

**TWEED SHIRE COUNCIL  
MEETING TASK SHEET**

**Action Item - COUNCIL MEETING Thursday, 20 June 2019**

Action is required for Item **42** as per the Council Resolution outlined below.

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**TITLE: [SUB-AAC] Minutes of the Aboriginal Advisory Committee Meeting held Friday 3 May 2019**

**Cr K Milne  
Cr P Allsop**

**RESOLVED** that:

1. The Minutes of the Aboriginal Advisory Committee Meeting held Friday 3 May 2019 be received and noted; and
2. The Executive Leadership Team's recommendations be adopted as follows:

**GB5. Community Reference Group for Smart, Small, Sustainable (SSS) Village Proposal, Wardrop Valley**

*That once the Terms of Reference for the Community Reference Group for Smart, Small, Sustainable (SSS) Village Proposal, Wardrop Valley have been developed, they be referred to the Aboriginal Advisory Committee for consideration.*

The Motion was **Carried**

**FOR VOTE - Unanimous  
ABSENT. DID NOT VOTE - Cr W Polglase**

**TITLE:** [SUB-AAC] Minutes of the Aboriginal Advisory Committee Meeting held Friday 3 May 2019

**SUBMITTED BY:** Community and Cultural Services

mhm



People, places and moving around  
*Who we are and how we live*

**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

3	People, places and moving around
3.1	People
3.1.2	Community and Cultural Development - To provide community and cultural development services to foster and improve social and cultural well-being.

**ROLE:** Leader

**SUMMARY OF REPORT:**

The Minutes of the Aboriginal Advisory Committee Meeting held Friday 3 May 2019 are reproduced in the body of this report for the information of Councillors.

**RECOMMENDATION:**

**That:**

1. The Minutes of the Aboriginal Advisory Committee Meeting held Friday 3 May 2019 be received and noted; and
2. The Executive Leadership Team's recommendations be adopted as follows:

**GB5. Community Reference Group for Smart, Small, Sustainable (SSS) Village Proposal, Wardrop Valley**

*That once the Terms of Reference for the Community Reference Group for Smart, Small, Sustainable (SSS) Village Proposal, Wardrop Valley have been developed, they be referred to the Aboriginal Advisory Committee for consideration.*

**REPORT:**

The Minutes of the Aboriginal Advisory Committee Meeting held Friday 3 May 2019 are reproduced as follows for the information of Councillors.

**Venue:**

Minjungbal Aboriginal Museum and Cultural Centre

**Time:**

9.50am

**Present:**

Des Williams (Tweed Byron Local Aboriginal Land Council representative), Victor Slockee (Canowindra representative), Dale Williams (Bugalwena representative), Cr Chris Cherry (Tweed Shire Council), Leweena Williams (Tweed Aboriginal Corporation for Sport representative), Jackie McDonald (Tweed Wollumbin Aboriginal Education Consultative Group representative).

**Ex-officio:**

Tracey Stinson (arrived at 10.07am), Robyn Grigg, Chantelle Howse, Robert Appo, Gabby Arthur (Minutes) (Tweed Shire Council).

**Guests (in order of arrival):**

Sally Cooper (Tweed Shire Council) (arrived at 10.45am).

**Apologies:**

Mayor Katie Milne (Tweed Shire Council), Desrae Rotumah (Tweed Aboriginal Co-operative Society representative).

**Chair: Leweena Williams**

**Moved: Des Williams**

**Seconded: Victor Slockee**

**RESOLVED** that the Chair was declared vacant and nominations were called. Leweena Williams was nominated and was unanimously elected to Chair the meeting.

Leweena opened the meeting with a welcome to all present and paid respect to Elders past, present and those emerging.

**Minutes of Previous Meeting:**

**Moved: Victor Slockee**

**Seconded: Dale Williams**

**RESOLVED** that the Minutes of the Aboriginal Advisory Committee meeting held Friday 8 February 2019 be accepted as a true and accurate record of the proceedings of that meeting. The minutes were endorsed by Council at its meeting held on 17 April 2019.

## **Business Arising:**

### **Business Arising from meeting held on 7 December 2018 and 8 February 2019**

#### **GB5. Arts Northern Rivers**

Robyn advised that there been no change since her original report and it is business as usual for both Council and Arts Northern Rivers. Council's Cultural Plan will be reported to Council in the near future.

### **Business Arising from meeting held on 8 February 2019**

#### **A2. Test excavations per Mooball Management Agreement - Lot 2 DP 534493 and Lot 7 DP 593000 Tweed Valley Way, Mooball**

Cr Cherry advised a dwelling has been placed on the lower site next to the existing dwelling. TBLALC advised that after a site inspection there is no physical evidence of cultural material on the site identified by Cr Cherry.

### **Business Arising from meeting held on 8 February 2019**

#### **A1(b) Ukerebagh Island Clean-up**

Rob provided an update on his discussions with TBLALC and Tweed Aboriginal Cooperative Society regarding the Ukerebagh Island clean-up and advised that National Parks and Wildlife will be consulted as site managers.

