

Terms of Reference

Name: First Nations Advisory Committee

Approved by: Council

Date Approved: October 2022 (TBC)

Last reviewed: September 2022

1. BACKGROUND

Local First Nation Australian history both before and after colonisation, is significant and its legacy is seen today through the active community, living in Maribyrnong. In August 2017 Council resolved to develop a Reconciliation Action Plan (RAP) in conjunction with Reconciliation Australia. Maribyrnong's annual Reconciliation Action Plan informs and guides Council's provision of programs and services and its engagement with local Indigenous communities. To respond to changing and evolving community issues it is important that the annual Reconciliation Action Plans (RAPs) are developed in consultation with the local Indigenous community

2. PURPOSE

The purpose of the First Nations Advisory Committee is to provide guidance and support to Council on issues and barriers that affect the Reconciliation process and provide advice on the development and implementation of strategies that will deliver positive outcomes for First Nations people.

3. OBJECTIVES

- 3.1 To provide guidance and support to Council on issues and barriers that affect the Reconciliation process.
- 3.2 To consider and provide advice to Council on the development and implementation of strategies that will deliver positive outcomes and which are

aligned to the Council Plan, the Human Rights and Social Justice Framework and the Reconciliation Action Plan.

- 3.3 To receive and comment on the progress in implementing specific strategies that encourage inclusive involvement of Indigenous people in Council services, programs and activities.
- 3.4 To raise advocacy issues for Council to consider on behalf of the Indigenous community.

4. DEFINITIONS

- 4.1. **Deputy Chairperson** means an alternative delegate, in the absence of the Chairperson.
- 4.2. **Chairperson** means either the Councillor as appointed by Council, or a relevant Senior Officer of Council Staff, or delegate.
- 4.3. **Committee** means the Reconciliation Action Plan Advisory Committee.
- 4.4. **Community Member** is a member of the Committee who is not a Councillor or a member of Council staff.
- 4.5. **Council** means Maribyrnong City Council
- 4.6. **Councillor** means a Councillor of Maribyrnong City Council.
- 4.7. **Council Officers** means employees of Maribyrnong City Council.

5. ROLE AND RESPONSIBILITIES OF COMMITTEE MEMBERS

The role of the Member is to support Council by providing information and considered advice on the needs of First Nations people within Maribyrnong City Council area.

The role of Member is to also support Council in promoting and advocating for the needs of First Nations people, and when appropriate, to help disseminate key Council information to the community.

The core responsibilities of the Committee are:

- To provide guidance and support to Council on issues and barriers that affect the Reconciliation process.
- To consider and provide advice to Council on the development and implementation of strategies that will deliver positive outcomes and which are aligned to the Council Plan, the Human Rights and Social Justice Framework and the Reconciliation Action Plan.
- To receive and comment on the progress in implementing specific strategies that encourage inclusive involvement of Indigenous people in Council services, programs and activities.

- To raise advocacy issues for Council to consider on behalf of the Indigenous community.

6. MEMBERSHIP

The Committee will be convened by Council and shall comprise:

- One Councillor as Chairperson and 2nd Councillor as Deputy Chairperson
- At least one senior Council Officer from the Community Service Directorate.
- Up to 10 community members.
- Up to 3 representatives from community controlled organisations, agencies or service providers who have a strategic link with First Nations communities in Maribyrnong.

The committee will comprise up to 10 community representatives, consisting of up to 50% Indigenous community members, senior staff and officers of Council, community service providers and other stakeholders who have a significant role in supporting the Indigenous community within the City of Maribyrnong.

A Sub-Committee, consisting of the Chairperson, together with Council officers will undertake specific responsibilities to assess committee applications, plan meeting dates and distribute agendas and minutes.

Council staff and other external key stakeholders will attend meetings to present agenda items on an ex officio basis only for the purpose of providing relevant information and advice on matters being considered by the advisory committee.

7. METHOD OF APPOINTMENT

Nomination of applications for Indigenous and non-Indigenous community member representatives shall be called by public notice in local media and by information letter/email to relevant local Committees and agencies and will be appointed for a period of two years.

Appointments to the Committee will be recommended to the Chairperson by a sub-committee, comprising Council staff, which will assess applicants against the below list of expectations of committee members as stated in application documentation.

At the end of the two-year term, applications will be sought for nomination, with existing members eligible to re-nominate for a second term only (maximum 2 year term).

A position will be deemed vacant if a representative fails to attend for three consecutive meetings.

