

**MEMORANDUM OF UNDERSTANDING
BETWEEN
BEGA, EDEN AND MERRIMANS LOCAL ABORIGINAL LAND COUNCILS
("THE LAND COUNCILS")
AND
THE NATIVE TITLE HOLDERS ("THE NT HOLDERS")
AND
THE BEGA VALLEY SHIRE COUNCIL ("THE SHIRE")**

FOLIO _____
FILE _____
BVSC 1 3 JUN 2001 RECORDS SECTION
ACTION _____
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INTRODUCTION

1. THE SHIRE ACKNOWLEDGES THAT ABORIGINAL PEOPLE ARE THE ORIGINAL INHABITANTS, CUSTODIANS AND NATIVE TITLE HOLDERS OF ALL LAND AND WATER IN THE BEGA VALLEY SHIRE.
2. THE LAND COUNCILS AND THE OWNERS ACKNOWLEDGE THE COLONISATION OF THIS LAND BY NON-ABORIGINAL PEOPLE AND RESPECTS THE CONTINUING RIGHTS AND INTERESTS OF ALL PEOPLE IN THE SHIRE.
3. THE ARRIVAL OF NON-ABORIGINAL PEOPLE BROUGHT MASSIVE CHANGES TO THIS LAND AND WATER AND ITS ABORIGINAL PEOPLE. HOWEVER, THE SHIRE ACKNOWLEDGES AND RESPECTS THEIR TRADITIONS AND THEIR SPECIAL RELATIONSHIP WITH THE LAND AND WATER.
4. THE LAND COUNCILS, THE NT HOLDERS AND THE SHIRE ACKNOWLEDGE THAT THERE IS BETWEEN THEM A MUTUAL OBLIGATION TO GIVE EFFECT TO THE SPIRIT OF THIS MEMORANDUM OF UNDERSTANDING AND FOR ALL PARTIES TO EARNESTLY WORK TOWARDS ABORIGINAL UNITY AND THE SUCCESS OF THIS MEMORANDUM OF UNDERSTANDING AS PART OF THE JOURNEY OF ABORIGINAL, GOVERNMENT AND COMMUNITY RECONCILIATION.

UNDERTAKINGS

5. AS PART OF THE RECONCILIATION JOURNEY, THE SHIRE COMMITS ITSELF TO:
 - 5.1 RECOGNISING THAT THE SUM OF THE CULTURAL HERITAGE OF THE ABORIGINAL PEOPLE OF THE BEGA VALLEY SHIRE IS NOT CONFINED TO ARCHAEOLOGICAL SITES AND ARTEFACTS BUT INCLUDES NATURAL VALUES SUCH AS FLORA, FAUNA, LANDFORMS AND NATURAL RESOURCES.
 - 5.2 CELEBRATING APPROPRIATE ABORIGINAL CEREMONIES AND EVENTS INCLUDING RECONCILIATION AND NAIDOC WEEKS BY FLYING THE ABORIGINAL FLAG AT THE COUNCIL'S MAIN OFFICE.
 - 5.3 INVOLVING ABORIGINAL PEOPLE IN APPROPRIATE CIVIC EVENTS WHICH THE SHIRE ARRANGES AND COORDINATES.
 - 5.4 ASSISTING, ENCOURAGING AND PROMOTING EMPLOYMENT OPPORTUNITIES FOR ABORIGINAL PEOPLE BOTH IN ITS OWN WORKFORCE AND IN THE BROADER COMMUNITY WORKFORCE AND THAT AS A FIRST STEP IT WILL, BEFORE THE REVIEW OF THIS MEMORANDUM OF UNDERSTANDING IN 2003, EMPLOY ABORIGINAL PEOPLE IN NUMBERS WHICH BEAR THE SAME PROPORTION OF ITS TOTAL WORKFORCE AS THE ABORIGINAL COMMUNITY DOES TO THE TOTAL POPULATION OF THE SHIRE. AT THE DATE OF THIS MEMORANDUM OF UNDERSTANDING THAT NUMBER EQUATES TO 4.5 FULL TIME EMPLOYEES.

