolment targets are informed by census data and the Assembly works closely with other Aboriginal community organisations, Traditional Owners and non-Indigenous organisations to promote enrolment with the Assembly.
- The Assembly shares information about how to enrol with the Assembly at events, in newsletters and on social media.
- **The Assembly's Traditional Owner Group and Representative Engagement Manager** engages Traditional Owners across Victoria in the Assembly's work, and encourages enrolment with the Assembly.
- **Members of the Assembly** engage with their communities on the journey to Treaty, which includes actively promoting and enrolling community members on the Assembly's electoral roll and encouraging voting at Assembly elections.

19.6. The Assembly's Elders' Voice and Youth Voice are consultative and advisory structures, which engage with Elders and Youth across Victoria to guide and inform the Assembly's work:

(a) The Elders' Voice provides the Assembly with cultural strength and guidance on the journey to Treaty. The role of the Elders' Voice is to provide cultural and ethical advice, guidance, wisdom and oversight to the Assembly, and to engage and empower Elders to participate in the Treaty process. Established in April 2021, the Elders' Voice continues to evolve as we move along the journey to Treaty. It is led by two Assembly Members elected as Elders' Voice Co-Chairs who receive feedback and advice from the Elders' Voice Standing Group. **The Elders' Voice Standing Group** is made up of 20 Aboriginal Elders from across Victoria, four from each Assembly voting region, chosen because of their experience, wisdom and standing in the community. With gender and geographic representation, the 20 esteemed Elders were selected to become the Elders' Voice Standing Group after an open process and had their inaugural meeting in April 2024. The standing group will meet up to six times a year and provide timely and considered feedback and advice to the Elders' Voice Co-Chairs.

“The scope of knowledge, wisdom and experience that’s captured by these 20 Elders is inspiring and humbling. We are so fortunate to have this opportunity, wherein the Assembly and our community will benefit immeasurably by the cultural knowledge of these Elders to enrich Treaty outcomes.” Elders’ Voice Co-Chair Uncle Rodney Carter

- (b) The Youth Voice brings young mob together, including at Treaty youth forums across the Assembly’s regions, playing a role to teach young people about the Treaty process, building their participation and leadership, and listening to aspirations for Treaty to inform the Assembly.

2.2.2 How the Assembly is incorporated

20. The Assembly is a registered Australian public company limited by guarantee under the name First Peoples’ Assembly of Victoria Ltd, with Australian Company Number 636 189 412. It was incorporated in Victoria on 13 September 2019. The Assembly is also registered as a charity with the Australian Charities and Not-for-Profits Commission.

2.2.3 How the Assembly has a governance structure comprised of a membership of Traditional Owners

- 21. The Assembly has a governance structure that is comprised of a membership of Traditional Owners elected by First Peoples through periodic state-wide elections, and Traditional Owners chosen by Traditional Owner Groups.
- 22. Under the Assembly’s Constitution, Members of the Assembly must be Traditional Owners. There are two categories of membership: Reserved Members and General Members (see further at 19.1 above):
 - (a) General Members are elected by First Peoples in Victoria in elections which are held at least every three years. The Assembly held an election to appoint General Members in 2023 (3 April - 19 June 2023), with the publication of election results on 19 June 2023.
 - (b) Under the Assembly’s Constitution, Traditional Owner Groups are entitled to appoint a Reserved Member and determine how they select their Reserved Member through a self-determined selection process.

At the time of this notification the Assembly has 22 General Members and 11 Reserved Members.

