



maitland

city council

ABORIGINAL REFERENCE GROUP

DRAFT TERMS OF REFERENCE

OCTOBER 2018

ABORIGINAL REFERENCE GROUP

1. PURPOSE

The Aboriginal Reference Group will:

- Provide a structure which will enable effective and sustainable communication between Council and key representatives of the local Aboriginal community
- Provide a link between Council and the broader Aboriginal community
- Provide information, guidance and strategic advice on matters relating to Aboriginal community, culture and heritage.

2. RESPONSIBILITIES OF THE ABORIGINAL REFERENCE GROUP

The responsibilities of the Aboriginal Reference Group are as follows:

- Provide input into planning, development and implementation of council policies, strategies, action plans and projects relating to (or impacting on) Aboriginal culture, community and heritage, and deliver actions as appropriate
- Maintain the role as the primary stakeholder representing the local Aboriginal community, and a conduit between Council and the broader Aboriginal community
- Provide information and specialist advice in relation to areas of interest and expertise.

3. MEMBERSHIP AND TERM OF APPOINTMENT

Membership will comprise of:

- Up to two Councillors of Maitland City Council
- Between five to seven individual and stakeholder representatives
- Two Council Officers.

Additional members may only be added to the Aboriginal Reference Group by a resolution of Council.

All members will represent community interest and not individual interests.

Council delegates to the Aboriginal Reference Group shall be appointed for the term of Council.

Membership to the Aboriginal Reference Group is aligned to the Council term. Nominations will be called for in October following an ordinary local government election and expire in September of the election year.

All members are eligible for reappointment and there is no limit to the number of terms a person may serve on the Aboriginal Reference Group. A member may resign at any time by advising of their resignation in writing to the Chairperson. Council may appoint a community representative to fill the casual vacancy for the remainder of the term.

An Aboriginal Reference Group member who is absent for more than two consecutive meetings without leave or reasonable excuse, may be requested to explain their absence. If absenteeism of a member is ongoing, the Aboriginal Reference Group may request Council to declare the position vacant.

It is requested that stakeholder representatives send another organisation representative in their place when unable to attend.

4. APPOINTMENT OF REFERENCE GROUP

Aboriginal Reference Group members shall be appointed by a resolution of Council.

New members will be required to undergo an induction process as soon as possible after their appointment to the Aboriginal Reference Group. This will include agreeing to and signing a copy of the Terms of Reference.

5. INDIVIDUAL & STAKEHOLDER REPRESENTATIVES SELECTION PROCESS

Individual and stakeholder representatives will be selected for the Aboriginal Reference Group through an Expressions of Interest (EOI), which will be publicly advertised through Council's website, in appropriate newspapers and print media, social media platforms, other forums deemed appropriate and through networks relating the Aboriginal Reference Group areas of interest.

Council will work closely with identified partners to support individuals with the completion of the application process.

Key stakeholder representatives will be approached and invited to submit an EOI application.

An assessment panel of all nominated Councillors and two Council Officers will make a recommendation on the selection of representatives to fill the membership of the Aboriginal Reference Group. Future assessment panels will revert to the following:

- A minimum of one delegated Councillor
- One community/individual representative of the Aboriginal Reference Group
- One stakeholder representative of the Aboriginal Reference Group
- One Council Officer.

All recommendations regarding the filling of vacancies will be submitted in a report by the council officer to a council meeting for determination.

Individual and stakeholder representatives on the Aboriginal Reference Group must demonstrate they meet the selection criteria below:

- Aboriginality
- Current involvement in and knowledge of the local Aboriginal community and cultural heritage
- Have strong community networks and linkages in the local Aboriginal community
- Demonstrated ability to be constructive and objective
- Have a willingness to make active contribution to discussion
- Have capacity to commit to the Aboriginal Reference group for the required duration

- Reside or work in the Maitland local government area.

All applications will be assessed on merit according to the selection criteria.

Consideration will be given to the balance and diversity of representation, to appoint representatives with a mix of skills and interest areas.

6. MEMBERSHIP VOTING RIGHTS AND DECISION MAKING

The Aboriginal Reference Group (including nominated Councillors) will have the capacity to vote on actions that are within their areas of responsibility.

