

Aboriginal Advisory Committee

Meeting Date: Tuesday, 06 December, 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 - 8 November 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.

AA22.33 Presentation on Mollymook Coastal Masterplan

Ryleigh Bowman – Design Engineer for Shoalhaven City Council, will be presenting on the Mollymook Coastal Masterplan to gain feedback from the Aboriginal Advisory Group which will be included in the community consultation process.

6. Reports

AA22.34 Election of Chairperson 8

7. General Business

AA22.35 Update - Huskisson Church - Alfred Wellington

Mr Alfred Wellington will be providing an update on the Huskisson Church Site to the group.

Membership

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, 8 November 2022
Location: Jervis Bay Rooms, City Administrative Centre, Bridge Road, Nowra
Time: 5.00pm

The following members were present:

Mr Jared Brown - Chairperson
Clr Tonia Gray – Left meeting 6:31pm
Ms Sylvia Timbery
Mr Shane Brown
Mr Charlie Ashby
Ms Sharlene Cruickshank
Ms Natalie Lloyd
Mr Jason Groves - Nowra LALC
Mr Michael Paine - Manager - Community Connections (remotely) – CEO Nominee
Ms Valda Corrigan - NPWS

Others Present:

Ms Jane Lewis – Director of City Lifestyles
Ms Carly McWalters – Team Leader – Community Capacity Building
Mr Allen Bloxsome – Community Capacity Builder – Aboriginal
Ms Brooke Aldous – Governance Coordinator
Ms Natalie Nye (Observer)

The Chairperson opened the meeting and Acknowledged the traditional custodians of the land and paid respect to Elders past and present and commenced a moment of silence for those that have passed.

Apologies / Leave of Absence

Apologies were received from Clr Christen, Clr White, Janet Atkins, Nicole Moore, Caryn Carpenter and Kalinda Wills.

Confirmation of the Minutes

RESOLVED (Charlie Ashby / Sharlene Cruickshank)

That the Minutes of the Aboriginal Advisory Committee held on Tuesday 26 July 2022 be confirmed.

CARRIED

Declarations of Interest

Mr Jason Groves declared a Significant Non Pecuniary Interest – that one of the applicants is his partner – Jason Groves left the room for the vote.

PRESENTATIONS

AA22.24 Flood Recovery Programs - NSW Environment Protection Authority

**HPERM Ref:
D22/461452**

Mr Jared Wilson, Senior Operations Officer – Flood Programs for the NSW Environmental Protection Authority and his colleague Angela Donald, addressed the Committee and discussed the EPA's flood recovery clean-up programs in the Shoalhaven.

The information that was presented to the Committee is attached to these minutes.

AA22.19 Reconciliation Allies Kangaroo Valley Presentation

**HPERM Ref:
D22/409095**

This item was deferred to the next meeting

REPORTS

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

**HPERM Ref:
D22/445886**

Note: Mr Jared Brown tendered his membership resignation from the committee for a period of 12 months due to his employment with Council as a Community Capacity Builder – Aboriginal being a Conflict of Interest.

Mr Jared Brown continued as Chairperson for the remainder of this meeting. It was determined to elect a new Chairperson at the next scheduled meeting.

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.

RECOMMENDATION (Charlie Ashby / Jason Groves)

That the Aboriginal Advisory Committee

1. Accept Mr Jared Brown's resignation as Chairperson and,
2. Accept Mr Jared Brown's membership resignation from the Committee for the period of 12 months.
3. Thank Mr Jared Brown for his contribution to the Committee and his time as Chairperson.
4. Conduct an election of Chairperson at the next meeting to be held, 6 December 2022 for the period to September 2023, noting that the appointment will be reaffirmed by Council.

CARRIED

AA22.21 Cultural Immersion Workshops**HPERM Ref:
D22/397800**

Note: Mr Jason Groves raised a concern as to whether Waminda has the capacity to deliver Cultural Immersion workshops for men's business.

Recommendation (Item to be determined under delegated authority)

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

RECOMMENDATION (Sylvia Timbery / Shane Brown)

That the Aboriginal Advisory Committee

1. Receive the report regarding Cultural Immersion Workshops for information.
2. Suggest Council staff to investigate other organisations with the capacity to deliver Cultural Immersion workshops targeted towards men's business in addition to the Waminda facilitated training.

CARRIED

AA22.22 Action Table Report - October 2022**HPERM Ref:
D22/413459**

Following Mr Jared Brown's resignation from the Committee (for a period of 12 months) Natalie Lloyd nominated herself to be the replacement representative on the Reconciliation Action Plan Project Reference Group

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

RESOLVED (Jared Brown / Jason Groves)

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
3. Appoint Ms Natalie Lloyd to replace Mr Jared Brown on Reconciliation Action Plan Project Reference Group.