2.2.4 How the Assembly has processes in place to engage Aboriginal Community Controlled Organisations, Aboriginal Trusts and First Peoples who are not Traditional Owners

23. The Assembly has processes in place to engage Aboriginal Community Controlled Organisations (ACCOs), Aboriginal Trusts and First Peoples who are not Traditional Owners. These processes are designed to embed these groups within the Treaty process, reflecting the significant contributions, knowledge and expertise they bring. The Assembly has:

- (a) **Regional engagement processes**, where Members (supported by Assembly staff) engage ACCOs, Aboriginal Trusts, and organisations across the State in multiple rounds of forums to inform and develop Treaty proposals.
- (b) **Working relationships and engagement processes with ACCOs and Aboriginal governance forums** across sectors and across Victoria. This includes developing Treaty discussion papers, group presentations and meetings with forum leadership.
- (c) **Workstreams and working groups on Treaty related matters**, who work with and draw on the knowledge and expertise of relevant knowledge holders external to the Assembly, including seeking input of First Peoples knowledge holders from ACCOs, Aboriginal Trusts and First Peoples who are not Traditional Owners.
- (d) **State-wide and regional Treaty gatherings**. Gatherings invite and include participation of representatives from ACCOs, Aboriginal Trusts and First Peoples who are not Traditional Owners. Gatherings in 2024 have included the Assembly's annual Statewide Treaty Gathering, held on 5-7 April 2024 on Wadawurrung Country, and regional gatherings including in the North West and South East. At the time of this notification, there are forthcoming Regional Treaty Gatherings scheduled for July 2024 in the Assembly's other voting regions.
- (e) **Regular meetings and yarns with ACCO representatives**, at Co-Chair, Member and staff levels, aimed at ongoing ACCO engagement with and input into the Assembly's work and the Treaty process.
- (f) **Meetings and coordination with Ngaweeyan Maar-oo** (the Koorie Caucus of the Victorian Closing the Gap Partnership Forum, which is made up of 14 ACCO representatives and eight Aboriginal governance forum delegates), including workshops to design inclusive engagement processes for embedding ACCOs' expertise, experience and perspectives into the Treaty process and to develop a memorandum of understanding with the Assembly.
- (g) **Community engagement activities open to all First Peoples**, including representatives of ACCOs and Aboriginal Trusts, and First Peoples who are not Traditional Owners. These activities include: holding regular meetings with ACCOs, engagements at Gathering Places, yarning circles (in-person and online), video presentations, one-on-one phone calls, mob surveys, Treaty Day Out, barbeques and other events with community groups, presentations at schools, sports clubs and community organisations.



2.3 Leadership

We have strong and transparent processes for selecting and authorising our negotiators and their actions, and for our decision-making on Statewide Treaty. We will stand alongside Traditional Owners and offer support, if they wish, in the negotiation of their Traditional Owner Treaties, respecting their authority and inherent rights.

2.3.1 The Assembly's processes in place to choose Negotiators

24. The Assembly has processes in place to choose representatives with the appropriate authority to negotiate a Treaty on behalf of the Assembly (**Negotiators**):

- (a) The Assembly's Co-Chairs have the authority to lead Statewide Treaty negotiations on behalf of the Assembly, as detailed in the Co-Chairs Role Requirements, which provide that the Co-Chairs are required to lead Statewide Treaty negotiations with the State, and provide that the specific duties of the Co-Chairs include to conduct negotiations for Statewide Treaty. Election of the Co-Chairs is provided for in the Assembly's Constitution, which sets out the process to elect two Members of the Assembly to act as Chairs. The Assembly's Constitution provides that the Assembly Chamber (Assembly Members at a general meeting) has decision-making responsibility for Treaty-Related Matters, which includes authority to negotiate Treaty.

- (b) The Assembly has a process to choose additional Negotiators to assist the Co-Chairs to negotiate Statewide Treaty. This involves the Assembly's Treaty Committee appointing one or more Assembly Members as Negotiators and providing authority to assist the Co-Chairs in negotiations, in accordance with the decision-making processes provided in the Committee's Terms of Reference.
- (c) The Assembly has a process to develop, and for the Assembly Chamber to approve, negotiation briefs, which provide Negotiators (the Co-Chairs and any additional Negotiators) with authority to negotiate a Treaty or Interim Agreement on behalf of the Assembly, within the parameters provided in the negotiation brief.

25. The Co-Chairs and additional Negotiators are provided with authority to negotiate a Treaty on behalf of the Assembly through the allocation of and appointment to roles described above, and through the Assembly Chamber setting negotiation briefs that determine the parameters for negotiations.

