

Aboriginal Advisory Committee

Meeting Date: Tuesday, 08 November, 2022
Location: Jervis Bay Rooms, City Administrative Centre, Bridge Road, Nowra
Time: 5.00pm

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 – 26 July 2022 1
4. Declarations of Interest
5. Presentations
 - AA22.19 Reconciliation Allies Kangaroo Valley Presentation
The Reconciliation Allies Kangaroo Valley group will provide a brief presentation to the Aboriginal Advisory Committee regarding the proposed community consultation concerning Cultural Signage.
The group has stated that “Local Indigenous communities and organisations, Elders, and interested individuals are invited to participate in a consultation on cultural signage. The purpose of the consultation will be to receive inputs regarding support for cultural signage in Kangaroo Valley to recognise custodianship by Indigenous peoples and continuing connection to Country. This is a community-based initiative supported by Shoalhaven City Council.”
The group is seeking to invite Aboriginal Advisory Committee members to take part in the consultation and to share the Expression of Interest (EOI) with the wider community.
6. Reports
 - AA22.20 Notification of Council Resolution - Aboriginal Advisory Committee Re-establishment and Nomination of Chairperson 9
 - AA22.21 Cultural Immersion Workshops 17
 - AA22.22 Action Table Report - October 2022 20
 - AA22.23 Membership Appointment 31
7. General Business

Membership

Chairperson - Mr Jared Brown
All Councillors
Chief Executive Officer or nominee
Ms Janet Atkins
Ms Sylvia Timbery
Mr Shane Brown
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 2027 (SCCSP) and endorsement of the Uluru Statement of the Heart June 2020.

Role of the Committee

All members are encouraged to become actively involved in the business of the AAC and to be an advocate between community and Council. The role of the Committee is:-

- 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.
- Provide specialist advice to other Committees of Council.

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, 26 July 2022
Location: Jervis Bay Rooms, City Administrative Centre, Bridge Road, Nowra
Time: 4.10pm

The following members were present:

Mr Jared Brown - Chairperson
Mayor Amanda Findley – left 5.43pm
Clr John Wells
Clr Patricia White
Clr Tonia Gray
Clr Evan Christen
Clr John Kotlash
Clr Liza Butler (Remotely) – joined 4.17pm
Ms Janet Atkins
Mr Charlie Ashby
Ms Nicole Moore
Ms Natalie Lloyd (Remotely)
Ms Sharlene Cruickshank – arrived at 4.16pm
Ms Kalinda Wills – arrived at 4.32pm
Mr Jerrinja LALC - Alfred Wellington (Remotely) – joined at 4.13pm
Mr Michael Paine - Manager - Community Connections

Others present:

Mr Carey McIntyre – Director City Futures
Mr Matt Rose – Acting Strategic Planning Manager
Mr Eric Hollinger – Coordinator – Special Projects Team
Ms Brooke Aldous – Governance Coordinator
Ms Carly McWalters – Team Leader Community Capacity Building
Ms Michelle Toms – Community Capacity Cadet - Aboriginal
Ms Kristy Mayhew – Tourism Marketing Specialist

Apologies / Leave of Absence

An apology was received from Sylvia Timbery.

Janet Atkins acknowledged the traditional custodians of the land and paid respect to Elders past and present, welcomed everyone present. The Chairperson commenced a moments silence.

Note: Alfred Wellington – Jerrinja LALC joined the meeting at 4.13pm

Confirmation of the Minutes

RESOLVED (By consent)

That the Minutes of the Aboriginal Advisory Committee held on Tuesday 22 March 2022 be confirmed.

CARRIED

Declarations of Interest

Nil

AA22.9 Presentation - Huskisson Church - Eric Hollinger

HPERM REF:
D22/281765

Item dealt with later in the meeting.

REPORTS

AA22.10 Aboriginal Advisory Committee Representative on Shoalhaven Arts Board

HPERM Ref:
D22/235761

Note: Sharlene Cruickshank arrived at 4.16pm

The Committee discussed and requested that a complete list of all Council Advisory Committees be forwarded to Councillors and the AAC Members.

