

MINUTES OF MEETING



ARAKWAL MEMORANDUM OF UNDERSTANDING ADVISORY COMMITTEE MEETING

Venue	Arakwal Room, Byron Bay Library
Date	Wednesday, 25 May 2016
Time	10.00am

BYRON SHIRE COUNCIL

ARAKWAL MEMORANDUM OF UNDERSTANDING ADVISORY COMMITTEE MEETING
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Minutes of the Arakwal Memorandum of Understanding Advisory Committee Meeting held on Wednesday, 25 May 2016

File No: I2016/529

PRESENT: Cr S Richardson (Mayor), Cr P Spooner

Staff: Sarah Ford (Manager Community Development)
Belle Arnold (Indigenous Projects Officer)
Catherine Knight (Coastal and Estuary Officer) Item 6.1 only
Ben Grant (Planner) Item 6.2 only
Chris Larkin (Planner) Item 6.2 only
Lisa Brennan (Minute Taker)

Committee: Gavin Brown, Annette Kelly

Apologies: Delta Kay, Judy Kay

Cr Spooner opened the meeting at 10.12am and acknowledged that the meeting was being held on Bundjalung Country.

APOLOGIES:

There were apologies received from Delta Kay and Judy Kay.

DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

There were no declarations of interest.

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

Committee Recommendation:

That the minutes of the Arakwal Memorandum of Understanding Advisory Committee Meeting held on 1 March 2016 be confirmed. (Spooner/Brown)

The recommendation was put to the vote and declared carried.

BUSINESS ARISING FROM PREVIOUS MINUTES

Belle to follow up on the Whale Trail which was listed in 1 March agenda, but not discussed.
Jane Laverty to attend the next meeting to discuss Byron Bay Town Centre Masterplan.

STAFF REPORTS - CORPORATE AND COMMUNITY SERVICES

Report No. 5.1 **Clarke's Beach Midden Update**
File No: I2016/41

Committee Recommendation 5.1

That the Arakwal Memorandum of Understanding Advisory Committee:

1. Note the progress on this matter.

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2. Recommend that branches of Council who are working on the wetlands listed in the MoU, infrastructure services and the Byron Bay Town Centre Masterplan consider how these projects relate to each other for best outcome. (Spooner/Richardson)

The recommendation was put to the vote and declared carried.

Report No. 5.2 **NAIDOC Week 2016**
File No: I2016/474

Committee Recommendation 5.2

That the Arakwal Memorandum of Understanding Advisory Committee note the progress on planning for NAIDOC Week 2016. (Spooner/Brown)

The recommendation was put to the vote and declared carried.

Report No. 5.3 **Road naming Proposal - Gali Lane**
File No: I2016/483

Committee Recommendation 5.3

That the Arakwal Memorandum of Understanding Advisory Committee:

1. Recommend to Council that the renaming of Lane 8 to Gali Lane not proceed.
2. Request the Arakwal Corporation to provide some Arakwal Bundjalung names as suggestions for the renaming of Lane 8, in line with Council operational deadlines.
3. Request that Council staff involved in the maintenance of the names register be invited to a meeting to discuss the name choosing process. (Brown/Richardson)

The recommendation was put to the vote and declared carried.

Report No. 5.4 **Indigenous Projects Update March - May 2016**
File No: I2016/486

Committee Recommendation 5.4

That the Arakwal Memorandum of Understanding Advisory Committee note the provision of key cultural projects in the Indigenous Community. (Richardson/Brown)

The recommendation was put to the vote and declared carried.

OTHER BUSINESS

6.1 CZMP Consultation

Catherine Knight addressed the Committee and advised that the Coastal Zone Management Plan is on exhibition until 14 June, information provided on Council's website with a link from the main page. The Plan is in five parts – section a) overarching, legislative, section b) coastal hazards

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(Belongil and Main Beach), section c) community uses (including Aboriginal heritage and cultural issues which the Arakwal Corporation provided input for), section d) ecological, and section f) emergency plan which covers the whole coastline.

Catherine read the Vision Statement and then circulated a map showing formalisation of rock walls at Belongil and smoothing alignment of Main Beach, removal of groynes and a seawall feature adjacent to the park. Formal access to the beach required for emergency vehicles. It is not known at this stage what will be done in relation to foreshore walkways, etc. which may come from the Byron Bay Town Centre Masterplan. Catherine provided flyers explaining the exhibition process to Gavin for distribution.

Gavin requested an extension of the submission period for the Arakwal Corporation, as their Board meeting is not until 17 June but Catherine advised that the exhibition period is statutory and it may not be possible to allow a submission past the closing date.

Belle requested that Catherine contact the Tweed Byron Aboriginal Land Council to advise of the exhibition period and provide information to them.

6.2 Planning Matters

- Ben Grant and Chris Larkin addressed the Committee on a DA for a 12m x 4m swimming pool in the Pavillions Resort at Broken Head. The application was referred to the Office of Environment and Heritage who have asked for an Aboriginal Cultural Assessment/Study to be done. The concern is the depth of dune soil, may uncover relics during excavation. Gavin advised that the Arakwal Corporation suggest that the Heritage Assessment is not required, however careful management of the site during excavation is recommended, with suitably qualified people present during the initial construction works from either Arakwal Corporation or a qualified archaeologist.
- DA for a swimming pool in McGregor Street, Suffolk Park, which backs onto Taylors Lake and the nature reserve, and has same issue as the application above, ie. concerns with excavation. Chris will ask relevant Planner to contact Gavin to discuss (Chris Larkin suggests similar conditions to the Pavillions Resort swimming pool, above, be adopted).
- Mapping of sites of significance – no budget to do work internally, still waiting for outcome of grant submitted in December. If application is not successful Belle advised she would apply again.
- Byron Bay Bypass – no response received from Arakwal or NTSCORP; Gavin to speak with Chris about this.
- Quarry – Chris advised he is attending another hearing in Sydney tomorrow. The applicants appealed recent judgment, this is a preliminary hearing and another hearing may result from this.

6.3 Department of Aboriginal Affairs

Ken McIntosh from the Department of Aboriginal Affairs did not attend the meeting.

Belle advised that Jali Land Council have requested to be consulted more on developments within Byron Bay. Gavin advised this was not appropriate, Belle to let Council staff know this.

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6.4 Council Staff Reconciliation Awards

There was discussion regarding the introduction of Council staff reconciliation awards.

Committee Recommendation 6.4

That Chris Larkin be nominated for a Reconciliation Award due to his availability, diligence, and encouragement to other staff to work with the Arakwal Corporation on planning matters.

(Spooner/Brown)

The recommendation was put to the vote and declared carried.

6.5 Sovereignty Group

Annette asked if Belle had been approached by this group. Belle advised that she was contacted regarding the "Recognise" Campaign/referendum and advised the enquirer that it was a political matter, not for staff comment. Annette advised that concerns had been raised about this group's intent after a representative from the group made a public announcement at a State wide Native Title Conference (with approximately 130 people attending).

6.6 Next meeting

Wednesday 24 August in the Arakwal Room, commencing at 10.00am.

There being no further business the meeting concluded at 12.09pm.