CARRIED

AA22.23 Membership Appointment

**HPERM Ref:
D22/418803**

Note: Mr Jason Groves declared a Significant Non Pecuniary Interest – that one of the applicants is his partner – Jason Groves left the room for the vote.

Natalie Nye left the room for this item

Clr Gray left the meeting, the time being 6:31pm

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.

RECOMMENDATION (Sharlene Cruickshank / Natalie Lloyd)

That the Aboriginal Advisory Committee:

- 1. Endorse and accept the appointment of David Blakely as a member of the Aboriginal Advisory Committee.
- 2. Provide an unsuccessful outcome letter to the unsuccessful applicant's and thank them for their application.
- 3. Review the Terms of Reference regarding,
 - a. Youth membership age bracket, and consider engaging with the Shoalhaven University and TAFE campuses to fill vacant roles of the youth representatives.
 - b. The requirement for members to live in the Shoalhaven LGA
 - c. Consider adding an extra community member position, noting it will be filled by Mr Jared Brown following the conclusion of appointment with Council

CARRIED

Note: Mr Jason Groves and Ms Natalie Nye (Observer) returned to the meeting 6:50pm.

1. ADDENDUM REPORTS

AA22.24 Flood Recovery Programs - NSW Environment Protection Authority

HPERM REF:
D22/461452

Note: This Item was dealt with earlier in the meeting.

GENERAL BUSINESS

AA22.25 Additional Item - Naming of Boongaree

Under Item AA22.22 it was noted by Mr Jared Brown that the community had raised concerns regarding the naming of the Boongaree Reconciliation Garden.

RECOMMENDATION (Jared Brown / Jason Groves)

That the Aboriginal Advisory Committee receive further background information on how the naming of the Boongaree Reconciliation Garden was decided, and request to be involved in the consultation process of all future naming's of such Council assets.

CARRIED

AA22.26 Additional Item - Cullunghutti Plan of Management - Updates

This Item was raised earlier in the meeting under Item AA22.22 in relation to AA21.17.

RESOLVED (Jared Brown / Jason Groves)

That the Aboriginal Advisory Committee request to be kept regularly updated regarding the progress of Cullunghutti Plan Management; this will be discussed at the next meeting.

CARRIED

AA22.27 Additional Item - Cullunghutti Plan of Management - Family Group Representation

This Item was raised earlier in the meeting under Item AA22.22 in relation to AA21.17.

RESOLVED (Jared Brown / Jason Groves)

If there are future consultations on the Plan of Management for Cullunghutti, the Chair advised that Cullunghutti family groups will also be represented.

CARRIED

AA22.28 Additional Item - Council Advisory Committees - Indigenous Representation

This Item was raised earlier in the meeting under Item AA22.22 by Mr Jason Groves.

RECOMMENDATION (Jared Brown / Jason Groves)

That the Aboriginal Advisory Committee encourage the appointment of two (2) Indigenous representatives, male and female, on all Council Advisory Committees.

CARRIED

AA22.29 Additional Item - Freeze of Development Sites - Newcastle University

Mr Jason Groves discussed how massacre sites are registered and through Newcastle University registered development sites are frozen. It was discussed whether Husky Church site could be registered as a massacre sight, and suggested Council investigate putting freezes on registered development sites through the University of Newcastle.

RECOMMENDATION (Jared Brown / Charlie Ashby)

That the Aboriginal Advisory Committee request the appropriate Council staff within City Futures to initiate discussions with Newcastle University regarding the process to have the Husky Church site registered as a Massacre site.

CARRIED

AA22.30 Additional Item - City lifestyles Presentation - Sanctuary Point Library Artwork

Ms Sharlene Cruickshank noted the amazing works of the artists at the Library in Sanctuary Point.

RESOLVED (Jared Brown / Sharlene Cruickshank)

That the Committee Invite staff from City Lifestyles to present to the Committee early next year on the Sanctuary Point Library and the outdoor artwork.

CARRIED

AA22.31 Additional Item - Aboriginal Cultural Centre - Funds

Ms Sylvia Timbrey queried the whereabouts of the funds from the sale of the previous Aboriginal Cultural Centre.

RECOMMENDATION (Jared Brown / Sylvia Timbrey)

That the Aboriginal Advisory Committee request relevant Council staff to investigate the sale and the proceeds of the previous Aboriginal Cultural Centre and request a report back to a future meeting regarding the whereabouts of the funds.

