



CITY OF PARRAMATTA

First Nations Advisory Committee Terms of Reference

11 April 2022

1. Purpose of First Nations Advisory Committee

General Purpose

- 1.1 To advise Council on the needs or issues of our community and to inform Council's decision making and work relating to our community.

Specific Purpose of First Nations Advisory Committee

- 1.2 To advise Council on the views, needs and interests of First Nations people and communities in the Parramatta area, within the scope of Council's authority.
- 1.3 To advise Council on matters relating to embedding First Nations considerations into Council business, including appropriate approaches for engagement.
- 1.4 To provide input into City of Parramatta Council's work to promote an increased knowledge and understanding of the wider community of First Nations culture, history, achievements and ongoing challenges.

2. Roles and Responsibilities

General Roles and Responsibilities

- 2.1 The First Nations Advisory Committee has no executive powers and has been established to provide feedback, input and advice to Council.
- 2.2 The First Nations Advisory Committee is directly responsible and accountable to the CEO in undertaking its responsibilities.
- 2.3 The responsibilities of the First Nations Advisory Committee may, in consultation with the Committee, be revised or expanded by Council resolution from time to time.

- 2.4 The key responsibilities of the First Nations Advisory Committee are:
- a. To represent the views, interests and/or identified issues that affect the communities within the Parramatta local government area within the scope of Council's authority;
 - b. To provide advice, input and feedback to Council on issues that fall within the parameters of its authority and relate to the particular communities / identified issues the Committee is concerned with.

Specific Roles and Responsibilities of the First Nations Advisory Committee

- 2.5 To provide advice towards and monitor the implementation of relevant Council plans and strategies with respect to the needs, issues and interests of First Nations people and communities.
- 2.6 To provide specialist advice to Council relating to issues impacting First Nations communities and best practice approaches for community engagement.
- 2.7 To support and encourage the cultural competency of Council.
- 2.8 To provide advice on how particular Council projects may identify, reflect, promote and protect First Nations heritage and culture.
- 2.9 To work with Council to develop and promote appropriate commemorations and celebrations of First Nations culture including Sorry Day and NAIDOC Week.
- 2.10 To continually liaise with local First Nations community members, organisations and networks to identify and represent issues affecting those communities.
- 2.11 To report back to community members, organisations and networks on Council's role and responsibilities and its decisions relating to First Nations communities.
- 2.12 To support and work with First Nations and other organisations committed to increasing Reconciliation and respect for First Nations culture and history, past and present.

3. Membership

Duties of Appointed Members

- 3.1 To attend and participate in a compulsory induction workshop which will include information on the role of the First Nations Advisory Committee, the role and responsibility of members and Council, Council's Code of Conduct and other related policies and protocols.
- 3.2 To attend and participate in meetings of the First Nations Advisory Committee (including any planning sessions and relevant training).
- 3.3 To work co-operatively with other members in achieving the aims of the First Nations Advisory Committee.
- 3.4 To raise issues of concern within the scope and objective of the First Nations Advisory Committee.
- 3.5 To contribute ideas and suggestions relating to items on meeting agendas.
- 3.6 To participate in the discussion and to vote on outcomes of the First Nations Advisory Committee.
- 3.7 To provide advice and recommendations to Council on items on meeting agendas.
- 3.8 To action and follow up tasks established by the First Nations Advisory Committee and resolved by Council.
- 3.9 To report back to existing networks within the communities they represent on Council's role, responsibilities and its decisions relating to the First Nations Advisory Committee.
- 3.10 To use existing networks to remain informed regarding the views and interests of the particular group / community they represent.
- 3.11 To advise the Chair if they are unable to attend and to liaise with Alternate Members for attendance at meetings.

Alternate Members

- 3.12 Alternate members may attend meetings of the First Nations Advisory Committee in either capacity as an appointed or alternate member.
- 3.13 If an appointed member is unable to attend a meeting for any reason, then the alternate member is to be notified of their absence. If a member has not given notice of an absence and is not present, the alternate member assumes the role of member until such time the appointed member is present.
- 3.14 Any member who is appointed as an alternate member will be provided with all information (meeting invite, agenda, minutes, presentations, etc.) as an appointed member.

Member Attendance at Meetings

- 3.15 If a member is absent for two (2) consecutive meetings without an apology, the Committee Convenor, in consultation with the Chair, will attempt to contact the member to clarify whether they are still interested in continuing to be a member of the First Nations Advisory Committee.
- 3.16 If a member is absent for three (3) consecutive meetings without an apology, and there has been no response from the Committee member explaining their absence, their position will be declared vacant and the declaration of the vacancy must be recorded in the minutes of that meeting.
- 3.17 Members may elect to participate in a meeting by audio-visual means.

