

Aboriginal Advisory Committee

Meeting Date: Tuesday, 26 July, 2022
Location: Jervis Bay Rooms, City Administrative Centre, Bridge Road, Nowra
Time: 4.00pm

Please note: Council’s Code of Meeting Practice permits the electronic recording and broadcast of the proceedings of meetings of the Council which are open to the public. Your attendance at this meeting is taken as consent to the possibility that your image and/or voice may be recorded and broadcast to the public.

Agenda

1. **Apologies**
2. **A Minute Silence in Respect of Aboriginal Elders, Past and Present**
3. **Confirmation of Minutes**
 - Aboriginal Advisory Committee - 22 March 2022 1
4. **Declarations of Interest**
5. **Presentations**
 - AA22.9 Presentation - Huskisson Church
Eric Hollinger, Coordinator, Special Projects, Shoalhaven City Council will provide an update on the Huskisson Church and run a workshop in relation to the next step for the site
6. **Reports**
 - AA22.10 Aboriginal Advisory Committee Representative on Shoalhaven Arts Board 7
 - AA22.11 Huskisson Church - Options to resolve future use of site 9
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 - AA22.13 Proposed development of Reconciliation Action Plan..... 17
 - AA22.15 Update on Actions - July 2022 19
7. **General Business**

Membership

Chairperson to be appointed by Committee

All Councillors

Chief Executive Officer or nominee

Mr Jared Brown (Youth Representative)

Ms Janet Atkins

Ms Sylvia Timbery

Ms Patricia Lester

Mr Shane Brown

Ms Leonie Ebzery

Mr Paul McLeod

Mr Charlie Ashby

Ms Nicole Moore

Ms Caryn Carpenter

Ms Sharlene Cruickshank

Ms Natalie Lloyd

Ms Valda Corrigan (NPWS)

Ms Kalinda Wills – Youth Representative

Mr Jason Groves - Nowra LALC

Mr Alfred Wellington - Jerrinja LALC

Mr Paul Keith - Ulladulla LALC

Quorum – Five (5) local Aboriginal community members

Purpose

To provide appropriate and considered advice to Council on all relevant issues affecting Aboriginal and Torres Strait Islander people within the Shoalhaven LGA, and to influence Council's support & intent in achieving their objectives for the current Statement of Commitment 2010 (SoC) and the Shoalhaven City Council Community Strategic Plan 2023 (SCCSP).

Role of the Committee

- To advise Shoalhaven City Council on necessary issues relating to Aboriginal communities in the LGA.
- Promote and increase knowledge & understanding of Aboriginal society, history & culture in the LGA.
- Facilitate access and accessibility to services and facilities for Aboriginal people.
- Advise on the development and implementation of the Shoalhaven City Council Community Strategic Plan.
- Develop strong collaborative partnerships between Aboriginal communities and Shoalhaven City Council.
- Maintain strong links between Council and Aboriginal communities throughout the Shoalhaven to accomplish the relationships and outcomes required for genuine reconciliation.
- Foster and safeguard a spirit of mutual trust and respect which allows the AAC and Shoalhaven City Council to work together in their commitment towards intelligent, well informed decision making processes that are sensitive to all Aboriginal issues.
- Recognise, support & uphold past and present local cultural heritage and its place in future Council directions.
- Remain a meaningful 'place' for the communication of messages and information from Aboriginal community voices that identify local needs for services, facilities and activities.
- Support and promote significant celebrations and events within the Shoalhaven Aboriginal and Torres Strait Islander community.

Ordinary Meeting 21 December 2009 – Item 43 – MIN19.1808

STATEMENT OF COMMITMENT

This Statement commits Shoalhaven City Council to continue building mutually respectful relationships with the Aboriginal Communities of the Shoalhaven.

Shoalhaven City Council values its culturally diverse communities and lifestyles and is deeply committed to working in partnership with Aboriginal people of the Shoalhaven. This Partnership will be based on mutual respect and equality to further employment, social, cultural and economic community development.

Shoalhaven City Council recognizes and acknowledges the history and treatment of Aboriginal people in Australia and supports the Council for Aboriginal Reconciliation's vision and values.

Shoalhaven City Council recognises Aboriginal people's valuable contribution made in strengthening and enriching our communities and the heritage of all Australians.

Shoalhaven City Council Acknowledges and Recognises:

- Aboriginal people as the first people of Australia
- Past practices and policies that impacted on Aboriginal people's lives, cultures and society
- The customs and traditions of Aboriginal people and their spiritual relationship with the land
- The rights of Aboriginal people to live according to their own beliefs, values and customs, and
- The significant contribution made by Aboriginal people in the past, present and future.

Shoalhaven City Council commits itself to:

- Ensuring local Aboriginal involvement in events and celebrations of significance which respect the dignity and protocols of the local Aboriginal communities
- The ongoing development of strategies to improve and increase the level of participation of local Aboriginal people in the local Government decision making processes
- Undertake holistic community planning to address wellbeing, employment and social economic or cultural disadvantage experienced by local Aboriginal people in the Shoalhaven
- Ensuring all council staff and Councillors are exposed to ongoing education and cultural training and development programs to increase knowledge, understanding and appreciation of Aboriginal Cultural heritage and the needs of the Aboriginal communities
- Celebrate and support significant Aboriginal ceremonies and events, e.g. NAIDOC week, Sorry Day, Reconciliation Week and Survival Day
- To continue to fly the Aboriginal flag in places such as City Administrative Centre, Council Chambers, Reception room and in other prominent Council locations.

