

Ref. CR21/57954

**Payinthe**

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2 November 2021

The Secretary  
Kurna Yerta Aboriginal Corporation KYAC RNTBC  
c/- South Australian Native Title Services (SANTS)  
Level 4, 345 King William St  
ADELAIDE SA 5000

Dear Tania

**PAYINTHI KUMANGKA - MEMBERSHIP REQUEST**

Initial discussions were held earlier this year with senior Kurna Elders and representatives from KYAC to explore partnership opportunities towards the development of a Makarrata or Agreement between Council and Kurna people. During these discussions, we were offered the use of the Kurna language phrase 'Payinthe Kumangka' to describe this shared process that we seek to embark upon.

**Payinthe** [to seek, look for examine; be thinking] **Kumangka** [examining together]

Council greatly appreciates the support and guidance provided by KYAC for this initiative; ensuring Kurna voice, cultural protocol and perspectives are placed at the centre of our discussions and at the heart of our processes and actions moving forward.

Further, thank you for your recent attendance as KYAC representative at the Community Forum held Friday 1 October, attended by twenty-five Kurna Elders, our Mayor David O'Loughlin, Councillors Barnett and Harris, (past) CEO Alison Hancock, Director Community and Planning Nathan Cunningham together with a number of non-Kurna Prospect residents.

Feedback from the event was overwhelmingly positive and we see it as a successful early effort in ensuring Kurna Elders, representing a portion of families from across greater Adelaide, are informed of Payinthe Kumangka and are able to guide the next steps in the process.

In an effort to capitalise on the positive momentum generated from the Community Forum and to align with expected progress outlined by Kurna elders, I write to request the KYAC Board consider and confirm support of the Charter of Engagement (attached), discussed at our earlier meetings. I also seek confirmation of KYAC representatives as members of a Steering Group (described within the Charter).

Council would be delighted for two (2) or three (3) KYAC representatives to become members of the Payinthe Kumangka Steering Group and I confirm that KYAC representatives will be compensated for their attendance at meetings moving forward.

Please note that Council met on 24 August 2021 to discuss the Payinthe Kumangka process. One of the key outcomes is the establishment of the Payinthe Kumangka Steering Group, and KYAC's response confirming membership is needed:

That Council:

1. Having considered Item 10.1 Payinthe Kumangka receives and notes the report.
2. Having considered Item 10.1 Payinthe Kumangka, endorses in principle the draft Charter of Engagement, pending final feedback from the Kurna Yerta Aboriginal Corporation (as presented in Attachment 1).
3. Having considered Item 10.1 Payinthe Kumangka, endorses the use of the Kurna language phrase Payinthe Kumangka to describe the shared processes that Council may embark upon together with Kurna people to develop a Treaty (Treaty, Makarrata or other agreement, however described), to develop and monitor the implementation of Council's Reconciliation Action Plan/s and any other relevant processes, information sharing or decision making for matters relating to Kurna people.
4. Directs the Chief Executive Officer (or delegate) to liaise with Kurna Yerta Aboriginal Corporation to seek membership of a Payinthe Kumangka Steering Group whose role will be focussed upon the coordination and implementation of Payinthe Kumangka; being the shared processes and collaboration that Council may embark upon with Kurna people.
5. Comprise its membership of the Payinthe Kumangka Steering Group to include Mayor O'Loughlin, Councillor Allen Harris, the Chief Executive Officer and one senior Council officer (at the discretion of the CEO).
6. Notes the Payinthe Kumangka Steering Group is charged with responsibility of setting its own Terms of Reference with quarterly updates to be provided to Council so as to align with milestones or achievements.
7. Seeks that the outstanding actions from Council's Innovate Reconciliation Action Plan are completed as a matter of priority; with a progress report to Council's November 2021 meeting showing final achievement of each action or a clear plan for completion.

**CARRIED UNANIMOUSLY**

Thank you for your support and guidance for the initiation of the Payinthe Kumangka processes, I look forward to our continued journey and the development of a closer and more meaningful partnership with Kurna people.

I look forward to your confirmed views in relation to the Charter of Engagement and confirmation of KYAC membership in the Payinthe Kumangka Steering Group.

### **Kurna Naming of Council Wards**

Council has recently determined to consult with the community for the use of Kurna language for the naming, or potentially co-naming, of Council's four current wards.

The Council of City of Prospect consists of a Mayor and eight Councillors, two per ward. Their term of office is four years. Currently, the naming of our wards is simply North, West, Central and East.

As part of our broader reconciliation and Makarrata efforts and journey, Council invites advice from KYAC for our use of suitable and respectful Kurna language, whether this is a simple translation of the current English words to Kurna language or whether the use of alternative Kurna words, terms or phrases, for the naming of our four wards.



