

## Aboriginal Reference Group

### Acknowledgment of Country

We acknowledge the traditional custodians of the land on which we work and live, the Gathang-speaking people and pay our respects to all Aboriginal and Torres Strait Islander people who now reside in the MidCoast Council area. We extend our respect to elders past and present, and to all future cultural-knowledge holders.

### Background

The Aboriginal Reference Group was established by resolution of MidCoast Council on 23 August 2023 (305/2023).

The Aboriginal Reference Group is the adopted mechanism to deliver on the MidCoast Aboriginal Action Plan 2023-2032 strategic action 5.3 *the Aboriginal community have a voice and role in strategic decisions that affect them.*

### Purpose

The purpose of the Aboriginal Reference Group is focused on improving outcomes for Aboriginal people in the MidCoast Council Local Government Area. The Aboriginal Reference Group is a mechanism for addressing the six key focus areas that have been identified as priorities in consultation with Aboriginal people and community service providers.

The Aboriginal Reference Group focuses on providing advice and feedback on Council's strategic plans and initiatives for recognising and respecting Aboriginal culture and history and reducing the disadvantage experienced by the MidCoast Aboriginal community.

The Aboriginal Reference Group has a key role in helping Council understanding community needs and advise on prioritising the implementation of The Aboriginal Action Plan and advocating on behalf of the community to Council.

The Aboriginal Reference Group reflects Council's commitment to standing with the Aboriginal community to advocate for increased support, improved services, and collective action to address the needs that have been identified which fall outside Council's scope of delivery.

### Key tasks

The Aboriginal Reference Group key functions are:

- Support, guide and advocate for a collaborative approach across the six key Aboriginal Action plan focus areas,
- Advocate for and facilitate Aboriginal Working Parties collaboration to assist in breaking down barriers to see all people in the MidCoast thrive,
- Provide an Aboriginal community voice and guidance to Council in strategic decisions that may affect the Aboriginal community,
- Recommending short-term and long-term strategies or goals that inform the Community Strategic Plan and other Council strategies and plans,

- Consult with community on a pathway to establish a MidCoast Treaty with the Aboriginal Traditional Owners,
- Provide input on educational programs to understand the democratic process, supporting new pathways for Aboriginal representation on Council,
- Consult with community, be active in community engagement, and provide feedback to community on meeting outcomes,
- Provide advice on cultural and language protocols to Council.

## Roles & responsibilities

### Membership

The Aboriginal Reference Group consists of Aboriginal and Torres Strait Islander members of the MidCoast community. An Aboriginal community member is defined as a person of Aboriginal or Torres Strait Islander descent who lives in the MidCoast Local Government Area and considers this area their home.

Membership reflects the broad diversity in the MidCoast Aboriginal community.

All Aboriginal community-controlled organisations in the MidCoast region are linked to the Working Parties and are represented on the Reference Group through the Aboriginal Working Parties representatives. Aboriginal community-controlled organisations are defined as organisations having a majority of Aboriginal people on their management board or committee.

The membership of the Reference Group shall comprise:

- up to two Councillors
- up to four Local Aboriginal Land Councils representatives – one from each
- up to four Aboriginal Working Parties representatives – one from each
- up to eight Aboriginal community member representatives who may be:
  - Elders or Traditional Owners
  - Aboriginal or Torres Strait Islander people from the MidCoast
  - Aboriginal young people aged 18+
  - Gathang language holders
- staff representatives from Council's Community & Cultural Services team

The Reference Group will be supported by the MidCoast Council Aboriginal Liaison Officer.

A public membership list is maintained demonstrating inclusion of Elders, community men, community women, and young people. To ensure diverse representative across the region and communities all membership vacancies will be filled as they arise.

