

**Management report to Council**

**Agenda item 6.5**

**Proposal for recognition of Tunnerminnerwait and Maulboyheenner**

**Council**

**Presenter:** Ian Hicks Manager Community Strengthening

**29 April 2014**

**Purpose and background**

1. The purpose of this report is to seek Council's endorsement of the proposed site, principles and process that will guide the development of a marker to mark the historical events relating to Tunnerminnerwait and Maulboyheenner (T&M).
2. At the 17 December 2013 Council meeting, Council unanimously resolved to request management:
  - 2.1. Finalise proposals to mark the events surrounding the lives of T&M with a permanent marker outside the Old Melbourne Gaol or Bowen Lane and or 'living events' as identified in the consultant's report, after first consulting with members of the working group, Tasmanian Aboriginal stakeholder group and elders of the Wurundjeri Tribal Land Council, and seeking agreement for the proposals from the Old Melbourne Gaol and RMIT as necessary.
  - 2.2. Further develop, and cost, proposals for other means by which T&M story can be presented to the Melbourne community consistent with the consultant's report (i.e. a walking trail, collaboration with a theatre groups etc).
  - 2.3. Report back to the Future Melbourne Committee in April 2014 with respect to paragraphs 2.1 and 2.2.
  - 2.4. Provide a separate report to the Future Melbourne Committee in April 2014 which describes and costs actions in the Indigenous Heritage Action Plan proposed to be implemented in the 2014–15 financial year.
3. On 20 January each year a community commemoration is held at Bowen Lane, Melbourne to remember the events related to T&M. This land is owned by RMIT University.

**Key issues**

4. The research report *Tunnerminnerwait and Maulboyheenner: The Involvement of Aboriginal people from Tasmania in key events of Early Melbourne* (T&M report) identifies two Melbourne sites of significance, the place of the executions (Gallows Hill) and the burial site (Old Melbourne Cemetery) (refer Attachment 2) as appropriate sites. In regard to the Old Melbourne Cemetery site (now Queen Victoria Market) it is proposed that any recognition of the events surrounding T&M be incorporated into the current concept design process for the QVM redevelopment. In regard to the Bowen Lane and associated Old Melbourne Gaol site, further detailed consultation has been held with RMIT and the National Trust. A site and options for indicative scale of installation marker have been agreed in-principle. The proposed site is adjacent to the significant location associated with T&M story.
5. A set of principles (refer Attachment 3) has been established to guide the design and development of a marker that is a culturally appropriate representation of Tasmania's and Melbourne's Aboriginal heritage and culture. The T&M research report provides the basis for development of any installation to mark the T&M story. The proposed principles are consistent with good urban design and cultural heritage practice and include a requirement that any process for design of an installation is consistent with existing National Aboriginal and Torres Strait Islander protocols for visual art, such as the Australia Council of the Arts' *Protocols for Producing Indigenous Australian Aboriginal Art*.
6. In implementing a process, (refer Attachment 4) it is intended that expressions of interests will be sought for the design and development of an installation on the site identified consistent with the principles outlined above. The expression of interest process proposed for development of the installation is outlined.
7. It is proposed that the living events (as identified in the T&M research report), will include an interpretation as part of an Aboriginal heritage walk implemented as a priority action under the Indigenous Heritage Action Plan for the 2014–15 financial year

8. **Recommendation from management**

That Council:

- 8.1. endorses the proposed site identified in Attachment 2 as an appropriate location for a marker to mark the events of Tunnerminnerwait and Maulboyheenner (T&M)
- 8.2. endorses the principles, as outlined in Attachment 3, to guide the design and development of any marker
- 8.3. endorses the process outlined in Attachment 4 to seek culturally appropriate designs for an installation noting that the process will be undertaken in consultation with the National Trust, RMIT and the Tunnerminnerwait and Maulboyheenner Working Group, which includes Traditional Elders
- 8.4. notes the indicative range of costs (refer to Attachment 1) for the T&M project and refers this to the 2014–15 budget process for deliberation and decision
- 8.5. requests a further report be provided to the Future Melbourne Committee detailing a shortlist of design submissions recommended by the Tunnerminnerwait and Maulboyheenner Working Group and that conform with the principles for design and development as outlined in 8.2.

**Attachments:**

1. Supporting Attachment
2. Proposed Site
3. Principles – for guiding the design and development of the T& M installation
4. Process – for the design and development of the T& M installation.