Member Leave of Absence

- 3.18 Members may apply to the Committee Convenor for a leave of absence, and the granting of such leave of absence is at the discretion of the First Nations Advisory Committee. All applications for leave of absence must be recorded in the minutes of a First Nations Advisory Committee meeting.

Membership

- 3.19 Council encourages participation from across the wider community. Membership is limited to no more than two consecutive terms, at the discretion of Council.

3.20 Membership of the First Nations Advisory Committee is voluntary. Members are entitled to reimbursement for costs associated with travel to and from First Nations Advisory Committee meetings, including public transport costs, parking fees and travel vouchers.

3.21 The term of membership coincides with the term of the Council or such other period as resolved by Council. At this time, all positions are declared vacant.

Specific Membership Criteria

3.22 The Committee will comprise such members as are appointed by Council from time to time,

- a. A minimum of seven (7) and a maximum of thirteen (13) members meeting the following criteria:
 - demonstrate skills and capacity to contribute to the Committee; and
 - live, work, study or have a strong commitment to the City of Parramatta LGA; and
 - meet the specific criteria for membership of the Committee.

3.23 Applications for the First Nations Advisory Committee are open to First Nations people who meet one or more of the following criteria:

- a. Reside in the Parramatta Local Government Area;
- b. Work, study or have a specific connection to the Parramatta Local Government Area;
- c. Are members of the Dharug community

3.24 Applications for membership are encouraged from First Nations people from the following subcategories, with a focus on gender diversity and the diversity of the group as a whole:

- a. Young people;
- b. Elders;
- c. Dharug.

Ex-Officio Members

3.25 All Councillors are ex-officio members of the First Nations Advisory Committee.

3.26 Depending on the nature of issues raised, relevant Council staff and/or other stakeholders or guests will be invited to attend the meetings.

3.27 Ex-officio members may contribute to the meeting as permitted by the Committee Chair.

3.28 Ex-officio members are non-voting positions.

Observers

3.29 Non-members of the First Nations Advisory Committee are able to attend meetings with the permission of the Convenor and Chairperson of the First Nations Advisory Committee.

3.30 Observers are able to participate in discussions to the extent as permitted by the Chairperson.

Managing culturally sensitive matters

3.31 Where an issue is identified as culturally sensitive, the First Nations Advisory Committee is able to proceed according to cultural practices (ie with only First Nations people present at the time of discussion). Non-indigenous people will be required to leave the meeting.

3.32 Any decisions arising from discussions held during this time will be relayed to other attendees when they return to the meeting.]

4. Chairperson/Deputy Chairperson

Duties of Chairperson/Deputy Chairperson

4.1 Duties of the Chairperson or Deputy Chairperson are to:

- a. To chair meetings according to Council's Code of Conduct, the Terms of Reference and Guidelines, and meeting agendas;
- b. To make recommendations for Agenda items in relation to the business of Council and the purpose of the Committee;
- c. To facilitate the discussion of items on the agenda in a timely manner;
- d. To facilitate the moving of recommendations and voting by Committee members;
- e. To ensure all Committee members have the opportunity to participate;
- f. To facilitate the participation of Ex-Officio members, Guest Speakers and Observers present at the meeting;
- g. To participate in Committee training as organised and offered by the City of Parramatta Council.

Election of Chairperson/Deputy Chairperson

4.2 The First Nations Advisory Committee votes annually to determine its Chairperson and Deputy Chairperson, with the election taking place at the first meeting in each calendar year.

4.3 The Chairperson cannot be appointed as Chair for more than two (2) years.

Absence of Chairperson/Deputy Chairperson

4.4 If the Chairperson and Deputy Chairperson are absent from a meeting, the First Nations Advisory Committee will nominate a Chairperson amongst its members for that meeting.

Sub-committees

4.5 The First Nations Advisory Committee may determine to establish sub-groups to enable focus on key priority areas or specific subjects and to maximise the value of members' time.

4.6 Sub-groups may consist of both members and ex-officio members, and may invite staff members or other subject matter experts to provide advice / guidance as appropriate.

4.7 Sub-groups of the First Nations Advisory Committee have no executive powers and will be established to provide advisory services only.

4.8 Sub-groups are directly responsible and accountable to the First Nations Advisory Committee for all responsibilities.

Member Vacancies

4.9 Where a vacancy occurs:

- a. Within six (6) months from the appointment of members, the vacancy may be filled firstly by a person on the eligibility list if they are still interested and available to join the First Nations Advisory Committee; or
- b. After six (6) months from the appointment of members, and more than 12 months from the end of the First Nations Advisory Committee's term, an Expression of Interest utilising Council, Community and Committee members' networks should be undertaken.

