



The Hon Tony Burke MP
Minister for Home Affairs
Minister for Immigration and Multicultural Affairs
Minister for Cyber Security
Minister for the Arts
Leader of the House

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Mr Matt Burnett
President
Australian Local Government Association (ALGA)
8 Geils Court
DEAKIN ACT 2600

Dear Mr Burnett

Congratulations on your recent appointment as President of the ALGA. The Government continues to value the representation and advocacy of Local Government councils driven by the ALGA.

I thank the ALGA for the correspondence on 12 September 2024 from outgoing President, Ms Linda Scott, concerning the resolutions from the 2024 National General Assembly of Local Government. I appreciate the time the ALGA has taken to bring this matter to my attention.

Motion number 34

The Government provides significant investment in arts, cultural activities and organisations to facilitate their ongoing viability. The Government's cultural policy, *Revive*: a place for every story, a story for every place, acknowledges regional and remote arts practice is critical to a vibrant national arts sector that reflects Australia's depth and diversity.

In addition, The Festivals Australia Program invests around \$1.4 million in regional and remote arts and cultural activities each year. By investing in arts and cultural activities delivered at regionally significant festivals and one-off community events, the program supports audience attraction and builds local resilience, including through economic opportunity and growth.

Creative Australia is the Government's principal arts funding body. It makes decisions on grants funding at arm's length from government through industry assessment. It funds a wide range of arts activities, including the creation of new work, collaborations, touring, productions, exhibitions, performances, publishing, recording, promotion, market development and audience engagement.

In 2023-24 Creative Australia invested \$28.4m in regional arts and culture (based on the residence of the applicant). This is an increase from the \$23.1 million invested in regional arts and culture in 2022-23. Creative Australia also supports organisations to tour work to the regions through specific arts touring programs with a requirement that the majority of touring locations are in regional or remote Australia.

Motion number 89

As you may be aware, the Government released the Migration Strategy (the Strategy) in December last year. The Strategy establishes a formal role for Jobs and Skilled Australia (JSA) in defining Australia's skill needs, using evidence and advice from tripartite mechanisms. An initial area of focus for JSA has been to provide advice on a new Core Skills Occupation List (CSOL) that will be part of the Government's new Skills in Demand visa to support temporary skilled migration Australia wide. The JSA undertook extensive stakeholder engagement on the new CSOL including with organisations and individuals from regional Australia.

Motion number 104

Study and work rights for Bridging visa holders

A Bridging visa is a temporary visa, granted in certain circumstances, that allows an individual to stay in Australia lawfully while they resolve their immigration status. The type of Bridging visa, conditions imposed on that visa, and the visa validity depends on individual circumstances.

A Bridging E (subclass 050) visa (BVE) may be granted to an individual who was previously unlawful in the community. A BVE allows an individual to stay in Australia lawfully for a short time, while they await an immigration decision or make arrangements to depart Australia. A BVE is not intended as a work visa to facilitate long-term employment or a study visa to facilitate tertiary study. Discretionary visa conditions can be applied to enable minors, that is children aged 5 years to 18 years old (end of year 12), to attend school.

Conditions imposed on a BVE are applied in accordance with the *Migration Regulations 1994* (the Regulations), as well as taking into consideration immigration history, immigration pathway and personal circumstances. The application of permission to work on a BVE is determined by the Regulations, which stipulate that the no work condition must be imposed in certain circumstances. If a mandatory condition is imposed on a BVE by operation of law, the condition cannot be waived. There are currently no plans to amend the Regulations in relation to BVEs.

Status Resolution Support Services (SRSS)

The SRSS program is available to eligible non-citizens who cannot support themselves while engaging with the Department to resolve their immigration status through a substantive visa grant or departure. Support services are needs-based and tailored to an individual's circumstances with a focus on addressing barriers to achieving a status resolution outcome.

Most non-citizens holding a bridging visa have work rights and access to Medicare, which allows individuals to look after themselves while they resolve their immigration status.

SRSS eligibility depends on immigration status, vulnerabilities and barriers to status resolution. While the Department applies this policy flexibility, applicants are required to demonstrate they cannot support themselves and provide documentary evidence.

The Department recently updated the SRSS content on its website and is working with providers to improve information about evidentiary requirements for SRSS applications. The Department is also continuously looking for opportunities to improve program processes and enhance access to SRSS within existing Government authority. We are committed to ongoing engagement with civil society to understand the challenges faced by individuals in Australia as they progress along their status resolution pathway, and, where possible, address any gaps or issues as it relates to access to SRSS.

Motion number 105

Travel rights

Bridging visas allow freedom of movement throughout Australia and departure from Australia, but do not provide re-entry into Australia. Under the Act, a visa that allows the holder to remain in, but not re-enter Australia, ceases to be in effect when the holder leaves Australia. This includes a BVE.

Protection visa system reform

The Government is committed to ensuring the Protection visa system serves its intended purpose of providing protection to those who are in genuine need and are found to have met Australia's protection obligations. On 5 October 2023, the Government announced a \$160 million package of reforms to restore integrity to Australia's refugee protection system, assisting genuine asylum seekers and helping to break the business model of people who seek to exploit the system.