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.

RESOLVED (Nicole Moore / Clr Wells)

That:

1. The Aboriginal Advisory Committee note Drew Longbottom as the nominated Aboriginal Representative on the Shoalhaven Arts Board, for a period of four (4) years.
2. Correspondence regarding the future Aboriginal representation on the Shoalhaven Arts Board to be forwarded through the Chairperson for dissemination;

CARRIED

AA22.12 Shoalhaven Visitor Guide - Aboriginal Content

HPERM Ref:
D22/274826

Kristy Mayhew – Tourism Marketing Specialist addressed the meeting, and presented the current Visitors Guide noting that the new Guide will be produced in December.

Ms Mayhew advised that the Committee has time to submit feedback on the Guide content.

Note: Kalinda Wills arrived at 4.32pm

Recommendation (Item to be determined under delegated authority)

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

RESOLVED (Jared Brown / Charlie Ashby)

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

CARRIED

AA22.14 Membership - Expression of Interest - update**HPERM Ref:
D22/288744**

Ms Carly McWalters – Team Leader Community Capacity Building addressed the meeting and provided a verbal update to the report. It was noted that:

- Following the last meeting a membership audit letter was sent out to all members confirming their term dates and requesting that they confirm their membership for an additional term or relinquish their membership.
- As a result of the audit conducted, two (2) positions were identified as vacant and an expression of interest (EOI) was conducted.
- Based on some concern about the reach of the EOI and appropriate advertising for target communities, the Chairperson requested that the EOI needed to be extended.
- Council received two (2) applications from the first round of EOI and those individuals have been shortlisted for interview following closure of the extended EOI period.
- It is proposed to conduct the interviews in August
- Staff are seeking feedback and input from the Committee on the draft interview questions and supporting assessment criteria. Staff will send a few questions to the AAC Chairperson for distribution and feedback.
- Mixed responses were received in relation to preferred days and times for AAC meetings. Various options were put forward including but not limited to Tuesday at 4.00pm and Monday at 5.00pm.

The Chairperson sought feedback from the members present and suggested meetings be conducted on Tuesdays at 5.00pm.

The Committee also discussed the option to hold the meetings at alternate locations. Noting that Wi-Fi, Screen and Teams capability is required. The Chairperson advised he is happy to keep the meetings in the Jervis Bay Rooms, however its open for discussion in the future. The Aboriginal Advisory Committee prefer to meet in informal meeting spaces such as the Jervis Bay Rooms.

Recommendation (Item to be determined under delegated authority)

That the Aboriginal Advisory Committee receive this report for information.

RESOLVED (Jared Brown / Kalinda Wills)

That the Aboriginal Advisory Committee receive this report for information.

CARRIED

AA22.13 Proposed development of Reconciliation Action Plan

**HPERM Ref:
D22/110189**

Mr Michael Paine – Manager Community Connections addressed the meeting and provided the following comments:

- To date Council hasn't had a Reconciliation Action Plan (RAP)
- Council are going to develop a RAP and work is scheduled to commence in October/November 2023
- Invite members of AAC onto a Project Control Group to assist council with the development of the RAP

Mayor Findley raised a question regarding the budget for the RAP and payment for the AAC members on the Project Control Group?

Mr Paine responded and advised that the budget will allow for the payment of those members appointed to the Project Control Group to participate and share their cultural knowledge and experience.

Recommendation (Item to be determined under delegated authority)

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.

RESOLVED (Sharlene Cruickshank / Charlie Ashby)

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. *Jared Brown*
 - b. *Kalinda Wills (TBC)*
3. Receive a future report with detailed timelines and plans for community engagement.

Note: Natalie Lloyd advised that she is interested in in being part of the Group if an opportunity should arise.

