

SHOALHAVEN CITY COUNCIL

ABORIGINAL ADVISORY COMMITTEE

to be held on Monday 8 August 2016
commencing at 4.00pm

City Administrative Centre
Bridge Road
NOWRA NSW 2541

1 August 2016

Dear Member

NOTICE OF MEETING

You are hereby requested to attend a meeting of the Aboriginal Advisory Committee to be held on **Monday 8 August 2016**, commencing at **4.00pm** in the City Administrative Centre, Bridge Road, Nowra in the Reception Room for consideration of the following business.

Yours faithfully

R D Pigg
General Manager

BUSINESS OF MEETING

1. Apologies
2. A Minute Silence in Respect of Aboriginal Elders, Past and Present
3. Minutes of the Previous Meeting
4. Declarations of Interest
5. Report:
Corporate and Community Services
6. Addendum Reports
7. General Business

MEMBERSHIP – Quorum (5)

Mayor, Clr Gash
Clr Findley - Chairperson
All Councillors
General Manager or
nominee (Craig Milburn)
Sylvia Timbery

Shane Brown
Christine Finney
Troy Lenihan
Lena Bloxsome
Leslie Halls
Janet Atkins

Sue-Anne Cutmore
Shondelle Bolt
Noel Wellington
Patricia Lester
Leonie Ebzery
Valda Corrigan – NPWS

Cell Phones: Council's Code of Meeting Practice states that "All cell phones are to be turned off for the duration of the meeting".

Aboriginal Advisory Committee

Purpose

- Advise Council on issues relating to the Aboriginal community.
- Act as a channel to advise Council of new issues affecting the Aboriginal community.
- Receive information on issues affecting the Aboriginal community and forward to Council.
- Provide a facilitation role.
- Advocate for the Aboriginal community.

**MINUTES OF THE EXTRAORDINARY ABORIGINAL ADVISORY COMMITTEE MEETING
HELD ON MONDAY 20 JUNE 2016 IN MEETING ROOM, LEVEL 2 SHOALHAVEN ARTS
CENTRE COMMENCING AT 4.00 PM**

The following members were present:

Clr Kitchener
Sue Cutmore
Leslie Halls
Sylvia Timbery
Valda Corrigan
Patricia Lester
Troy Lenihan
Leonie Ebzery
Janet Atkins

Others Present:

Margaret Simoes – Aboriginal Community Development Officer
Peter McLaughlin – Principal, Calibrations Consulting

Apologies:

Apologies were received from Clr Findley, Clr Gash, Christine Finney

The Committee participated in a minute of silence in respect of Aboriginal Elders, past and present.

1. Nomination of Chairperson

In the absence of Clr Findley, the Committee nominated Clr Kitchener as acting Chairperson for the meeting.

MOTION:

Moved: By Consensus

RESOLVED that Clr Kitchener be nominated to act as Chairperson of the Extraordinary Aboriginal Advisory Committee meeting held on 20 June 2016.

CARRIED

2. Minutes of Previous Meeting

MOTION:

Moved: By Consensus

RESOLVED that the Minutes of the meeting of the Aboriginal Advisory Committee held on Monday 9 May 2016 be confirmed.

CARRIED

Peter McLaughlin from Calibrations Consulting, introduced himself and gave a brief overview of his background.

Mr McLaughlin distributed a document which provided members with an outline of the content of the proposed training.

The Committee members were asked to consider the following:

- How can the committee become more effective in the work it does?
- How can the committee be effective and not just be a token committee?
- Why do we exist?
- What do we do?
- How do we know if we are doing a good job i.e. how do we measure if we are making a difference as a committee?
- How should we behave as a committee and how do others want us to behave as a committee?
- What is important to us right now? Committees should be able to answer this at all times, and should know how information is being gathered.
- Who is doing what i.e. what are the particular responsibilities of members.

It was noted that:

- The elements covered under the Committee's Terms of Reference is important.
- The Committee should have a plan of action that is based on need.

Mr McLaughlin noted that Council has good governance structures in place and can provide training for members with regard to the Code of Conduct and Code of Meeting Practice, and that this should not be the main focus of the training for the Committee.

The Committee agreed that the committee effectiveness training program as proposed by Mr McLaughlin would be appropriate for the needs of the members. Mr McLaughlin noted that the training would take approximately 2.5 hours.

