

**TWEED SHIRE COUNCIL  
MEETING TASK SHEET**

**Action Item - COUNCIL MEETING Thursday, 21 June 2018**

Action is required for Item **34** as per the Council Resolution outlined below.

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**TITLE: [SUB-AAC] Minutes of the Aboriginal Advisory Committee Meeting held Friday 6 April 2018**

**Cr J Owen  
Cr P Allsop**

**RESOLVED** that:

1. The Minutes of the Aboriginal Advisory Committee Meeting held Friday 6 April 2018 be received and noted; and
2. The Executive Leadership Team's recommendations be adopted as follows:

*A3. Repealing of Terranora Cobaki Broadwater Aboriginal Cultural Heritage Management Plan*

*That subject to investigations to determine that there will be no direct impact on the Memorandum of Understanding - Cobaki Broadwater Attachment G to the Terranora Cobaki Broadwater Catchment Management Plan, the Aboriginal Advisory Committee supports the repealing of the Terranora Cobaki Broadwater Aboriginal Cultural Heritage Management Plan.*

*A5. DA16/0852 No. 5 North Hill Court, Tanglewood*

*That subject to a satisfactory report being provided by the Tweed Byron Local Aboriginal Land Council, the Aboriginal Advisory Committee raises no objection to DA16/0852 No. 5 North Hill Court, Tanglewood and requests that a Tweed Byron Local Aboriginal Land Council monitoring officer be present during any ground disturbance.*

**GB3. Murwillumbah to Casino Railway**

*That the Aboriginal Advisory Committee:*

1. *Supports retaining the railway line between Murwillumbah and Casino for train or tram use for the future and to have the rail trail running alongside the track.*
2. *Requests that Aboriginal Cultural Heritage be a consideration in any rail trail corridor tender specifications.*

The Motion was **Carried**

**FOR VOTE - Unanimous**

**ABSENT. DID NOT VOTE - Cr R Byrnes, Cr C Cherry**

**TITLE: [SUB-AAC] Minutes of the Aboriginal Advisory Committee Meeting held Friday 6 April 2018**

**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 6 April 2018 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 6 April 2018 be received and noted; and
2. The Executive Leadership Team's recommendations be adopted as follows:

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***A5. DA16/0852 No. 5 North Hill Court, Tanglewood***

***That subject to a satisfactory report being provided by the Tweed Byron Local Aboriginal Land Council, the Aboriginal Advisory Committee raises no objection to DA16/0852 No. 5 North Hill Court, Tanglewood and requests that a Tweed Byron Local Aboriginal Land Council monitoring officer be present during any ground disturbance.***

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- 1. Supports retaining the railway line between Murwillumbah and Casino for train or tram use for the future and to have the rail trail running alongside the track.*
- 2. Requests that Aboriginal Cultural Heritage be a consideration in any rail trail corridor tender specifications.*

**REPORT:**

The Minutes of the Aboriginal Advisory Committee Meeting held Friday 6 April 2018 are reproduced as follows for the information of Councillors.

**Venue:**

Minjungbal Aboriginal Museum & Cultural Centre

**Time:**

9am

**Present:**

Jackie McDonald (Tweed Wollumbin Aboriginal Education Consultative Group representative), Victor Slockee (Canowindra representative), Desrae Rotumah (Tweed Aboriginal Co-operative Society representative), Mayor Katie Milne (Tweed Shire Council), Leweena Williams (Tweed Aboriginal Corporation for Sport representative) (arrived at 10am), Des Williams (Tweed Byron Local Aboriginal Land Council representative) (arrived at 10.15am).

**Ex-officio:**

Robyn Grigg, Robert Appo, David Burgener (Tweed Shire Council), Gabby Arthur (Tweed Shire Council) (Minutes).

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

Stewart Brawley (arrived at 9.57am) and Cr Chris Cherry (arrived at 10.00am) (Tweed Shire Council); Robyn Eisermann (Tweed Shire Council) (arrived at 10.23am); Tom Alletson (Tweed Shire Council) (arrived at 11.00am); David O'Connell (Tweed Shire Council) (arrived at 11.45am).

**Apologies:**

Marvette Logan (Australian Unity Home Care Services-North Coast Aboriginal Branch representative); Tracey Stinson, Chantelle Howse (Tweed Shire Council).

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.