CARRIED

AA22.15 Update on Actions - July 2022

**HPERM Ref:
D22/290383**

The Committee discussed the Action Report and made comments on the following Items:

- AA21.17:
 - Alfred Wellington advised that in relation to Cullunghutti, this matter needs to remain open as this is a complex matter and to date there hasn't been any directions given.

- AA21.19:
 - In relation to consultation with Nowra LALC, Nicole Moore advised that this hasn't happened yet.
 - Michael Paine advised that they had attempted to do so, however this hasn't transpired.
 - A report will come back to a future meeting in relation to the Community Wellbeing Plan.
 - Ms Moore suggested that future consultation with the Nowra LALC be requested through the administration email. Ms Moore to confirm the contact details.

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

RESOLVED (Kalinda Wills / Sharlene Cruickshank)

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. AA22.6 - Membership Audit and Expression of Interest - Formal consultation / time of meetings - Reappointment - Janet Atkins / Sylvia Timbery / Shane Brown

CARRIED

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

**HPERM Ref:
D22/184697**

Eric Hollinger – Coordinator – Special Projects Team provided an update in relation to the report and made the following comments:

- Following Council's resolution (detailed in the report) it is proposed to conduct a Briefing in late August.
- News on the Planning Proposal is the proponent formally withdrew the Planning Proposal on 11 July 2022. The Department also terminated the Gateway Determination. Any new rezoning request would require a new planning Proposal to be submitted.

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.

RESOLVED (Janet Atkins / Kalinda Wills)

That the Aboriginal Advisory Committee be invited to the Councillor Briefing (as detailed in MIN22.243) on the future use of the former Anglican Church site, Huskisson and provide feedback at that briefing.

CARRIED

Note: Council resolution (MIN22.243) reads as follows:

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.*

FOR: Clr Findley, Clr Kotlash, Clr Norris, Clr Butler, Clr D’Ath, Clr Christen and Clr Gray

AGAINST: Clr Copley, Clr Ell, Clr White, Clr Wells, Clr Watson and Clr Kitchener

CARRIED

PRESENTATIONS

AA22.9 Presentation - Huskisson Church - Eric Hollinger

**HPERM Ref:
D22/281765**

This item was addressed in conjunction with AA22.11 - Huskisson Church - Options to resolve future use of site.

AA22.12 Shoalhaven Visitor Guide - Aboriginal Content

**HPERM REF:
D22/274826**

Item dealt with earlier in the meeting.

AA22.14 Membership - Expression Of Interest - Update**HPERM REF:
D22/288744**

Item dealt with earlier in the meeting.

AA22.13 Proposed Development Of Reconciliation Action Plan**HPERM REF:
D22/110189**

Item dealt with earlier in the meeting.

AA22.15 Update On Actions - July 2022**HPERM REF:
D22/290383**

Item dealt with earlier in the meeting.

GENERAL BUSINESS

AA22.16 Additional Item - Information from Shoalhaven Libraries

Mr Paine advised that the Shoalhaven Libraries (Sanctuary Point) Public Art EOI is open for submissions and Council seeking expressions of interest from local First Nations artists for a number of permanent public artwork commissions. There are three (3) opportunities being Sea, Land and Sky. Further information can be found via this link <https://getinvolved.shoalhaven.nsw.gov.au/sanctuarypoint-library>

The EOI closes 8 August 2022.

Ms Sharlene Cruickshank nominated to be part of the Art Selection Panel.

It was suggested that the information be promoted via social media.

AA22.17 Additional Item - Development and Planning Consultation with the AAC

The Chairperson addressed the meeting and advised that he has aspirations for the AAC to be more than just an Advisory Committee and would like the AAC to get to a space when Council is approached in regards to major developments that the AAC is part of the consultation process and Planning decisions prior to any council resolution being made and moving decisions forward side by side.

Mayor Findley suggested the Director City Development be invited to attend a future meeting to walk the AAC through the Development process and discuss where the AAC could fit into the process and where/when consultation can occur.