MINUTES OF THE ABORIGINAL ADVISORY COMMITTEE

Meeting Date: Tuesday, 22 March 2022
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: 4:11pm

The following members were present:

Mr Jared Brown - Chairperson
Mayor Amanda Findley
Clr Liza Butler
Clr Moo D'Ath
Clr Evan Christen
Clr Patricia White
Clr Tonia Gray
Clr John Kotlash (Remotely)
Ms Sylvia Timbery
Ms Janet Atkins
Ms Nicole Moore
Ms Kalinda Wills
Mr Charlie Ashby
Mr Alfred Wellington - Jerrinja LALC
Mr Shane Brown (Remotely)
Ms Sharlene Cruickshank (Remotely)
Ms Valda Corrigan (Remotely)

Others Present:

Michael Paine – Manager – Community Connections
Rodney Broad – Community Capacity Builder - Aboriginal
Brooke Aldous – Senior Governance Officer
Michael Roberts – Manager – Environmental Services
Peter Swanson – Lead – Land Management
Lili Hutchinson – Social Infrastructure Planner
Colin Wood – Manager – Certification & Compliance (via teams)

The Chairperson opened the meeting and Acknowledged the traditional custodians of the land and paid respect to Elders past and present, welcomed everyone present and commenced a moments silence.

Apologies / Leave of Absence

An apology was received from Mr Jason Groves.

Confirmation of the Minutes

RESOLVED (Sylvia Timbery / Sharlene Cruickshank)

That the Minutes of the Aboriginal Advisory Committee held on Monday 25 October 2021 be confirmed.

CARRIED

Declarations of Interest

Nil

PRESENTATIONS

AA22.1 Presentation by City Lifestyles - Overview of the Aboriginal Advisory Committee

HPERM Ref:
D22/78489

Mr Rodney Broad – Community Capacity Builder – Aboriginal provided a presentation in relation to:

- Overview of the Aboriginal Advisory Committee
- Terms of Reference
- Strategic Plan
- Relevant Policies and Procedures
- Overview of what is Operational / within the Committees/Boards interest / clarification of appropriate recommendations under the Committees/Boards delegation

AA22.2 Presentation - Governance - Brief Induction

HPERM Ref:
D22/78510

Ms Brooke Aldous – Senior Governance Officer provided a presentation in relation to the Code of Conduct:

- Code of Conduct
- Code of Meeting Practice
- Delegations
- Declaration of Interests

REPORTS

AA22.3 Notification of Council Resolution - Aboriginal Advisory Committee Re-establishment

HPERM Ref:
D22/87478

Recommendation (Item to be determined under delegated authority)

That the Aboriginal Advisory Committee receive the Notification of Council Resolution – Aboriginal Advisory Committee Re-establishment report for information.

RESOLVED (By consent)

That the Aboriginal Advisory Committee receive the Notification of Council Resolution – Aboriginal Advisory Committee Re-establishment report for information.

CARRIED

AA22.4 Aboriginal Advisory Committee Representative on Shoalhaven Arts Board**HPERM Ref:
D22/103589**

The Committee discussed the Arts Board membership position and it was suggested that the position be open to a member of the community who may have expertise in their field.

Recommendation

That the Aboriginal Advisory Committee appoint (insert name), as the new representative on the Shoalhaven Arts Board, as a designated Aboriginal Local Member for the term of membership, being four (4) years, in accordance with the Shoalhaven Arts Board Terms of Reference.

RECOMMENDATION (Nicole Moore / Clr Butler)

That:

1. Council request the Shoalhaven Arts Board conduct a public EOI process for the position of Aboriginal Representative on the Shoalhaven Arts Board, for the term of membership, being four (4) years, in accordance with the Shoalhaven Arts Board Terms of Reference.
2. A report be submitted back to the Aboriginal Advisory Committee (AAC) on the outcome of the EOI process for endorsement.

CARRIED

AA22.5 Boongaree Reconciliation Garden - Project Update and Request for Further Concept Design Guidance**HPERM Ref:
D22/54726****Recommendation (Item to be determined under delegated authority)**

That the Aboriginal Advisory Committee:

1. Are informed of the background and current status of the Boongaree Reconciliation Garden project.
2. Participate in discussion with Council staff and provide advice for the concept design of a Reconciliation Garden at Boongaree.
3. Nominate representatives to include in the project stakeholder group that the committee believes would add cultural value and depth to this project.

RESOLVED (Kalinda Wills / Sylvia Timbery)

That the Aboriginal Advisory Committee:

1. Are informed of the background and current status of the Boongaree Reconciliation Garden Project.
2. Participate in discussion with Council staff and provide advice for the concept design of a Reconciliation Garden at Boongaree.
3. Nominate Jared Brown and the Community Capacity Builder – Aboriginal as representatives (and connection between the AAC Members) to be included in the Project Stakeholder Group that the Committee believes would add cultural value and depth to this project.

CARRIED

AA22.6 Aboriginal Advisory Committee Membership Audit and Expression of Interest Report.

