

Item 3.1

Response to the Voice Referendum

File No: S051491

Minute by the Lord Mayor

To Council:

On Saturday 14 October 2023, a majority of Australians voted against a proposal to recognise our Aboriginal and Torres Strait Islander peoples in our nation's Constitution and enshrine that recognition as an Aboriginal and Torres Strait Islander Voice.

This modest request, from our First Peoples, for a body that would advise on matters relating to them, had been developed over many years, culminating in 2017 with the gracious invitation of the Uluru Statement from the Heart.

It is devastating and tragic that Australia said no.

I'm bitterly disappointed that this opportunity was undermined by a mean, ungenerous and negative political campaign. Ugly, Trumpian tactics and harmful misinformation played to peoples' fears and gave rise to racism. The need to do more to improve the lives of Aboriginal and Torres Strait islander people was ignored and denied.

One of the most heinous lies was the suggestion that Aboriginal and Torres Strait Islander people did not want The Voice. Yet remote communities with large Aboriginal or Torres Strait Islander populations in the Northern Territory, Queensland and Western Australia voted resoundingly "yes".

In the Federal Electorate of Sydney, which has comparable boundaries as the City of Sydney, the vote for "yes" was over 70 per cent.

To all those who voted 'yes' – I say that this result is not the end of the journey.

On 23 August 2004, Council unanimously committed to "developing appropriate policies, principles and practices to achieve social justice for Aboriginal and Torres Strait Islander peoples and just Reconciliation for Australians, based on the recognition of Indigenous rights".

Council has honoured this commitment many times over, including:

- in 2005, when we adopted Principles of Cooperation with the Metropolitan Local Aboriginal Land Council;
- in 2008, when we established an Aboriginal and Torres Strait Islander Advisory Panel (our Voice to the City);
- in 2008, when we endorsed the Eora Journey as a key project of the City's Sustainable Sydney 2030 plan, then in 2012 when we adopted the Eora Journey: Recognition in the Public Domain Implementation Plan and in 2016, when we adopted the Eora Journey Economic Development Plan;

- in 2011, we formally recognised that the establishment of a convict outpost on the shores of Sydney Harbour in 1788 “had far reaching and devastating impacts on the Eora Nation, including the occupation and appropriation of their lands” and that “despite the destructive impact of this invasion, Aboriginal culture endured”;
- in 2015, we began updating City park signs to include an acknowledgement of Country using Gadigal language;
- in 2015, we adopted our first Reconciliation Action Plan (Innovate) and in 2020 our second Stretch Reconciliation Action Plan was adopted;
- in 2018, we purchased 119 Redfern Street, to be opened an Aboriginal and Torres Strait Islander community and cultural hub; and
- in 2022, we established the Aboriginal and Torres Strait Islander Collaboration Fund valued at \$500,000 per year.

Also, in 2022, Council requested the Chief Executive Officer to undertake several actions arising from my Lord Mayoral Minute - Progressing the Uluru Statement from the Heart.

Now is the time to demonstrate continued solidarity with Aboriginal and Torres Strait Islander Elders, leaders and communities by continuing to engage with them as our work continues. As Reconciliation Australia said in its statement on referendum night:

“Listening to the voices of First Nations peoples and providing opportunities for all Australians to learn from the vast knowledge and experiences which First Nations people possess, will ensure the best outcomes for this nation.”

Heeding this advice and the discussions already occurring in our own Aboriginal and Torres Strait Islander Advisory Panel, I am proposing that we ask our Panel, the Metropolitan Local Aboriginal Land Council, Elders and the Aboriginal and Torres Strait Islander community how we can increase our capacity to ensure we continue to listen to the voices of First Nations peoples and provide opportunities for all Australians to learn the knowledge and experiences of first nations people. This may include ensuring that future City of Sydney Councils retain this important local Voice by asking the NSW Parliament to entrench the local Voice in the City of Sydney Act 1988.

There is also a need to address the harmful impact of the No campaign and Referendum result on many Aboriginal and Torres Strait Islander people. I propose asking the Chief Executive Officer to consult with our Aboriginal and Torres Strait Islander Advisory Panel, the Metropolitan Local Aboriginal Land Council, Aboriginal Community Organisations and Elders to determine if there is anything we can do to support the community during this difficult time.

The City has already responded to the sadness felt by Indigenous Australians who supported the Voice referendum by agreeing to their request to fly the City’s Aboriginal flags at half-mast over the past week. This was, for them, a “week of silence” in which they wished to grieve the Referendum’s outcome and reflect on its meaning and significance.

While the vote on 14 October 2023 means there will be no constitutional recognition or enshrined Aboriginal and Torres Strait Islander Voice, we must all continue to seek justice for First Nations people.

The Voice campaign brought Indigenous disadvantage to the fore, and all levels of Government must now find new ways to address this disadvantage and close the gap.

The new State Labor Government committed to consultation with First Nations communities for a Treaty process for NSW. It must be guided by our Aboriginal and Torres Island communities on this process and ensure local governments are included in this important conversation.

On the night of the referendum, Reconciliation Australia described the result as a stumble on our reconciliation journey. It continued:

“Clearly the imperatives for Indigenous Australians have not changed and the issues written about so eloquently in the Uluru Statement remain to be addressed. We are determined to continue the journey of reconciliation and remain confident that away from the noise and clamour of the recent campaign, millions of Australians will ensure that the status quo does not remain.

“The powerful movement built over the past few months is not going away.”

Recommendation

It is resolved that:

- (A) Council note 5.5 million Australians voted to recognise an Aboriginal and Torres Strait Islander peoples as the First Peoples of Australia by enshrining an Aboriginal and Torres Strait Islander Voice in our nation's Constitution, including 70 per cent voting yes in the City of Sydney;
- (B) Council thank Australians, including the strong majority of City of Sydney residents, who said "yes" to the referendum question;
- (C) Council commend the many volunteers across Australia, and specifically those within the City of Sydney, who worked tirelessly for a "yes" vote;
- (D) Council note that, consistent with the [Statement from Reconciliation Australia](#) the referendum loss should be seen as a stepping stone on the path to progress, justice and equality;
- (E) Council note the [Statement from Indigenous Australians](#) who supported the Voice referendum;
- (F) Council note the harmful impact of the Referendum campaign and result on many Aboriginal and Torres Strait Islander people, and request that the Chief Executive Officer consult with the Aboriginal and Torres Strait Islander Advisory Panel, the Metropolitan Local Aboriginal Land Council, Aboriginal Community Organisations and Elders about ways to support the mental health of those affected;

- (G) the Chief Executive Officer be requested to engage with our Aboriginal and Torres Strait Islander Advisory Panel, the Metropolitan Local Aboriginal Land Council, Elders, Aboriginal and Torres Strait Islander community organisations and the Aboriginal and Torres Strait Islander community on how best Council can listen to and be guided by Aboriginal and Torres Strait Islander people on matters relating to them, including, but not be limited to requesting the NSW Parliament to entrench the Aboriginal and Torres Strait Islander Advisory Panel in the City of Sydney Act 1988; and
- (H) the Lord Mayor be requested to write to the NSW Premier requesting that when he consults with First Nations communities on a Treaty process for NSW that he will ensure it involves local government.

COUNCILLOR CLOVER MOORE AO

Lord Mayor