



WAVERLEY
COUNCIL

Reconciliation Action Plan Advisory Committee

Terms of Reference

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| Related policies/procedures/guidelines | Waverley Reconciliation Action Plan |
| Related forms | |

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1. Acknowledgement

Waverley Council acknowledges the Bidjigal and Gadigal people, who traditionally occupied the Sydney Coast and we also acknowledge Aboriginal Elders both past and present.

Council also acknowledges all the Aboriginal and Torres Strait Islander Elders, community members, and service providers who support our work in Reconciliation.

2. Vision for Reconciliation

The Committee supports Waverley Council's vision for reconciliation where Waverley is to be a vibrant, resilient, caring, and inclusive community where Aboriginal and Torres Strait Islander peoples:

- Practice and celebrate their culture and heritage proudly
- Are honoured for their survival and resilience, and supported to continue to overcome adversity
- Are respected and acknowledged as First Nations peoples with the right to determine their own futures

The Committee supports Waverley Council's commitment to continue to value and protect our environment with respect to Aboriginal and Torres Strait Islander peoples' intrinsic relationship with the land and waters.

3. Background

Council adopted its current Reconciliation Action Plan (RAP) in November 2019. The RAP strives to further strengthen and build on the progress and achievements Waverley has made since adopting a Statement of Commitment to Reconciliation in 2000 and its first Reconciliation Action Plan in 2014.

A key deliverable in the current RAP is to establish a collaborative group of external stakeholders, the Reconciliation Action Plan Advisory Committee ('the Committee').

4. Objective

The objective of the Committee is to provide cultural advice, guidance, feedback and support around implementation and monitoring of actions, projects and commitments identified in the RAP.

5. Authority

The Committee is an advisory body to Council that assists the Council to fulfil the actions and deliverables in the RAP. The Committee does not have any delegated authority to act on behalf of Council. The advisory status of the Committee means that it may provide input to Council officers and make recommendations to Council or its Standing Committees.

The Committee is not authorised to:

- Make decisions on behalf of Council
- Expend money on behalf of Council
- Commit the Council to any actions or arrangements
- Direct Council officers in the performance of their duties, or
- Represent the Council in any communication with the public or media.

6. Membership

Committee membership will comprise:

- The Mayor and three Councillors.
- Up to eight community members (a community member may be an individual from the community or a representative of a community organisation).

Should the Mayor decline membership of the Committee, a Councillor nominated by the Mayor shall be appointed to the Committee for the councillor term.

6.1 Appointment of Councillor members

The Mayor, or the Mayor's nominee, and the three councillor members must be appointed by resolution of the Council.

The Council may resolve to appoint an alternate Councillor member to the Committee to attend meetings in the absence of one of the Councillor members. The alternate Councillor member will have the same voting rights as the Councillor member being replaced.

6.2 Appointment of community members

The community members may only be appointed to the Committee by resolution of the Council.

The community members shall be sought by way of public advertisement inviting expressions of interest for assessment by a selection panel comprising the Mayor (or the Mayor's delegate) and the Director or officer assigned by the General Manager.

The selection panel will evaluate candidates against the following criteria:

- Traditional Custodians and Elders of the Waverley area
- Aboriginal Peoples and Torres Strait Islander Peoples who live, work or have a connection to the Waverley and surrounding areas.

- Representatives from Aboriginal and Torres Strait Islander community groups and organisations that operate and/or are located within the jurisdiction of the La Perouse Local Aboriginal Land Council.

The selection panel will recommend the community membership to Council for its determination.

6.3 Chair of the Committee

The Mayor (or the Mayor's nominee) is the Chair of the Committee.

The Chair is to have precedence over the control and management of the meetings. In relation to any procedural matter, the ruling of the Chair shall be final.

The Chair may call any member to order whenever in the opinion of the Chair it is necessary to do so.

Should the Chair be unable to chair a meeting or part of a meeting, prior to the meeting the Chair will nominate a councillor member of the Panel to chair the meeting. In the case that the nominated Chair does not attend, Council's most senior Officer in attendance will chair the meeting, or that part of the meeting as the case may be.

