



WAVERLEY
COUNCIL

Multicultural Advisory Committee

Terms of Reference

Policy owner	Executive Manager, Community Programs
Approved by	Council
Date approved	21/02/2023
Commencement date	22/02/2023
TRIM Reference	SF22/2231
Next revision date	2026
Relevant legislation/codes	Waverley Code of Conduct for Council Committee Members and Other Council Officials
Related policies/procedures/guidelines	Cultural Diversity Strategy Community Engagement Policy
Related forms	Waverley Multicultural Advisory Committee Expression of Interest Form

Table of Contents

Acknowledgement	4
1. Context	4
2. Objective.....	4
3. Purpose Statement	4
4. Authority.....	4
5. Membership.....	5
5.1 Appointment of Councillor members	5
5.2 Appointment of non-Councillor members of the Committee	5
5.3 Chair and Deputy Chair	6
5.4 Non-voting Invitees.....	6
6. Term of Office	7
7. Member Responsibilities	7
7.1 Code of Conduct.....	7
7.2 Principles	8
7.3 Conflict of Interests	8
7.4 Confidential and Personal Information.....	8
7.5 Media Protocol.....	8
7.6 Responsibilities of Non-voting Invitees, Observers and Non-member Councillors.....	9
8. Review of the Terms of Reference.....	9
9. Administrative Arrangements	9
9.1 Administrative Support	9
9.2 Meetings	9
9.3 Update reports, Agendas and Minutes.....	10
9.5 Voting	10
9.6 Induction	11

Acknowledgement

The Committee acknowledges the Bidjigal, Birrabirragal and Gadigal people who traditionally occupied the Sydney Coast, and Aboriginal Elders both past and present.

Waverley Council is committed to progressing actions in its Reconciliation Action Plan.

1. Context

Waverley is a culturally diverse community with 40% of our residents born overseas. Over many decades Waverley's migration history has shaped this vibrant and dynamic community. We value Waverley's multiculturalism and the languages, traditions, religious and spiritual practices of its people.

The Local Government Act 1993 requires Council to represent the diverse needs of the local community, address the health and wellbeing needs of community members and foster community cohesion by encouraging active participation of civic life. Waverley Council values and respects the diverse range of identities, backgrounds, experiences and lifestyles of the community members who live, work in and visit the area and advocates for a cohesive, inclusive and welcoming community for everyone.

2. Objective

The MAC has been established in support of Council's vision and strategies that:

- promote human rights, address discrimination and disadvantage
- actively encourage participation, social connections and a sense of belonging
- deliver fair and equitable services, facilities and resources to our culturally diverse community
- promote relationships based on understanding and respect.

3. Purpose Statement

The role of the Committee is to:

- contribute to the development, implementation, and review of the Cultural Diversity Strategy
- raise and provide feedback on community issues and concerns
- participate in activities and events that promote community harmony and social cohesion
- provide input to improve inclusion and accessibility of Waverley's infrastructure, facilities, events, services, programs, and information for a culturally diverse community.

4. Authority

The Committee is an advisory body to Council that assists Council to fulfil its functions. It

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 Council to any actions or arrangements
- Direct Council officers in the performance of their duties, or
- Represent Council in any communication with the public or media.

5. Membership

Committee membership will comprise:

- The Mayor and up to three Councillors.
- Up to eight community members
- Up to 4 subject matter experts/ representatives from local organisations

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

Community and subject matter expert members are appointed as individual members of the community and not as a representative of an organisation, business, advocacy body, or stakeholder group.

Should a representative from a local organisation cease its involvement with the local organisation, the local organisation can appoint another representative to attend committee meetings.

5.1 Appointment of Councillor members

The Mayor, or the Mayor's delegate, and the Councillor members must be appointed by resolution of the Council.

Council may resolve to appoint an alternate Councillor member to attend Committee 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.

5.2 Appointment of non-Councillor members of the Committee

Non- Councillor members may only be appointed to the Committee by resolution of the Council. Expressions of interest for non-Councillor positions on the Committee will be invited through Council's website in line with Council's Community Engagement Policy.