The resource kit titled *Engaging with local Aboriginal Communities, A Resource Kit for Local Government in New South Wales* was discussed.

Action: The Aboriginal Community Development Officer to organise for copies of the *Engaging with local Aboriginal Communities, A Resource Kit for Local Government in New South Wales* to be provided to Committee members.

Committee members reviewed the draft Terms of Reference. It was agreed that the changes suggested by the Committee be incorporated in to the document.

MOTION:

Moved: By Consensus

RESOLVED that a report be provided to the Aboriginal Advisory Committee providing the Terms of Reference document for formal adoption of the Committee.

CARRIED

The Committee discussed whether the Committee should have delegated authority and it was agreed that, should a requirement be identified it will be proposed to Council after the finalisation of the Terms of Reference and the committee effectiveness training.

5. Additional Item – Statement of Commitment File 1209E

The Committee discussed the Aboriginal Statement of Commitment Shoalhaven City Council 2009/2010.

Members agreed that Mr McLaughlin should consider this document when delivering the training.

Action: The Aboriginal Community Development Officer to advise Mr McLaughlin that the “Statement of Commitment” document should be an underlying consideration in respect of the proposed committee effectiveness training for the Aboriginal Advisory Committee members.

The Committee agreed that the Statement of Commitment should be updated. In order to facilitate this it will be first reviewed by the Committee and then a draft amended statement will be recommended to Council for adoption.

MOTION:

Moved: Leslie Halls / Second: Pat Lester

RESOLVED that a report on the Shoalhaven City Council Statement of Commitment 2009/2010 be provided to the Aboriginal Advisory Committee to facilitate consideration of amendment of this document.

CARRIED

6. 2016 Regional Local Government NAIDOC Awards File 43400E

Shellharbour City Council will host the 2016 Regional Local Government NAIDOC Awards Dinner on 23 July 2016 at WIN Entertainment Centre Wollongong. The Committee discussed the event and agreed that members would attend at their own expense. Leonie Ebzery offered to organise the tickets.

Actions:

1. Committee members to advise Leonie Ebzery if they wish to attend the 2016 Regional Local Government NAIDOC Awards dinner on 23 July 2016 at WIN Entertainment Centre Wollongong. Note: this will be at the members own expense.
2. Leonie Ebzery to organise the booking of a table for interested members to attend the Awards Dinner.

7. Local Government NSW Aboriginal Network Conference File 24224E

The Local Government NSW Aboriginal Network Conference will be held at Tweed Heads from 24 to 26 August 2016. It is anticipated that the Aboriginal Development Officer will attend the conference.

The members discussed the possibility of a representative from the Committee attending the conference.

MOTION:

Moved: By Consensus

RECOMMENDED that

- a) An Aboriginal Advisory Committee member attend the Local Government NSW Aboriginal Network Conference at Tweed Heads from 24 to 26 August 2016 at a cost of \$780, not including accommodation and travel expenses.
- b) The cost of attending the conference to be allocated from the Aboriginal Advisory Committee budget (Job number 13710).

CARRIED

8. Shoalhaven City Council NAIDOC Morning Tea File 30080E

The Committee nominated Sue Cutmore and Troy Lenihan to provide a presentation at the Shoalhaven City Council NAIDOC morning tea scheduled for Monday 4 July 2016.

Actions:

The Aboriginal Community Development Officer to:

- Liaise with Sue Cutmore and Troy Lenihan with regard to presenting at the Shoalhaven City Council NAIDOC Morning Tea event on Monday 4 July 2016.
- Develop the PowerPoint presentation for the Shoalhaven City Council NAIDOC Morning Tea event on Monday 4 July 2016.

GENERAL BUSINESS

9. Additional Item – Walking Tourism for Shoalhaven File 1490E

Clr Kitchener advised the Committee, that he is participating in a Shoalhaven Tourism Board working group which is looking at developing a southern coastal walk.

There being no further business, the meeting concluded, the time being 6.00 pm.

Clr Kitchener
ACTING CHAIRPERSON

ABORIGINAL ADVISORY COMMITTEE

MONDAY, 8 AUGUST 2016

CORPORATE AND COMMUNITY SERVICES

1. Aboriginal Advisory Committee Terms of Reference

File 1209E

SECTION MANAGER: Jane Lewis.

