



# MEMORANDUM OF UNDERSTANDING

with our  
**INDIGENOUS COMMUNITY**

11 March 1999



CITY OF PORT PHILLIP

11/03/99

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# **PART ONE**

## 1. INTRODUCTION

**T**he development of a Memorandum of Understanding with the Port Phillip Indigenous community was endorsed by Council on 16 December 1998. The Memorandum of Understanding is a product of the issues facing the inner urban municipality of Port Phillip. It seeks to achieve common goals, to advance Reconciliation and to apply the citizenship rights of the Port Phillip Indigenous community.

The document serves as an "accord" between the Port Phillip Indigenous community and its representatives, particularly Council. It demonstrates political commitment and good will and aims to reach an amicable and workable arrangement for the long term benefit of the community as a whole.

The City of Port Phillip Council is democratically elected to represent all Port Phillip citizens. Port Phillip citizens are those who live, work, visit, study or pay rates within the municipal boundary of Port Phillip.

Council's representation of its citizens is characterised by a demonstrated and ongoing commitment to social justice. This is evident in the extensive range of policies and practices that are part of its approach to planning and service provision.

This approach, and Council's responsibility for its citizens and their diverse range of needs, is in the context of Local government legislation, the responsibilities of State and Commonwealth governments and Council's resource constraints.

The accompanying Context Report provides information on the Port Phillip Indigenous community profile, Council services, policies and plans and records Council's initiatives in relation to Reconciliation and equitable access to Council services.

## 2. STATEMENT OF INTENT

**T**he aim of the Memorandum of Understanding is to formalise and action the City of Port Phillip's commitment and responsibility to provide equitable and accessible Local Government service provision for the Port Phillip Indigenous community.

Other representatives and advocates for the Port Phillip Indigenous community, such as representatives of Boonerwung language group people, Wurundjeri elders, Wurundjeri Tribe Land Compensation and Heritage Council, Ngwala Willumbong Cooperative, the Aboriginal and Torres Strait Islander Commission, and Mirimbiak Native Title Unit, in partnership with Council, have participated in the development of the Memorandum of Understanding. This participation acknowledges the benefits of working together to develop trust, respect and understanding both for the present and the future.

The Memorandum of Understanding is a tool to address issues of access, service delivery, land management, other specific local issues and to advance Reconciliation.

### 3. PRINCIPLES

**T**he following is part of the policy Statement of Commitment endorsed by Council on 27/7/98 and underpins the Memorandum of Understanding (see Appendix 1 for full statement)

- "Council acknowledges that Indigenous Australians were the first people of this land.....and grieves for the loss of their land, their culture, their children, their health and their lives."
- "Council supports the Indigenous and non-Indigenous people of Australia working together for the development of a formal instrument of Reconciliation."
- Council has a core responsibility to represent and provide equitable distribution of Council resources to all Port Phillip citizens.
- Council is committed to social justice principles and acknowledges social and cultural differences that impact on an individual's and community's ability to share on an equitable basis the resources that provide basic human rights such as: food; shelter; material goods; education; health and wellbeing; and access to information. All of which contributes to the respect and dignity that is the right of all.
- Council acknowledges and supports the democratic rights of its citizens to contribute and participate in planning, policy development and management of services in a planned and consistent manner.



- Council takes a leadership role in facilitating and participating in partnerships with its community, including organisations, service users and the general community to address the City's needs.
- Council will work in a variety of ways to express its commitment and achieve the aims identified by its consultation processes, eg. through planning and coordination of services, direct provision of services, funding of the community sector, and facilitating community initiatives.
- The diverse needs of this community will be considered in all of Council's planning and service delivery activities across the full physical, strategic, cultural, recreational and economic spectrum.
- Council is committed to actively advocating and lobbying to other levels of government and the community sector for the needs of the whole Port Phillip community, with a recognition of sectors of the community who have a limited voice with which to express their needs.



## 4. KEY ISSUES TO BE ADDRESSED BY MEMORANDUM OF UNDERSTANDING

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### ISSUE 1.

**L**ack of Indigenous Council employees to provide culturally sensitive and appropriate service delivery which contributes to equitable access to Council services.

Currently there are is a very small representation, ie. approximately 2% of \*identified Indigenous residents using Council human services such as aged and disability, child care, maternal & child health, information, support and referral, foster care, library, etc.