2.3.2 The Assembly's Negotiators

26. At the time of this notification, the Assembly's Negotiators are the Assembly's Co-Chairs, being Ngarra Murray and Rueben Berg.

2.3.3 The Assembly's decision-making processes in respect of Treaty negotiations

27. The Assembly has decision-making processes in place by which it makes decisions in respect of Treaty negotiations. These processes are set out in the Assembly's Constitution.

28. The Assembly Chamber is responsible for passing resolutions regarding "Treaty-Related Matters", which include "matters relating to negotiating, agreeing and enforcing Statewide Treaty or an Interim Agreement". Resolutions must be passed by either a special majority or an ordinary majority, depending on the content of the matter for approval. Under the Assembly's Constitution:

- (a) A resolution to formalise agreement to Statewide Treaty or an Interim Agreement must be passed by Special Majority Resolution (approval of 75 per cent of votes cast by Members entitled to vote on the resolution at the meeting).
- (b) A resolution about any other Treaty-Related Matter may be passed by Ordinary Majority Resolution (approval of 60 per cent of the votes cast by Members entitled to vote on the resolution at the meeting).

29. The Assembly's processes facilitate informed decision-making by the Assembly Chamber:

- (a) Members of the Assembly consult the communities they represent before meetings, and report on their engagement to the Chamber.
- (b) The Treaty Committee examines issues and makes recommendations

before Chamber meetings, supported and informed where relevant by the Committee's working groups and the Assembly's Yurpa Committee.

- (c) Members of the Assembly are provided written information and advice and verbal briefings ahead of Committee and Chamber meetings as well as presentations at meetings to support informed decision-making.

2.3.4 The Assembly's capacity to support First Peoples' Treaty Delegations on request

- 30. The Assembly has the capacity for its representatives to attend and offer advice and support to First Peoples' Treaty Delegations in Traditional Owner Treaty negotiations, where requested. In doing so, the Assembly recognises the authority of Traditional Owners in relation to their Country.
- 31. The Assembly's regional engagement processes include direct engagement with Traditional Owners and the Assembly's dedicated engagement staff, including the Traditional Owner Group and Representative Engagement Manager, are able to coordinate and facilitate appropriate attendance, advice or support for Delegations on request.



2.4 Inclusivity

We will negotiate Statewide Treaty, upholding Cultural Authority and respecting Ancestors and Country at all times. For us, Treaty-making means engaging with all First Peoples, and seeking their collective support for all Treaty outcomes. We will stay true to our communities by acting with purpose and always upholding the principle of self-determination and empowerment.

2.4.1 The Assembly's processes to uphold Cultural Authority

32. The Assembly's processes in place to uphold Cultural Authority are:

- (a) **Respecting Elders' Cultural Authority through the Elders' Voice**, which will provide cultural guidance to Assembly Members during negotiations. Led by the two Elders' Voice Co-Chairs and supported by the Elders' Voice Standing Group (see 19.6 above), the Elders' Voice is an essential part of the Assembly's governance because of the role of Elders in our culture, history, lore and law. The Elders' Voice provides for the involvement of Elders and their Cultural Authority in Assembly business, through dedicating time to listen deeply to Elders' wisdom and guidance, hearing from the Elders' Voice Co-Chairs at Assembly Chamber and Committee meetings, and reporting back on how their guidance has informed Assembly business.

Four cultural pillars underpin the Elders' Voice:

- respect (honouring our Ancestors and Cultural Authority. Always acting with integrity and humility),
- connectedness (building communities that respect the role of Elders),
- knowledge base (recognising the power and strength of Elders' cultural knowledge, wisdom and cultural and spiritual connection), and
- lore (upholding lore and law and Cultural Authority).

'The Elders' Voice acknowledges the rightful place of Cultural Authority. Cultural Authority derives from Aboriginal lore and law and culture. It includes rules about Eldership and who has authority to speak for Country. Cultural Authority is held with humility and respect and carries a responsibility to Country and Community.'