6.4 Non-voting Invitees

The Committee will issue a standing invitation to the following people to attend meetings of the Committee as non-voting invitees:

- All non-member Councillors
- The General Manager
- All Directors
- The Chief Financial Officer
- The General Counsel

Other Council staff may be invited by the Chair of the Committee to attend meetings as observers, advisors or to provide information and presentations as required.

The Committee may also invite other external parties to provide expert advice, information or presentations as the Committee deems necessary.

Councillors who are not Committee members may attend meetings of the Committee. However, they are not entitled to:

- Give notice of business for inclusion on the agenda of the meeting;
- Move a motion at the meeting; or
- Vote at the meeting.

6.5 Vacancies

A vacancy for a community member of the Committee will occur upon the resignation of the member, expiry of a term of appointment as outlined in Section 7 of this Terms of Reference, failure to attend without cause for three consecutive meetings, or removal of the member by resolution of the Council.

Following an expression of interest process for community membership of the Committee, Council may establish a pool of suitable candidates to fill vacancies on the Committee. A candidate may be a member of the pool for a maximum period of 12-months.

Where no pool of suitable candidates is established, vacant community member positions on the Committee must be filled by way of public advertisement inviting expressions of interest for assessment by the selection panel, who will recommend a new member to Council. This will occur as soon as practical within the period of two Panel meetings.

7. Term of Office

Councillor members of the Committee shall hold office for a 12-month term, as determined by Council in September each year.

Community members (individuals and representatives of community organisations) shall hold office for a two-year term (or such other period of appointment) or when reviewed by Council. Where possible the term is to coincide with the Council term.

Representatives of community organisations are members of the Committee while they are assigned by their organisation and hold their position with the organisation.

Community members may reapply for a second two-year term through the expression of interest process outlined in section 6.2 of this Terms of Reference, provided the total time served on the Committee does not exceed four years.

An individual member will cease to be a member of the Committee if the member has been absent from three consecutive meetings without having given reasons acceptable to the Chair for their absence.

8. Role and Responsibilities

The role of the Committee is to support the implementation of Council's RAP by:

- Providing support to engage the community and facilitate connections.
- Providing cultural advice (where appropriate).
- Promoting a shared knowledge and understanding of Council's commitment to Reconciliation.
- Providing feedback and suggestions around events, activities, projects and documents.

- Identifying suitable funding sources and potential partnership opportunities
- Providing input into the development of Council's Reconciliation Action Plans.

The General Manager may also place before the Committee such other matters as they think fit where the Committee's input may add value.

9. Responsibility of Committee Members

9.1 Code of Conduct

Members of the Committee must comply with Council's *Code of Conduct for Council Committee Members and Other Council Officials* in carrying out their functions as Committee members.

It is the personal responsibility of each Committee member to comply with the standards in the code of conduct and regularly review their personal circumstances with this in mind.

9.2 Conflict of Interests

Committee members must declare any conflict of interests at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflicts of interest should be recorded in the minutes.

Where Committee members at Committee meetings are deemed to have a real or perceived conflict of interest, it may be appropriate they be excused from Committee deliberations on the issue where the conflict of interest may exist.

For the avoidance of doubt, non-councillor members of the Committee are not 'designated persons'.

9.3 Confidential and Personal Information

In the course of their work on the Committee, Committee members may be entrusted with sensitive or confidential information about Council's operations.

Committee members must maintain the integrity and security of confidential and personal information in their possession, or for which they are responsible.

Provisions concerning the use and security of confidential and personal information are set out in Part 7 of Council's *Code of Conduct for Council Committee Members and Other Council Officials*.

Should a Committee member become aware of any breach of security, or misuse of Council's confidential or personal information, they should inform the General Manager immediately.

9.4 Media Protocol

Committee members must not make public comment, including to the media and on social

media, on any matter related to Waverley Council.