\*based on 1996 ABS Census data

\*It is not possible to fully assess Indigenous usage of all Council services. This is due to citizens not being requested to identify their cultural background when using the majority of Council services.

Services such as waste management, street cleaning, parks management, traffic management etc are utilised by 100% of the population as they are part of the day to day operations of the City.

It is generally recognised, based on the experience and knowledge of mainstream and Indigenous organisations, that the active presence of Indigenous people within organisations improves access and equity for the Indigenous community who are seeking services. (eg. refer DHS Koori Health Plan 1998 and DHS Koorie Services Improvement Strategy 1998)

Council currently employs two Indigenous staff members, which represents approximately 0.2% of Council's staff.



**ISSUE 2.**

**L**ack of local economic development opportunities for the Port Phillip Indigenous community.

The Indigenous community has a far greater unemployment rate than the general community. It is generally accepted that employment and economic development opportunities have a direct link to people's health, housing and social situation. Government strategies recognise that programs which do not empower the Indigenous community often fail. Access to sustainable employment and economic development opportunities are strategies that can empower and bring about positive social, health and economic change.

**ISSUE 3.**

**L**ack of democratic representation at Local Government level by members of the Indigenous community.

The Municipal Association of Victoria (MAV) has identified that elected Indigenous representatives at Local Government level would address issues of inclusiveness and equitable access to services through direct involvement in decision making and policy development.

**ISSUE 4.**

***M*anagement and protection of known and future sites of Indigenous cultural significance**

Public land for which Council is the responsible authority, and that is an identified site of cultural significance or that may be subject to native title interest, is required to be protected by Council according to relevant legislation.

Irrespective of whether Council is the responsible authority for any land in question, Council also has an advocacy role for protection of all important cultural sites within the municipal boundary.

- Sites of cultural significance are those which are recognised by Aboriginal Affairs Victoria and subject to the Aboriginal and Torres Strait Islander Heritage Protection Act, 1994.

## 5. STRATEGIES

1. **E**nsure equitable access to services through the provision of culturally sensitive and appropriate service delivery. To achieve this Council will recruit Indigenous staff to critical access point positions.
2. Encourage Indigenous economic development.
3. Target Council information to the Indigenous community as well as general community.
4. Further promote Council's commitment to Reconciliation.
5. Encourage representation at Local government level by members of the Indigenous community.
6. Develop and implement a framework for a Land Management Agreement that is applicable to public land for which Council is the responsible authority.

### Review of Strategies

**T**he Action Plan and strategies will be reviewed annually in line with Council's planning processes.

The ATSIC & City of Port Phillip Koorie Working Party or its successor will contribute to the review process.

## 6. ACTION PLAN

### **G**oal:

To provide equitable access to Council services for the Port Phillip Indigenous community.

### **ISSUE 1:**

Lack of Indigenous Council employees to contribute to equitable access for the Port Phillip Indigenous community to culturally sensitive and appropriate services.

### **ISSUE 2:**

Lack of economic development opportunities for the Port Phillip Indigenous community.

### **ISSUE 3:**

Lack of democratic representation at Local Government level by members of the Indigenous community

### **ISSUE 4:**

Management and protection of known and future sites of Indigenous cultural significance



## STRATEGY 1

***Ensure equitable access for the Indigenous community to culturally sensitive and appropriate services.***

### ACTION PLAN

- Develop and implement a Council \*Indigenous Recruitment Strategy over a 3 year period, leading to 18 permanent Indigenous staff positions (representing approx. 3% of council staff) secured within Council or through services provided to Council.
- Continue to participate in the Inner South East Aboriginal Health Working Group (DHS Koori Health Plan outcome) to improve service planning and coordination)
- Consult with the ATSIC & City of Port Phillip Koorie Working Party and other Indigenous organisations to identify Council and community service needs and gaps, monitor and evaluate current strategies and advise Council of outcomes.
- Identify and recommend priorities and strategies for consideration by Council.
- Include cultural identification and target a proportion of Indigenous service users in Council's annual Community Research.
- Commitment in the Corporate Plan to include performance indicators in all Divisional business plans requiring a demonstration of how the Division has contributed to equitable access for the Port Phillip Indigenous community and how this will be supported.
- Include Indigenous staff and organisations in planning of events etc.
- Consult with Indigenous organisations regarding protocols.