PURPOSE:

To present to the Aboriginal Advisory Committee the draft Aboriginal Advisory Committee Terms of Reference for endorsement.

RECOMMENDED that the Aboriginal Advisory Committee (AAC) receive the draft Terms of Reference for consideration, endorse the Terms of Reference and recommend to Council for adoption.

OPTIONS

1. The recommendation as stated above.
2. An alternative recommendation is made by the committee.

DETAILS

In 2015 the Aboriginal Advisory Committee reviewed the Aboriginal Advisory Committee Guidelines to revise and develop a Terms of Reference in accordance to Council committee procedures.

The Aboriginal Advisory Committee provides an opportunity for Council to develop both a structure for effective consultation and communication with Aboriginal communities and the opportunity for Aboriginal people to participate in Council's decision-making process to achieve mutually co-operative responses for their cultural, environmental and economic wellbeing.

The Aboriginal Advisory Committee members participated in meetings and a workshop in 2015, facilitated by Wayne Dedden, Corporate Connexions International Pty Ltd. Mr Dedden offered his service (pro bono) to support and encourage local community members and to increase their understanding of the role and responsibilities of a committee member.

Mr Dedden provided a progress report from the workshop held on the 18 November 2015 to the Aboriginal Advisory Committee. It was resolved from this meeting that a workshop be held to finalise the draft Terms of Reference.

The Aboriginal Advisory Committee workshopped the draft Terms of Reference at an Extraordinary Meeting held on Monday 20th June 2016 at the Shoalhaven City Arts Centre, Level 2 Advisory Committee Meeting Room and recommended that the draft Terms of Reference with the recommended changes from this meeting be reported to the next Aboriginal Advisory Committee meeting on Monday 8th August 2016.

FINANCIAL IMPLICATIONS:

Nil

COMMUNITY ENGAGEMENT:

Shoalhaven City Council Statement of Commitment 2010. The ongoing development of strategies to improve and increase the level of participation of local Aboriginal people in the Local Government decision making processes.

Shoalhaven City Council Community Engagement and Communication. Recognise community participation as a right of all citizens and an integral component of informed decision-making; Create, support and promote opportunities for the community to actively participate in decision making.

Craig Milburn

DIRECTOR CORPORATE & COMMUNITY SERVICES

Aboriginal Advisory Committee - Terms of Reference

Policy Number: POL16/63 • **Adopted:** *[Click here to enter date]* • **Minute Number:** *[Click here to enter Minute number]* • **File:** 1209E • **Produced By:** Corporate & Community Services Group • **Review Date:**

1. PURPOSE

To provide appropriate and considered advice to Council on all relevant issues affecting Aboriginal and Torres Strait Islander people within the Shoalhaven LGA, and to influence Council's support & intent in achieving their objectives for the current Statement of Commitment 2010 (SoC) and the Shoalhaven City Council Community Strategic Plan 2023 (SCCSP).

2. STATEMENT

Shoalhaven Local Government Area (LGA) is made up of many unique communities with a diverse range of people, lifestyles and cultures. It comprises 49 towns and villages and a key role of Shoalhaven City Council within that is to work in partnership with organisations, services, government agencies and individuals to build strong, resilient, cohesive and creative communities.

Shoalhaven City Council established the Aboriginal Advisory Committee (AAC) in 1997 to advise Council on the needs of Aboriginal people living in the Shoalhaven Local Government Area. This advisory committee provides an opportunity for Council to develop both a structure for effective consultation and communication with Aboriginal communities and the opportunity for Aboriginal people to participate in Council's decision-making process to achieve mutually co-operative responses for their cultural, environmental and economic wellbeing.

3. PROVISIONS

The Shoalhaven City Council maintains, in its Statement of Commitment 2010, to strongly support the work of the AAC and sees it as serving an important role in providing the specialist and professional guidance to achieve positive outcomes for local Aboriginal people.

4. TERMS OF REFERENCE

4.1 RELATIONSHIP TO COUNCIL

The committee is an Advisory Committee, administered by Council to discuss relevant issues and recommend solutions specifically associated to local government and their Aboriginal & Torres Strait Islander communities.