**HPERM Ref:
D22/87556**

Recommendation (Item to be determined under delegated authority)

That the Aboriginal Advisory Committee

1. Accept the audit of membership of the AAC conducted by Council staff.
2. Accept the notification of 4 vacant community membership positions:
 - a. Patricia Lester
 - b. Leonie Ebzery
 - c. Natalie Lloyd
 - d. Kalinda Wills
3. Support the Expression of Interest to be conducted to fill the 4 vacant community membership positions.
4. Accept the re-nomination of expired members to sit for another term on the Committee
 - a. Janet Atkins
 - b. Sylvia Timbery
 - c. Shane Brown
5. Nominate a member of the Committee to be the committee representative on the assessment panel for the next round of the EOI – *Name of Community Member to be inserted at the meeting.*

RESOLVED (Charlie Ashby / Sharlene Cruickshank)

That the Aboriginal Advisory Committee:

1. In relation to Membership Audit, staff conduct formal consultation/notification with all members regarding clarification of membership including their preferred meeting times;
2. Accept the re-nomination of expired members to sit for another term on the Committee, noting that all members will be formally contacted regarding membership:
 - a. Janet Atkins
 - b. Sylvia Timbery
 - c. Shane Brown

CARRIED

AA22.7 Aboriginal Advisory Committee Action Table Update - March 2022

**HPERM Ref:
D22/97040**

Michael Paine – Manager – Community Connections addressed the meeting in relation to matters on the Action Table, the following comments were made:

AA19.6 – Community Capacity Builder – Aboriginal will liaise with Social Infrastructure Team, who hold the Plaques and Memorials Policy, there is a sign ready to be installed at Greenwell Point, however, staff are waiting for feedback from Jerrinja LALC. Action to remain open.

AA19.18 – Ongoing Action

AA21.17(part3) – Michael Roberts – Manager Environmental Services addressed the meeting and advised that, staff have put in a Capital Bid to prepare a Plan of Management. New Action Item

see AA22.8.

AA21.18 – Council staff are awaiting receipt of the LALC's EOI. Once received Council staff will distribute to the wider community.

AA21.19 – Capacity Builder Aboriginal will continue to reach out to Nowra LALC

Recommendation (Item to be determined under delegated authority)

That the Aboriginal Advisory Committee accept and receive the Update on Actions report for information.

RESOLVED (By consent)

That the Aboriginal Advisory Committee accept and receive the Update on Actions report for information.

CARRIED

GENERAL BUSINESS

AA22.8 Additional Item - Budget Bid Plan of Management for Cullunghutti

During the Action Table Item AA21.17 a discussion was held in relation to Cullunghutti and the need for Budget in order to develop a Plan of Management.

It was suggested that following Councillors becoming more informed on the history of this matter, a Working Group be established.

RECOMMENDATION (Clr D'Ath / Clr White)

That:

1. Council consider the Capital Operational Budget request of \$50,000 to resolve issues with respect to Cullunghutti and do so through the next quarterly review.
2. A formal discussion between Jerrinja LALC, NPWS and elected Council be organised, with regard to issues around Cullunghutti Plan of Management.
3. The Aboriginal Advisory Committee and Councillors be provided with a copy of the "Cullunghutti: The Mountain And It's People 'A documentary listing of Cullunghutti Mountain from 1770 to 1920 a report for the community' – Produced for the Office of Environment and Heritage (Nowra) in April 2013" written by Kate Waters. Noting the budget implication of approximately \$800 to be taken from the Community Connections Budget.

CARRIED

The following matters were raised in General Business:

- A question was raised in relation to the invitations and attendance of the last NAIDOC Awards. Staff advised that due to COVID-19 the numbers were kept at a minimum. The next Awards will be hosted by Wollongong. Council allocates a budget for NAIDOC and other Cultural events/programs.
- A question was raised regarding if Councillors receive Cultural Training as part of their Induction Program? Staff confirmed that Councillors will receive the training as part of their Induction program.

- Jared Brown advised the AAC that he met with Ron Carberry regarding his membership application which was unsuccessful. He advised Ron that he can apply through the next round of Expression of Interest. It was suggested that as part of the EOI application process, staff and available members have an informal discussion with the applicants prior to any formal interview process.

There being no further business, the meeting concluded, the time being 6.41pm.

Jared Brown
CHAIRPERSON

AA22.10 Aboriginal Advisory Committee Representative on Shoalhaven Arts Board

HPERM Ref: D22/235761

Department: Business Assurance & Risk

Approver: Jane Lewis, Director - City Lifestyles

Reason for Report

To advise the Aboriginal Advisory Committee on the outcome of the EOI process and appointment of an Aboriginal Representative on the Shoalhaven Arts Board, for the term of membership, being a maximum of four (4) years, in accordance with the Shoalhaven Arts Board Terms of Reference.

Recommendation (Item to be determined under delegated authority)

That the Aboriginal Advisory Committee further endorse Drew Longbottom as the nominated Aboriginal Representative on the Shoalhaven Arts Board, for a period of four (4) years.

Options

1. Adopt the recommendation.

Implications: Drew Longbottom will be the nominated Aboriginal Representative on the Shoalhaven Arts Board for a period of four (4) years.

