

**TWEED SHIRE COUNCIL
MEETING TASK SHEET**

Action Item - COUNCIL MEETING Thursday, 15 June 2017

Action is required for Item **41** as per the Council Resolution outlined below.

TITLE: [SUB-AAC] Minutes of the Aboriginal Advisory Committee Meeting held 5 May 2017

**Cr J Owen
Cr P Allsop**

RESOLVED that:

1. The Minutes of the Aboriginal Advisory Committee Meeting held 5 May 2017 be received and noted; and
2. The Executive Management Team's recommendations be adopted as follows:

A4. DA17/0102 40 Creek Street, Hastings Point

That, in relation to DA07/0102 Lot 156 DP 628026 40 Creek Street, Hastings Point, the:

1. Aboriginal Advisory Committee requests Council to advise the Applicant that an updated Aboriginal Cultural Heritage Assessment is required.
2. Aboriginal Cultural Heritage Assessment needs to align with the current proposal and the current legislative requirements in regards to consultation with the Aboriginal community.
3. Updated Cultural Heritage Assessment should include a site survey with a cultural heritage consultant and consultation with the same registered parties as reflected in the 2010 Cultural Heritage Assessment prepared by Everick.

GB1. NAIDOC Week 2017

That Council:

1. *Releases annual funding to the Tweed NAIDOC Committee via the auspicing organisation of \$2500 adjusted by CPI for NAIDOC Week celebrations 2017.*
2. *Releases annual funding to the Tweed NAIDOC Committee via the auspicing organisation of \$450 previously contributed to the Koori Kids initiative, which is not supported by the Aboriginal Advisory Committee.*

3. *Contribution of \$450 be used for the purchase of children's promotional material for distribution at NAIDOC Week celebrations 2017.*

The Motion was **Carried**

FOR VOTE - Unanimous

ABSENT, DID NOT VOTE: Cr K Milne

TITLE: [SUB-AAC] Minutes of the Aboriginal Advisory Committee Meeting held 5 May 2017

SUBMITTED BY: Community and Cultural Services



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- | | |
|-------|---|
| 2 | Supporting Community Life |
| 2.1 | Foster strong, cohesive, cooperative, healthy and safe communities |
| 2.1.1 | Work closely with government and community organisations to improve services to children and families, youth, elderly, Indigenous people, disadvantaged and minority groups and to build stronger and more cohesive communities |

SUMMARY OF REPORT:

The Minutes of the Aboriginal Advisory Committee Meeting held 5 May 2017 are reproduced in the body of this report for the information of Councillors.

RECOMMENDATION:

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REPORT:

The Minutes of the Aboriginal Advisory Committee Meeting held 5 May 2017 are reproduced as follows for the information of Councillors.

Venue:

Minjungbal Aboriginal Museum and Cultural Centre

Time:

10.10am

Present:

Des Williams (Tweed Byron Local Aboriginal Land Council representative), Jackie McDonald (Tweed Wollumbin Aboriginal Education Consultative Group representative), Leweena Williams (Tweed Aboriginal Corporation for Sport) (arrived at 10.20am), Desrae Rotumah (Tweed Aboriginal Co-operative Society), Marvette Logan (Australian Unity Home Care Services-North Coast Aboriginal Branch); Cr Reece Byrnes (Tweed Shire Council) (arrived at 10.15am).

Ex-officio:

Chantelle Howse, Robert Appo (Tweed Shire Council), Gabby Arthur (Tweed Shire Council) (Minutes).

Guests (in order of arrival):

Gary Kafoa (arrived at 10am); Aubrey Cora (arrived at 10am); Joanne Kay (Tweed Shire Council) (arrived at 10am); Sally Cooper (Tweed Shire Council) (arrived at 10.30am); Adrian Robins (Everick) (arrived at 10.38am); Boyd Sergeant (arrived at 10.38am); Dale Scotcher (arrived at 10.38); Colleen Forbes (Tweed Shire Council) (arrived at 11.30am).

Apologies:

Victor Slockee (Canowindra representative); Mayor Katie Milne; Tracey Stinson, Robyn Grigg (Tweed Shire Council)

Gary Kafoa and Aubrey Cora arrived at 10am

Joanne Kay arrived at 10am

In the absence of a quorum, the meeting proceeded as a discussion with notes being taken. It was noted that the AAC would not be able to make any recommendations/resolutions unless a quorum was achieved.

Business suspended for Item A2.