- Commitment to ensure Council staff participate in cultural awareness and diversity programs.
- Initiate a program of information exchange forums between Council staff and staff from Indigenous organisations, commencing with a Neighbourhood Amenity forum.
- Promotion of Aboriginal and Torres Strait Islander issues and events on the City of Port Phillip Website.

### **Performance Indicators:**

Six monthly reports on monitoring performance of Action Plan and other outcomes to be presented to Council. First report due November 1999.

Indigenous organisations involved in Council planning and policy consultations.

Business Plan access and equity performance indicators met by each Division.

### **Resource Implications:**

Provided within current staff resources and negotiated with individual managers.

**Timelines:**

Commence March 1999 and ongoing

## **Indigenous Recruitment Strategy**

### **Action Plan - Year 1**

#### **Aged & Disability Services**

- Employ 1 Home care worker trainee - 1 permanent position confirmed.

#### **ASSIST Centre**

(Council's reception & information service)

- Employ 1-2 trainees within the ASSIST centre - 1 permanent position confirmed

#### **Culture & Recreation**

- Employ 1 Library trainee (permanent position to be confirmed)
- Employ 1 Facilities officer trainee - 1 permanent position confirmed.

#### **Family, Children & Youth Services**

- Employ 1-2 child care worker trainees - 1 permanent position confirmed.
- Develop culturally appropriate support for Indigenous staff in conjunction with the Human Resource area.
- Provide diversity awareness training for all staff.

### **Performance Indicators:**

- Increased number of Indigenous people accessing Council services. (Source: service user profiles, will be dependent on whether services ask for cultural identity)
- Indigenous people accessing a greater range of Council services.
- 5-7 permanent positions secured within Council or with service providers to Council.

<b>Timeline: Year 1</b>	
Commence	March 1999
Complete	March 2000



## **Indigenous Recruitment Strategy**

### **Action Plan - Year 2**

Traineeships and permanent positions will be targeted within the following areas:

#### **City Development Division**

- Neighbourhood Amenity
- Building and Planning

#### **Services Division**

- Parks
- Environmental Services

### **Performance Indicators:**

- Indigenous community continuing to access Council services
- Indigenous people accessing a greater range of Council services.
- 5-7 permanent positions secured.

<b>Timeline: Year 2</b>	
Commence	March 2000
Completed	March 2001





## **Indigenous Recruitment Strategy**

### **Action Plan - Year 3**

Traineeships and permanent positions will be targeted within the following areas:

- 1. Corporate Division**
- 2. City Development Division**
- 3. Services Division**

### **Performance Indicators:**

- Increased access to Council services by Indigenous community continues.
- Indigenous people accessing a greater range of Council services.
- 5-7 permanent positions secured with Council or contractor/s.
- Approx. 3% of Council workforce are Indigenous employees, employed across the broad spectrum of Council services.
- Total = 18 **permanent** positions secured within Council or through services provided to Council.
- Employees are retained consistent with Council's staff retention rate and within contract periods.

### **Resource Implications:**

Traineeships will be partially supported, as per current Commonwealth training guarantees. Respective Department budgets will need to reflect costs of positions and partial traineeships. Note: positions are part of usual staffing resources for service delivery.

<b>Timeline: Year 3</b>	
Commence	March 2001
Complete	March 2002

## STRATEGY 2

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### *Encourage Indigenous economic development*

## ACTION PLAN

- Advertise selected Council tenders in Koori Mail
- Insert a statement in tender advertisements encouraging Indigenous business enterprises to apply.
- Confirm availability of Ngwala Willumbong Cooperative to provide services for the maintenance contract for Cleve Gardens. (Invite responses from other Indigenous service providers if Ngwala Willumbong Cooperative is not available).
- Inform the ATSIC & City of Port Phillip Koorie Working Party members of upcoming Council tenders.
- Utilise Indigenous catering services where possible for events.
- Ensure participation in festivals and events planning by Indigenous staff and community members.

### Performance Indicators:

- Cleve Gardens contract renewed with an Indigenous organisation after April 2000.
- Tender responses received from Indigenous organisations for some Council contracts.
- Indigenous catering services used a minimum of twice annually.

### Resource Implications:

Quarantine budget for Cleve Gardens maintenance.  
Annual estimates process to include additional \$300 pa.  
per contract for advertising costs in Koori Mail.  
No additional resources required in catering budgets -  
market rates apply.