**Supporting Attachment****Legal**

1. There are no direct legal issues arising from the recommendation from management.

**Finance**

2. Costs incorporated in draft 2014-15 budget.
3. Anticipated financial implications of the memorialisation options are between \$85,000 and \$155,000 dependent on the scope and scale of the final installation. An indicative breakdown of costs is:

Community consultations	\$10,000	Cost estimated based on T&M Research Paper consultations.
Administration costs	\$5,000	Flights, accommodation associated with consulting Indigenous members in Tasmania if necessary.
Project Manager	\$20,000	Additional 0.3 EFT (under temporary contract)
Interpretive installation cost range	\$50,000  \$120,000	In-ground marker based on CoM Plaques and Memorial Policy – least cost  <u>or</u> highest cost using City Living Bronze Sculpture 1995 as an example

4. It is noted that a process for community pledges and donations is proposed by a stakeholder interest group associated with the T&M commemoration. It is intended that management will engage further with this group to understand the potential for this kind of fundraising arrangement and report back to Council as part of its deliberations and selection of the successful marker.

**Conflict of interest**

5. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a direct or indirect interest in relation to the matter of the report.

**Stakeholder consultation**

6. The content of this report including the identified sites, guiding principles and proposed process are the result of consultation with the following stakeholders:
  - 5.1 T&M Working Group, which includes (Aunty Carolyn Briggs, Boon Wurrung Elder; Dr Tony Birch, historian; Genevieve Grieves, historian and curator; Eddie Butler Bowen, CoM; and Alix Hill, National Trust).
  - 5.2 RMIT senior executives.
  - 5.3 Aunty Patsy Cameron (Tasmanian Elder and historian).
  - 5.4 Norbett Loeffler (arts installation adviser).

**Relation to Council policy**

7. Council Plan 2013–17 Goal 1 City for People, includes action 1.14.1 - Implement the priorities from the reconciliation and indigenous heritage action plans including the Tunnerminnerwait and Maulboyheenner monument.