9.5 Responsibilities of Non-voting Invitees, Observers and Non-member Councillors

All non-voting invitees, observers and non-member Councillors must comply with sections 9.1-9.4 of this Terms of Reference.

10. Establishment of Working Groups

Working groups may be established at the direction of the Chair to address specific issues, or work out the detail of specific initiatives. The Committee may develop briefs for working groups and co-opt people with the necessary knowledge and skills to contribute as needed.

Working groups will report back to the Committee about action taken, progress made, and recommendations to Council where relevant.

11 Review of the Terms of Reference

The Committee will review its Terms of Reference at least once every two years to ensure it remains current, relevant, and accurately reflects the Committee's composition, role, and responsibilities.

The Committee may make recommendations to the Council to change aspects of the Terms of Reference. However, the adoption of the Terms of Reference is the responsibility of the Council.

12. Administrative Arrangements

12.1 Committee Support

The Committee and its Working Groups will be supported by relevant Officers assigned by the General Manager.

12.2 Meetings

The Committee will meet four times per year. The meeting dates for the year shall be set at the beginning of each year.

Meetings may be held outside normal business hours.

Regular meetings may be deferred if the Chair considers them not necessary at that time.

Meetings of the Committee are not open to the public. However, members of the public may be invited to speak at a meeting on the issues being considered by the Committee at the discretion of the Chair.

Meetings may be held in person, by telephone or video conference.

Meetings of the Committee will take place without strict adherence to the rules of debate and other procedural requirements. Recommendations at meetings will be made by way of consensus. In cases where consensus cannot be reached recommendations will be made by majority vote (see section 12.5 of this Terms of Reference).

Where these Terms of Reference do not address the conduct of a meeting, Council's Code of Meeting Practice will apply.

12.3 Agendas and Minutes

Council officers will provide agenda items and reports for committee meetings in consultation with the Chair of the Committee.

Members may raise other matters within the terms of reference for the Committee for consideration, discussion and comment. Where practicable, members should notify the Director or officer assigned to support the Committee of an item at least 21 days prior to a scheduled meeting to enable its inclusion in the agenda. Agenda items put forward must be aligned with the Reconciliation Action Plan.

The assigned support officer will ensure meeting agendas and associated documents will be issued to Committee members, all councillors and non-voting invitees at least seven days before the meeting.

The General Manager, through the assigned support officer, must ensure that full and accurate minutes of the proceedings of Committee meetings are kept. The minutes must record:

- The date and start time of meetings, attendees and any apologies.
- Any conflict of interests declared at the meeting.
- The confirmation of the minutes from previous the meeting.
- The Committee's recommendation on each item.
- The time the meeting closed.

The draft minutes must be approved by the Chair of the Committee. The assigned support officer will then circulate the draft minutes to all Committee members, Councillors and relevant staff within 10 business days of the meeting being held.

Draft minutes are not publicly available.

The draft minutes must be confirmed by the Committee at the next available Committee meeting, and subsequently reported to Council for noting and published on Council's website.

If the Committee wishes to recommend to the elected Council that it takes action on a particular matter, officers must write a report to the Council with details of the background and the issues and include the Committee's recommendation for Council's consideration.

12.4 Quorum

A quorum for a meeting of the Committee will be a majority of Committee members, at least two of whom must be a Councillor.

12.5 Voting

In cases where consensus cannot be reached recommendations will be made by majority vote.

A motion supported by the majority of Committee members, by means of a vote, at a meeting of the Committee at which a quorum is present is a recommendation of the Committee.

Voting at a Committee meeting is to be by a show of hands or on the voices.

A member of the Committee is entitled to one vote only on each matter.

In the case of an equality of votes, the Chair of the Committee has a casting vote. Where the Chair decides not to exercise their casting vote, the motion being voted upon is lost.

Whether or not the Chair used their casting vote shall be recorded in the minutes.

12.6 Induction

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

12.7 Remuneration

Community members of the Committee shall be remunerated for participating on the Committee on a per meeting attended basis at the remuneration level adopted by Council.