CARRIED

AA22.32 Additional Item - Scar Tree Desecration - Warra Warra Rd

Mr Jared Brown raised a concern that whilst conducting surveys for the Glossy Black Cockatoo, they came across a site possibly under Council ownership, located on the left hand side of Warra Warra Road and identified fencing with Council signage that had been wired through a Scar Tree. This was confronting and culturally insensitive for the Aboriginal Community.

It was also noted that it is a highly desecrated site due to excessive dumping.

RECOMMENDATION (Jason Groves / Sylvia Timbrey)

That the Aboriginal Advisory Committee:

1. Advise the relevant department within Council of the cultural insensitivity in the desecration of a Scar Tree with Council fencing, and
2. Request Council to investigate the possibility of removal of the fencing .

CARRIED

The following additional matters were raised in General Business:

Mr Jared Brown gave a update following the Huskisson Church CIr Briefing:

- There are no further progress updates.
- Flags have been put up in trees regarding Land Sovereignty.

Aboriginal Business Owners:

- Mr Jared Brown noted that he would like to see more support from Council for Indigenous Business owners in regards to utilising public Council buildings.
- Mr Michael Paine advised that fees and charges for Council buildings are set annually with opportunity for community consultation. The community can also apply for fee waivers or reductions of fees. This information being more accessible to the public would be of benefit.
- It was suggested that the Reconciliation Action Plan could include subsidies support and an incubation period for indigenous business owners. Staff have advised that the Reconciliation Action Plan is not the appropriate place to include this suggestion, and that it will be considered internally by staff.
- The Committee and Council staff thanked Mr Jared Brown for his hard work as a youth representative and his role as Chairperson on the Committee.

There being no further business, the meeting concluded, the time being 7:21pm.

Mr Jared Brown
CHAIRPERSON

AA22.34 Election of Chairperson

HPERM Ref: D22/501511

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

Reason for Report

To facilitate the election of Chairperson by the Committee and recommend to Council.

Recommendation

That the Aboriginal Advisory Committee elect (insert name) as Chairperson for the period to September 2023, noting that the appointment will be reaffirmed by Council.

Options

1. Adopt the recommendation.

Implications: Position of Chairperson will be filled and AAC will continue business as usual.

2. Adopt an alternate recommendation.

Implications: Should the committee opt not to elect a Chairperson for the Term and opt to elect an interim Chairperson the Committee may wish to review the Terms of Reference and the length of the Term of the Chairperson.

Background

At the Aboriginal Advisory Committee (AAC) meeting of 8 November 2022 the Committee determined to elect a new chairperson at the meeting to be held 06 December 2022, as outlined in the following recommendation (AA22.20):

That the Aboriginal Advisory Committee

1. *Accept Mr Jared Brown's resignation as Chairperson and,*
2. *Accept Mr Jared Brown's membership resignation from the Committee for the period of 12 months.*
3. *Thank Mr Jared Brown for his contribution to the Committee and his time as Chairperson.*
4. **Conduct an election of Chairperson at the next meeting to be held, 6 December 2022 for the period to September 2023, noting that the appointment will be reaffirmed by Council.**

Outlined below is the process that is followed for the Election of Office Bearers for Committees of the Council:

At the time on the agenda when the election of office bearers is listed, the following process will be followed:

- (1) *The chairperson to step down from the chair (unless their position is not up for election). An appropriately Senior Officer of the Council or other official should assume the chair for the nomination process.*
- (2) *Individually, for each position the following is to take place:*

- a. *Nominations are called for that position and are acknowledged by the chair*
 - i. *They may be received in writing prior to the meeting or provided verbally at the meeting*
 - ii. *The Officer conducting the election shall confirm acceptance of each nominee prior to his or her inclusion in the ballot.*
- b. *If only one nomination is received, that person is declared as elected*
- c. *If more than one nomination is received, the Committee will be asked to resolve whether the election is to take place by open voting (i.e. show of hands) or ordinary ballot (i.e. written votes recorded and provided in secret).*
- d. *Where a large number of nominations are received, the Committee may elect to proceed by a preferential ballot, whereby ballots are consecutively taken and the nominee with the least number of votes is excluded from running after each ballot, until there are two preferred candidates remaining and a final ballot is undertaken and declared.*
- e. *The nominee with the most ballots is declared as elected.*
- f. *In the event of an equal number of ballots being cast for nominees, the position shall be determined by draw. The name drawn by the interim chairperson will be appointed to the position.*

At the conclusion of the elections, the newly elected Chairperson shall reassume control of the meeting and proceed with other business.