A2. Dance and Song Project LOS (Gary Kafoa and Aubrey Cora)

Gary Kafoa and Aubrey Cora were advised that the AAC were not able to make any recommendation as there is no quorum.

Cr Byrnes arrived at 10.15am

Quorum achieved at 10.15am.

Leweena Williams arrived at 10.20am

Robert advised the AAC that Gary and Aubrey are attending the meeting to advise the AAC of a dance-based project they are involved in which is being managed by Arts Northern Rivers. Council was approached to provide a letter of support for the project however that request was declined until the AAC was consulted.

Aubrey tabled a copy of the project proposal and advised that the funding submission has already been lodged.

The AAC noted the project and asked to be kept informed of the outcome of the funding and for longer term projects updates. The purpose of today's presentation is by way of informing the AAC of the project. No recommendation or resolution is required from the AAC.

Aubrey Kafoa and Gary Cora left the meeting at 10.32am

Robert introduced Cr Byrnes to the AAC and welcomed him to the meeting.

Chair: Des Williams

Moved: Desrae Rotumah

Seconded: Leweena Williams

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

Des Williams opened the meeting with a welcome to all present and paid respect to Elders past and present.

Minutes of Previous Meeting:

Moved: Jackie McDonald

Seconded: Desrae Rotumah

RESOLVED that the Minutes of the Aboriginal Advisory Committee meeting held Friday 10 March 2017 be accepted as a true and accurate record of the proceedings of that meeting with the exception that Item A3(b) on page 5 of 8 be amended to read:

'Jackie noted that the planning legislation is very complicated and she would like to have a better understanding of how it is used and the implications on Aboriginal heritage. Robyn offered to do a workshop with the AAC in relation to the planning legislation.'

Business Arising:

1. Public Arts Projects at Wommin Bay Road underpass Chinderah/Kingscliff and the roundabout at Alma Street, Murwillumbah

Robert advised that he has emailed a copy of the brief to the AAC. The AAC advised that they would also like to be provided with a hard copy.

Action: *CDO-Aboriginal to provide a hard copy of the proposal for the public arts projects at Wommin Bay Road underpass Chinderah/Kingscliff and the roundabout at Alma Street, Murwillumbah at the June meeting.*

Sally Cooper arrived at 10.30am

2. Committee Governance

Jackie advised that she and Glenda Nalder have signed the Member acknowledgement of Council's Code of Conduct on behalf of the Tweed Wollumbin Aboriginal Education Consultative Group and returned the signed copies to Council at today's AAC meeting.

3. Principles of Local Government

The Principles of Local Government document was tabled and handed out to the AAC.

4. Terms of Reference

Robert advised that he hasn't heard back from Bugalwena. Robert will be having a meeting at Bugalwena next week. Leweena suggested that Bugalwena Aboriginal Health Advisory Committee be approached and that they are having a meeting next week. The contact at Bugalwena Advisory Committee is Peter Honeyman.

Business Suspended for Item A4.

Adrian Piper, Dale Scotcher, Boyd Sergeant arrived at 10.38am

A4. DA17/0102 40 Creek Street, Hastings Point - Joanne Kay (Tweed Shire Council)

Jo advised that there has been a long history of development proposals at Lot 156 DP 628026 40 Creek Street, Hastings Point and the current proposal is for a 17 lot community title subdivision. Jo noted that the AAC was previously consulted during the initial Cultural Heritage Assessment dated February 2010 prepared by Everick for DA 15/0201 that has not been determined. Everick has now provided a statement of currency of the Cultural Heritage Assessment for this amended application. Jo advised Council has sought feedback from the Office of Environment and Heritage and has received advice back from this authority stating *the Aboriginal Cultural Heritage Assessment prepared by Everick in 2010 included fieldwork undertaken in 2007 and considered the potential impacts of a proposed subdivision layout different to the current proposal.*

Des Williams left the meeting at 10.55am

Leweena noted that the last site survey was carried out by Cyril Scott in 2007 and the AAC need to consider the recent Aboriginal Cultural Heritage identified in Hastings Point.

Action: *CDO-Aboriginal to provide AAC with a copy of the proposal for DA17/0102, site plan and letter from OEH dated 18 April 2017.*

Jo advised that the new application is a reduced footprint and that there will be some earthworks involved including introduced fill as the site is prone to flooding. Leweena advised there may be impacts downstream with that much fill coming in and asked whether it will affect Aboriginal Cultural Heritage sites within the creek or affect other cultural activities on the creek.