4.2 ROLE OF THE ADVISORY COMMITTEE

All members are encouraged to become actively involved in the business of the AAC and to be an advocate between community and Council. The role of the Committee is:-

- To advise Shoalhaven City Council on necessary issues relating to Aboriginal communities in the LGA.
- Promote and increase knowledge & understanding of Aboriginal society, history & culture in the LGA.
- Facilitate access and accessibility to services and facilities for Aboriginal people.
- Advise on the development and implementation of the Shoalhaven City Council Community Strategic Plan.
- Develop strong collaborative partnerships between Aboriginal communities and Shoalhaven City Council.
- Maintain strong links between Council and Aboriginal communities throughout the Shoalhaven to accomplish the relationships and outcomes required for genuine reconciliation.
- Foster and safeguard a spirit of mutual trust and respect which allows the AAC and Shoalhaven City Council to work together in their commitment towards intelligent, well informed decision making processes that are sensitive to all Aboriginal issues.
- Recognise, support & uphold past and present local cultural heritage and its place in future Council directions.
- Remain a meaningful 'place' for the communication of messages and information from Aboriginal community voices that identify local needs for services, facilities and activities.
- Support and promote significant celebrations and events within the Shoalhaven Aboriginal and Torres Strait Islander community.

4.3 MEMBERSHIP

Representatives must live in the Shoalhaven Local Government area (LGA) area and/or work with Aboriginal communities of the Shoalhaven on a full-time or part-time basis. The composition will be:

The Group will have a total membership of up to 19 positions which include:

- Up to fifteen local Aboriginal community representatives being either Elders, Youth or Government/Non-Government agencies/organisation delegates.
- Three (3) Councillors be nominated by the elected Council
- The General Manager or nominee.

It is important for the AAC to take broad community advice from those Aboriginal organisations with a capacity to provide professional guidance to its members to enable them to make sound decisions. The following is a suggested list of Aboriginal organisations:

- South Coast Aboriginal Medical Service
- Local Aboriginal Land Councils
- Local Aboriginal Education Consultative Groups

These organisations and agencies working in the sector who may be invited to attend the Advisory Committee meetings but will have no voting privilege.

4.4 COMMUNITY MEMBER APPOINTMENTS

- Nominations for Local Aboriginal Community Members should be advertised throughout the community.
- Appointment to the Advisory Committee can be for a maximum four (4) years with a set commencement and finish date and standing members may re-nominate for an additional term.
- Vacancies will be advertised locally via media and Council communication networks.
- Council will manage the application process in consultation with the Aboriginal Community Development Officer.
- An interview panel will consist of a Council staff member, the Chair of the Aboriginal Advisory Committee and one (1) Aboriginal committee representative to assess the applications and make recommendations for appointments to the Advisory Committee.

4.5 TERM OF OFFICE

- Local Aboriginal Community membership will be renewed every 4 years and ideally during the midterm of the elected Council.
- Councillor membership will be renewed at following normal Council elections.
- Should there be a Local Aboriginal Community membership vacancy it may be filled upon the resignation of a Local Aboriginal Community member and will align with set fixed finish dates.

4.6 SUB COMMITTEES/WORKING GROUPS/REPRESENTED DELEGATION

If representing the AAC on an identified working group/party your role is to represent the Committee's commitment and purpose.

The Advisory Committee will have the right to establish sub groups as deemed appropriate to assist in fulfilling their role and purpose.

4.7 MEETING PRACTICES AND PROCEDURES

- The administrative provisions of Council's adopted Code of Meeting shall apply subject to any amendment by this Advisory Committee.
- The Chair of the Committee will be limited by a four (4) year tenure and is open to all members of the Committee.
- Where a Councillor is elected as Chair an Aboriginal Committee member representing the community will be appointed by the Aboriginal Committee members as Co-Chair to liaise, assist and advice the Councillor on cultural matters.
- Where a Committee member is elected as Chair a Councillor will be appointed as Co-Chair by the Committee members to liaise, assist and advise the Aboriginal member on the requirements of local government.
- Councillors who have an interest in forming a relationship with the committee should consider their ability to commit for the term of that Council.
- Committee members who are absent for three (3) consecutive meetings of the AAC without tendering an apology will be requested in formal correspondence from Council to confirm their intention regarding their membership of the committee. Failure to respond may result in removal from this committee.
- Formal meetings will be held quarterly depending on demand and also allowing Committee member's time for consultations.