– First Peoples' Assembly of Victoria, Elders' Voice Guiding Document

- (b) **Respecting the Cultural Authority of Traditional Owners of Country.** The Assembly has processes for engagement with Traditional Owners, including through the Assembly's Traditional Owner and Representative Engagement Manager, Reserved Members, the additional pathway to a reserved seat process and regional engagement activities.
- (c) **The Assembly's Constitution** requires Members to abide by agreed ways of doing business that are part of cultural practice, lore and law. It outlines the Assembly's guiding values, being: (1) Aboriginal lore, law and legal tradition, cultural values and practices, (2) respect and equality, (3) respect for Elders past, present and emerging, and (4) participation of young people. Cultural Authority and cultural protocols are also upheld by the Assembly's meeting protocols, decision-making processes and structures provided for in the Constitution.
- (d) **The Members' Charter** requires Assembly Members to abide by agreed ways of doing business that are part of cultural practice, lore and law, and to follow protocols that ensure cultural safety for all Assembly business. The Assembly's Cultural Safety Policy outlines those protocols, including protocols on Country and meeting protocols. It ensures cultural practice is used to address cultural safety issues if they arise, such as smoking ceremony, storytelling, ceremony, yarning circles, deep listening, sorry business and traditional healing.
- (e) **The Assembly's Yurpa Committee**, which is responsible for cultural governance and under its Terms of Reference is designed to strengthen the Assembly's cultural governance. Its role includes making recommendations to the Assembly Chamber about cultural governance matters, progressing work related to additional pathways for reserved seats on the Assembly, supporting the Assembly's Elders' Voice and Youth Voice, and making decisions under delegation from Assembly Chamber as necessary.

2.4.2 The Assembly's processes to educate and consult First Peoples

33. The Assembly has processes in place to educate and consult First Peoples, including Traditional Owner Groups, ACCOs, and Aboriginal Trusts regarding Treaty negotiations:

- (a) **General and Reserved Members** are subject to specific requirements under the Members' Charter to meaningfully engage with the communities in the region they represent (for General Members) and with members of their Traditional Owner Group (for Reserved Members). This includes actively participating in formal and informal engagement activities and being available to be contacted by and meet with members of their communities.
- (b) **The Elders' Voice and Youth Voice**, which have the role of educating and consulting First Peoples' Elders and young people to ensure their ideas and views on Treaty negotiations are listened to.
- (c) **Working Groups of the Assembly's Treaty Committee**, the work of which includes Members consulting with First Peoples external to the Assembly, including First Peoples' knowledge holders across various subject matter areas, including Traditional Owners and representatives of ACCOs and Aboriginal Trusts, among others.
- (d) **The Assembly's state-wide and regional engagement processes**, which are used to educate and consult First Peoples regarding Treaty negotiations, where Assembly Members and staff engage with ACCOs, Aboriginal Trusts, and organisations and groups in their regions. This includes the Assembly's state-wide and regional Treaty gatherings, at which education and consultation regarding Treaty negotiations occurs. At these forums, there are cultural activities, Elders yarns, open community dialogues, panels and guest speakers, information sessions and group discussions to both educate and gather feedback and options.
- (e) **Processes for the Assembly to provide First Peoples with opportunities to stay informed about Treaty negotiations and give feedback on Treaty proposals**, including the Assembly publishing public facing negotiation briefs on its website and providing community with updates and opportunities for feedback as negotiations progress.
- (f) **The Assembly's outreach relationships with partner organisations**, which connect the Assembly with key communities and through which education and consultation regarding Treaty negotiations occurs. This includes, for example, outreach relationships connecting the Assembly with members of the Stolen Generations and LGBTQIA+ identifying First Peoples.

2.4.3 The Assembly's processes to seek the Collective Support of First Peoples to Treaty negotiation outcomes

34. The Assembly has representative, consultative and advisory processes in place to seek the Collective Support of First Peoples to the outcomes of Statewide Treaty negotiations, including Interim Agreements.