Mayor Findley left at 5.43pm

Clr Christen suggested that Councillors consider this process when viewing the Strategic Planning Works Program.

RESOLVED (By consent)

That the Director City Development be invited to attend a future meeting to walk the AAC through the Development process and where could the AAC fit into the process and where/when consultation can occur.

CARRIED

AA22.18 Additional Item - Consideration of Dedicated Aboriginal Member on all Council Advisory Committees

Note: the Committee held a discussion as part of item AA22.10 and the following recommendation was made:

RECOMMENDATION (Nicole Moore / Cllr Wells)

That:

1. Council consider Aboriginal representation on all Council Advisory Committees.
2. In relation to the appointment of Aboriginal people to Council Advisory Committees, the proposed nominees be referred to the AAC Chairperson for information.

CARRIED

The following matters were raised in General Business:

- Wollongong is hosting NAIDOC Awards on Saturday 30 July 2022. Representatives from the Shoalhaven are attending this includes approximately 20 Elders. 2023 NAIDOC Awards will be hosted by Kiama, 2024 will be hosted in Shoalhaven.
- Janet Atkins provided an update in relation to the 2022 Year 12 Aboriginal Graduation Steering Committee and advised that this year there is 63 students within the Shoalhaven graduating Year 12 this year. Next year will be the 20th Anniversary and trying to find a space that can hold the event with up to 300 attendees and have been approaching Businesses for sponsorship.
 - A suggestion was made that an application be made via the [Community Donations](#)

[Note: Post meeting update, a Mayoral Minute was submitted to the 8 August 2022 Ordinary Meeting of Council, the following resolution was made \(MIN22. 515\):](#)

That Council support the 2022 Shoalhaven Year 12 Aboriginal Graduation Ceremony in September 2022 by providing \$7,000 from the 2022/2023 Community Donations to cover this year's shortfall.

There being no further business, the meeting concluded, the time being 5.45pm.

Jared Brown
CHAIRPERSON

AA22.20 Notification of Council Resolution - Aboriginal Advisory Committee Re-establishment and Nomination of Chairperson

HPERM Ref: D22/445886

Department: Business Assurance & Risk
Approver: Jane Lewis, Director - City Lifestyles

Attachments: 1. Aboriginal Advisory Committee - Terms of Reference [↓](#)

Reason for Report

Advise the Committee of Council's resolution in relation to the new members and re-establishment of the Aboriginal Advisory Committee.

Recommendation

That the Aboriginal Advisory Committee

1. Receive the Notification of Council Resolution – Aboriginal Advisory Committee Re-establishment report for information.
2. Elect (insert name) as Chairperson for the period to September 2023, noting that the appointment will be reaffirmed by Council.

Options

1. As recommended.

Implications: The membership structure as resolved by Council is adopted for the period to 30 September 2023.

2. Propose a different membership arrangement.

Implications: Should the Aboriginal Advisory Committee wish to make an alternative recommendation in relation to membership, this would need to be reported to Council for consideration/endorsement.

Background

Each year, (generally in September) Council reaffirms all its Committees for the next 12 months - Council has the option to: reaffirm its Committees; make any change to the membership, purpose, delegation, quorum, and the number of meetings required for those Committees; or disband Committees.

This report is provided to inform the Group members of the resolution of the Council. Should the Group wish to make any changes to the above, a recommendation to Council will be required to that effect.

At the Ordinary meeting on 26 September 2022 Council resolved as follows:

Meetings per year – Four (4) & others as required	Quorum – Five (5) local Aboriginal community members
Commencement time – 4pm	Terms of Reference: POL22/67 (1209E) Amended: 7 February 2022

AA22.20

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 2027 (SCCSP) and endorsement of the Uluru Statement of the Heart June 2020.

Role of the Committee

All members are encouraged to become actively involved in the business of the AAC and to be an advocate between community and Council. The role of the Committee is:-

- 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.
- Provide specialist advice to other Committees of Council.

