

Date: 24 August 2020	Time: 7:30 - 9:00am	Venue: Fort Scratchley Function Centre
Meeting No: 11	Committee Minutes	

Attendance [alphabetically]

Committee Members:

Cheryl Kitchener - Department of Aboriginal Affairs NSW
 Daryn McKenny- Miromaa ALTC
 Luke Russell - Wylaa Buuranliyn
 Robert Russell - Awabakal LALC
 Andrew Smith – Worimi LALC
 Cr Peta Winney-Baartz, CN

CN staff attendees:

Ashlee Abbott - Manager Corporate and Community Planning
 Lillian Eastwood - Guraki Facilitator
 Petria Jukes - Community Planning & Development Manager
 Brett Smith - Director Strategy and Engagement
 Tom Smith – Heritage Planner

Apologies:

David Clarke – Director Governance
 Maree Edwards - Community Representative
 Raylene Gordon – Awabakal Ltd
 Cr Emma White – CN

Meeting Item	Action, Responsibility
1. Open meeting Meeting opened at 7:50am.	L Russell Deputy Chair For noting by all
2. Acknowledgement Luke Russell provided Acknowledgement of Country. Minute silence observed	L Russell
3. Apologies Apologies as noted above.	For noting by all
4. Declaration of Pecuniary and Non-Pecuniary Interest No declarations or conflict of interest noted.	For noting by all
5. Adoption of Previous Minutes 5.1 Minutes – 2 March 2020 MOTION Moved by L Russell, seconded by A Smith Minutes adopted. <i>Carried.</i>	For noting by all
6. Business Arising from the Minutes 6.1 Flagpole (Item 6.2) Response was previously provided regarding SEPP requirements and general information can be found on Council website.	R Russell <i>Action: B Smith to provide information to Awabakal LALC</i>

<p>7. Items</p> <p>7.1 Guraki Committee – Update/Discussion</p> <p>7.1.1 Formulation of MOU between Guraki and CN detailing operating procedures & guidelines.</p> <p>Rob Russell, Luke Russell, and Andrew Smith recently met with David Clark and Brett Smith to work towards developing a mutual agreement document.</p> <p>L Russell advised that it is an ongoing process with a series of meetings to consider the following points (L Russell's notes below):</p> <ul style="list-style-type: none"> • What does CN want from Guraki? • What does Guraki want from CN? • How does CN walk with Guraki to understand/embed cultural governance? • How do we resolve issues when they arise? • Be clear on the level of engagement – which things, which triggers, and what not? • Map out what cultural governance means – for Guraki (so we understand and can respect it) and for CN. • Clarify when CN takes things to – Guraki? Individuals LALCs? Community? • Rather than Guraki needing to review/input into every relevant strategy/policy/major project (just not practical, nor necessary) – set an overarching, higher order framework which then up to CN to embed, with Guraki monitoring how we are going. • Agreement to define/clarify 'our way' – how CN and Guraki work together (not a MoU which says this is what CN will do, and this is what Guraki will do) <p>Our intention is to develop a formal agreement statement that is recognised and ratified by Council. It is also proposed that the document be written in local languages first, then interpreted into its English form. To enable this process a consultant needs to be engaged, this suggestion has been raised with CN.</p> <p>A closed committee discussion for Items 7.1.2 Restructure of Guraki to align with Aboriginal traditional governance structure and 7.1.3 Update the terms of committee service/operating guidelines.</p>	<p>L Russell A Smith R Russell</p> <p>For noting by all – Items 7.1.2 and 7.1.3 no discussion notes taken.</p>
<p>7.2 Ancestral Remains Repatriation – Updates</p> <p>7.2.1 Awabakal ancestral remains held in the Australian Museum include seven skulls taken in 1882 by Major Bolton from the corner of Newcomen and Hunter Street, Newcastle. Australian Museum have offered to return them. Awabakal LALC's applied to the Newcastle Port Community Contribution Fund for \$98,200, and were successful, to construct a final resting place in Enterprise Park (the preferred site).</p> <p>There will be a process of community consultation to determine the appropriate protocols, and other logistics to work through with relevant authorities to transport the remains, secure the site, undertake the re-burial and construction of a memorial structure. The Lord Mayor has provided a letter of support/consent which is a requirement for finalising the deed of agreement. Date considered for interment is 13 February 2021.</p> <p>7.2.2 Assistant Director, Indigenous Repatriation, Federal Office for the Arts has advised Awabakal LALC that a formal 'Agreement To Return' a set of Aboriginal ancestral remains has been negotiated with a</p>	<p>R Russell (Briefing notes were circulated with the meeting's business papers).</p>