Leweena advised that the AAC needs to revisit the site because of the Aboriginal Cultural Heritage identified in the vicinity.

Jo advised she is seeking guidance from the AAC as to whether the assessment sufficiently addresses the new development proposal.

Moved: Leweena Williams

Seconded: Jackie McDonald

RECOMMENDATION that in relation to DA07/0102 Lot 156 DP 628026 40 Creek Street, Hastings Point:

1. the AAC requests Council to advise the Applicant that an updated Aboriginal Cultural Heritage Assessment is required.
2. the Aboriginal Cultural Heritage Assessment needs to align with the current proposal and the current legislative requirements in regards to consultation with the Aboriginal community.
3. the updated Cultural Heritage Assessment should include a site survey with a cultural heritage consultant and consultation with the same registered parties as reflected in the 2010 Cultural Heritage Assessment prepared by Everick.

Cr Byrnes left the meeting at 11.27am

A5. Terranora Broadwater Sewer Replacement - Sally Cooper (Tweed Shire Council)
Sally provided background of her previous attendance at the AAC and the nature of the works and inspection undertaken with TBLALC and Robert Appo. The proposed works are in close proximity to one of the middens.

Sally is seeking advice from the AAC in relation to cultural heritage so that she can report back to the engineer.

Colleen Forbes arrived at 11.30am

Sally advised that the existing trench could be excavated and then refilled as the pipe sits away from the midden and is eroding into the river. There is other cultural material along the footprint. The difficulty is how does Council upgrade the infrastructure but avoid harm to the cultural material.

Sally advised that the pipe would be a larger pipe but the engineer has advised that it should be in the first disturbance area as the head of the pipe is at the same height so there will be no extra disturbance.

Des advised that a monitor would be required on site if there is any ground disturbance to be done as it needs to be monitored.

Jackie advised that she feels that Council should be looking at how the whole area along the river can be protected into the future.

Action: *That Sally Cooper requests further advice from OEH regarding the proposed activity at the Terranora Broadwater Sewer Replacement and that the reply be provided to the Community Development Officer-Aboriginal for forwarding to the AAC.*

Sally Cooper left the meeting at 11.48am

A6. Adrian Piper (Everick)

(b) Cobaki Cultural Parks (Boyd Sergeant and Dale Scotcher attending) and (Colleen Forbes, Tweed Shire Council attending)

Boyd advised that they are attending today as a follow up from when they last presented to the AAC.

Boyd advised that through their redesign, the Cultural Heritage Parks have now been incorporated with the open space requirements and that the lots that were close to the cultural heritage area have now been removed. Boyd tabled some plans outlining the proposal.

Colleen requested that a workshop be held with all the stakeholders in relation to the Cultural Parks rather than it being discussed at the AAC. Council will be providing feedback to Leda and Planit in relation to open space and the Cultural Heritage Parks which may alter the design. A copy of the plans could be provided to each of the stakeholders at a future workshop.

Des advised that the AAC appreciates the updates. The AAC will go along with Colleen's suggestion that a workshop be held.

Dale Scotcher and Boyd Sergeant left the meeting at 12pm

(a) Cobaki Waste Water Treatment Plant (Colleen Forbes, Tweed Shire Council attending)

Adrian advised that Everick did not provide him with a copy of the Cultural Assessment for this project so he has printed out a google map and plan of the site. The area concerned is on Piggabeen Road near the golf driving range, with the golf driving range being the site for the WWTP.

Warren Phillips and Adrian did a site visit in October 2016. Adrian advised that no Cultural Heritage was found during the survey and that the site has been quite disturbed and it was unlikely that any cultural material would be present within the development area.

Adrian asked whether the AAC has any issues with the proposal.

Colleen provided some advice in relation to the developer connecting to its own sewerage system rather than using Council's sewerage system.

Action: *Colleen to provide to CDO-Aboriginal the link to the IPART website for the Licence Application for on-forwarding to the AAC members who may wish to make a submission in relation to the proposal. Submissions close on 24 May.*

Colleen Forbes left the meeting at 12.21pm

(c) 57 Crabbes Creek Road, Crabbes Creek

Adrian tabled the Cultural Heritage Assessment for 57 Crabbes Creek Road, Crabbes Creek prepared by Everick and dated February 2017.

Adrian provided an overview of the proposal and advised that the property owner is looking at building five dwellings in three areas as a 'shared development' arrangement. There is already a farmhouse and associated sheds on the property.