Delegation – NIL

Chairperson & Co-Chairperson – Appointed by Committee

2022-2023 Councillor / Staff Membership

All Councillors
CEO or nominee

Community / Organisational Representatives

Up to 13 local Aboriginal Community Representatives being either Elders, Youth or Government/Non Government Agencies/Organisation delegates (including 2 Youth members)
NPWS
Nowra LALC
Jerrinja LALC
Ulladulla LALC

AA22.20

CARRIED

Policy Implications

There were no amendments to the Terms of Reference by this resolution.

Aboriginal Advisory Committee – Terms of Reference

Adoption Date:	16/08/2016
Amendment Date:	28/02/2017, 26/09/2017, 25/09/2018, 26/11/2019, 7/02/2022
Minute Number:	MIN16.656, MIN17.149, MIN17.853, MIN17.882, MIN18.243, MIN19.900, MIN22.57
Review Date:	01/12/2024
Directorate:	City Lifestyles
Record Number:	POL22/67

Aboriginal Advisory Committee – Terms of Reference

1. 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 2027 (SCCSP) and endorsement of the Uluru Statement of the Heart June 2020.

2. Statement

Shoalhaven Local Government Area (LGA) is made up of many unique communities with a diverse range of people, lifestyles and cultures. It comprises 49 towns and villages and a key role of Shoalhaven City Council within that is to work in partnership with organisations, services, government agencies and individuals to build strong, resilient, cohesive and creative communities.

Shoalhaven City Council established the Aboriginal Advisory Committee (AAC) in 1997 to advise Council on the needs of Aboriginal people living in the Shoalhaven Local Government Area. This advisory committee provides an opportunity for Council to develop both a structure for effective consultation and communication with Aboriginal communities and the opportunity for Aboriginal people to participate in Council's decision-making process to achieve mutually co-operative responses for their cultural, environmental and economic wellbeing.

3. Provisions

The Shoalhaven City Council maintains, in its Statement of Commitment 2010, to strongly support the work of the AAC and sees it as serving an important role in providing the specialist and professional guidance to achieve positive outcomes for local Aboriginal people.

4. Terms of Reference

4.1. Relationship to Council

The committee is an Advisory Committee, administered by Council to discuss relevant issues and recommend solutions specifically associated to local government and their Aboriginal & Torres Strait Islander communities.

4.2. Role of the Advisory Committee

All members are encouraged to become actively involved in the business of the AAC and to be an advocate between community and Council. The role of the Committee is:-

- 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.

Aboriginal Advisory Committee – Terms of Reference

- 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.
- Provide specialist advice to other Committees of Council.

4.3. Membership

Representatives must live in the Shoalhaven Local Government area (LGA) area and/or work with Aboriginal communities of the Shoalhaven on a full-time or part-time basis. The composition will be:

The Group will have membership made up of the following positions:

- Up to 13 local Aboriginal community representatives including Elders, Youth or Government/Non-Government agencies/organisation delegates (including 2 Youth members).
- One (1) NPWS Representative
- Three (3) members being a representative from each Local Aboriginal Land Council
- All Councillors
- The CEO or nominee.

It is important for the AAC to take broad community advice from those Aboriginal organisations and Government agencies with a capacity to provide professional guidance to its members to enable them to make sound decisions.

These organisations and agencies working in the sector may be invited to attend the Advisory Committee meetings but will have no voting privilege.

Community representatives that do not attend three (3) meeting without an apology will be sent a reminder/courtesy letter advising that their membership will lapse unless they confirm their membership in writing.

4.4. Membership Appointments

- Nominations for Local Aboriginal Community Members should be advertised throughout the community.
- Appointment to the Advisory Committee can be for a maximum four (4) years with a set commencement and finish date and standing members may re-nominate for an additional term.
- 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
- Vacancies will be advertised locally via media and Council communication networks.
- Council will manage the application process in consultation with the Community Capacity Builder, Aboriginal.
- 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.