Acting upon your advice Council will then further consult with our community to determine their views and sentiments, prior to a final decision by Council in the first half of 2022.

For further information, please contact Council's Manager Community Development at [brendan.lott@prospect.sa.gov.au](mailto:brendan.lott@prospect.sa.gov.au)

Yours sincerely

A handwritten signature in black ink, appearing to be 'Chris White', with a stylized, cursive script.

**Chris White**  
Chief Executive Officer

CC [andrewi@nativetitlesa.org](mailto:andrewi@nativetitlesa.org)  
[tomj@nativetitlesa.org](mailto:tomj@nativetitlesa.org)  
[tmtay69@gmail.com](mailto:tmtay69@gmail.com)

Attachment: Draft Charter of Engagement for KYAC consideration and response

## **DRAFT FOR DISCUSSION**

### **CHARTER OF ENGAGEMENT**

BETWEEN

**CITY OF PROSPECT** ('CITY') a statutory corporation established by the South Australian *Local Government Act 1999*

AND

**THE KAURNA PEOPLE OF THE ADELAIDE PLAINS** ('KAURNA PEOPLE') part of the First Nations of this continent who possessed the land according to their own laws and customs from time immemorial and which possession has never been ceded

#### **The Spirit of the Journey**

First, we come together in the spirit of *Payinthe Kumangka*, or *seeking together*, to seek and find a pathway forward that we can embrace together.

But it is only by seeking to:

- look back,
- allow time for the whole truth to be told, and
- fully understand the truth at a heart level,

that we will find a lasting and just pathway forward together.

#### **Honouring the status, culture and heritage of the Kurna people**

In this journey, the City will honour the Kurna people in the spirit of *Payinthe Kumangka* by:

- Being led by the Kurna Elders: respecting their guidance, and deferring to their wisdom and their priorities, throughout this journey;
- Respecting the standing of the Kurna people as part of the First Nations of this continent who possessed it according to their own laws and customs from time immemorial and which possession has never been ceded;
- Understanding that their sovereignty is also spiritual and therefore:
  - seeking to understand the Kurna peoples connection with the land, the seasons and the winds, and
  - seeking to understand the sacred, dreaming stories of the Kurna people;
- Hearing, and grieving over, the truth of the hurt and pain caused by more than 200 years of European settlement and specifically the impact upon the generations of the Kurna people as well as that which is ongoing and yet to be remedied;
- Understanding that, by whatever means and however recognised, the Kurna people ultimately seek their voice to be heard in an ongoing, fair and truthful relationship with the whole community represented within the City;

- To that end, ensuring that this journey engages with as many in our community as possible and that it encompasses the City's existing diversity of perspectives and cultures;
- Recognising that this journey is part of a *Makarrata* process: a coming together for peacemaking and for justice after a struggle; and
- Seeking to understand in what way this journey could lead to a meaningful, authentic and substantive agreement between the City and the Kurna people that could be formally recognised and embraced across our local community by Kurna and non-Kurna peoples alike.

### **Coming to the journey in good faith**

In bringing good faith to this journey, the City:

- Acknowledges that it comes with a willingness to meet, to hear, to understand and to grieve, but recognises that there is much ground to cover, much truth telling to be heard, and many learnings to be had, before being able to move forward together with a truly shared understanding;
- Recognises that there will need to be appropriate resources allocated to support the journey and its needs, like opportunities for truth-telling;
- Supports a Steering Group:
  - consisting of Kurna Elders, the City and agreed advisers along with interested community members of both Kurna and non-Kurna people;
  - which will coordinate the activities required to fulfil the process leading to a Charter; address and guide responses to issues, opportunities and aspirations raised throughout the journey;
  - by providing Council staff for secretariat services to support the Group, including coordinating meeting times, taking minutes (and so on).
- Understands that the timing, and holistic time frame, of this journey will be what is required for it to be authentic in every sense – it is not about arbitrarily imposed milestones or deadlines.

In response, Kurna Yerta Aboriginal Corporation RNTBC will:

- Decide who will speak for the Kurna people in this journey and who will form part of the Steering Group;  
(Representative Kurna Elders will be included among the Steering Group.

- Have representatives who can commit a reasonable amount of time to the Steering Group;
- Seek to reach out to all Kurna stakeholders who should be respected by inviting their involvement in this journey and whose support will be essential to the successful creation of a Charter.

**SIGNED ON BEHALF OF THE CITY – Mayor and Chief Executive**

**SIGNED ON BEHALF OF THE KAURNA PEOPLE – Elders**  
**DATE**