



CUMBERLAND
CITY COUNCIL

Terms of Reference

Aboriginal & Torres Strait Islander Consultative Committee (ATSICC)

AUTHORISATION & VERSION CONTROL

Terms of Reference (TOR) No	TOR-001
TOR Owner	Director Community and Organisation Development
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1. Background

The Aboriginal and Torres Strait Islander Consultative Committee is a formal committee of Cumberland Council and is constituted under the *Local Government Act 1993*. The Committee is purely advisory and may not commit Council resources. The Committee will provide advice to Council. Advisory Committees operate under Council's corporate governance framework, including the Code of Conduct.

2. Purpose

The Committee is a formal advisory body to Cumberland Council. Its purpose is to provide a consultative forum to engage with, and provide strategic advice to, Council and advocate on issues affecting Aboriginal and Torres Strait Islander communities in the Cumberland Local Government Area to inform and improve Council decision making in relation to policy, program, and service delivery.

3. Objective

To provide community representation and advice to Cumberland Council:

1. On the views, needs and interests of Aboriginal and Torres Strait Islander people in the Cumberland Local Government Area, and
2. In relation to Council's business, responsibilities and decision making relating - in particular its policies, strategies, services, programs, community events and engagement practices.

4. Role

The role of the Aboriginal and Torres Strait Islander Consultative Committee is to:

3. To provide advice, input and feedback to Council on the needs, issues and interests of Aboriginal and Torres Strait Islander people in the area as they relate to Council business and responsibilities.
4. To work with Council to develop and promote appropriate celebrations of the Aboriginal and Torres Strait Islander culture and local significance including Reconciliation Day (3 May), Sorry Day/Reconciliation Week, and NAIDOC week.
5. To support and co-operate with Aboriginal and Torres Strait Islander and other organisations committed to increasing reconciliation, and respect for Aboriginal and Torres Strait Islander culture, history, past and present and assist Council to promote awareness and respect for Aboriginal and Torres Strait Islander histories and cultures with the Cumberland Local Government Area.
6. To provide advice to Council regarding its communication, engagement and consultation with Aboriginal and Torres Strait Islander communities and assist in ensuring there is a fair representation of community groups in Council community consultations.
7. To provide advice on how particular Council projects may identify, reflect and protect Aboriginal and Torres Strait Islander heritage and culture.
8. To assist in the development, review and provide feedback to Council on its policies, plans, and services that are seen to impact to impact Aboriginal and Torres Strait Islander communities.
9. To oversee the development, endorsement, launch, implementation and evaluation of a Reconciliation Action Plan for Cumberland.

5. Eligibility

To be eligible as a community representative, members must meet at least one of the following criteria:

- i) Aboriginal and Torres Strait Islander people who live or have connections to the Cumberland Local Government Area;
- ii) Tribal Darug people;
- iii) Individuals or representatives of local community organisations with a demonstrated commitment to, and understanding of, issues relating to the local Aboriginal & Torres Strait Islander community and local Aboriginal culture, language and history

6. Membership

Membership of the Aboriginal and Torres Strait Islander Consultative Committee will consist of:

- i) Two Councillors.

Councillor members are to be elected by Council (Ordinary Meeting of Council) at the start of each Council term.

- ii) Between ten (10) and fifteen (15) community representatives. These representatives may be individuals or members of Aboriginal and Torres Strait Islander community organisations. Ideally, the community members will be representative from across the geographical area of Council.

Before accepting the position, nominees must complete an expression of interest and declare formally, in writing to Council any potential conflicts of interest directly relating to the purpose of the Committee.

Expressions of interest for membership of the Aboriginal and Torres Strait Islander Consultative Committee will be sought through open advertisement in the local press and via community networks calling for applicants to address the above criteria. All nominations for appointment to the Committee are to be formally submitted in writing to Council. Nominees must complete an expression of interest and declare formally, in writing to Council any potential conflicts of interest (such as being a member of other committees or other community affiliations) directly relating to the purpose of the Committee.

All nominations will be assessed by an internal panel of Council staff and recommendations made to Council.

Committee membership will be formalised by resolution of Council.

7. Term of Office

Membership of the Committee shall be for the two years with the exception of staff representatives. Membership can be altered at any time by Council resolution. Council will call for nominations to the Committee.

8. Notification of vacancies

The Committee is to notify the General Manager promptly of any vacancy occurring in its membership that affects the capacity of the Committee to function. The Committee is to submit to the General Manager within 28 days the name of a person considered by the Committee to be suitable for appointment. The General Manager will decide whether to accept that appointment, or to call for public Expressions of Interest.

9. Chairperson

The Chairperson will be a nominated community member, elected by the Committee. In his/her absence the Committee may elect another Chairperson.

10. Quorum

The quorum for a meeting of the Aboriginal and Torres Strait Committee will be a majority of the members. If a quorum is not present within fifteen minutes after the appointed starting time, the meeting will be adjourned to a time fixed by the chairperson or those present can hold an informal meeting to discuss matters. However, any recommendations made by the Committee are not recognised until a meeting has ratified them where a quorum is present.