Aboriginal Advisory Committee – Terms of Reference

- Councillor membership will be reaffirmed at the Call meeting in September of each year.

4.5. Sub Committees/Working Groups/Represented Delegation

If representing the AAC on an identified working group/party your role is to represent the Committee's commitment and purpose.

The Advisory Committee will have the right to establish sub groups as deemed appropriate to assist in fulfilling their role and purpose.

4.6. Meeting Practices and Procedures

- The administrative provisions of Council's adopted Code of Meeting shall apply subject to any amendment by this Advisory Committee.
- The Chair of the Committee will be limited by a four (4) year tenure and is open to all members of the Committee.
- The Chair of the Committee will be appointed from the Aboriginal members of the Committee, a Chair can be either a community member or nominated LALC representative on the AAC membership.
- In instances where the Chair is not present to perform their duties the Committee will appoint an Acting Chair for the meeting.
- Councillors who have an interest in forming a relationship with the committee should consider their ability to commit for the term of that Council.
- The Chair of the committee may make representations to Council on recommendations from the ACC through the formal deputation process.
- 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.
- Formal meetings will be held a minimum of four (4) times per year (and others as required) depending on demand and also allowing Committee member's time for consultations.
- Meetings are held at Shoalhaven City Council Administrative Building or can be negotiated with Committee Members.
- A quorum will consist of five (5) local Aboriginal community members of the Committee.
- If a quorum is not present within 30 minutes of the time appointed for the commencement of the Advisory Committee meeting, the meeting will be adjourned or rescheduled to a time and date set by the CEO.
- Each Committee meeting shall be properly recorded by the taking of minutes by the Governance Unit.
- Items in the minutes which are recommendations to Council will be submitted to the next available Council Meeting. Minutes will be confirmed at the next AAC meeting.
- Where possible, members are encouraged to reach a consensus; decisions will normally be made through modified consensuses.
- The Chair of the Committee should facilitate a meeting that is run on a consensus decision making model rather than rely on the formal structures of a simple majority plus one.
- If however there are times when a position cannot be reached, despite open and thorough exploration of the issues and options, the Chairperson will ask for a vote.
- All formal members of the committee are entitled to a vote.
- In the event of a tied vote, the Chair can exercise a casting vote.

Aboriginal Advisory Committee – Terms of Reference

- Governance will aim to circulate Agendas for the ACC to members at least seven (7) days prior to the meeting.
- Advisory Committee members must declare in writing any conflict of interest in any report tabled at the meeting covered by the Code of Conduct and Pecuniary Interest.
- Informal Advisory Committee meetings, special meetings that may discuss specific portfolio matters will be held as and when required or set by the Advisory Committee.
- Planning and costs associated with conducting meetings will be borne by Council.
- Advisory Committee recommendations which are determined to be purely or substantially 'operational' in nature, will be dealt with by the relevant Council officer and any action or lack thereof reported to the Advisory Committee.
- Progress towards the outcomes of Council's Community Strategic Plan 2027 and Statement of Commitment will be reported to Shoalhaven City Council at Council meetings and corporate management meetings, where appropriate, throughout the year. Progress against actions arising from AAC Minutes will be reported on a quarterly basis at each consecutive AAC meeting.

4.7. Code Of Conduct

Meetings be conducted in an informal manner, but still within Council's 'Code of Conduct' Policy which all members are required to observe.

- Advisory Committee members should act in a professional, responsible and respectful manner with the information they obtain as a member, as the Advisory Committee require openness and honesty to function well.
- Advisory Committee members must at all times respect other members when expressing their opinions and views. Members should feel free to express their opinions and views without fear of recrimination.
- It is essential for Advisory Committee members to accept collective responsibility, and remain loyal to decisions of the Advisory Committee, even where they may not have agreed with the final decision.