2. Adopt an alternative recommendation.

Background

At the meeting on the 22 March 2022, The Aboriginal Advisory Committee recommended to Council the following:

That:

1. Council request the Shoalhaven Arts Board conduct a public EOI process for the position of Aboriginal Representative on the Shoalhaven Arts Board, for the term of membership, being four (4) years, in accordance with the Shoalhaven Arts Board Terms of Reference.

2. A report be submitted back to the Aboriginal Advisory Committee (AAC) on the outcome of

This was resolved by Council, at its Ordinary meeting, Tuesday 26 April 2022.

An Expression of Interest was conducted in order to fill the Shoalhaven Arts Board community representative vacancies for two weeks and applications closed on 6 May 2022. Four (4) nominations were received overall, which included one (1) Aboriginal nomination. In accordance with the Shoalhaven Arts Board Terms of Reference applications were reviewed and interviews were conducted with a panel consisting of the Shoalhaven Arts Board Chairperson, a Council staff member, and one (1) suitably qualified independent representative.

Applicants were asked to address specific areas of the Terms of Reference and the Arts Board Strategic Plan and were considered based on their understanding of the purpose of the Shoalhaven Arts Board; the diverse skills and experiences they brought and how those

AA22.10

fitted into the Membership aims of the Terms of Reference (POL 22/69 3.3), and their understanding of the Shoalhaven Arts Board Strategic Plan.

At its meeting of 18 May 2022, the Shoalhaven Arts Board recommended:

That the Shoalhaven Arts Board, as recommended by the Selection Panel, endorse the appoint of the following community members to a two (2) year term:

1. *Kate Dezarnaulds – Community Member*
2. *Bonnie Porter Greene – Community Member*
3. *Drew Longbottom – Aboriginal Community Member*

The above recommendation was then reported to Council for adoption at the Ordinary meeting of 6 June 2022, where Council resolved MIN22.378 as follows:

That Council, as recommended by the Shoalhaven Arts Board, endorse the appointment of the following community members to a two (2) year term:

1. *Kate Dezarnaulds – Community Member*
2. *Bonnie Porter Greene – Community Member*
3. *Drew Longbottom – Aboriginal Community Member*

Community Engagement

The opportunity to nominate for membership was advertised widely across the Shoalhaven, with public notices placed in newspapers, social media callouts and direct emails to a range of individuals and organisations with specific interest in the arts.

Policy Implications

The recruitment and selection process was carried out in accordance with the Shoalhaven Arts Board Terms of Reference (POL 22/69).

AA22.11 Huskisson Church - Options to resolve future use of site

HPERM Ref: D22/184697

Department: Strategic Planning

Approver: Carey McIntyre, Director - City Futures

Reason for Report

The reason for this report is to provide background information and update the Committee on Council's latest resolution regarding the former Anglican church site at Huskisson. A further reason is to facilitate the Committee's participation and input into a Councillor briefing on options for the future use of the site.

Recommendation (Item to be determined under delegated authority)

That direction be provided on whether the Committee wishes to provide feedback to Council and/or be involved in a Councillor briefing on the future use of the former Anglican Church site, Huskisson.

Options

1. Representative(s) of Aboriginal Advisory Committee participate in the Councillor briefing.
Implications: This would allow Committee to provide its views to Council and hear the views of the other stakeholders as part of the briefing, which is planned to be held in late August.
2. Provide written feedback to Council on the future use of the site.
Implications: The Committee may have strong views on the future use of the site that it wishes to put to Council in writing. This could be provided at, or soon after the briefing.
3. Options 1 and 2. That is, nominate representative(s) to attend the briefing, and provide a written submission on the future of the former church site.

Background

Council initially resolved on 20 January 2020, to progress a proponent-initiated Planning Proposal (PP) over the former Anglican church site at Huskisson to change its LEP zoning from *SP2 – Infrastructure* to *B4 – Mixed Use*.

At that time, the proponent was in the process of purchasing the land from the Anglican Church, which had ceased to use the site as a church in circa 2016 ([GBA Heritage, 2018](#)).

The property changed ownership in July 2021, and it is now privately owned. Figure 1 shows the subject land.



Figure 1 – Subject land for PP050 (bound by red) and the adjoining Lot 9 (Jerrinja LALC)

Previous heritage assessments and a patchwork of previous Ground Penetrating Radar (GPR) surveys indicated that a small number of graves on the southern side of Lot 7 (No. 17 Hawke Street) and the adjacent Lot 9 (No. 26 Currambene Street) that is owned by the Jerrinja Local Aboriginal Land Council (LALC) and is not part of the PP subject land.

Council resolved to provide in-principal support for the progression of the PP subject to undertaking several studies, including: *“a new independent Ground Penetrating Radar (GPR) survey over the entire site by a grave detection specialist using best practice methodology.”*

The NSW Department of Planning and Environment issued an initial Gateway determination which required the GPR survey, heritage assessment, and an Aboriginal Cultural Heritage Assessment (ACHA) to be completed prior to public exhibition of the PP. Navin Officer Heritage Consultants (NOHC) were commissioned to complete these elements in one coordinated study.

The work was funded by the proponent but managed by Council staff, in accordance with Council’s Planning Proposal Guidelines. In accordance with its resolution on 9 September 2020 (MIN20.612), Council also provided additional funding to enable the GPR survey to also cover Lot 9 as requested by its owner the Jerrinja LALC.