**Environmental sustainability**

8. There is no significant impact on environmental sustainability.

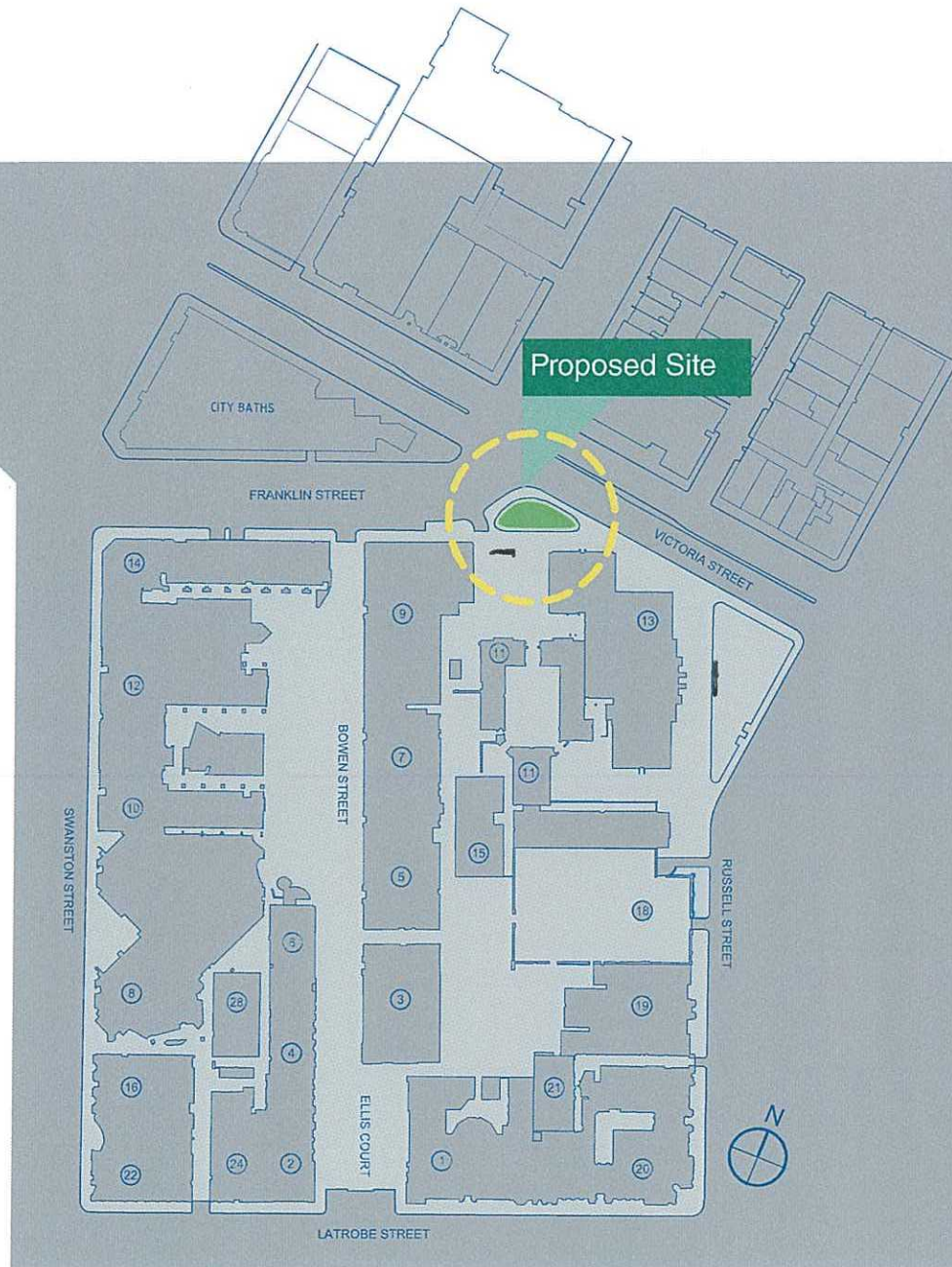


Memorial Plaque  
Cnr Franklin / Victoria st

Site Plan  
Proposed Location



February 2014  
Memorial Plaque  
Options





Memorial Plaque  
Cnr Franklin / Victoria st  
Proposed Options

**Option 1** memorial as 'plinth element' with text  
precedents (see examples below)