4.10 Vacancies will not normally be filled within the last 12 months of a First Nations Advisory Committee term.

5. Meetings

Frequency of Meetings

- 5.1 The First Nations Advisory Committee will meet bi-monthly, or as determined by the Chair. Details of meeting commitments will be detailed in any expression of interest information package.

Location of Meetings

- 5.2 Meetings will be held in Council offices.
- 5.3 Provisions will be made for remote attendance at First Nations Advisory Committee Meetings.
- 5.4 As practicable, up to two (2) meetings annually will be scheduled at various community locations across the Parramatta Local Government Area.

Urgent Business

- 5.5 The First Nations Advisory Committee may be required to consider urgent business outside of the regular meeting cycle.
- 5.6 A special meeting of the First Nations Advisory Committee may be called by the Chairperson following a reasonable request from a member of the First Nations Advisory Committee, the Chief Executive Officer, or by resolution of the Council.
- 5.7 If a meeting is unable to be called, the business may be considered via alternate methods, including email.

Voting Membership

- 5.8 The 'voting membership' of the First Nations Advisory Committee will be initially determined by the number of members appointed to the First Nations Advisory Committee at the time of the formation of a new Committee, and thereafter:
- a. increased by any additional members appointed to the First Nations Advisory Committee (remaining within max membership); or
 - b. reduced by any resignations received from members (remaining within min membership); or
 - c. reduced by any lapsed member/s whose membership has been declared vacant.

Quorum

- 5.9 The quorum for First Nations Advisory Committee meetings shall be half plus one of the 'voting membership'. In instances where there is an odd number of voting members, the number will be rounded up to the nearest whole number.
- 5.10 Where there is no quorum present after a period of 15 minutes has elapsed, an informal meeting may be conducted at the discretion of the Chairperson at which the First Nations Advisory Committee may receive any presentations and undertake informal discussion. No actions or recommendations may be made until a further meeting of the First Nations Advisory Committee is held when a quorum is present.
- 5.11 Where there is no quorum, a First Nations Advisory Committee is not able to determine any decisions or actions and can only deliberate on issues. Any decisions or actions must be held over to the next meeting where a quorum is present.
- 5.12 No minutes are kept of meetings which do not have a quorum but informal notes may be taken to enable any proposed recommendations or decisions to be presented to a further meeting when a quorum is present (note that case law has determined that decisions of inquorate meetings cannot strictly be 'ratified' by a later meeting – they must be made afresh).
- 5.13 In the event that there are two consecutive non quorate meetings suffered, the Convenor will contact the Chair and each First Nations Advisory Committee Member to determine their continuation on the Committee. If required, a fresh Expression of Interest process will be undertaken.
- 5.14 Members may participate in meetings by audio-visual means of communications.

Minutes of Meetings

- 5.15 The minutes of First Nations Advisory Committee meetings will contain details of the attendance for each meeting, a short summary of the discussion item and any action / outcome from the discussion.
- 5.16 Minutes of First Nations Advisory Committee meetings will be provided to Councillors on a regular basis. Minutes will be published on Council's website.

5.17 Where the First Nations Advisory Committee establishes an action or recommendation arising out of the Committee discussion, a report will be provided to a Council meeting presenting those actions / recommendations for consideration.

6. Other Roles

Role of the Committee Convenor

- 6.1 The First Nations Advisory Committee is convened by a Council officer known as the 'Committee Convenor'. The Convenor is responsible to:
- a. set the agenda with input from members and/or Council including allocation of time for agenda items;
 - b. attend each meeting;
 - c. ensure meetings are run according to Council's Code of Conduct and the Terms of Reference;
 - d. liaise between the First Nations Advisory Committee and other officers within Council as determined by the First Nations Advisory Committee's business;
 - e. finalise First Nations Advisory Committee minutes;
 - f. prepare Council reports on specific actions / recommendations from the First Nations Advisory Committee
 - g. act as moderator of meetings where the majority of participants attend via remote means.

Role of the Secretariat

- 6.2 Council's [Name of Business Unit] Team provides secretariat support to the First Nations Advisory Committee and is responsible to:
- a. Set of meeting dates;
 - b. communicate meeting dates to members, staff and Councillors;
 - c. distribute the agenda to members, staff and Councillors at least seven (7) days prior to the meeting;
 - d. manage RSVPs to meetings;
 - e. arrange appropriate catering for the meeting;
 - f. prepare draft minutes;
 - g. finalise draft minutes within seven (7) days of the meeting;
 - h. provide draft minutes to the First Nations Advisory Committee Convenor;
 - i. distribute minutes to members, staff and Councillors
 - j. facilitate reviews of the Terms of Reference as required.