35. In March 2024, the Assembly Chamber agreed on a process for seeking and obtaining the Collective Support of First Peoples to outcomes of Treaty negotiations: a process that is flexible and phased and integrates community engagement with the Assembly's decision-making. The process will:

- (a) Provide an opportunity for community to provide feedback on matters relating to negotiating and agreeing a Statewide Treaty, including Interim Agreements. This includes opportunities for First Peoples to: participate and give feedback in the development of proposals for Treaty negotiations and on what would and would not be acceptable outcomes of negotiations; and remain informed and provide feedback throughout negotiations.
- (b) Be directed at seeking and obtaining First Peoples' freely offered support for the outcomes of Treaty negotiations.
- (c) Require the Assembly Chamber to formalise agreement to Statewide Treaty or an Interim Agreement, which must be passed by a Special Majority Resolution of Chamber (approval of 75 per cent of votes cast by Members entitled to vote on the resolution at the meeting).

3 HOW THE ASSEMBLY HAS FULFILLED THE ADDITIONAL REQUIREMENT

36. Under Part C of the Framework, the Aboriginal Representative Body must meet the Additional Requirement in clause 16.3 by:

- (a) holding a state-wide election and corresponding appointment process for its membership, prior to which it must have announced its intention to be the Primary Negotiating Party in relation to a Statewide Treaty, and how it intends to meet the Minimum Standards of Community and Inclusivity, and
- (b) notifying the Treaty Authority of the state-wide election period and the likely date of the publication of the election results.

3.1 Announcing intention to negotiate Statewide Treaty and meet the Minimum Standards

37. In March 2023, the Assembly announced our intention to negotiate Statewide Treaty and how we intended to meet the Minimum Standards of Community and Inclusivity: First Peoples' Assembly of Victoria, 'Announcement of Intention to Negotiate the Statewide Treaty in accordance with clause 16.3(a) of the Treaty Negotiation Framework', March 2023 (**Announcement**).

38. In relation to the **Minimum Standard of Community**, the Assembly's announcement outlined how the Assembly intended to represent the diversity of First Peoples in Victoria, the Assembly's incorporation as a public company limited by guarantee, the Assembly's governance structure, and the Assembly's processes to engage ACCOs, Aboriginal Trusts and First Peoples who are not Traditional Owners.

39. In relation to the **Minimum Standard of Inclusivity**, the Assembly's announcement outlined the Assembly's processes to uphold Cultural Authority, processes to educate and consult all First Peoples regarding Treaty negotiations, and processes in place to seek Collective Support of First Peoples to the outcomes of Treaty negotiations.

3.2 Our state-wide election and appointment process for our membership

40. Following the Assembly's Announcement, the Assembly held an election from 3 April 2023 to 19 June 2023 to elect General Members. Mob from right across Victoria cast their votes and were able to vote in person, online or by post.

41. The publication of election results was on 19 June 2023, following the official vote count taking place on Wurundjeri Woi-Wurrung Country at the Collingwood office of the First Peoples' Assembly of Victoria.

3.3 Notifying the Treaty Authority of the state-wide election period

42. The Assembly fulfilled the requirement in clause 16.3(b) of the Framework to notify the Treaty Authority of the state-wide election period and the likely date of the publication of the election results.
43. In February 2024, by letter to the Treaty Authority from the Co-Chairs of the First Peoples' Assembly of Victoria dated 27 February 2024, the Assembly notified the Treaty Authority that the Assembly's state-wide election period was 3 April to 19 June 2023 and that the publication of election results was on 19 June 2023. The letter requested that the notification take effect when clause 16.3 of the Framework commences operation in accordance with clause 5(b) of the Framework.

ANNEXURE A

SUPPORTING MATERIAL

Part 2 The Assembly's satisfaction of the Minimum Standards

2.1 Land and Waters

1. First Peoples' Assembly of Victoria, 'Statement of Intention to negotiate Statewide Treaty' (28 March 2023), <https://www.firstpeoplesvic.org/reports-resources/roadmap-guides-way-for-assembly-to-lead-statewide-treaty-negotiations-before-year-end/> (accessed 3 June 2024).
2. First Peoples' Assembly of Victoria, 'The Assembly's statewide Elections 2023', <https://www.firstpeoplesvic.org/news/preview-timeline-for-2023-treaty-elections/> (accessed 3 June 2024).

2.2 Community

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