- Meetings are held at Shoalhaven City Council Administrative Building or can be negotiated with Committee Members.
- A quorum will consist of five (5) members of the Committee.
- If a quorum is not present within 30 minutes of the time appointed for the commencement of the Advisory Committee meeting, the meeting shall lapse.
- Each Committee meeting shall be properly recorded by the taking of minutes by the Governance Unit.
- The minutes of the Advisory Committee meeting will be submitted to the next available Council Meeting
- Where possible, members are encouraged to reach a consensus; decisions will normally be made through modified consensuses.
- The Chair of the Committee should facilitate a meeting that is run on a consensus decision making model rather than rely on the formal structures of a simple majority plus one.
- If however there are times when a position cannot be reached, despite open and thorough exploration of the issues and options, the Chairperson will ask for a vote.
- All formal members of the committee are entitled to a vote
- In the event of a tied vote, the Chair can exercise a casting vote.
- Agenda and minutes from previous Advisory Committee meetings will be circulated to members at least seven (7) days prior to the meeting.
- Advisory Committee members must declare in writing any interest in any report tabled at the meeting covered by the Code of Conduct and Pecuniary Interest.
- Informal Advisory Committee meetings, special meetings that may discuss specific portfolio matters will be held as and when required or set by the Advisory Committee.
- Planning and costs associated with conducting meetings will be borne by Council.
- Advisory Committee recommendations which are determined to be purely or substantially 'operational' in nature, will be dealt with by the relevant council officer and any action or lack thereof reported to the Advisory Committee.
- Progress towards the outcomes of Council's Community Strategic Plan 2023 and Statement of Commitment will be reported to Shoalhaven City Council at Council meetings and corporate management meetings, where appropriate, throughout the year. Progress against actions arising from AAC Minutes will be reported on a quarterly basis at each consecutive AAC meeting.

4.7 CODE OF CONDUCT

Meetings be conducted in an informal manner, but still within Council's 'Code of Conduct' Policy which all members are required to observe.

- Advisory Committee members should act in a professional, responsible and respectful manner with the information they obtain as a member, as the Advisory Committee require openness and honesty to function well.
- Advisory Committee members must at all times respect other members when expressing their opinions and views. Members should feel free to express their opinions and views without fear of recrimination.
- It is essential for Advisory Committee members to accept collective responsibility, and remain loyal to decisions of the Advisory Committee, even where they may not have agreed with the final decision.

4.8 CONFIDENTIALITY AND PRIVACY

Members may have contact with confidential or personal information retained by Council. If so, members are required to maintain the security of any confidential or personal information and not access, use or remove any information, unless the member is authorised to do so.

4.9 COMMUNICATION

- All issues must be clearly communicated including priorities, limitations and benefits to community.
- Care needs to be undertaken to ensure that all participants fully understand mutual issues under discussion and that there are no false expectations created. It is important that all members' views are given weight during discussions.
- Members of the Advisory Committee are not permitted to speak to the media as representatives of the advisory committee unless approved by the chairperson
- Where approval has been given by the Chairperson, views and opinions expressed are those of the Advisory Committee and not of Shoalhaven City Council.
- Where endorsement is required from Shoalhaven City Council, approval must be sought through the formal processes.
- The Chair of the Advisory Committee is the point of contact for communication between Advisory Committee members and Council staff.

4.10 COUNCIL STAFF ATTENDANCE

Shoalhaven City Council will provide administrative Council staff who are normally required to attend the meetings of the Advisory Committee to carry out the following tasks:

- Collate and distribute Business Papers.
- Organise meetings.
- Minute taking, storage and distribution of minutes and associated documents.
- Providing administrative support to the Community Development Officer to distribute information between the Committee and the Aboriginal Community Development Officer.

Other staff at the relevant Group Directors' discretion or at the Advisory Committee's request can attend meetings as required. Staff have no voting privileges.

4.11 EXPECTATION OF ADVISORY COMMITTEE MEMBERS

- Advisory Committee members will undertake the prescribed Induction process.
- Pecuniary Interest Returns may be required on appointment and annually as required by the Office of Local Government and Council.

4.12 RESPONSIBILITY OF COUNCIL

- Council at its discretion may review and change the Terms of Reference, Role and Structure of the Advisory Committee.

5 REVIEW

After every Council election.