Leave may be negotiated and granted to a member in the event that a member needs to arrange a temporary absence. A proxy may be able to be nominated in order to maintain a Committees representation if required.

The Committee may invite suitably skilled persons to attend a meeting at the request of the Chairperson as a guest speaker.

The role of the guest speaker is temporary and consultative and does not form part of the quorum.

8. EXPECTATIONS OF COMMITTEE MEMBERS

- Commitment to promote inclusion and active engagement of Indigenous community members in all aspects of community life.
- To stimulate discussion on the range of issues that affects the Indigenous community across the municipality.
- Encourage and support participation by all members of the community in Indigenous culture and events.
- Represent the views of their community and or organisation.
- Provide advice, make recommendations and comment on the activities of the Committee.
- Willingness to participate in Council's Reconciliation Action Plan implementation and review.
- Preparedness to present reports and promote the activities of the Committee to their respective community, organisations and networks.

9. OPERATING PROCEDURES

Chair

The chairperson is responsible for presiding the meeting.

- One Councillor as Chairperson and 2nd Councillor as Deputy Chairperson
- Decisions made at the meetings will only be valid if there is Aboriginal and Torres Strait Islander representation at the meeting or input into the decision prior to the meeting.

Quorum

A quorum for the committee will require attendance of a minimum of one Council representative and four other members.

The committee will operate on a consensus basis. Where issues remain unresolved, the Chair will defer the issue to the next meeting. If issues remain unresolved and a solution cannot be reached, and the matter is viewed as significant to the successful operation of the committee, the committee can appoint an independent mediator to assist to resolve the issues or assist the parties / Committee to reach consensus.

Meetings

- There will be up to six (6) meetings per year.
- Times and dates of meetings of the Committee shall be at the discretion of the Chairperson and Council Officers, after seeking the views of Members.
- Meetings will commence and conclude on time.
- Council Officers will undertake administrative duties such as setting meeting dates and locations, agenda, minutes, correspondence and reports.
- Where practicable, the agenda, reports and documents that relate to the committee and minutes of the previous meeting, will be forwarded to members at least five working days prior to meetings.
- Accurate minutes will be kept of each meeting. The minutes of the meetings will be distributed to the committee members for ratification at the next subsequent meeting of the Committee.
- Additional sub-committee meetings, as agreed by members, may be formed to advise the Committee.

Reports

On recommendation from the Chair, Council Officers will submit Council Reports with advice and recommendations in the form of the Reconciliation Action Plan Advisory Committee minutes and reports and meeting minutes will be reported quarterly to Council.

10. REQUIREMENTS OF MEMBERS

Members are required to:

- Declare any interest, pecuniary interest or conflict of interest.
- Keep informed of current developments, issues and concerns in the local community.
- Have an understanding of and/or experience in the principles of community development.
- Prepare for and actively participate in meetings.

- Act in a courteous manner, respecting others views and opinions. All members should respect the decision of the consensus view as adjudicated by the Chair.
- Treat information with sensitivity.

11. CONFIDENTIALITY

- Information discussed, received, used or created by the Committee is confidential, unless otherwise stated by the Chairperson.
- A Member must not disclose, discuss or make public confidential information, unless authorised by Council Officers.
- A Member must not permit any person who is not a member of the Committee to view, read, and photocopy, make notes of or in any way record confidential information, unless authorised by Council Officers.

12. CONFLICT OF INTEREST

Members must disclose a Conflict of Interest in accordance with the *Local Government Act 2020*.

In the event of a Conflict of Interest arising the Member:

- (a) Must disclose the interest and clearly state the nature of the interest at the meeting before the matter is considered.
- (b) Must leave the room and not participate in any discussion and/or decision.
- (c) The disclosure must be recorded in the meeting minutes.

13. OPERATIONS

The Committee has no budgetary responsibilities, decision-making powers or delegated authority but serves to make recommendations for Council's consideration. Members will not publicly comment on behalf of the Committee. Neither will it seek to advocate on the needs of individual organisations.

The Council will provide the necessary support to assist the Committee to function effectively including:

- (a) Maintaining contacts details of members.
- (b) Preparing and distributing agendas and prior reading materials.
- (c) Preparing and distributing meeting minutes.

14. EVALUATION AND REVIEW

A review of the role, function, membership and productivity of the Terms of Reference will be conducted once every four years or as required to ensure currency, effectiveness and stakeholder engagement.

Council retains the right to:

- (a) Review, amend or alter the operations and membership of this Committee as it deems appropriate and necessary.
- (b) Revoke these Terms of Reference at any time.

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