**Agenda Items:**

**A1. Robert Appo (Tweed Shire Council)**  
**(a) 20 Year Commemoration of AAC**

Robert advised that a report was presented to Council at its meeting on 22 March 2018 acknowledging the 20 year commemoration of the AAC and Council resolved:

*That Council acknowledges the 20 Year dedicated commitment of service by the Aboriginal Advisory Committee and notes:*

1. *The significant achievements of the Aboriginal Advisory Committee and the contribution the committee makes by providing advice to Council to encourage and facilitate the development of the Tweed Aboriginal and Torres Strait Islander Communities in the Tweed Shire.*
2. *The commitment of the current and past members of the Aboriginal Advisory Committee and the organisations which they represent.*

3. *Councillor and Council staff contribution in assisting the Aboriginal Advisory Committee.*

Rob advised that the Aboriginal Statement of Commitment Policy has now been finalised and is ready to go to Council for consideration and recommendation that it be placed on public exhibition. Following the exhibition period, the Policy will go back to Council for adoption.

**Action:** *CDO-Aboriginal to email a copy of the draft Statement of Commitment Policy to the AAC.*

Stewart Brawley arrived at 9.57am  
Leweena Williams & Cr Chris Cherry arrived at 10.00am

Quorum Achieved at 10.00am

Rob advised that a Family Fun Day commemorating the achievements of the AAC over the past 20 years will be held during NAIDOC week on the afternoon of 10 July 2018 at Minjungbal Aboriginal Museum and Cultural Centre. Rob has discussed the proposal with the NAIDOC Committee which is supportive of the event. A timeline of achievements over the past 20 years is being prepared using historical newspaper articles involving Council and the AAC, and these articles may be turned into a small publication.

**(b) Reconciliation Action Plan (RAP) Launch - May 2018**

Council's Reconciliation Action Plan (RAP) was scheduled to be launched on 22 March 2018 however this date had to be rescheduled due to Councillor workshops. The RAP will now be launched during Reconciliation Week on 30 May 2018.

Council is partnering and cost sharing with other local RAP organisations to host a joint Reconciliation Week community screening of the movie 'Sweet Country' by Warwick Thornton at Hoyts Cinema at Tweed City on 30 May 2018. The film has not been picked up by the major cinemas in Australia and the RAP organisations will be advocating for the cinema to show the film independently. Rob is currently liaising with Warwick Thornton inviting him to participate in a Q&A following the screening. Council's RAP will be launched at a venue within Tweed City prior to the film screening.

Rob advised that some edits were required to be made to the RAP following the departure of Liz Collyer and involved allocating areas of responsibilities to Directors and Senior Managers within the organisation. Council is now awaiting approval from Reconciliation Australia to the edits and then the RAP will be printed ready for the launch.

**Chair:** Victor Slockee

**Moved:** Desrae Rotumah

**Seconded:** Jackie McDonald

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

Victor Slockee opened the meeting with a welcome to all present and paid respect to Elders past and present.

**(c) Introduction of Matt Donovan & Kristy Swain (NSW Aboriginal Affairs)**

NSW Aboriginal Affairs officers were not present at the meeting.

**Agenda Items:**

**A2. Jack Evans Boat Harbour Plan of Management - Feedback (Cr Chris Cherry and Stewart Brawley, Tweed Shire Council)**

Stewart provided an update and confirmed that a workshop will be held with the AAC which will include a site visit and the opportunity to revisit the plans and drawings for Goorimahbah to assess whether the information is still relevant or whether the AAC would prefer to discuss other options. The AAC agreed that a separate half day workshop would be the best way forward and requested Robert to arrange a date and advise the AAC.

**Action:** *CDO-Aboriginal to arrange a workshop between the AAC and Manager Recreation Services (Stewart Brawley) regarding the Jack Evans Boat Harbour Plan of Management and Goorimahbah before the end of April 2018 and to advise the AAC members.*

Stewart advised that a Council Planner will be assigned to the Plan of Management specifically including engagement and it is hoped that the officer will attend the workshop. It is desirable that the plan for Goorimahbah be in place before engaging with the community regarding the Plan of Management.

Des Williams arrived at 10.15am

**Naming of Kingscliff Foreshore Park**

On 15 February 2018, Council resolved to:

1. *Adopts the name "Rowan Robinson Park" for the new foreshore redevelopment park.*
2. *The RSL be requested to prepare a plaque for installation in the Park.*
3. *An acknowledgement of the local aboriginal clan also be provided.*

The acknowledgement of Goodjinburra could be in the form of interpretative signage or informative panels, plantings, a cultural story about Cook Island looking from the viewing platform, Aboriginal names for cabins within the caravan park or for shade structures.