The resultant GPR field survey was undertaken on site by NOHC’s subcontractor, Hunter Geophysics, in December 2020. NOHC received a report from Hunter Geophysics in early April 2021, which they provided to Council with a recommendation to undertake low impact archaeological investigation to verify the GPR results.

The matter was reported to Council on 11 May 2021, and on 25 May 2021 Council resolved as follows (MIN21.303):

1. *Receive the Planning Proposal PP050 - Former Anglican Church, Huskisson - Ground Penetrating Radar Survey update for information.*

2. *Proceed with the verification work (shallow scrapes to identify grave cuts) as recommended by Navin Officer Heritage Consultants on Lots 7 and 8 to verify the GPR survey results, to be funded by the proponent.*
3. *Consult with Jerrinja Local Aboriginal Land Council (LALC) on work on the adjoining Lot 9, and subject to their agreement allocate \$6,220 (excl GST) to fund the verification work on Jerrinja LALCs land (Lot 9).*
4. *Continue to liaise with key stakeholders including the Jerrinja LALC, Council's Aboriginal Advisory Committee, and the Huskisson Heritage Association (HHA).*

Jerrinja LALC subsequently advised that they did not want the proposed surface scraping done on their land (Lot 9). Accordingly, an application under Section 140 of the NSW Heritage Act was prepared as resolved to undertake the work over Lots 7 and 8 only.

NOHC completed the necessary documentation, including a Heritage Assessment and Historical Archaeological Research Design (HAARD) in November 2021. The HAARD included further historical research and was submitted to Heritage NSW in late 2021. Heritage NSW approved the application on 14 March 2022.

The matter was then reported to Council on 11 April 2022, resulting in the following resolution (MIN22.243):

That Council:

1. *Reaffirms MIN21.303, that requires Council to “Continue to liaise with key stakeholders including the Jerrinja LALC, Council’s Aboriginal Advisory Committee, and the Huskisson Heritage Association (HHA)”.*
2. *Notes all the above-mentioned parties have raised with Council their objections to the proposed scraping; and notes none of the above-mentioned were consulted by Heritage NSW prior to issuing the s140 archaeological permit for scraping.*
3. *Does not proceed with any scraping of the grounds of Huskisson Anglican Church Site to verify graves.*
4. *Defers the matter to enable Councillors to receive a detailed briefing to include:*
 - a. *The process, requirements, timelines for heritage listing of the church and grounds, as recommended in the Shoalhaven Heritage reports 2005.*
 - b. *The potential for the retention of the SP2 special zoning for the site, including legal advice.*
 - c. *An outline of an approach for Council to work with the community and developer to undertake a community led process to determine future options for use of the site.*
 - d. *Inclusion of the perspective of key stakeholders including the Jerrinja LALC, Council’s Aboriginal Advisory Committee, and the Huskisson Heritage Association. That they be allowed to present to Council as part of the briefing.*

The Planning Proposal (PP050) was formally withdrawn by the proponent on 11 July 2022. On 15 July, the Department of Planning and Environment (DPE) issued a revised Gateway, terminating the PP. This confirms that the current Planning Proposal (PP050) process has ended and that any future Planning Proposal (proposed changes to the LEP) would need a new Gateway determination from DPE.

Notwithstanding the above, the Councillor briefing is being planned, as resolved by Council on 11 April (MIN22.243).

This Report has now been prepared to facilitate the Committee’s involvement in the Councillor briefing that is being arranged in accordance with Part 4 of the above resolution. Some of the questions that the Committee may wish to consider and discuss, include:

- Does the Committee wish to present its views to Council and if so, how? For example, does the Committee wish to nominate a person or persons to present to the Councillor briefing? Does the Committee want to make a written submission, or perhaps it would prefer to make a recorded submission?
- Does the committee have any views on the potential future use of the site?

It was previously proposed to present this report to the Committee on 7 June 2022 and arrange a separate specific meeting to discuss this matter. Unfortunately, there is insufficient time to arrange a separate meeting prior to the Councillor briefing. However, staff will be available to answer any questions at the Committee's meeting on 26 July 2022.

In accordance with Part 4(d) of the Council resolution, Council staff have written to the Jerrinja LALC, the Huskisson Heritage Association, and the proponent seeking feedback on their preferred outcomes for the future use of the site, and any suggestions on the process for achieving that outcome. Each of these stakeholders will also be invited to present to the Councillors once a briefing date and time has been determined.

Conclusion

Resolving the zoning and future use of the former Anglican Church site at Huskisson through Planning Proposal PP050 proved to be extremely challenging. While the PP050 has been withdrawn, constructive stakeholder engagement will be important to move forward with this matter.

AA22.12 Shoalhaven Visitor Guide - Aboriginal Content

HPERM Ref: D22/274826

Department: Tourism

Approver: Carey McIntyre, Director - City Futures

Reason for Report

The reason for this report is to seek a resolution to continue a disclaimer to the **2023 Visitor Guide (the Guide)**.

Recommendation (Item to be determined under delegated authority)

That the next Shoalhaven Visitor Guide continue with existing disclaimer in relation to Aboriginal Cultural Product.