4.8. Confidentiality and Privacy

Members may have contact with confidential or personal information retained by Council. If so, members are required to maintain the security of any confidential or personal information and not access, use or remove any information, unless the member is authorised to do so or is doing so in their capacity as nominated representative of an organisation.

4.9. Communication

- All issues must be clearly communicated including priorities, limitations and benefits to community.
- Care needs to be undertaken to ensure that all participants fully understand mutual issues under discussion and that there are no false expectations created. It is important that all members' views are given weight during discussions.
- Members of the Advisory Committee are not permitted to speak to the media as representatives of the advisory committee unless approved by the chairperson
- Where approval has been given by the Chairperson, views and opinions expressed are those of the Advisory Committee and not of Shoalhaven City Council.
- Where endorsement is required from Shoalhaven City Council, approval must be sought through the formal processes.
- The Chair of the Advisory Committee is the point of contact for communication between Advisory Committee members and Council staff.

4.10. Council Staff Attendance

AA22.21 Cultural Immersion Workshops

HPERM Ref: D22/397800

Approver: Sara McMahon, Manager - Business Assurance & Risk

Attachments: 1. Notice of Motion - Ordinary Meeting 22 August 2022 [↓](#)

Reason for Report

To inform the Committee of a resolution of Council regarding Cultural Immersion Workshops for Councillors, Council staff particularly Executive and Senior Staff.

Recommendation (Item to be determined under delegated authority)

That the Committee receive the report regarding Cultural Immersion Workshops for information.

Background

A Notice of Motion regarding the arrangement of additional Cultural Immersion Workshops by Waminda was submitted to the Ordinary Meeting 22 August 2022. A copy of the Notice of Motion is attached for information.

The following resolution was carried at the meeting (MIN22.566).

That:

- 1. Acknowledges the value and importance of Cultural Immersion workshops to inform the non-Aboriginal community of their privilege and how that ongoing position of privilege continues to affect the Aboriginal community.*
- 2. Recognise Waminda as a valued provider for this training and thank them for facilitating these conversations with Councillor and Staff and for opening our eyes and hearts to our White Privilege and White Fragility.*
- 3. Develop and implement a list of specific actions that will be taken personally by Councillors and Senior Staff (via the Chief Executive Officer), specifically in response to the learnings of the Immersion experience.*
- 4. Strongly encourages Councillors, Council staff, particularly its executive and senior staff and other organisations/agencies to attend similar experiences where the opportunity is available. Consider delivering five (5) Cultural Immersion sessions for Councillors, Senior Leadership Teams, and Senior Managers with Shoalhaven City Council.*
- 5. Report this Notice of Motion recommendation, and Council resolution to the Aboriginal Advisory Group.*
- 6. Request the CEO to seek legal advice on the prospect of Council mandating Cultural Immersion training for senior staff and Councillors.*

The Director – City Performance is coordinating the actions arising from the above resolution.

AA22.22 Action Table Report - October 2022

HPERM Ref: D22/413459

Department: Community Connections

Approver: Jane Lewis, Director - City Lifestyles

Attachments: 1. Updated Action Table Report - Aboriginal Advisory Committee - October 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 the Aboriginal Advisory Committee:

1. Accept and receive the Action Table Report – October 2022 for information.
2. The following actions are considered complete and can be removed from the action table:
 - a. AA19.18 - Additional item - Plaques Identifying Culturally Significant Locations - Design and costings
 - b. AA21.17 - Aboriginal Advisory Committee Action Table Report - Invitation - Jerrinja LALC - Community Consultation - Cullunghutti - report received
 - c. AA21.18 Cultural Signage - Kangaroo Valley - Feedback - EOI - Consult LALC
 - d. Item AA22.10 - Aboriginal Advisory Committee Representative on Shoalhaven Arts Board
 - e. Item AA22.11 – Huskisson Church – Options to resolve future use of site
 - f. Item AA22.15 - Update on Actions - July 2022