Applicants may request assistance to submit their expression of interest to become a Committee member. Council's Community Development Officer Diversity will be available to provide support to interested community members.

Council will appoint non-Councillor members who represent a mix of relevant skills, expertise, background and experiences, including:

- Representing a diverse community or language group that is significant in the Waverley LGA
- Interest in and passion for promoting culturally diverse communities
- Being a local resident of Waverley LGA or having close connections to the area through work, study or volunteering
- Facilitating, delivering or supporting services, programs and events
- Experience working with community groups
- Experience in advocacy or developing partnerships
- Interest or expertise in government programs, policy development or media/promotions

The term for non-Councillor members will be two years.

The selection Committee will recommend the community and expert members to Council for its determination.

5.3 Chair and Deputy Chair

The Mayor (or the Mayor's delegate) 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 Deputy Chair will 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.

5.4 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

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. Term of Office

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

Non-Councillor members shall hold office for a two-year term or when reviewed by Council. Where possible the term is to coincide with the Council term.

Non-councillor members may reapply for another two-year term through the expression of interest process outlined in section 5.2 of these Terms of Reference.

An individual member will not be invited to be a member of the Committee for a consecutive term if the member has been absent from three consecutive meetings.

7. Member Responsibilities

It is the responsibility of Committee members to:

- Participate in and contribute to meetings.
- Understand the relevant legislation and regulatory requirements appropriate to the Committee.
- Contribute the time needed to study and understand the papers/information provided.
- Apply good analytical skills, objectivity and good judgment.
- Keep up to date and informed of the work of the Committee.
- Perform tasks agreed by the Committee that may need to occur outside of meetings.
- Perform any other duties that may reasonably be determined from time to time and agreed by the Committee e.g. site visits.

7.1 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.

7.2 Principles

The following principles of good governance¹ will guide the functions of the Committee:

- Participatory and consensus oriented
- Respectful, accountable and transparent
- Responsive
- Effective and efficient
- Equitable and inclusive
- Law abiding.

7.3 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 attending 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'.

7.4 Confidential and Personal Information

In the course of their work on the Committee, Committee members will 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 8 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.

7.5 Media Protocol

Committee members must not make public comment, including to the media and on social media, on any matter related to Waverley Council.

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

All non-voting invitees, observers and non-member Councillors must comply with sections 7.1-7.5 of these Terms of Reference.

8. Review of the Terms of Reference

The Committee will review its Terms of Reference at least once every four 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.

9. Administrative Arrangements

9.1 Administrative Support

The Committee will be supported by relevant Officers assigned by the General Manager.

Councillor members' main contact for the Committee will be the Manager, Community Planning and Partnerships, who will initiate communication on behalf of Council with regard to Committee recommendations and maintain a record of advice.

9.2 Meetings

Meetings of the Committee will be held once every three months. Depending on resources and members' availability, additional meetings (e.g. of Committee workshops) may be called at the discretion of the Chair.

Notice of Committee meetings will be provided by email by the relevant Council officer at least two weeks before the Committee meeting specifying the time and place.

Meetings will not proceed unless the Chairperson, relevant Council officer and at least two of the community representatives are in attendance.

A quorum for a meeting will be a majority of Committee members, one of whom must be a Councillor.

Recommendations at meetings will be by way of consensus. Otherwise decisions will be made by majority vote.

All councillors can attend meetings. However only the appointed Councillor members have voting rights.

At the discretion of the Chair, members of the public, government representatives or subject matter experts may be invited to inform/advise the Committee on the issues it

considers.

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

9.3 Update reports, 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 parameters of the Terms of Reference for Committee 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 Waverley Cultural Diversity Strategy.

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; and
- 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 two weeks prior to the following meeting.

Draft minutes are not publicly available.

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

An update report is to be attached to every Committee's agenda.

9.5 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 by 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.

9.6 Induction

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