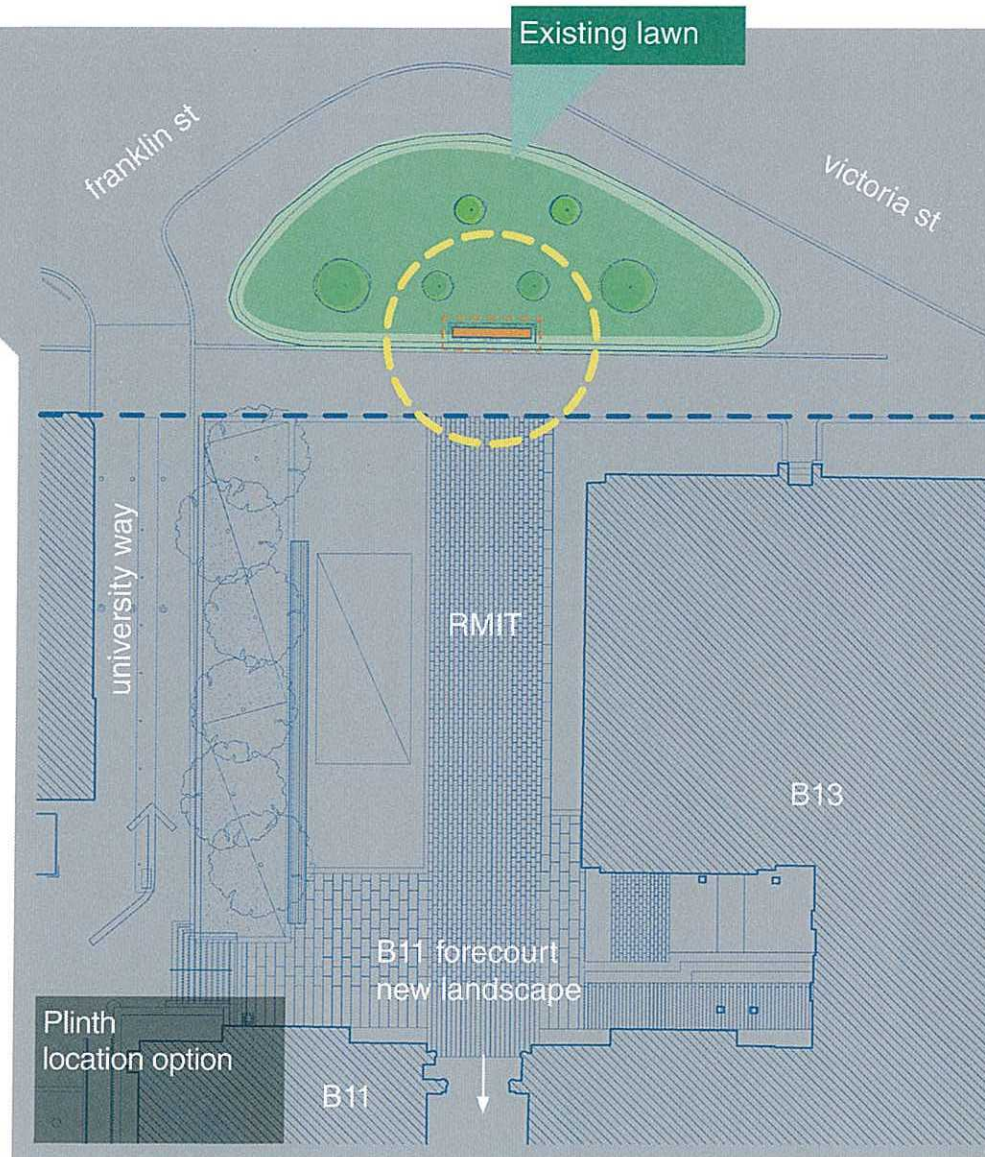
White Rose  
Movement Memorial  
Munich



Sinti & Roma  
Memorial  
Buchenwald



RMIT Alumnai Court  
Memorial  
Melbourne



Plinth  
location option



Diagram of  
'Plinth Memorial'  
at edge of lawn



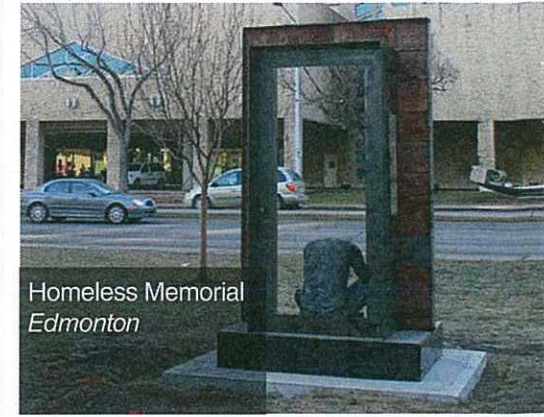
# Option 2 memorial as 'sculptural element' precedents (see examples below)