For voting purposes, the Chairperson shall accept motions duly moved and seconded by members of the Aboriginal Reference Group, with the vote taken by a show of hands. Visitors are not members of the Aboriginal Reference Group and do not have voting rights. Councillors who are not members may attend but are not entitled to vote.

A quorum of members is not less than fifty percent of the number of members of the Aboriginal Reference Group who are entitled to vote. If a quorum is not present within half an hour after the scheduled commencement time of the Aboriginal Reference Group meeting, the meeting is to be postponed.

Consensus decision making is preferred. However, all members are entitled to vote and a matter may be voted upon at the discretion of the Chairperson, who shall have casting vote in the event of an equal number of votes.

7. CHAIRPERSON

The position of Chairperson shall be the responsibility of an appointed Councillor.

The role of the Chairperson is to ensure:

- The meeting is conducted according to the Terms of Reference
- Matters are dealt with in an orderly and efficient manner
- Meetings are kept to time.

8. PROCEEDINGS

VENUE

Meetings of the Aboriginal Reference Group will be held in accessible locations, and may vary depending on availability.

VISITORS

Technical experts, specialists and other Council Officers may be invited to attend meetings to provide advice or consult and seek feedback from the Reference Group when required.

TRAVEL

Transport (within the Maitland LGA) to and from meetings can be arranged for members who would otherwise be unable to attend meetings.

9. ADMINISTRATION

All Secretariat tasks for the Aboriginal Reference Group will be undertaken by the appointed Council Officer, this includes preparation of the agenda.

The Aboriginal Reference Group will meet quarterly and will include one community engagement session per year with the broader Aboriginal community.

The Council Officer will prepare a report to Council when necessary.

Agenda items will be called for three weeks in advance of the next scheduled meeting and agendas shall be forwarded to members at least three working days before the meeting. Minutes of previous meetings will be distributed within seven working days.

An annual report will be submitted to Council on the operation and actions of the Aboriginal Reference Group.

10. VOLUNTEERS

Aboriginal Reference Group members other than Councillors and Council Officers are volunteers. Following appointment by resolution of Council, they must sign a declaration that they will abide by any guidelines approved by the General Manager to cover the conduct of volunteers, including the avoidance of pecuniary or non-pecuniary interest; and undertake training and skills development as required. A copy of the code must be provided to all new members.

11. SUBCOMMITTEES AND WORKING GROUPS

Membership of subcommittees and working groups is not limited to members of the Aboriginal Reference Group. Members of such groups can be sourced through external networks. Subcommittee and working group meetings are minuted and reported to the Aboriginal Reference Group.

12. PECUNIARY OR NON-PECUNIARY INTEREST

If a member or attending Councillor has a pecuniary or non-pecuniary interest (e.g. financial gain/ loss or private/personal interests etc. as defined in section 442 of the Local Government Act) regarding an item to be

considered or discussed by the Aboriginal Reference Group, the member or attending Councillor must disclose this to the Chairperson if they are attending the meeting.

Once a declaration of either pecuniary or non-pecuniary interest has been made, the member or attending Councillor must leave the room and remain outside until the conclusion of the relevant discussion. The time of leaving the meeting room and the time of their return must be recorded in the minutes or notes of the meeting.

If a member of the Aboriginal Reference Group nominates for Council elections they must stand down from their Aboriginal Reference Group position from the time of declaring they have nominated until the result of the election is announced.

13. LIMITATIONS OF AUTHORITY

The Aboriginal Reference Group has no authority to:

- Expend moneys on behalf of Council
- Commit Council to any arrangement
- Consider any matter outside its area of reference
- Direct Council Officers in the performance of their duties.

14. PUBLICITY

Aboriginal Reference Group members must not make statements to the media or on social media about Council business or items discussed by the Aboriginal Reference Group. Instead, all media enquiries should be referred to Council's Marketing and Communications section for response. Council may terminate a member's term for making any statement to the media or on social media.

15. EVALUATION AND REVIEW

The new Aboriginal Reference Group will review the Terms of Reference at the first scheduled meeting and members will agree on its content. Following this, the Terms of Reference will be reviewed once every two years to ensure it adequately reflects the functions and responsibilities of the Aboriginal Reference Group, unless it is determined a review is required sooner.