Stewart suggested that during the Goorimahbah workshop, that the Goodjinburra acknowledgement also be looked at and that the AAC's ideas be discussed.

Cr Cherry advised 51 different submissions were received for the naming of the park and that Goodjinburra received the second highest number of votes.

**Action:** *CDO-Aboriginal and Manager Recreation Services to ensure that discussion regarding Aboriginal acknowledgement of Goodjinburra in Rowan Robinson Park be held during the Goorimahbah workshop.*

Robyn Eisermann arrived at 10.23am  
Stewart Brawley left the meeting at 10.27am

### **A3. Repealing of Terranora Cobaki Broadwater Aboriginal Cultural Heritage Management Plan - Robyn Eisermann (Tweed Shire Council)**

Robyn advised that the Terranora Cobaki Broadwater Cultural Heritage Management Plan (TCBACHMP) has been superseded by the Shire Wide Aboriginal Cultural Heritage Management Plan and she is seeking a resolution from the AAC regarding repealing the TCBACHMP. Robyn advised that it is her opinion the Shire Wide Aboriginal Cultural Heritage Management Plan is superior to the TCBACHMP as it has captured more details in relation to Aboriginal Cultural Heritage. The other option is to exclude Terranora Cobaki Broadwater from the Shire Wide Aboriginal Cultural Heritage Management Plan however Robyn feels this would not be the best outcome as there would then be two different plans and processes.

Jackie enquired whether the Memorandum of Understanding - Terranora Cobaki Broadwater Attachment G to the Terranora Cobaki Broadwater Catchment Management Plan prepared by National Parks and Wildlife approximately 10 years ago would need to be updated as a result of the repealing of the TCBACHMP. Jackie advised the Memorandum of Understanding was prepared as a result of the concerns of the Aboriginal community regarding developments and Aboriginal Cultural Heritage values.

Tom Alletson arrived at 11.00am

Tom Alletson was asked whether he was aware of the Memorandum of Understanding and he advised that it was a written agreement to do works but nothing came of it so repealing of the TCBACHMP will not have an effect on the Memorandum of Understanding.

**Moved:** Des Williams

**Seconded:** Desrae Rotumah

#### **RECOMMENDATION:**

That subject to investigations to determine that there will be no direct impact on the Memorandum of Understanding - Cobaki Broadwater Attachment G to the Terranora Cobaki Broadwater Catchment Management Plan, the Aboriginal Advisory Committee supports the repealing of the Terranora Cobaki Broadwater Aboriginal Cultural Heritage Management Plan.

Robyn advised that under the Shire Wide Aboriginal Cultural Heritage Management Plan, Council will be taking precautionary action in the predictive areas. Any registered sites have been put into the 'known' layer and any predictive sites are under the 'predictive' layer.

**Action:** *Robyn Eisermann to provide the Summary Table of Submissions received to the Shire Wide Aboriginal Cultural Heritage Management Plan to the AAC members.*

**Action:** *Robyn Eisermann to work with Tom Alletson regarding Memorandum of Understanding - Cobaki Broadwater, Attachment G in the Terranora Cobaki Broadwater Catchment Management Plan and to provide information to the AAC by email asap as this may affect the resolution above.*

During the meeting, Mayor Milne looked up Attachment G and advised that the Memorandum of Understanding has now expired. Tom confirmed that there will be no

effect on the Terranora Cobaki Broadwater Catchment Management Plan by repealing the Terranora Cobaki Broadwater Aboriginal Cultural Heritage Management Plan.

Robyn Eisermann left the meeting at 11.19am

#### **A4. Tweed River Estuary Management Plan - Tom Alletson (Tweed Shire Council)**

Tom provided a brief update on Tweed River Estuary Coastal Management Plan (TRECMP) project and reminded the AAC that he attended an AAC meeting in 2016 and discussed how the cultural significance of the river will be incorporated into the TRECMP. There is a strong message that cultural fishing is important to the community.

A draft of the Tweed River Estuary: Coastal Management Plan 2018-2028 has now been prepared. An acknowledgement of the Aboriginal community will be included at the beginning of the document. The TRECMP includes some actions which relate to the Aboriginal community.

One of the primary objectives of the Plan is to try to maintain the environmental quality of the river including the ecosystems, vegetation, quality of water and aquatic life by seeking to sustain the environment and giving Aboriginal cultural practices the best opportunity to continue.