Memorial Plaque  
Cnr Franklin / Victoria st

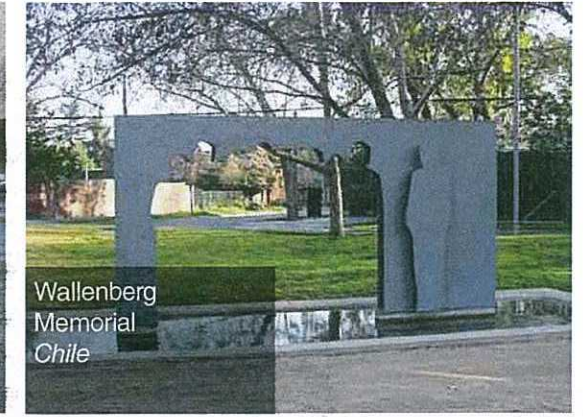
Proposed Options



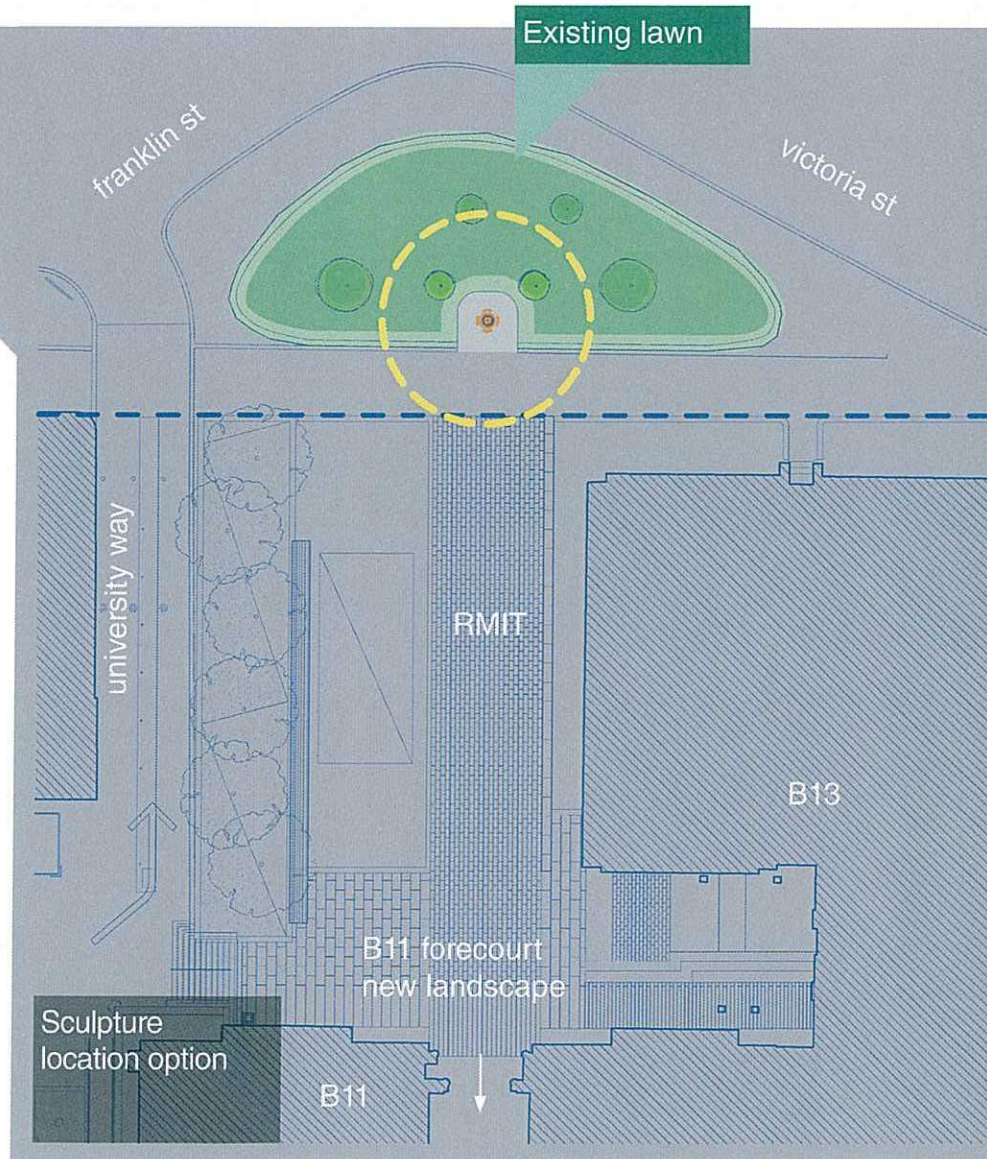
Wallenberg Memorial Budapest



Homeless Memorial Edmonton



Wallenberg Memorial Chile



'Sculptural Memorial' Diagram



## **PRINCIPLES – for guiding the design and development of the Tunnerminnerwait and Maulboyheenner installation**

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The following are the primary principles that will guide the design and development to form the basis for assessment of submissions received for an installation to mark the story and events surrounding Tunnerminnerwait and Maulboyheenner.

These principles have been developed to ensure that any installation respects Aboriginal and Torres Strait Islander protocols and is consistent with good urban design practice and gives due consideration to the public realm and context for the installation.

### **Aboriginal and Torres Strait Islander principles and protocols**

Adherence to Aboriginal and Torres Strait Islander principles and protocols is paramount in the creation of any visual art which portrays Aboriginal people and Torres Strait Islander people, their culture and heritage.

The Australia Council for the Arts *National Aboriginal and Torres Strait Islander Arts Policy* has a protocol specific to the Visual Arts: *Visual Arts: Protocols for producing Indigenous Australian Visual Arts*.

Additionally, the *City of Melbourne Protocol on Artworks*, approved by Council on 26 August 2008, guides Council's actions regarding art works in general, including circumstances where issues of concern, complaint or controversy arise.

In addition to adherence to the aforementioned protocols, any application or installation shall also align with the following principles:

- Be consistent with the facts and story embodied in the 2013 research undertaken by Clare Land on behalf of the City of Melbourne and entitled 'Tunnerminnerwait and Maulboyheenner'.
- Acknowledge the Tunnerminnerwait and Maulboyheenner story as being an important episode in Melbourne's early history.
- Not be specific to any one event related to T&M, but allow for the T&M story to be told.
- Reflect the diversity of Aboriginal cultures and peoples relevant to this story, including the links between Port Phillip and Van Diemens Land Aboriginal peoples.
- Ensure that it does not reinforce negative stereotypes for any current or past persons or peoples.

All of the above principles and protocols must be followed by the Tunnerminnerwait and Maulboyheenner Working Group as it works through the Expressions of Interest to select a culturally appropriate installation.