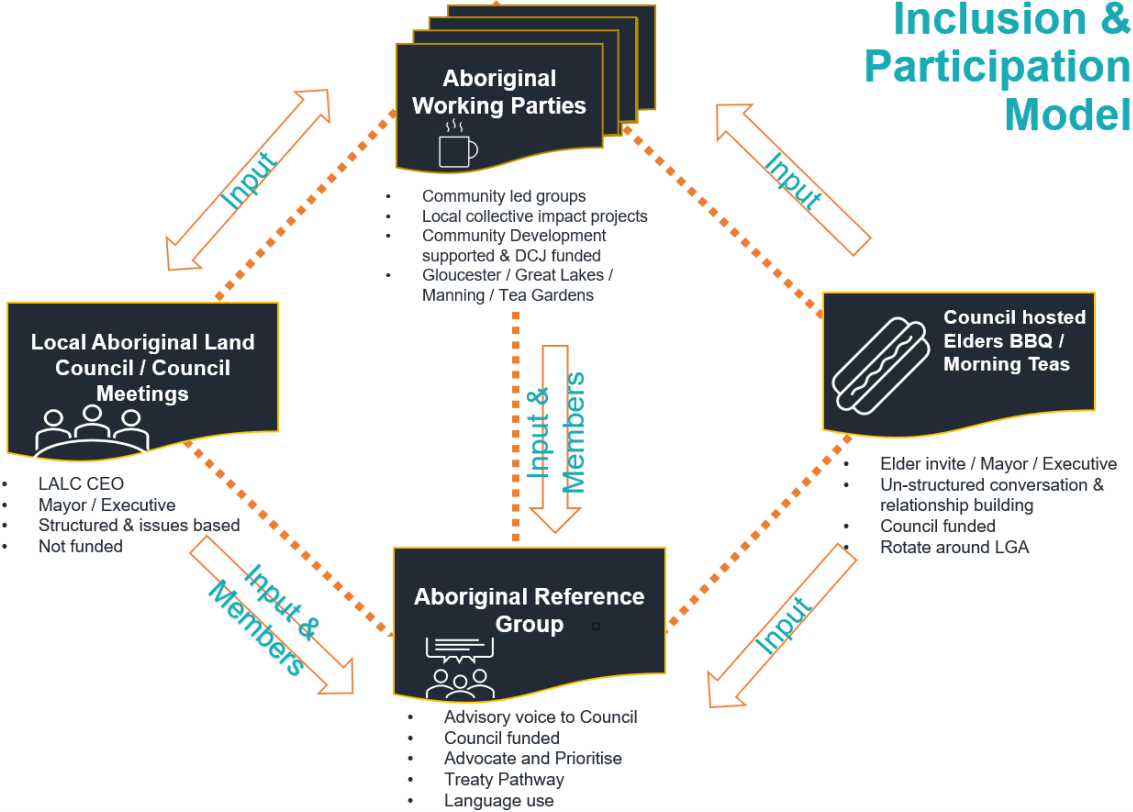
A member's appointment may be ended on the basis of one of the following:

- resignation of a member
- regular non-attendance at meetings (note: members shall be considered to have vacated their position if they have been absent from three meetings without an apology)
- failure to respect the protocols and confidentiality requirements (set out below)

### *Additional Membership*

Up to two (2) additional people may be appointed to the Group if it is considered that additional skills and experience would benefit a specific project or add value to the general performance of the Reference Group.

From time to time, other people who have a clearly defined interest in topics being discussed by the Group may be invited to the meetings to contribute to discussions.



**Chairperson**

The Reference Group shall be chaired by the nominated Councillor. If the nominated Councillor is not available the replacement Chair shall be the other nominated Councillor, or if unavailable, the Council staff member will be replacement chair as required.

**Committee Members**

Positions for representatives from key public authorities and the nominated community groups will be filled on nomination by the respective organisations.

The community members will be appointed by Council following a publicly advertised process. Members shall be expected to bring diverse knowledge, skills, experience, meet the membership Aboriginality criteria, with a broad network and can demonstrate they are known and accepted by community.

A nomination form must be completed by interested representatives and all nominations will be assessed against their stated knowledge, experience, skills and responses to the criteria relevant to the Aboriginal Reference Group. The Aboriginal Liaison Officer can provide assistance from Council to undertake an EOI.

Members may determine to work in sub groups (Working Groups) for specific projects. In this case Working Group chairs shall be appointed by the members.

**Council support**

To enable the Reference Group to operate effectively Council staff shall provide:

- any material and draft documents to undertake tasks / projects and an opportunity for discussion at meetings (as agenda items)
- regular updates
- expert advice from the different areas of Council, as required
- open and transparent communications on Aboriginal issues
- secretariat services and venues for meetings

## **Dissolution**

Council may determine to dissolve the Reference Group where the Group:

- has achieved its purpose for establishment
- has become unproductive
- can no longer maintain membership in line with its terms of reference
- activities no longer service the priorities and/or core business of Council
- legislation has changed the roles and responsibilities of Council.

## **Commitments**

### **Confidentiality**

From time to time, members may be required to review and comment on draft documentation that has not been formally considered by the Council's decision-making body.

In these circumstances, it is crucial members understand the status of any documentation and the importance of maintaining confidentiality if they wish to have preliminary input. Discussion may take place on matters subject to State or Federal Government protocols that need to be adhered to.

Members may also be privy to financial, legal or personal landowner information, which cannot be disclosed outside of the committee.

Each member is required to agree to and sign the confidentiality requirements of membership.

### **Meetings**

The groups shall meet a minimum quarterly, at a time and location agreed by the members, for a maximum of 2 hours, unless agreed by the group.

A quorum for attendance shall be a minimum of half of the membership plus one. A Council staff member should be present for each meeting.

The following meeting protocols shall apply:

- members shall respect the role of the Chair in the conduct of the meetings
- members shall respect the right of every members to speak and put forward their views
- members shall respect the Chair's decisions (if a consensus is not able to be reached) in relation to agenda items and timeframes
- meetings are generally run through consensus, however, should the need arise for a vote, only the Councillors and community members shall participate (ie Council staff are not to participate in any voting), having one vote each. Where there is an opposing view the members can choose to have their name recorded in the minutes stating their position.
- agenda and supporting documentation will be distributed electronically (by email) at least five working days prior to the meeting date
- minutes, providing an overview of discussions and actions to be progressed, shall be taken at each meeting and made available to members within two weeks of the

meeting. Minutes will be maintained electronically and distributed to members via email. Minutes shall be made publicly available on Council's website, however, it is recognised that confidential items are not be made public.