11. Meeting Attendance

Committee Members are expected to attend all committee meetings where possible. If a member is unable to attend, an apology is to be provided to the meeting convener prior to the meeting. A member who fails to attend 2 consecutive meetings without submitting a satisfactory explanation will forfeit his/her place on the Committee.

Where a Councillor cannot attend a meeting of the Committee, another person delegated by the Councillor may act as a Member of the Committee for that meeting. The delegate will have the full rights of a member for that meeting.

Councillor appointments to the Committee will be made at the beginning of each Council term or as required. All other Councillors are able to attend Committee meetings.

12. Times and Places for Meetings

The Committee will meet quarterly at dates and times as determined. An extraordinary meeting may be called where circumstances warrant.

Meetings will normally be held at either the Council Administration Building at 16 Memorial Avenue, Merrylands, or at another accessible venue. The venue of the next quarterly meeting is to be agreed by the Committee during the (prior) meeting.

13. Meeting Procedures

The Committee is required to follow Council's adopted Code of Meeting Practice.

Persons other than Committee Members/alternates will be permitted to attend meetings subject to:

- i) Prior agreement at the previous meeting, if the invitee is known, or
- ii) Agreement by the Chairperson.

14. Decision making

Wherever possible, the Committee should seek to achieve a consensus on decisions or actions.

Where a matter is voted on, each member of the Committee is entitled to one vote. The Chairperson will generally abstain from voting. Where a vote is tied the Chair may exercise a casting vote.

Voting can be conducted in two ways, verbally or by show of hands (or in special circumstances in another appropriate way as agreed by the committee members). For a vote to be carried a majority of participants must vote for that matter. Members who are not present may not vote by proxy or any other means.

The Chairperson will consult and/or seek approval from Darug elders on key matters where appropriate.

Meetings will be open for all community members to attend or other invited representatives, however they will not have decision making or voting rights.

15. Conflict of Interest & Pecuniary Interest

Committee members must declare any conflicts of interest or pecuniary interest at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflicts of interest and pecuniary interest are to be appropriately minuted.

Where members or invitees at Committee meetings are deemed to have a real or perceived conflict of interest or pecuniary interest, the member is precluded from Committee deliberations on the issue.

16. Administration of the Committee

Council staff will provide the following administrative support to the ATSIC Committee, as required:

10. All correspondence to members of the Committee.
11. Notification of times of meetings and agenda.
12. Preparation and distribution of minutes.
13. Background reports and other information as required.
14. Reports to Council.

Other Council staff will attend meetings and provide expert advice to the Committee as required.

Council staff will not be Members of the Committee and as such will not have voting entitlements.

17. Minutes

Minutes of each Meeting of the Committee will be provided to Council along with the identification of any recommendation arising from the Meeting that the Committee considers to be of sufficient importance to bring to the attention of Council.

Minutes of the Committee are to be endorsed by the convenor prior to being submitted to the next available Ordinary Meeting of the Council as appropriate.

The minutes will contain:

15. Description of the meeting, date, time and venue at which the meeting was held
16. A list of persons present and any apologies
17. Notation of adoption of minutes from previous meeting
18. Whether there was business arising from the minutes
19. Notation of reports, correspondence and recommendations
20. Items of general business
21. Time meeting closed, date and venue of next meeting

The minutes of all Committee meetings become public documents on reporting to Council.

18. Reports

It may be appropriate for members to follow up on matters arising from the quarterly meetings. Where this takes place, such members will be required to take appropriate notes and report back to the Committee on the matter.

Council officers will prepare reports as requested by the Committee or as otherwise appropriate for the consideration of the Committee.

19. Agenda and Meeting Notification

Agenda items are to be submitted to the Committee Convener at least 21 days prior to the next scheduled meeting date, for confirmation by the Convenor of the Committee.

Members should describe agenda items in sufficient detail to help members to understand the issues before them.

Urgent / late items not on the agenda are to be dealt with and determined in the appropriate manner by the Chairperson in accordance with Council's adopted Code of Meeting Practice or equivalent document.

Notification of meetings will be given to members by the Convener at least one week in advance specifying the time and place prior to the meeting, together with a copy of the agenda and any reports.

20. Expenses of Committee Members

The Council will not generally authorise payment or provide remuneration to Committee members however, where special circumstances exist, Council may pay remuneration, reimburse expenses and/or provide facilities to Committee members.

21. Insurance

Members of the Committee are covered by Council's public liability and professional indemnity insurance.

22. Media Contact

Members of the Committee may not speak to the media on behalf of the Committee/Council without prior approval from the General Manager and liaison with Council's Media Team.

23. Changing the Terms of Reference

The following procedure will apply where a Committee member seeks to amend the Terms of Reference:

- i) The Committee must consider and vote on any proposed changes to the Terms of Reference.
- ii) Any proposed change is to be approved by the General Manager.
- iii) Any changes will be advised to Committee members.

Any requests from Council management to amend the terms of reference are to be made through the General Manager for submission to the Committee and Council.

24. Induction

New members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.

25. Standard Operating Procedures

All other procedures are to be in accordance with Council's Manual for Standard Operating Procedures and Code of Meeting Practice.