**Urban Design / Context considerations (specific to location)**

In addition to the application of best practice urban design principles in public spaces adopted by the City of Melbourne, specifically any installation should:

- Be a contemporary and/or abstract interpretation.
- Engage people in contemplation and thought about the events surrounding Aboriginal heritage and history.
- Ensure the location and scale of any marker should not impede any future proposed works.
- Ensure that the location and/or design of any marker shall not detrimentally impede on the view to the Old Melbourne gaol entrance.
- Recognises and enhance the quality of the public space.



## Process for Design and Development of the Tunnerminnerwait and Maulboyheenner Installation

Steps		Comment/Detail	Funding Implication
1	Advise Traditional Owners on confirmation of site	Confirming Council's decision with traditional owners on the site.	
2	Reconvene Tunnerminnerwait and Maulboyheenner Working Group, inviting the following additional members: <ul style="list-style-type: none"> <li>• Tasmanian Aboriginal Centre (TAC) representative</li> <li>• Koorie Heritage Trust representative</li> <li>• Tunnerminnerwait and Maulboyheenner Commemorative Committee</li> </ul>		Project manager (ongoing)
3	Recommended process to be ratified by Working Group and community stakeholders.	Seek prior advice from Tasmania Aboriginal Arts Advisory Committee	Sitting fees
4	Draft Artist Brief (EOI and full application pack) and selection criteria. To include the conceptual framework already adopted ( <i>Forms for monuments to complex histories</i> ) and historical significance ( <i>Tunnerminnerwait and Maulboyheenner: The involvement of Aboriginal people from Tasmania in key events of early Melbourne</i> )	Consultant / temporary staff within City of Melbourne to develop draft Brief which reflects the design and development principles for the installation.  The work is to be significant and permanent therefore along with the adopted principles, artists must bear in mind issues of durability and maintenance.	In house staff or external consultant costs
6	Artist's brief considered by Tunnerminnerwait and Maulboyheenner Working Group for recommendation to City of Melbourne.		Sitting fees
7	National call to Aboriginal and Torres Strait Islander artists to submit an Expression of Interest (EOI)	2 month deadline call for submissions	Advertisement costs – e.g. <i>Koori Mail</i> , Radio outlets.



Steps	Comment/Detail	Funding Implication
Council sign off on expression of Interest process and design / development brief for installation.	Ensure that Council (as landlord for site and installation) has approved the expression of interest process and design / development brief for the installation.	
<p>8</p> <p>Eol released.</p> <p>Artist's briefing held in Melbourne (compulsory/highly recommended)</p> <p>This provides background input from local and Tasmanian elders, and alerts artists to considerations in realising a major, permanent public work</p>	<p>Any artist submitting an EOI is highly recommended to attend the one day artist's briefing.</p> <p>Briefing includes:</p> <ul style="list-style-type: none"> <li>• Presentation by Tasmanian and local elders who are engaged in commemoration and/or artist collaborations (e.g. Aunty Patsy, TAC representative, Aunty Joy Murphy, Uncle Larry Walsh)</li> <li>• Presentation by T &amp; M Commemoration Committee</li> <li>• Presentation by senior artist (can be non-Aboriginal) with significant track record in realising major permanent public works OR City of Melbourne Arts and Culture representative</li> <li>• Presentation by expert on monuments to complex histories</li> </ul>	<p>Travel to Melbourne for Tasmanian Traditional elders representative and TAC representative.</p> <p>Speaker fee for presenters as appropriate public work.</p> <p>Venue and catering considerations</p>
<p>9</p> <p>Submissions received and assessed by Tunnerminnerwait and Maulboyheenner Working Group – without excused members – recommend shortlist of three applicants to Council.</p> <p><b>NOTE</b> – An excused member is a member who has a conflict of interest in the assessment of Eol submissions.</p>		<p>Sitting fees and proposal assessment fees as appropriate</p>
<p>10</p> <p>Shortlisted artists confirmed for recommendation to the City of Melbourne.</p>	<p>Artists recommended to visit Tasmania</p>	<p>\$2000 artist fee, plus \$500 travel support for visit to Tasmania</p> <p>\$1000 (\$50 - \$100 per person) remuneration to Tasmanian community representatives for</p>



Steps		Comment/Detail	Funding Implication
			consultations with shortlisted artists
12	Council to select preferred applicant	Report to Future Melbourne Committee or Council for a decision based on a shortlist of recommended installations from the T&M working group.	
13	Successful submission / proposal approved for final development and implementation.  ( <b>NOTE</b> – a separate development and implementation plan will be developed at this point to guide this next stage)		Project manager \$20,000