7. Conflict of Interest

- 7.1 First Nations Advisory Committee members are to declare at the commencement of each meeting any pecuniary or non-pecuniary conflict of interest they have regarding any issue on the agenda.
- 7.2 All conflicts of interest declared are to be recorded on the appropriate form and recorded in the minutes of the meeting.
- 7.3 If necessary, the member concerned should consider leaving the room while the matter is being discussed.

8. Confidentiality

- 8.1 Where First Nations Advisory Committee meetings include consideration of confidential information relating to members or the business being discussed, members are required to respect the principles of confidentiality.

9. Council's Code of Conduct

- 9.1 All members must abide by Council's Code of Conduct at all times.
- 9.2 All members must attend and participate in a compulsory induction workshop prior to attendance at their first meeting which will include information on Council's Code of Conduct.
- 9.3 No member of an First Nations Advisory Committee is able to make media or public comment on behalf of the First Nations Advisory Committee or Council at any time.

10. Training

- 10.1 All members of the First Nations Advisory Committee are required to attend an Induction Workshop.
- 10.2 Other training will be provided to members where this is required to enable them to fulfil their duties.

11. First Nations Advisory Committee Representation / Attendance at Forums

- 11.1 From time to time, the First Nations Advisory Committee may be approached to supply a representative to another Committee of Council. Where the First Nations Advisory Committee determines that representation is appropriate, nominations will be called for at the meeting and a vote shall take place to select a representative.
- 11.2 Representatives shall be entitled to reimbursement of the equivalent public transport fare to and from the meeting or forum, or be provided with vouchers for alternative transport.

12. Changes to Terms of Reference

- 12.1 The Terms of Reference of the First Nations Advisory Committee are ratified by Council and any changes or additions to them must be approved by Council.

13. Annual NSW Local Government Aboriginal Network Conference

- 13.1 Consistent with Department of Local Government programs for the encouragement of First Nations people to stand for Local Government, Council allocates funding within the Social and Community Services budget for attendance by Members of the First Nations Advisory Committee at future Local Government Aboriginal Network Conferences as follows:
 - a. Funds are allocated annually to the Committee, who shall elect two (2) First Nations representatives of that Committee to attend one (1) conference per year; and
 - b. The Committee direct these funds to defray costs towards registration, travelling costs and accommodation at those conferences.

14. Dissemination of Information to the Community

- 14.1 Minutes of meetings will be sent to Gandangara Local Aboriginal Land Council (LALC), Deerubbin LALC, Metropolitan LALC and the NSW Aboriginal Land Council.]

Community Membership Application Process

- 1.1 Following the Council election and Council determination of which First Nations Advisory Committees are to be formed, Council will then implement an Expression of Interest process to recruit members for the First Nations Advisory Committees and this will be publicised through the following channels for a minimum of two (2) weeks:
 - a. Council's dedicated webpage for First Nations Advisory Committees (which is to include all relevant documentation, EOI forms, Council Officer contact details, etc);
 - b. Council's website homepage carousel;
 - c. Direct communications with former First Nations Advisory Committee members;
 - d. Advertising in any available community newspaper reaching residents of the City of Parramatta Local Government Area;
 - e. Social media advertising;
 - f. Advertising across relevant community networks relevant to each Advisory Committee;
 - g. A message through the Lord Mayor's column;
 - h. Any other channel as deemed appropriate by the First Nations Advisory Committee Convenor.
- 1.2 All applicants for membership must apply using the relevant Expression of Interest form that requires applicants to address the stated criteria for membership. Previous members are entitled to apply for membership using the Expression of Interest form. Optional (as required): Committee membership may be subject to a criminal history check.
- 1.3 A Selection Panel will be established to assess membership applications, and comprise the following:
 - a. Two (2) First Nations people;
 - b. The Committee Convenor;
 - c. An independent external First Nations person;
 - d. A Councillor Officer.
- 1.4 In addition, access and equity principles will be applied in the selection of members and the composition of the First Nations Advisory Committee will reflect a diversity of views and opinions, variations in length and quality of related experience, age and gender balance.]
- 1.5 The Selection Panel will prepare a report on all applicants detailing:
 - a. any previous membership of City of Parramatta First Nations Advisory Committee/s;
 - b. whether the applicants meet the selection criteria for the First Nations Advisory Committee;

- c. any additional considerations;
- d. panel recommendations for applicants.

1.6 Membership applications are to be reported to Council for approval.

1.7 Any applications that meet the criteria but are not appointed as members, will be retained on an eligibility list for a period of twelve (12) months following any expression of interest process undertaken to appoint members. The eligibility list will expire twelve (12) months from the date Council appoints its members.

Ends