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Subject: 8B Determination Consultation [SEC=OFFICIAL]
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OFFICIAL

Good afternoon Hugh,
Thank you for the opportunity to comment on the Broadcasting Services (Remote Indigenous Communities) Determination 2011 consultation paper.

Please find below the response from the National Indigenous Australians Agency.

Regards,

Robyn Mellor
Indigenous Broadcasting and Media Section Policy | Culture & Heritage Branch | Social Policy and Programs Division
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National Indigenous Australians Agency acknowledges the traditional owners and custodians of country throughout Australia and acknowledges their continuing connection to land, waters and community. We pay our respects to the people, the cultures and the elders past, present and emerging.



NIAA Response to the Broadcasting Services (Remote Indigenous Communities) Determination 2011 consultation paper

1. Is the Determination still needed? If so, why? In not, why not?

The Determination is still needed as the Government is currently formulating a number of new policy positions that may influence the operating environment in remote Australia.

In 2021 the Government announced the new Closing the Gap agreement between all levels of Australian Government and in partnerships with the Coalition of Aboriginal and Torres Strait Islander Peak Organisations (the Coalition of Peaks). At the heart of the National Agreement are four Priority Reforms to change the way governments work with Aboriginal and Torres Strait Islander People. These are:

- formal partnerships and shared decision making
- building the community-controlled sector
- transforming government organisations
- shared access to data and information at a regional level.

The Agreement established 17 socio-economic outcomes and targets to measure progress in the outcomes experienced by Aboriginal and Torres Strait Islander people. Targets focus on health and wellbeing, education, work, housing, justice, culture and land, and access to information. Under the National Agreement, all parties have developed Implementation Plans that set out how they will meet their commitments and are required to report annually on their progress against their plans.

Within the telecommunications area, the most relevant outcome is number 17: People have access to information and services enabling participation in informed decision-making regarding their own lives. Target 17: By 2026, Aboriginal and Torres Strait Islander people have equal levels of digital inclusion.

To progress this outcome, the Australian Government's Indigenous Digital Inclusion Plan (IDIP) is being developed by the National Indigenous Australians Agency, with support from the Department of Infrastructure, Transport, Regional Development and Communications. This work is part of the Australian Government's response to the recommendations of the 2018 Regional Telecommunications Review. The plan will address key issues to improve Indigenous digital inclusion in the areas of access, affordability and digital ability. Consultations in developing the IDIP identified the existing supports as well as current and future needs for Indigenous communities. The Determination currently plays an important part in ensuring that remote Indigenous communities can access information that impacts on their decision-making regarding their own lives.

In light of the current flexible and changing nature of Aboriginal and Torres Strait Islander broadcasting and telecommunications policy and Government priority reforms, it is not advisable to make substantial changes to the Determination.

2. Is the Determination effective and efficient? If not, why not?

The Determination is effective in providing streamlined licence renewal and transfers of community broadcasting licences. This greatly advantages the remote sector, which is significantly under resourced and has limited capacity to manage onerous administrative and licencing matters.

In addition, the flexibility provided by the Determination allows community radio and television licensees to carry advertisement without cash or in-kind considerations. This has been useful before when carrying information about significant events and has been of major benefit to organisations in providing significant messaging about COVID-19 over the past two years. With the expectation that continued COVID-19 messaging in particular will continue to be required, this flexibility should be maintained.

3b. Are there any communities that you think should be taken off the list? If so, why?

No.

The majority of sites on the Determination maintain a Remote Indigenous Broadcasting Services (RIBS), which are small radio services that broadcast for several hours a day and then switch over to their associated Remote Indigenous Media Organisation (RIMO). The Determination currently lists several sites that have a radio station, (i.e. an independent station that broadcasts for at least 8 hours a day), and not a RIBS. These are Derby, Fitzroy Crossing, Halls Creek, Palm Island and Nhulunbuy. Although these sites are substantially larger than RIBS sites, they should be retained to take any advantage of being included in the Determination.

3a. Are there any new communities that you consider should be added to the list? If so, why should they be added?

Yes.

The remote sector is struggling to maintain services, particularly at the moment due to pandemic restrictions, reduced income and static funding . Additional very remote and remote locations could be considered for inclusion, to enable greater access to the advantages provided by the Determination. These are: Broome, Charleville, Geraldton, Alice Springs, Rockhampton, Cherbourg, Roebourne, Karratha, Mackay, Proserpine, Mount Isa, Bourke, Wilcannia and Kununurra. All have radio services that are struggling and would be advantaged by regulatory requirements and administrative relief.

3c. Are there any communities on the list that would be better referred to with a different name of spelling?

Please refer to information in the spreadsheet provided previously (NIAA – RIBS to legislation comparison).

In addition – many communities are known by several names with several spellings. While every attempt should be made to provide the most appropriate spelling/name in the Determination, the possibility that names/spellings may not be quite correct should be acknowledged.
