



ABORIGINAL CONSULTATIVE COMMITTEE CHARTER

Adopted: 29 April 2020

TRIM: 082556.2020



ABORIGINAL CONSULTATIVE COMMITTEE CHARTER

1. NAME

Aboriginal Consultative Committee

2. INTERPRETATION

For the purpose of this Charter:

“Council” means Liverpool City Council

“CEO” means Chief Executive Officer

“ACC” means Aboriginal Consultative Committee

“Member” means a member of the committee

3. STATUS OF COMMITTEE

Advisory Committee of Council

4. PURPOSE

The Aboriginal Consultative Committee has been established primarily to provide an open line of communication between Council and the Aboriginal community to advise on matters important to the committee.

5. FUNCTION

The main functions of the Aboriginal Consultative Committee are to:

- a) Facilitate positive relations between Liverpool City Council and the local Aboriginal community;
- b) Provide an information exchange;
- c) Advise Council on issues related to Aboriginal heritage and Aboriginal community development;
- d) Promote mutual awareness and respect for the cultures of both the Aboriginal and non-Aboriginal community;
- e) Increase Council and public awareness of the needs of the local Aboriginal community; and
- f) Provide all levels of Council with Aboriginal cultural awareness.

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6. OUTCOMES

The Committee aims to achieve the following outcomes:

- a) Increase awareness of issues affecting people from Aboriginal and Torres Strait Island background;
- b) Assist in the delivery of Sorry Day, NAIDOC Week and other events as required that benefit or highlight the contributions of the Aboriginal and Torres Strait Islander communities;
- c) Provide advice to Council.

7. COMMITTEE DELEGATIONS

- 7.1 The Committee shall not have the power to incur expenditure, unless delegated authority from Council.
- 7.2 The Committee does not have the power to bind Council, unless granted a specific delegation from Council.
- 7.3 The Committee can make recommendations to the Council or another Committee of the Council on all relevant business presented before it. Recommendations of the Committee will generally be presented to the Council in written form, accompanied by a report from relevant Council officers. Recommendations made by the Council committee may or may not be adopted by the Council.
- 7.4 Recommendations made by the Committee which are determined by the CEO to be substantially operational in nature will be dealt with by the relevant Director, and any action or decision not to act will be reported to the Committee on a regular basis.

8. MEMBERSHIP

8.1 Councillor representation

- 8.1.1 The Mayor (or their delegate) and a Councillor nominated by Council will be members of the Aboriginal Consultative Committee (this can be the same Councillor).
- 8.1.2 Councillor Representatives are encouraged to attend meetings of the Committee and contribute to discussions.

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8.2 Council staff representation

8.2.1 The following staff (or their representative) are assigned to this committee:

- a) Chief Executive Officer
- b) Director City Community and Culture
- c) Manager Community Development and Planning
- d) Community Development Worker (ATSI)
- e) Representatives across Council departments where required.

8.2.2 Staff required to attend the Committee will participate equally with others in terms of discussion and debate but will not have any voting rights.

8.3 Community representation

8.3.1 The Committee is open to all members of the Aboriginal and non-Aboriginal community, however it is a requirement that the majority of participants are of Aboriginal background.

8.3.2 A register of membership shall be maintained.

8.4 Support staff

8.4.1 The Community Development Worker (ATSI) will attend Aboriginal Consultative Committee meetings to provide administrative and other support to the Committee. Administrative support is provided for the preparation of the agenda, recording of the minutes and distribution of the agenda and business papers.

8.5 Chairperson

8.5.1 The committee will be chaired by a member of the Aboriginal community on a rotating basis, unless otherwise selected by the committee.

8.5.2 The Committee may elect the position of Deputy Chair.

8.5.3 If an election is required for the Deputy Chairperson, this should occur at the first meeting of the new committee.

8.5.4 The role of the Chairperson is to preside at a meeting of the Committee. The Chairperson requires the skills to be able to facilitate the effective functioning of the Committee. In the absence of the Chairperson, the deputy Chair or a Committee Member will preside over the meeting.

8.5.5 If the Chairperson or the Deputy Chair of the Committee is not willing or able to preside at a meeting, the Committee will elect a member to be Acting Chairperson for that meeting.

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8.5.6 If the Chairperson of a Committee is not present at the time designated for the commencement of a meeting, the first business of the meeting must be election of an Acting Chairperson to preside at the meeting.

8.5.7 The election of a Chairperson or Acting Chairperson must be conducted:

- a) By the CEO or, in his or her absence, an employee of Council designated by the CEO to conduct such an election; or
- b) If neither of them is present at the meeting – by the person who called the meeting or a person acting on his or her behalf.