One of the actions is to involve representatives of the Aboriginal community in implementation of the Plan to ensure their values are prioritised appropriately. Tom is seeking advice from the AAC as to how this can be done and noted that under the Shire Wide Aboriginal Cultural Heritage Management Plan there are now a new layer of approvals that Council needs to obtain relating to Aboriginal cultural. This action reiterates that when Council is undertaking a program of works the Aboriginal community will have a view of those works, and it would be good if the Aboriginal community could work with Council.

Rob advised that through the Reconciliation Action Plan (RAP) there are opportunities for Council to look at local employment initiatives and procurement opportunities for Aboriginal business. Robyn advised that Council needs to have internal checklists in place to ensure it has picked up on things and are incorporating them in its practices.

Tom anticipates the draft will be out on public exhibition in June and advised that he is happy to come back to the AAC and do a more formal presentation. The AAC agreed that they would like Tom to come to the AAC meeting in June.

**Action:** *CDO-Aboriginal to invite Tom Alletson to the AAC meeting in June to do a formal presentation on the Tweed River Estuary: Coastal Management Plan 2018-2028.*

Tom provided a heads up to the AAC that there is a cluster of eight memorials for deceased people at Hastings Point just below the headland. Some of the memorials are brass plaques attached to rocks and some consists of spray painting on natural rocks. A policy addressing this issue has been developed and is about to go out on public exhibition in the next few weeks. The purpose of the policy is to inform the community that it is not appropriate for memorials to be placed in the natural environment and that they will be removed. There will be a process where community members can make an application to Council. Des advised that the point of Hastings Point is a sacred site and



the rock is eroding. Additional visitations to the site will cause further erosion and will destroy the Aboriginal site. Leweena advised that there is also a memorial across the Bay at Kerosene Inlet. Tom invited the AAC to make a submission in relation to the draft Policy.

David O'Connell arrived at the meeting 11.45am

Tom Alletson left the meeting at 11.47am

Leweena Williams left the meeting at 11.48am

**A5. DA16/0852 No. 5 North Hill Court, Tanglewood - David O'Connell (Tweed Shire Council)**

David advised an application has been lodged for the erection of a dwelling house, shed extension, and use of an existing structure for a secondary dwelling at 5 North Hill Court, Tanglewood. The application was referred to Council which resolved that it be referred to the AAC to investigate Aboriginal Cultural Heritage. An inspection was done with a Tweed Byron Local Aboriginal Land Council (TBLALC) officer on 22 March 2018 however the report hasn't yet been received. Des advised that he previously did an inspection of the site with Ian Fox and it wasn't a significant site and there wasn't any artefact scatter on the site.

Council has specifically requested any comments and a recommendation from the AAC regarding the Application. The AAC may consider providing a recommendation subject to the TBLALC report.

**Moved:** Des Williams

**Seconded:** Desrae Rotumah

**RECOMMENDATION:**

That subject to a satisfactory report being provided by the Tweed Byron Local Aboriginal Land Council, the Aboriginal Advisory Committee raises no objection to DA16/0852 No. 5 North Hill Court, Tanglewood and requests that a Tweed Byron Local Aboriginal Land Council monitoring officer be present during any ground disturbance.

David O'Connell left the meeting at 12.00pm

**General Business:**

**GB1. Elizabeth Street, Pottsville**

Rob advised that Council is currently carrying out work in Elizabeth Street, Pottsville. During the early stages of planning for the road realignment and footpath, Council Environmental Planners decided to undertake a full Cultural Heritage Assessment and applied for an AHIP. Two weeks ago there were monitors on site when an in situ midden was identified resulting in a stop work order. Office of Environment & Heritage will be undertaking a site inspection and another round of assessment next week. Des noted that an AHIP must be questioned by the Aboriginal community every time one comes up as it doesn't always cover the whole area involved. This is an example that even in a disturbed area, there can be significant Aboriginal Cultural Heritage present.

Jackie advised that she feels there are some developments in Pottsville and Hastings Point that may need to be reinvestigated.

## **GB2. Tweed Wollumbin Aboriginal Education Consultative Group (TWAECG) Delegates**

Jackie advised that the TWAECG alternate delegate, Glenda Nalder will be resigning from the position. Formal notification will be provided to Council following the TWAECG meeting.

### **Minutes of Previous Meeting:**

**Moved:** Des Williams

**Seconded:** Desrae Rotumah

**RESOLVED** that the Minutes of the Aboriginal Advisory Committee meeting held Friday 2 February 2018 be accepted as a true and accurate record of the proceedings of that meeting.