### **Business Arising from meeting held on 8 February 2019**

#### **A2. Chinderah/Kingscliff boundary**

Cr Cherry advised that at its meeting held on 17 April 2019, Council unanimously supported the AAC's recommendation that the locality boundary for Chinderah/Kingscliff not be altered.

## **Agenda Items:**

#### **A1. Community Development Strategy - Chantelle Howse and Robert Appo**

Chantelle provided an overview of the Community Development Strategy and the responsibilities of the Community Development team. There are three phases:

- Research
- Internal consultation
- Community consultation - four focus groups will be held:
  - Murwillumbah - 27 May
  - Tweed Heads South - 28 May
  - Banora Point - 4 June
  - Cabarita Beach - 5 June.

The AAC members were encouraged to participate in the community consultation. A forum will be held in June to discuss the research and community consultation responses. The draft Community Development Strategy will then be reported to Council and placed on public exhibition.

Chantelle will forward surveys and invitations to the AAC to attend the focus group meetings and encouraged the members to share the information with their networks and community.

Discussion in relation to getting wider, diverse views with a focus on positive outcomes.

Sally Cooper arrived at 10.45am

**Action:** *Coordinator Community Development to arrange for the Community Development Strategy survey and invitations to be emailed to the AAC.*

Chantelle Howse left at 11.00am

**A2. Procurement - Tim Mackney and Charlotte Neilson (Tweed Shire Council)**

Apologies received from Tim Mackney and Charlotte Neilson at the commencement of the meeting. Item deferred to next meeting.

**A3. Fingal Holiday Park Aboriginal Cultural Heritage Assessment - Sally Cooper (Tweed Shire Council)**

Council has infrastructure in the Fingal Holiday Park, the adjoining foreshore park, roads (Marine Parade, Main Road, Letitia Spit Road), stormwater, town water and reticulated sewer system that are either currently in need of maintenance, or are expected to in the future. Council is unable to carry out its legislative requirements in managing Aboriginal cultural heritage and undertake the required maintenance without undertaking an Aboriginal Cultural Heritage Assessment (ACHA). Tracey advised that Council will be undertaking an ACHA and wishes to proceed in a culturally sensitive and appropriate manner.

Council understands that Aboriginal cultural significance is high in Fingal Head. Council will be appointing a specialist consultant to undertake the ACHA who will consult with the Aboriginal community. Initially, the ACHA investigation would use non-invasive methods. There will not be any excavation unless there is a high degree of certainty that no burials are in the area. Investigation methods would be developed in consultation with the Registered Aboriginal Parties (RAPs).

Council has a responsibility to maintain infrastructure and Aboriginal cultural heritage could be harmed during the maintenance. Council is trying to identify priority areas specific to the location of Council infrastructure. Council is continuing to consult with the TBLALC and AAC.

The ACHA will potentially identify areas where Council won't be able to avoid harm and if that is the case, then Council may need to apply for an AHIP.

In 2011, an ACHA was prepared which identified Fingal Holiday Park as being of high cultural value. This finding led Tweed Coast Holiday Parks to focus redevelopment on other parks such as Kingscliff. There is no intent for redevelopment of the Fingal Head Holiday Park, as outlined in the 10 year strategy for the Tweed Coast Holiday Parks. The desire is to rearrange existing caravan sites and for the holiday park to maintain its current character.

The next stage is to engage a cultural heritage assessment consultant. The consultation process will be carried out over a period of several months. Invitations will be extended to the Aboriginal stakeholders to enlist as RAPs. When looking for a consultant, Council acknowledges the importance of community input.

Leweena advised that TBLALC works with a world expert who is based in the USA and it would be necessary for Council to engage such an expert to undertake the ACHA. TBLALC was onsite in 2011 when the previous ACHA was completed. There were stakeholders who identified where there were burials potentially within the holiday park boundary however this wasn't dealt with adequately.

The AAC advised there are definitely Aboriginal burials in the holiday park as it has encroached on the cemetery. Leweena requested that the wording in the documentation be changed as it currently sounds like the Aboriginal sites are imposing on Council infrastructure.

TBLALC would like more time to consider the management of the highly emotional journey for the Elders and the process and outcomes. TBLALC need to discuss the ACHA with the Aboriginal community before any correspondence is sent out by Council.

Tracey advised her fear is that if a piece of infrastructure fails, Council does not have anything in place which is why there is the necessity for the ACHA to be progressed within a reasonable timeframe. To comply with legislation and honour what Council should be doing, it needs to move forward but it is absolutely aware that the Aboriginal community needs time to consider the impacts to the Aboriginal community.

Stormwater pipe depth will be determined by the fall - typically up to 1 metre. Council advised that the location of the major infrastructure (eg sewer and water pipes) is known however the minor infrastructure (eg irrigation and cabling) put in over time was never mapped.

If it is unearthed that infrastructure goes through burial sites then no maintenance or development can be done in this area. This may result in the Aboriginal community requesting that the holiday park be reduced in extent.