<p><b>Timeline:</b></p> <p>Cleve Gardens contract awarded by April/May 1999. Other actions ongoing.</p>
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## STRATEGY 3

*Target Council information to the Indigenous community as well as general community.*

## ACTION PLAN

- Assist Indigenous organisations to apply for Council Community Grants and access to Council facilities - include Ngwala Willumbong Cooperative, Galiamble, Winja Ulupna and ATSIC, Binjirru Region on Community grants mailing list.
- Provide information flyers/pamphlets on Town Hall Hire Subsidy Scheme, Community Grants, Cultural Development Fund, Events Calendar and Holiday program brochures every six months to the above organisations.
- Inclusion of Aboriginal artwork symbols in Council information brochures. Indigenous organisations indicate that the Indigenous population respond more positively to mainstream organisations that display Indigenous symbols/artwork on their promotional material.
- Include Indigenous community and cultural information on Council's website.

## Performance Indicators:

- Eligible grant and subsidy scheme applications received annually.
- Brochures distributed to identified organisations in March and September of each year.
- New brochures produced by departments to include Indigenous artwork in consultation with Council's Indigenous Policy Officer and Koorie Arts Unit.
- Website information updated and maintained.

## **Resource Implications:**

Minimal mailing costs.

Existing staff resources, eg. ATSI Policy Officer, Community Services Planner, Koorie Arts Officer, can provide support for grant applications and other information as described.

### **Timelines:**

Community Grants information to be provided by opening of 1999/200 scheme. (March 1999)

Website information included March 1999.



## STRATEGY 4

### **Further promote Council's commitment to Reconciliation**

### **ACTION PLAN**

- Establish a mutually agreed protocol with the Boonerwung language people, Wurundjeri and Kulin nation representatives for welcomes to Port Phillip land.  
Prominent representatives currently invited on a regular basis to extend welcomes are:

***Boonerwung language Group people.  
Members of the Wurundjeri Tribe Land  
Compensation and Heritage Council.  
Wurundjeri Tribe members***

Invitations to individual Boonerwung, Wurundjeri and Kulin Nation representatives, will be at the discretion of Council

- Indigenous groups and Koorie Arts Unit staff included at early stages of events planning
- Promotion of public events and information regarding Reconciliation and Indigenous issues through Council and community publications.
- Inclusion of Statement of Reconciliation in Mayors and Councillors addresses at local non-government hosted functions to encourage other organisations to consider their own public responses to Reconciliation.
- Continue active participation in Port Phillip Citizens for Reconciliation group.
- Continue active participation with MAV Local Government Indigenous Network.

## **Performance Indicators**

- Minimum of four items or events published and promoted annually.
- Protocol for welcomes adopted.
- Mayor and Councillors Statement of Reconciliation included at civic and non-government hosted functions

## **Resource Implications**

Publication costs absorbed within current estimates.

<p><b>Timelines:</b></p>
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<p>Commence March 1999</p>
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<p>Ongoing</p>
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## STRATEGY 5

*Encourage representation at Local Government level  
by members of the Indigenous community*

### ACTION PLAN

Distribute notice of Council elections and information to key Indigenous organisations when formally announced. Support MAV strategies to encourage members of the Indigenous community to nominate for election to Council.

### Performance Indicators:

Nominations received by Indigenous community members to stand for Council.

<p><b>Timelines:</b> Ongoing</p>
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## STRATEGY 6

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***Develop a framework for a Land Management Agreement applicable to public land for which Council is the responsible authority.***

### **ACTION PLAN**

- Establish project team to manage development of the framework - Strategic Planning Unit to take lead role
- Ensure that integrated planning strategies to incorporate the framework are implemented across the organisation.
- Elicit expressions of interest from eligible Indigenous contractors who have the capacity to provide the service.
- Engage an Indigenous contractor to develop the framework. The framework is to identify the parties to a non-legally binding Land Management Agreement, to describe processes and protocols with Indigenous communities who may have cultural heritage and native title interests over land for which Council is the responsible authority.

### **Performance Indicators:**

A completed Framework for a Land Management Agreement that has been endorsed by the identified parties.

### **Resource Implications:**

Services Division has a budget for development of the framework.  
Strategic Planning Unit staff resources and Services staff resources required for project management.