### **Business Arising:**

#### **Business Arising from meetings held on 4 August 2017, 1 September 2017 and 3 November 2017**

##### **BA1. Complying Development Issue**

Rob advised that this letter hasn't yet been sent to the SEPP Team at the Department of Planning NSW however he is scheduling some time to draft the letter with Denise Galle. Rob will bring a copy of the letter to the next meeting.

**Action:** *CDO-Aboriginal to schedule time with Denise Galle to prepare letter to the SEPP Team at the Department of Planning NSW and to provide a copy of the letter at the next AAC meeting.*

### **Inwards Correspondence**

#### **IC1. NSW Fisheries Pilot Project**

Council received an undated letter from Department of Primary Industries regarding a meeting to be held on 21 March 2018. This meeting was attended by some of the AAC members and a further meeting is being scheduled.

Leweena Williams arrived at 12.30pm

#### **IC2. Lara Bennett re Yoga at Possums Community Preschool**

Lara Bennett and Possums Community Preschool are developing a yoga program with cultural elements. Lara Bennett and Deidre Currie would like to attend an AAC meeting to obtain endorsement of the cultural content. Leweena advised that the yoga program has already commenced. The AAC requested that Rob send an email to Lara advising this isn't something the AAC normally considers as part of its business and if further endorsement is required, she should contact the Aboriginal community and Elders.

**Action:** *CDO-Aboriginal to send letter to Lara Bennett advising the request is not something the AAC would normally consider as part of its business and if further endorsement is required, she should contact the Aboriginal community and Elders.*

### **Outwards Correspondence:**

Nil.

## Resumption of General Business

### **GB3. Murwillumbah to Casino Railway**

Discussion in relation to use of the Murwillumbah Casino Railway line as dual use, ie tram or train with the rail trail running alongside the existing track.

**Action:** *CDO-Aboriginal to invite Director Engineering (David Oxenham) to attend the next AAC meeting to update the committee regarding the rail trail.*

**Moved:** Jackie McDonald

**Seconded:** Desrae Rotumah

#### **RECOMMENDATION:**

That the Aboriginal Advisory Committee:

1. Supports retaining the railway line between Murwillumbah and Casino for train or tram use for the future and to have the rail trail running alongside the track.
2. Requests that Aboriginal Cultural Heritage be a consideration in any rail trail corridor tender specifications.

### **GB4. Certificates of Appreciation**

Mayor Milne and Cr Cherry presented Certificates of Appreciation to the AAC members acknowledging the achievements of the AAC over the past 20 years. Mayor Milne also acknowledged the AAC's commitment and dedication to working with Council over the past 20 years.

On behalf of the AAC, Victor and Leweena thanked Council for its connection and support. Leweena advised that at the Aboriginal Land Council meetings, they discuss the achievements of the AAC. There are a few Aboriginal Land Councils in the NOROC region who have limited interaction with their local councils. It was noted that Rob is the only CDO-Aboriginal in the NOROC region.

The AAC suggested that Mayor Milne and the General Manager could make NOROC aware of the achievements of the AAC over the past 20 years. Mayor Milne suggested that the next time the NOROC meeting is held in the Tweed, that the AAC be invited to come along to the meeting.

**Action:** *CDO-Aboriginal to work with Mayor and General Manager to arrange for AAC members to be invited to the next NOROC meeting held in Tweed Shire.*

A photograph was taken of the AAC members present at the meeting with the Certificates of Appreciation. Robyn advised that a media release will be issued celebrating the 20 years.

#### **Next Meeting:**

The next meeting of the Aboriginal Advisory Committee will be held Friday 4 May 2018.

The meeting closed at 1.12pm.

**EXECUTIVE LEADERSHIP TEAM'S COMMENTS:****A3. *Repealing of Terranora Cobaki Broadwater Aboriginal Cultural Heritage Management Plan***

**Nil.**

**A5. *DA16/0852 No. 5 North Hill Court, Tanglewood***

**Nil.**

**GB3. *Murwillumbah to Casino Railway***

**Nil.**

**EXECUTIVE LEADERSHIP TEAM'S RECOMMENDATIONS:****A3. *Repealing of Terranora Cobaki Broadwater Aboriginal Cultural Heritage Management Plan***

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**A5. *DA16/0852 No. 5 North Hill Court, Tanglewood***

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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.

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