This process is about whether Council can operate the holiday park (ie. maintain the infrastructure) or not. The boundary could need to be shifted so far that the park may not be viable anymore. There has been a councillor workshop on this topic and these potential implications were discussed.

Leweena asked that a member of the AAC or Aboriginal community be on the panel when assessing the consultant tenders. The AAC would nominate Des and Victor to be part of the assessment panel. Council to look at the procurement legalities as it may be better for the AAC to make a recommendation on the tenders received rather than to be on the panel.

Council has prepared a letter that it would like to distribute. Council will not distribute the letter until it receives advice from the AAC that it is ready for it to be distributed. A draft of the letter to be sent to the AAC for comment.

It was noted that there was some work carried out in the holiday park on 1 May 2019 with shallow ground disturbance. There was no reasoning provided as to why the work was being done. Sally is following up with Andrew Illingworth to find out why the work was being carried out.

Item to be discussed at next AAC meeting. Sally advised she will come back to a future meeting when she has some further information.

**Action:** Council's draft letter addressed to stakeholders and community members to be provided to CDO-Aboriginal for distribution to the AAC for comment before it is finalised and sent out.

Sally Cooper left the meeting at 11.53am

**Inwards Correspondence:**

Nil.

**Outwards Correspondence:**

Nil.

**General Business:**

**Business Arising from Notes of meeting held on 12 April 2019**

**GB4. Bridge-ing the Gap campaign to have the Aboriginal flag placed on the Harbour Bridge**

Rob advised he has followed up with the Mayor re the letter she received from the Bridging the Gap campaign to fly the Aboriginal flag on the Harbour Bridge. Six councils in NSW have agreed to place a petition in their council office. Mayor Milne was asking if she put up a Notice of Motion to have the petition at its council offices would the AAC support it. Cr Cherry advised that Mayor Milne hasn't had a chance to follow this up with the councillors. Item to be deferred to next meeting.

**Business Arising from Notes of meeting held on 12 April 2019**

**GB5. Community Reference Group for Smart, Small, Sustainable (SSS) Village Proposal, Wardrop Valley**

This item has been placed on hold until the Terms of Reference have been developed for the reference group.

**Moved: Victor Slockee**

**Seconded: Des Williams**

**RECOMMENDATION:**

**That once the Terms of Reference for the Community Reference Group for Smart, Small, Sustainable (SSS) Village Proposal, Wardrop Valley have been developed, they be referred to the Aboriginal Advisory Committee for consideration.**

**Business Arising from Notes of meeting held on 12 April 2019**

**GB6. Jack Evans Boat Harbour Update**

Cr Cherry advised that following discussion at the last AAC meeting, Council at its meeting on 17 April 2019 agreed to remove the land in Coral Street subject to Aboriginal Land Rights Claim from the Plan of Management for the Jack Evans Boat Harbour.

**GB7. Proposal for Temporary Outdoor Cinema Ebenezer Park**

Cr Cherry advised that the proposal for a temporary outdoor cinema in Ebenezer Park will be considered by Council at its next meeting.

**GB8. Future AAC Agendas**

Rob advised that at the June AAC meeting we might take the opportunity to workshop the AAC agendas for future meetings. Rob suggested questions surrounding items such as:

- Projects
- Council staff attendance
- Reporting on current Policies and Plans
- Aspirations for future AAC representatives
- Fostering links to young people in the Aboriginal community
- RAP - 6 to 8 months to go. Actions 85% achieved.
- Reporting by RAP Working Group.

**GB9. Reconciliation Week**

Council has partnered with 3SA, Headspace, New Horizons and the Family Centre for this year's Reconciliation Week event and have organised a comedy and trivia night. The event will be held on Wednesday 29 May at South Tweed Community Hall, with tables of 8 to 10 people. Councillors, Executive Leadership Team and AAC members will receive VIP invitations. Council will be allocated approximately 40-50 tickets. Rob advised that Council is financially contributing to the event in accordance with the RAP action item for Reconciliation Week.

**GB10. Tweed Coast Road - Gold Line Marking**

Rob advised he is working with Danny Rose regarding no parking line marking on Tweed Coast Road.

**Next Meeting:**

The next meeting of the Aboriginal Advisory Committee will be held Friday 7 June 2019.

The meeting closed at 12.45pm.

**EXECUTIVE LEADERSHIP TEAM COMMENTS:****GB5. Community Reference Group for Smart, Small, Sustainable (SSS) Village Proposal, Wardrop Valley**

Nil.

**EXECUTIVE LEADERSHIP TEAM'S RECOMMENDATIONS:****GB5. Community Reference Group for Smart, Small, Sustainable (SSS) Village Proposal, Wardrop Valley**

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**COUNCIL IMPLICATIONS:****a. Policy:**

Code of Meeting Practice.

Terms of Reference - Aboriginal Advisory Committee adopted 19 September 2013 (ECM3146605).



**b. Budget/Long Term Financial Plan:**

Not applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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