<p><b>Timelines:</b></p>
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<p>Commence February 1999 Completed June 1999</p>
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## 7. THE PORT PHILLIP INDIGENOUS COMMUNITY

- *Boonerwung language group people*
- *Members of the Wurundjeri Tribe*
- *All Indigenous citizens of Port Phillip, includes:*

*Residents of Galiamble and Winja Ulupna;*

*Members of the parks community, eg. Indigenous people who meet in Cleve Gardens, Peanut Farm Reserve, Catani Gardens.*

*Staff and Committee members of Ngwala Willumbong Cooperative Inc.*

- *Members of ATSIC Binjirru Regional Council*

## 8. SIGNATORIES TO MEMORANDUM OF UNDERSTANDING

The signatories reflect a shared commitment to represent and advocate for the Port Phillip Indigenous community and as a demonstration of support for Council's strategies.

The following individuals and organisational members are acknowledged as representatives and advocates for the Port Phillip Indigenous Community.

\$ KULIN  
NATION  
WONE

- ✓ + • **Representatives of the traditional owners of the land within the boundaries of City of Port Phillip - Boonerwung language group people**
- ✓ + • **Custodians of culturally significant land within the boundaries of the City of Port Phillip - Wurundjeri Tribe Land Compensation and Cultural Heritage Council**
- ✓ • **Elder of the Boonerwung language group people - Caroline Briggs or delegate**
- ✓ • **Elders of the Wurundjeri Tribe - Joy Murphy and Margaret Gardiner**
- ✓ + • **Chairperson or delegate of the Board of Directors of Ngwala Willumbong Cooperative Inc.**
- ✓ + • **Members of the Park community**
- ✓ + • **Chairperson, Binjirru Regional Council of ATSIC**
- ✓ + • **Chairperson of Mirimbiak Native Title Unit**
- ✓ • **Mayor of City of Port Phillip, Dick Gross**
- **Councillor Christine Haäg, (St.Kilda Ward Councillor and joint Chairperson of ATSIC & City of Port Phillip Koorie Working Party)**
- **Chief Executive Officer City of Port Phillip, Anne Dunn**

## 9. SIGNATORIES STATEMENT OF SUPPORT

Representatives of the Port Phillip Indigenous community acknowledge and support that:

- *The City of Port Phillip will ensure equitable access to Council services for the Port Phillip Indigenous community through the strategies identified in this document, and as negotiated with other representatives of the Port Phillip Indigenous community in the future.*
- *We will work together to create inclusive planning processes to deliver accessible and appropriate Local Government services for the benefit of the Indigenous community, and therefore the whole community.*
- *We are committed to participating in and furthering the process of Reconciliation through local action and advocacy to State and Commonwealth governments and the general community.*

.....  
Traditional owners -  
Boonerwung language group representative/s

.....  
Boonerwung language group Elder

.....  
Custodians - Wurundjeri Tribe Land  
Compensation and Cultural Heritage Council

.....  
Wurundjeri Elders

.....  
Chairperson, Ngwala Willumbong Cooperative

**Signatories Statement of  
Support (cont.)**



.....  
.....  
**Member/s of the park community**

.....  
**Chairperson**  
**ATSIC Binjurrur Regional Council**

.....  
**Chairperson**  
**Mirimbiak Native Title Unit**

.....  
**Dick Gross**  
**Mayor City of Port Phillip**

.....  
**Christine Haäg**  
**Councillor City of Port Phillip**

.....  
**Anne Dunn**  
**Chief Executive Officer City of Port Phillip**

**Dated: March 1999**



## 10. REFERENCES

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- Julie Peers, *City of Port Phillip, Special Needs Report - Koorie Community*, September 1994
- ATSI & City of Port Phillip Koorie Working Party, *Review of Outcomes* September 1996
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- Dept. Human Services, *Improving Human Services for Victorian Koories - The Koorie Services Improvement Strategy, A Five Year Strategic Plan, 1998*.
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- Municipal Association of Victoria (MAV) "*Wurreker, Local Government Indigenous Partnerships Resource Guide*, 1998
- Australian Bureau of Statistics, 1996 Census of Population and Housing - Port Phillip © and Indigenous Thematic Profile.
- Commonwealth, Victorian, ATSI and VACCHO Agreement on Aboriginal and Torres Strait Islander Health, *Achieving Improved Aboriginal Health Outcomes: An Approach to Reform, August 1996*.
- Aboriginal and Torres Strait Islander Commission Local Government Policy, 1998.
- Memorandum of Understanding between Indigenous Women's Legal Resource Group and Women's Legal Resource Group Vic. Inc.

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