6. AS PART OF THE RECONCILIATION JOURNEY, THE LAND COUNCILS, THE NT HOLDERS AND THE SHIRE COMMIT THEMSELVES TO:-

- 6.1 DEVELOPING GREATER COMMUNITY UNDERSTANDING OF ABORIGINAL CULTURE IN THE SHIRE AND INCREASING OPPORTUNITIES FOR CULTURAL TOURISM.**
- 6.2 SEEKING THE SUPPORT OF THE NSW GOVERNMENT FOR THE CO-OPERATIVE DEVELOPMENT OF A PLANNING STRATEGY, WHICH WILL IDENTIFY AREAS OF LAND WITHIN THE SHIRE WHICH ARE:**
 - OF SPECIAL CULTURAL SIGNIFICANCE TO ABORIGINAL PEOPLE**
 - TO BE THE SUBJECT OF JOINT MANAGEMENT ARRANGEMENTS, AND**
 - SUBJECT TO DEVELOPMENT PRESSURE IN RESPECT OF WHICH ABORIGINAL INTERESTS REQUIRE SPECIAL RECOGNITION AND PROTECTION.**
- 6.3 RESOLVING BY JANUARY 2002 MECHANISMS AND PROCESSES WHICH GUARANTEE THAT APPROPRIATE CONSULTATION TAKES PLACE IN RELATION TO SIGNIFICANT DEVELOPMENT APPLICATIONS AND COUNCILS CIVIL WORKS TO ENSURE THAT ABORIGINAL CULTURE AND HERITAGE ARE TAKEN TO ACCOUNT AS PART OF THE ASSESSMENT/PLANNING PHASE.**


THE MECHANISMS AND PROCESSES ARE TO GIVE EFFECT TO BOTH THE STATUTORY REQUIREMENTS AND SPIRIT OF THE NATIONAL PARKS AND WILDLIFE ACT.
- 6.4 DEVELOP AS SOON AS POSSIBLE AN INDIGENOUS LAND USE AGREEMENT (ILUA) TO BE SIGNED BY THE PARTIES.**
- 6.5 UNDERTAKING APPROPRIATE COMMUNITY PLANNING TO ADDRESS SOCIAL, ECONOMIC OR CULTURAL DISADVANTAGE EXPERIENCED BY LOCAL ABORIGINAL PEOPLE IN THE SHIRE.**
- 6.6 CONSIDER ADOPTING OTHER APPROPRIATE PROCESSES TO ALLOW FOR THE PARTIES CONTINUING TO WORK TOGETHER INTO THE FUTURE.**

REVIEW OF MEMORANDUM OF UNDERSTANDING

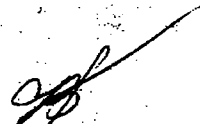
- 7. THE LAND COUNCILS, THE NT HOLDERS AND THE SHIRE AGREE TO:-**
 - 7.1 RENEWING THIS MEMORANDUM OF UNDERSTANDING IN JUNE 2003.**
 - 7.2 MEETING WHEN REQUIRED TO IDENTIFY AND DISCUSS MATTERS WHICH THEY CONSIDER SHOULD BE CONSIDERED AT THE TIME OF THE FIRST FORMAL REVIEW IN 2003.**

INCLUSIVENESS

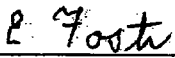
8. THE SIGNATORIES TO THIS MEMORANDUM OF UNDERSTANDING ACKNOWLEDGE THAT THERE ARE MANY DESCENDANTS OF THE MONARO AND YUIN NATIONS AND THAT WITHIN THOSE NATIONS THERE ARE MANY CLANS AND ALL ARE REPRESENTED IN THIS MEMORANDUM OF UNDERSTANDING.




JOHN DIXON
(CHAIRPERSON, BEGA LOCAL
ABORIGINAL LAND COUNCIL)




BEN J. CRUSE
(CHAIRPERSON, EDEN LOCAL
ABORIGINAL LAND COUNCIL)



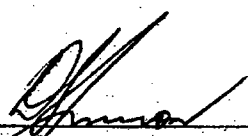
EDWARD FOSTER
(CHAIRPERSON, MERRIMANS
LOCAL ABORIGINAL LAND COUNCIL)



MERVYN PENRITH
(NATIVE TITLE HOLDER)



ROD CALVERT
(ADMINISTRATOR, BEGA VALLEY
SHIRE COUNCIL)



DAVID JESSON
(GENERAL MANAGER, BEGA
VALLEY SHIRE COUNCIL)

13 JUNE 2001