Where possible, members shall be notified in advance of any confidential items.

## **Limitations**

While the Reference Group may provide guidance to Council on key issues such as corporate policy and objectives, marketing strategy, resource allocation, and decisions, the Reference Group may not:

- on Council's behalf agree to any acquisitions of land
- incur expenditure by Council
- make any payment to members of the Reference Group
- accept public liability risk from another organisation
- make grant applications dependent on or committing Council to expenditure, either initial or ongoing
- bind Council
- become involved in the day to day operations of Council activities

## **Code of conduct & Conflict of interest**

All members are required to comply with Council's Code of Conduct and participate in Code of Conduct training and an induction provided by Council.

In accordance with the Code, a member of the Reference Group who has a financial, commercial or economic interest in any matter before the group must disclose the nature of the interest to the meeting and must leave the meeting while the matter is being considered.

## **Contact with the media**

Media enquiries relating to the work or operation of the group are to be referred to and managed by Council's Communications team. Media statements or comments cannot be made by members of the group.

Where a member considers that there needs to be a media comment in relation to any items discussed by the group, the member must bring the matter to the attention of the Council staff representative.

## **Review**

An annual summary report which captures the actions of the group is to be provided each year for inclusion in Council's Annual Report. Additional reports to Council may also be necessary when key milestones are reached or to progress elements of a specific project or specific recommendations to Council.

The membership and these Terms of Reference are to be reviewed at the end of the Council term, within three months of the Council election.

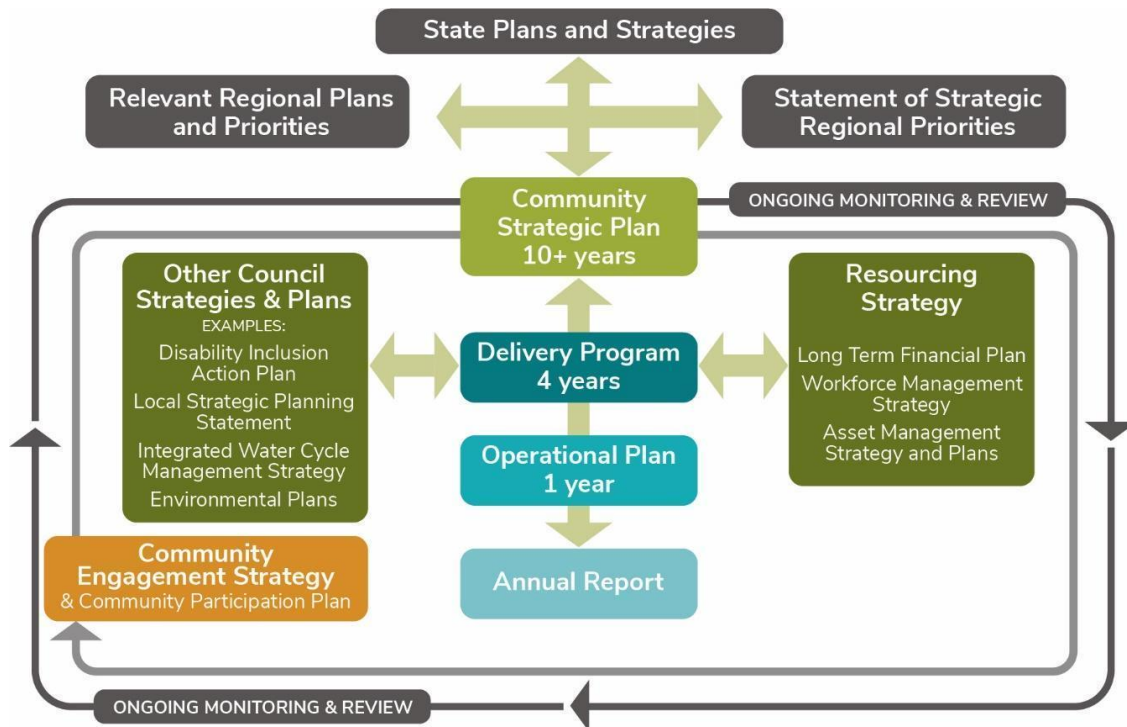
## **Governance**

### **Integrated planning & reporting requirements of Local Government**

The scope of work for the Aboriginal Reference Group is to bring together Aboriginal and Torres Strait Islander people to share knowledge and provide expert advice and guidance to

Council on the implementation and governance of the MidCoast Aboriginal Action Plan and strategic decisions that may affect them.

This aligns with the Integrated Planning & Reporting Framework (shown below and outlined in the Local Government Act). All of the activities of the group need to align with the outcomes in the Community Strategic Plan and subsequent endorsed Council strategies.



**Attachments - [Policies Library - MidCoast Council \(nsw.gov.au\)](https://www.nsw.gov.au/policies-library)**

- Code of Conduct
- Gifts and Benefits Policy
- MidCoast Aboriginal Action Plan