Options

1. To continue with the advice resolved by this Committee at the last discussion in June 2021.

Implications: Tourism will print the disclaimer as previously advised.

2. To offer alternate wording.

Implications: Tourism will consider any alternate feedback.

Background

The Tourism Team creates an annual 68-page Visitor Guide to promote the region and activities on offer. There is a double page spread on Aboriginal Tourism Product in the guide, created in consultation with individual business owners.

Contact details for these business owners is also listed in the back of the guide in the directory section.

In June 2021, the Aboriginal Advisory Committee resolved to print the following disclaimer on the Aboriginal Tourism Product page:

“DISCLAIMER:

A selection of the Shoalhaven’s Aboriginal tourism operators are listed at page XX. We acknowledge the sharing of cultural knowledge is subject to community permissions and protocols. We have created this directory to assist operators and consumers, but we do not assume or imply cultural authority.”

Staff are seeking feedback from the Aboriginal Advisory Committee on continuing this approach for the next visitor guide.

Financial Implications

Promoting Aboriginal Cultural Product in turn supports Aboriginal jobs in the region and to showcases the vibrancy of our region. Without support and promotion of these products, this

industry would struggle, and it would be a major loss to the tourism and cultural fabric of the Shoalhaven.

Risk Implications

Key Performance Indicators for the Tourism Team have been created to meet requests from Council to promote Aboriginal Tourism. The Visitor Guide is an important tool to promote businesses and cultural tourism and the team wants to ensure they minimise any risk of withdrawing product from the guide.

AA22.14 Membership - Expression of Interest - update

HPERM Ref: D22/288744

Department: Community Connections
Approver: Jane Lewis, Director - City Lifestyles

Reason for Report

To provide an update to the Aboriginal Advisory Committee on the membership Expression of Interest.

Recommendation (Item to be determined under delegated authority)

That the Aboriginal Advisory Committee receive this report for information.

Options

1. Adopt the recommendations as written.

Implications: The Aboriginal Advisory Committee accept the report for information.

Background

Under section **4.4 Membership** of the Aboriginal Advisory Committee (AAC) Terms of Reference (TOR) states that:

- a) Should there be a local Aboriginal community membership vacancy it may be filled upon the resignation of a local Aboriginal community member and will align with set fixed finish dates
- b) Vacancies will be advertised locally via media and Council communication networks.
- c) Council will manage the application process in consultation with the Community Capacity Builder, Aboriginal.
- d) An interview panel will consist of a Council staff member, the Chair of the Aboriginal Advisory Committee and one (1) Aboriginal Committee representative to assess the applications against the agreed criteria for the Committee. Appointment recommendations to AAC to be submitted to Council at the next Ordinary Meeting for endorsement

And section **4.6 Meeting practices and Procedures**

- a) Committee members who are absent for three (3) consecutive meetings of the AAC without tendering an apology will be requested in formal correspondence from Council to confirm their intention regarding their membership of the committee. Failure to respond may result in removal from this committee.

A membership audit was triggered following a request from the AAC. AAC Community representatives were sent letters to inform them of the date of their membership term and were given the option to either re-nominate themselves for a second term or relinquish their membership.

This audit highlighted two (2) vacancies. An Expression Of Interest was conducted to fill the vacant membership positions and ran from 4 May 2022 to 25 May 2022. The promotion methods used were via Shoalhaven City Council's Facebook page, through the AAC contact

list and Community Connections network email distribution. Through this process two community membership applications were received.

The Chairperson of the AAC raised concerns that the community had not been engaged appropriately and requested an extension to the Expression of Interest to 26 July 2022. This was to give the opportunity to promote the opportunity in person at the NAIDOC Family Fun Day and share via word of mouth in the community.

Unfortunately, the NAIDOC Family Fun Day was postponed to September 2022 so this avenue for promotion was not possible, however the AAC members will continue to promote within their communities.

Applicants from the initial EOI have been shortlisted for interview and letters sent out from Governance to inform the two applicants.

Under 4.4 membership

- a) Should there be a local Aboriginal community membership vacancy it may be filled upon the resignation of a local Aboriginal community member and will align with set fixed finish dates
- b) Council will manage the application process in consultation with the Community Capacity Builder, Aboriginal.
- c) An interview panel will consist of a Council staff member, the Chair of the Aboriginal Advisory Committee and one (1) Aboriginal Committee representative to assess the applications against the agreed criteria for the Committee. Appointment recommendations to AAC to be submitted to Council at the next Ordinary Meeting for endorsement.

Following closure of the extended EOI, interviews will be held during August 2022 and the interview panel will be made up as outlined in TOR. The interview panel will include Chairperson Jared Brown, nominated community representative Natalie Lloyd and a member of the Community Capacity Building Team.

A report will be provided to the September AAC meeting outlining the recommended membership appointments.

Community Engagement

A membership Expression of Interest was conducted between 4 May 2022 and 25 May 2022 and 4 July 2022 to 26 July 2022. This was advertised through Community Connections community networks, AAC mailing list, Council's Facebook page and on Council's Aboriginal webpage.

AA22.13 Proposed development of Reconciliation Action Plan

HPERM Ref: D22/110189

Department: Community Connections
Approver: Jane Lewis, Director - City Lifestyles

Reason for Report

To seek support for the development of a Reconciliation Action Plan for Shoalhaven City Council.