Options

1. Adopt the recommendation as written.

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

2. Request more information.

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

Background

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

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

1. Part 1 of Item AA19.18 - Additional item - Plaques Identifying Culturally Significant Locations - Design and costings
2. Part 3 of Item AA21.17 - Aboriginal Advisory Committee Action Table Report - Invitation - Jerrinja LALC - Community Consultation - Cullunghutti - report received
3. Item AA22.10 - Aboriginal Advisory Committee Representative on Shoalhaven Arts Board
4. Item AA22.11 – Huskisson Church – Options to resolve future use of site
5. Item AA22.15 - Update on Actions - July 2022

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 Committee are kept informed on progress towards the completion of actions and projects. This report provides a structured approach to facilitate this information exchange.

AA22.23 Membership Appointment

HPERM Ref: D22/418803

Department: Community Connections

Approver: Jane Lewis, Director - City Lifestyles

Attachments: 1. Aboriginal Advisory Committee - Membership Assessments 2022
(Confidential - under separate cover)

Reason for Report

To recommend to the Aboriginal Advisory Committee the appointment of two (2) Aboriginal community member representatives to the Aboriginal Advisory Committee.

Recommendation

That the Aboriginal Advisory Committee:

1. Endorse and accept the appointment of David Blakely as a member of the Aboriginal Advisory Committee.
2. Endorse and accept the appointment of Natalie Nye as a member of the Aboriginal Advisory Committee.
3. Provide an unsuccessful outcome letter to the unsuccessful applicant and thank them for their application, with encouragement to apply to the next EOI for the Aboriginal Advisory Committee.

Options

The Aboriginal Advisory Committee accept the recommendation as written above.

Implications: This will ensure vacant positions are filled and the recommendation is forwarded to Council for consideration.

2. The Aboriginal Advisory Committee accept the appointment of the two community members, being David Blakely and Natalie Nye and adjust the terms of reference to include a Jerrinja Tribal Representative.

Implications: This will ensure vacant positions are filled, the terms of reference will be adjusted to include the additional organisational representative and the recommendation is forwarded to Council for consideration.

3. The Aboriginal Advisory Committee do not accept the recommendation and consider an alternative option.

Implications: The Committee provide an alternate recommendation regarding the selection of members to fill the existing two vacancies on the Committee in accordance with the Shoalhaven Aboriginal Advisory Committee's Terms of Reference.

AA22.23

Background

At the Aboriginal Advisory Committee (AAC) meeting held on Tuesday 26 July 2022 it was recommended that Council call for expressions of interest to fill the two (2) vacant positions on the Committee.

Advertisements calling for nominations were shared through local networks and via online platforms. Council received three nominations. A selection panel comprised of Chairperson Jared Brown, nominated community representative Natalie Lloyd and member / Council staff member Shane Brown. This panel assessed the applications against the criteria, adhering to the Committee's Terms of Reference and the Application for Membership form.

The panel particularly considered the skills and experience that each nominee could bring to the Committee.

The Assessment Panel discussed the three membership applications received in 2022 and provided the following recommendation:

The recommendation of the assessment panel is that Natalie Nye and David Blakely are appointed to the two (2) vacant community member positions. This decision is based on the applicants:

- knowledge
- connection to Country
- cultural identities
- professional skills and experience
- strong communication skills
- connection to organisations and local and regional networks
- experience in diverse committees

The assessment panel valued the broad knowledge and experience that Natalie Nye and David Blakely would be able to bring to the committee and therefore put forward the recommendation for these applicants to be endorsed for the two (2) vacant membership positions (see attachment 1 for full assessment summary).

Community Engagement

The Expression of Interest notices to fill the vacancies were promoted and disseminated throughout the Shoalhaven Local Government Area.

The Aboriginal Advisory Committee provides an opportunity for Council to develop a structure for effective consultation and communication with Aboriginal communities, and the opportunity for Aboriginal people to participate in Council's decision-making process. This facilitates mutually co-operative responses for the cultural, environmental and economic wellbeing of Aboriginal communities.