To remove incentives for non-genuine applicants to apply for protection, and reduce legacy backlogs, the Government has committed:

- \$54 million to increase visa processing resources within the Department to significantly reduce permanent Protection (subclass 866) visa processing times.
- Over \$58 million to the Administrative Appeals Tribunal (AAT) and the Federal Circuit and Family Court of Australia to hear more Protection visa applications at merits and judicial review.

These whole-of-system measures have made a positive impact on reducing protection visa processing times. Most new protection applications are now finalised within 95 days, which is approximately 8 times faster than before the Government's announcement. While the reforms provided additional resources to clear the backlog of asylum applications and appeals, the reforms were also designed to break the business model of people who seek to exploit the system.

This means that those in genuine need of Australia's protection will be provided with greater certainty more quickly, so that they can move forward with their lives and fully contribute to Australia. Non genuine applicants who do not engage protection or do not meet the criteria for visa grant, will also be refused more quickly.

The Government also committed funding for legal assistance for Protection visa applicants. Legal assistance ensures that Protection visa applications are progressed as efficiently as possible through primary processing and, if required, merits and judicial review stages.

Prospective applicants are encouraged to seek out this voluntary free legal assistance before making an application for a protection visa. Further information on the Protection visa reforms and free legal assistance is available on the Department's website at: <https://www.homeaffairs.gov.au/protection>.

Establishment of the Administrative Review Tribunal

The Government has taken steps to reform the migration and protection visa review processes by abolishing both the Immigration Assessment Authority (IAA) and the fast track assessment process.

The new Administrative Review Tribunal (ART) commenced on 14 October 2024 and will be user focused, efficient, accessible, independent and fair. The reforms implemented to establish the ART have been designed to improve the operation of the merits review process. This includes the implementation of a transparent and merit-based appointments process as well as introducing procedural efficiencies and process improvements.

As part of the reform process, the ART will implement support services and emphasise early resolution where possible. The ART will also appoint additional members to address existing backlogs. This will provide quicker decisions for cases, and a greater number of options for applicants seeking support.

All existing 'Fast Track' applications will be eligible for review by the ART. 'Fast track' cases currently undergoing review by the Immigration Assessment Authority (IAA) will automatically transition to the ART upon its commencement.

Any matter which has been finally determined at the time of the commencement of the ART, will remain finally determined.

People who do not engage protection obligations, who are not awaiting a merits or judicial review outcome, and who have exhausted all avenues to remain in Australia, are expected to depart. Support is available to return to a country of origin or another country to which an individual has right of entry, through the Return and Reintegration Assistance Program.

Those with new, credible protection claims relating to changes in their country of origin or personal circumstances, may request Ministerial Intervention. Further information is available at: <https://immi.homeaffairs.gov.au/what-we-do/refugee-and-humanitarian-program/onshore-protection/protection-visa-cancelled>.

Resolution of status

The Government has provided a permanent visa pathway for existing Temporary Protection visa (TPV) and Safe Haven Enterprise visa (SHEV) holders, with the vast majority of eligible applicants having been granted a permanent Resolution of Status (ROS) visa. Under this pathway:

- TPV and SHEV holders who arrived in Australia before 14 February 2023 can apply for a permanent Resolution of Status (RoS) visa.
- Any outstanding subsequent TPV or SHEV applications lodged before 14 February 2023 have been automatically converted to an application for a RoS visa.

Motion number 119

Revive recognises that arts and cultural organisations of all sizes and types provide infrastructure that enables Australia's cultural and creative sector to flourish. These institutions, organisations and entities which sustain our arts, culture and heritage are supported by all levels of government.

The small to medium arts organisations funded by Creative Australia are the backbone of the Australian art and cultural sector. These organisations play critical roles in our communities and in the broader arts landscape and they employ Australian artists, creatives and art workers. From 2025-28, of the 198 organisations Creative Australia will invest in on a multi-year basis, 44 will be in regional Australia receiving total investment of \$18.9 million per annum, which will be an increase of 10 organisations from 2021-24.

Regional Arts Western Australia – the peak body for regional arts in the state – recognises the value of providing employment, support and pathways for regional artists and arts workers through its Regional Arts Network initiative. Under the initiative, Regional Arts Hubs engage and respond directly to their local communities and increase local decision-making by strengthening relationships with local governments and stakeholders, whilst seeking development opportunities for artists and arts workers to support sector sustainability. The Regional Arts Network is supported by the Australian Government through the Regional Arts Fund, which provides total funding of around \$6 million per year to artists and arts organisations across regional and remote Australia.

Motion number 125

A key focus under the 2023-2030 Australian Cyber Security Strategy is the uplift of the cyber security maturity of the Government. This function sits alongside existing measures under the Protective Security Policy Framework (PSPF).

While the scope of this program of work is limited to Commonwealth Government functions and systems, there is a Memorandum of Understanding with State, Territory and Local Governments to encourage implementation of measures from the PSPF to enhance their own cyber security posture.

I have copied this letter to the Office of the Hon Kristy McBain MP, Minister for Regional Development, Local Government and Territories.

Thank you for bringing the Resolutions from the 2024 National General Assembly of Local Government to my attention.

Yours sincerely



TONY BURKE

10 / 2 / 2025