Recommendation

That the Aboriginal Advisory Committee (AAC):

1. Support the development of a Reconciliation Action Plan (RAP) for Shoalhaven City Council
2. The AAC nominate representatives to form part of a Project Reference Group to assist in the development of the RAP:
 - a. *Insert name of representative at meeting*
 - b. *Insert name of representative at meeting*
3. Receive a future report with detailed timelines and plans for community engagement.

Options

1. Aboriginal Advisory Committee members support recommendation.
Implications: Aboriginal Advisory Committee support the development of a Reconciliation Action Plan for Shoalhaven City Council and nominates representatives to form part of a Project Reference Group.
2. Aboriginal Advisory Committee members adopt an alternative recommendation.
Implications: Aboriginal Advisory Committee members put forward an alternative recommendation.

Background

Reconciliation is about strengthening relationships between Aboriginal and Torres Strait Islander peoples and non-Indigenous peoples, for the benefit of all Australians. Reconciliation Action Plans (RAP's) are organisational plans setting out actions that will be undertaken to work towards reconciliation.

Reconciliation Australia is the lead body for reconciliation in Australia and has a RAP Framework that provides organisations with a structured approach to advance reconciliation. The RAP Framework has four different types of RAP to suit organisations at different stages in their reconciliation journey.

Reflect RAP's are about scoping capacity for reconciliation, suitable for organisations that are new to reconciliation, have poor relationships with their Aboriginal and Torres Strait Islander stakeholders or don't have an existing working group or plan to drive reconciliation.

Innovate RAPs are about implementing reconciliation initiatives. They are suitable for organisations with strong relationships with their Aboriginal and Torres Strait Islander stakeholders and are ready to implement strategies, initiatives and policies that support reconciliation.

Shoalhaven City Council (SCC) already has an established Aboriginal Advisory Committee, has committed to the *Uluru Statement from the Heart*, and has developed the *Aboriginal Protocols – A Guide For Staff*. Reflecting this existing work with Aboriginal communities in the Shoalhaven, it is suggested that the Project Reference Group consider the suitability of Council developing an Innovate RAP.

SCC will commence the development of the RAP in Quarter 2 of the 2022/23 Financial Year being October-December 2022. Prior to this the Project Reference Group, including the nominated AAC representatives, will meet to scope and drive a Project Plan to ensure the final document meets the needs of the Shoalhaven Community. A future report, with a detailed Project Plan, will be provided to the AAC.

Community Engagement

The development of the Reconciliation Action Plan will include engagement with the Aboriginal communities across the Shoalhaven. Council will continue to engage with the Aboriginal Advisory Committee throughout the development of the Reconciliation Action Plan.

It is proposed that representatives from the Aboriginal Advisory Committee are included on the Project Control Group. It is intended that nominations for participants are considered at this meeting.

Financial Implications

Savings were identified across the City Lifestyles directorate and have been transferred to the Social Planning Development budget to fund the development of a Reconciliation Action Plan for Shoalhaven City Council.

To be an acknowledged RAP by Reconciliation Australia (RA), Council will have register with RA and pay RA a RAP development fee. The fee covers the SCC RAP development process for up to 12 months and is scaled according to organisation size. The fee is expected to be in the region of \$1,500 +GST.

AA22.15 Update on Actions - July 2022

HPERM Ref: D22/290383

Department: Community Connections
Approver: Jane Lewis, Director - City Lifestyles

Attachments: 1. Update on Action - July 2022 [↓](#)

Reason for Report

To provide the Aboriginal Advisory Committee with a progress report on outstanding actions.

Recommendation (Item to be determined under delegated authority)

That

1. The Aboriginal Advisory Committee accept and receive the Update on Actions report for information.
2. The following actions are considered complete and removed from the action table
 - a. AA21.17 - Aboriginal Advisory Committee Action Table Report - Invitation - Jerrinja LALC - Community Consultation - Cullunghutti - report received
 - b. AA21.19 - Presentation - Shoalhaven Community Wellbeing Plan - consult with LALC
 - c. AA22.6 - Membership Audit and Expression of Interest - Formal consultation / time of meetings - Reappointment - Janet Atkins / Sylvia Timbery / Shane Brown

Options

1. Adopt the recommendation as written.

Implications: The Aboriginal Advisory Group is updated on progress of actions and recommendations made at previous meetings.

2. Request more information.

Implications: Members of the Aboriginal Advisory Group request further information.

Background

This report is to update the Aboriginal Advisory Group on outstanding actions from previous meetings.

Subject to the Group concurring that satisfactory progress has been made to complete the item on the May 2022 Action Sheet Report, the Group is requested to adopt the Recommendation to note completion of:

- i. AA21.17 - Aboriginal Advisory Committee Action Table Report - Invitation - Jerrinja LALC - Community Consultation - Cullunghutti - report received
- ii. AA21.19 - Presentation - Shoalhaven Community Wellbeing Plan - consult with LALC
- iii. AA22.6 - Membership Audit and Expression of Interest - Formal consultation / time of meetings - Reappointment - Janet Atkins / Sylvia Timbery / Shane Brown

Attachment 1 provides information regarding the status of actions and resolutions made at previous meetings, including items which are still in works. Should AAC members require further information on the status of the actions in the table attached Council staff will provide as requested

Community Engagement

It is important that the members of the Aboriginal Advisory Group are kept informed on progress towards the completion of actions and projects. This report provides a structured approach to facilitate this information exchange.