<p>museum in Saxony, Germany. The remains were taken from Newcastle in 1902 and auditioned off in London, before ending up in Germany. Logistics for the return and re-burial need to be determined and discussion are on-going. It is intended that there will be a celebration, as well as private and respectful interment.</p> <p><i>Discussion points:</i></p> <ul style="list-style-type: none"> • Need to ensure traditional funeral protocols are followed. L Russell provided some information on what those practice may include. • A public notice will seek expressions of interest from relevant parties who have local traditional knowledge of the appropriate cultural practices to follow. • Process will be driven by the Awabakal LALC as a first point of reference, but decisions will be guided by the wider community. • Need to consider how we determine who has the relevant cultural knowledge of and responsibility to conduct the traditional practice/s required. • Need to consider where remains are to be kept when received prior to interment at Newcastle. 	
<p>7.3 NOM – Renaming City Buildings and Other Items - Update</p> <p>Cr Winney-Baartz provide background regarding the drafting of a Notion of Motion, tabled at Council on 28 July 2020. The intent was to have a whole of committee discussion, however before Guraki could convened another foreshadow motion on the removal of Civic Park Fountain plaques was also being tabled. Cr Winney-Baartz contacted L Russell who provided advice and a supporting letter (Attachment A). Council resolved to work with Guraki and community to develop a clear statement, policy, procedures that reflect correct process for addressing future matters/requests.</p> <p><i>Discussion points:</i></p> <ul style="list-style-type: none"> • Some caution is needed when considering the renaming of infrastructure, public artworks, etc. Historical facts are important, and most are credible, reliable, and reflect a truth. This validity should be maintained in the decision-making process. • Need a document that allows Council to be guided by the process that has a clear set of criteria for assessment. Where additional clarifications or verification of information is required, advice could then be sought from the committee. • Council has internal policies and procedures in place that have similar requirements and decision-making processes, and these could inform this action. 	<p>Cr P. Winney-Baartz (NOM was disseminated with the meeting's business papers).</p>
<p>7.4 CN Committee Representation – Updates</p> <p>7.4.1 Bathers Way Community Reference Group (CRG) – City Taskforce COVID-19 Action Team – Coastal Planning Working Group – Heritage Working Party – Ocean Baths CRG.</p> <p>R Russell advised due to his positions as Chair and CEO Awabakal LALC he has been invited to participate as a community representative on committees of Council. All documents pertaining to those committees are readily available to Guraki members.</p> <p>L Russell recommended that Members in attending such meetings should accordingly provide an update at the following Guraki meeting.</p>	<p>R Russell</p>

<p>7.4.2 GAAC Public Art sub-committee – Doma Group ‘The Store’ development; and Catalyst/Thirdi Group - ‘Stella on Hannell’ and ‘Eaton on Union’ developments at Wickham.</p> <p>Meetings were convened with both developers and design concepts have been agreed upon.</p> <ul style="list-style-type: none"> • Catalyst main site will be a modern interpretation of Lycett's painting of the Corroboree (mural 100sq metres), with the smaller site having five individual panels (in total 90sq metres) Artwork on small panels will be a representation of regional mobs coming together for ceremony. Artists have been shortlisted, and a 'Request for Tender' document drafted and finalised. • Doma have engaged Illuminart consultants to deliver a digital lighting display. Evis Heath has been engaged as the Aboriginal artist to work with Illuminart. The design concept is based on Aboriginal ideology of balance, which encapsulates the relational aspects of traditional life such as dark/light, male/female, night/day, freshwater/saltwater, etc. There will be two static sculptures that will be placed on two sides of the building attached to the colonnade ceiling that will meet at a focal point where the digital display will be housed. 	<p>L Russell</p> <p>(Doma/Illuminart document with initial design concept was disseminated with the meeting's business papers)</p>
<p>7.5 Draft CN Heritage Strategy</p> <p>Tom Smith provided an overview of the strategy focusing on three key questions to be considered by the Committee:</p> <ol style="list-style-type: none"> 1. How will the strategy improve the City's management of Aboriginal Cultural Heritage? 2. How will Guraki be involved in decisions which implement the tasks of the Action table? 3. Any significant gaps/weaknesses in the draft strategy to be improved? <p><i>Key points and discussion:</i></p> <ul style="list-style-type: none"> • A working party was established and both R Russell and L Russell are members of this group. • Almost all areas of CN have a level of responsibility for the delivery of the Heritage Strategy. • Strategy will build upon CN staff knowledge and understanding of Aboriginal heritage, strengthen the 'due diligence' process, and recognise important cultural practices and historical facts. • Important for Guraki to determine how the committee might engage in the decision-making processes on key tasks identified within the strategy that are targeted for Aboriginal heritage outcomes, cultural input and/or advice. • Similar process discussed at Item 7.3 should be the basis for committee consultation and advice. A framework with a clear set of criteria will need to be determined and drafted. 	<p>T Smith Heritage Planner</p> <p>(Draft Heritage Strategy was disseminated with the meeting's business papers).</p> <p><i>Action: Members to review final draft and forward comments to T Smith</i></p>
<p>8. Other Business</p> <p>8.1 Place Naming</p> <p>Carried over.</p>	<p>For noting by all</p>
<p>8.2 Stockton Beach Cabins</p> <p>Evident that CN is continuing with development of the site to have cabin permanently installed. Believe that CN have engaged an archaeologist to conduct an Aboriginal Heritage Assessment. Worimi LALC had been working in partnership with CN on an application to</p>	<p>A Smith</p>

<p>have the site registered as an 'Aboriginal Place' with the intent to protect the site from damage. Middens and artefacts have been disturbed and removed from site during this development. Worimi LALC has lodged an AHIP with an interim protection order.</p> <p>Guraki is participating in good faith with CN to re-establish more efficient communication processes with local Aboriginal communities. It is important that Members are aware of current CN engagement practices.</p>	
<p>9. Next Meeting Date: Tuesday 6 October 2020 Time: 4pm Venue: 12 Stewart Ave</p> <p>Closed meeting at 9:15am</p>	<p>L Eastwood</p>

Attachment A – Guraki Support Letter Item 7.3