Adrian advised that he carried out a site inspection with Travis McDermott from the Local Aboriginal Land Council. The proposed development will not directly impact on the high ridge. Des attended a site inspection with Adrian and advised there is potential for a camp site in Zone 1 and the water run-off lends itself to the belief there were freshwater holes throughout the property. Des advised there are no bora rings or anything that is of high cultural significance, just the potential for a campsite. The applicant is looking at building two dwellings in Zone 1 with Adrian providing a copy of the plan for the dwellings which will be on piers. Des advised that he would like to be present for any land-scraping or excavation as there is a high possibility of artefacts just under the ground surface.

The AAC advised that Recommendation 1 in Everick's Cultural Heritage Assessment dated February 2017 fully sets out the AAC's requirements regarding site monitoring.

(d) 166 Chinderah Bay Drive, Chinderah

Adrian tabled the Aboriginal Cultural Heritage Assessment for 166 Chinderah Bay Drive, Chinderah prepared by Everick and dated May 2017. The proposed development is for a café and shop-top residence.

During investigations a site survey was undertaken with TBLALC and Jackie McDonald. There was no evidence in the form of disturbed surface scatter of shell or other cultural materials identified.

(e) 23 Tweed Coast Road, Hastings Point

Adrian tabled the Project Information Booklet for 23 Tweed Coast Road, Hastings Point prepared by Everick dated May 2016 and advised that Everick will be undertaking an assessment in the near future to consider the potential impacts of the project on Aboriginal Cultural Heritage.

(f) Kings Forest

Item withdrawn from Agenda.

Adrian Piper left the meeting at 12.46pm

Agenda Items:

LA1. Cultural Plan - Chantelle Howse (Tweed Shire Council)

Chantelle tabled the draft Cultural Plan and provided an update on the themes set out in the Plan and requested feedback from the AAC.

Leweena suggested that Tweed Shire is a 'green' shire and the community has fought for the uniqueness of the shire. The community does not want to be seen as a 'Gold Coast'.

Jackie suggested that on page 9 the heading be updated to read: 'Bundjalung Jugun - Bundjalung Country'.

Action: *Coordinator-Community Development to request CDO-Cultural Planner to discuss with Strategic Planners how they are addressing the unique qualities of the Tweed Shire.*

Chantelle requested the AAC to provide feedback in relation to the Cultural Plan by Friday 19 May 2017. The draft Cultural Plan will be going on public exhibition in mid-June 2017.

A1. Robert Appo (Tweed Shire Council)

(a) Terms of Reference

Item deferred to next meeting. Robert to email information to AAC.

(b) Reconciliation Action Plan (RAP)

Item deferred to next meeting. Robert to email information to AAC.

(c) Reconciliation Week

Item deferred to next meeting. Robert to email information to AAC.

(d) Paddle for the Planet

Robert has received a request for a Welcome to Country for the Paddle for the Planet event. Robert gave an overview of the event which commences at 9am on 3 June 2017 at Cudgen Creek. There is an invitation for all community members to participate. The AAC suggested that Aunty Maureen Logan or Kyle Slabb be nominated to perform the Welcome to Country.

Action: *CDO-Aboriginal provide to the details of Aunty Maureen Logan and Kyle Slabb to the organiser of the Paddle for the Planet event to perform the Welcome to Country.*

Incoming Correspondence

Nil.

General Business:

GB1. NAIDOC Week 2017

Moved: Leweena Williams

Seconded: Desrae Rotumah

RECOMMENDATION:

That Council:

1. Releases annual funding to the Tweed NAIDOC Committee via the auspicing organisation of \$2500 adjusted by CPI for NAIDOC Week celebrations 2017.
2. Releases annual funding to the Tweed NAIDOC Committee via the auspicing organisation of \$450 previously contributed to the Koori Kids initiative, which is not supported by the Aboriginal Advisory Committee.
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Next Meeting:

The next meeting of the Aboriginal Advisory Committee will be held Friday 2 June 2017.

The meeting closed at 1.05.

EXECUTIVE MANAGEMENT TEAM COMMENTS:

A4. DA17/0102 40 Creek Street, Hastings Point

Nil.

GB1. NAIDOC Week 2017

Nil.

EXECUTIVE MANAGEMENT TEAM'S RECOMMENDATIONS:

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COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice.

Terms of Reference - Aboriginal Advisory Committee adopted 19 September 2013 (ECM 3146605).

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.