Aboriginal Advisory Committee – update on action July 2022	Action Sheets Report
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Meeting Date: 13/05/2019	Item No: AA19.18	Officer: Toms, Michelle	Completed:
Title: Additional item - Plaques Identifying Culturally Significant Locations - Design and costings			
<p>The Committee discussed this matter in the Action Table and advised that staff are seeking advice from the Committee in relation to what type of plaque and design they would like and assistance with providing locations of significance in the Shoalhaven.</p> <p>A suggestion was that local Art and/or TAFE students could create the plaques as a cost-effective way for this project.</p> <p>RESOLVED (By consent)</p> <p>That the General Manager (Finance Corporate and Community Services) provide a report back to the Committee which includes:</p> <ol style="list-style-type: none"> 1. Information on costings and options for designs of the plaques 2. Identifies culturally significant locations within the Shoalhaven LGA. <p>CARRIED</p>		<p>Notes:</p> <p>15 Jan 2020 3:47pm Simoes, Margaret</p> <p>Email sent to Aboriginal Advisory Committee members and Local Aboriginal Land Council CEO's (Jerrinja LALC, Ulladulla LALC, Nowra LALC) requesting suggested cultural locations to be considered for interpretative signage., Photographs and sample costing of plaques to be presented at the next AAC meeting on 17 February 2020.</p> <p>09 July 2022 10:53am Toms, Michelle</p> <p>Due to inconsistent signage across the Shoalhaven, Council is currently developing City Signage Guidelines, to produce consistent signage across the LGA. This project will set the standard for appropriate plaques and signage to be displayed at culturally significant locations across the Shoalhaven. Following the completion of the City Signage Guidelines, Council will form a working group with the AAC & Aboriginal community members to determine culturally significant locations for signage.</p>	

Meeting Date: 25/10/2021	Item No: AA21.17	Officer: Toms, Michelle	Completed:
Title: Aboriginal Advisory Committee Action Table Report - Invitation - Jerrinja LALC - Community Consultation - Cullunghutti - report received			
<p>RESOLVED (Patricia Lester / Charlie Ashby)</p> <p>That:</p> <ol style="list-style-type: none"> 1. The Aboriginal Advisory Committee receive the updated September 2021 Status Report for Information. 2. The following action be noted as completed and removed from the Action table: <ol style="list-style-type: none"> a. AA19.17 Link - DPOP - Submission - Budget Bid – Cullunghutti 		<p>Notes:</p> <p>06 July 2022 12:05pm Toms, Michelle</p> <p>Action reassigned to Toms, Michelle by Bowley, Kay - Reassigned in TRIM</p> <p>Item 1 & 2</p> <p>Items 1 & 2 are completed and were addressed in the September 2021 AAC meeting.</p> <p>Item 3</p> <p>This item has been absorbed in AA22.8 - Additional Item - Plan of Management for Cullunghutti - Funds voted - Discussions - The Mountain & Its People documentary</p>	

Aboriginal Advisory Committee – update on action July 2022

Action Sheets Report

<p>b. AA19.25 Cullunghutti - Plan of Management - Investigation - Track Damage / Land clearing - Bigfoot Compliance - PED staff / NPWS - next AAC meeting</p> <p>c. AA20.6 Cullunghutti - Big Foot Adventures DA Compliance - Regular updates to Aboriginal Advisory Committee</p> <p>d. AA20.8 Terms of Reference - Review - Workshop - Statement of Commitment - Include in Agenda</p> <p>e. AA21.6 Consideration of Membership - Ron Carberry – Deferred</p> <p>3. Staff reach out to Alfred Wellington (Jerrinja LALC) and request Alfred to attend the next meeting of the AAC to address some questions in relation to community consultation, the management of the land on Cullunghutti and the next steps.</p> <p>CARRIED</p>	<p>It is proposed this action is completed and removed from the action table</p>
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Meeting Date: 25/10/2021	Item No: AA21.18	Officer: Toms, Michelle	Completed:
Title: Cultural Signage - Kangaroo Valley - Feedback - EOI - Consult LALC			
<p>RESOLVED (Sylvia Timbery / Nowra LALC - Jason Groves)</p> <p>That:</p> <ol style="list-style-type: none"> The Aboriginal Advisory Committee provide feedback on the proposal to install cultural signage at Kangaroo Valley. Council staff work with Cllr Digiglio and the LALC's (including Nowra, Jerrinja, Ulladulla, Wingecarribee and Illawarra) to seek feedback via an EOI (community consultation) from the wider community. Council staff reach out to the Kangaroo Valley Community Group who initiated the request and work with them to consult and engage with the LALC. Council assists with and request the LALC's to distribute the EOI (when it is established) to their communities. <p>CARRIED</p>		<p>Notes:</p> <p>06 July 2022 2:15pm Toms, Michelle</p> <p>Council staff have contacted the Kangaroo Valley community group and a meeting has been set up to discuss the EOI, during this meeting Council will also discuss City Signage Guidelines to ensure we are producing consistent signage.</p>	