8.6 Other Office Bearers

8.6.1 There are no other office bearers on the Aboriginal Consultative Committee.

9. TERM OF OFFICE

9.1 As per Council resolution on the establishment of this committee 22 September 1997, community representatives continue on the Committee on an ongoing basis.

9.2 Casual Vacancy

9.2.1 Following the confirmation of each new Advisory Committee, an eligibility list will be developed that will list unsuccessful applicants in order of merit. If a vacancy occurs during the term of appointment it will be filled by an applicant on the eligibility list. The eligibility list will contain names of applicants who have been previously interviewed and have met the stipulated criteria. Appointments made via the eligibility list will be endorsed by Council through its usual process.

9.3 Non-Attendance at Meetings

9.3.1 Reasonable apologies. A committee member should notify the committee Chairperson of their planned absence from a meeting.

9.3.2 Any committee member knowing that they will be absent from three or more consecutive meetings should notify the committee Chairperson in writing of the planned absence.

9.3.3 In the event of a member being absent for three or more consecutive meetings without apology and without the approval of the committee, the committee can vote on whether to declare the member's position vacant, inform the member of the outcome and fill the position as a casual vacancy.

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9.4 Resignation from Advisory Committee

9.4.1 Any Committee Members wishing to resign from the Committee shall do so in writing to the committee Chairperson.

10. QUORUM AND RECOMMENDATION MAKING

- 10.1 The quorum required to enable business to be transacted at meetings is a minimum of five with a majority being members of the Aboriginal community and must include a nominated Councillor.
- 10.2 Observers or visitors at the meeting do not form part of the quorum.
- 10.3 In the absence of a quorum 15 minutes after the advertised start of the meeting, the Committee members present may discuss the agenda items although any recommendations made will not become formalised until they have been ratified at the next Committee meeting with a quorum present.
- 10.4 Wherever possible, recommendations of the Committee will be made on the basis of consensus, i.e. where all present agree. At the discretion of the Chairperson, a vote may be called to resolve a matter. This may occur when consensus cannot be reached or in relation to a matter that is more significant in nature. In such cases, the matter will be resolved by a simple majority of those at the meeting, provided that there is a quorum present. In the event of a tied vote, the Chairperson will exercise the deciding vote.
- 10.5 Committee recommendations are not binding on Council. To obtain Council endorsement a Committee recommendation must be reported to the Council for their decision.

11. MEETINGS AND MEMBERS OF THE PUBLIC

- 11.1 The Committee is open to any person of Aboriginal or Torres Strait Islander descent and any person of the general public with an interest in Aboriginal and Torres Strait Islander issues.
- 11.2 Representatives of organisations or the general community may be invited to address the Committee on matters on the agenda.

12. TIMETABLE FOR MEETINGS

- 12.1 The Committee will meet quarterly on the first Thursday of every month, with the exception of July and January, from 6pm – 8pm.

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- 12.2 A meeting will be limited to a maximum of two hours duration unless the Committee resolves to extend the length of the meeting to a particular time or the completion of business.
- 12.3 Extra-ordinary meetings may be called by the Chairperson of the Committee in consultation with the CEO (or delegate).
- 12.4 The location, date and starting time for meetings will be advised on the agenda.
- 12.5 Committee meetings can only be held if five working days' notice has been given to all members.

13. MEETING PRACTICES AND PROCEDURES

- 13.1 Unless otherwise specified in this Charter, Committee meetings must be conducted in accordance with Council's Code of Meeting Practice.
- 13.2 The Committee must observe the provisions of any other relevant Council policies and procedures.
- 13.3 Minutes of the meetings must be kept in accordance with Council Meeting Procedures.
- 13.4 The minutes of each Committee meeting will be submitted to the next available meeting of Council.

14. INSURANCE COVER

- 14.1 Committee members are covered by Council's personal accident insurance only for attendance at meetings and other activities formally endorsed by the Committee.

15. OBSERVING THE CODE OF CONDUCT & RELEVANT COUNCIL POLICIES

- 15.1 All members of ACC are required to observe the provisions of Council's Code of Conduct and any other policy applicable to the proper functioning of the ACC.
- 15.2 Should a member of the ACC breach Council's Code of Conduct or any other relevant Council Policy, the matter will be referred to the CEO to be dealt with in accordance with Council's Code of Conduct Procedures.
- 15.3 A breach of the Code of Conduct may result in the particular ACC member concerned being excluded from membership of the ACC.
- 15.4 If an ACC member has a pecuniary interest in any matter with which the ACC is concerned, and is present at a meeting of the ACC at which the

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matter is being considered, they must disclose the interest to the meeting and must not be present during any discussion or decision making relating to that matter. Leaving the room is necessary because to remain in the presence of the meeting but refrain from voting may be taken as seeking to influence the voting on that motion.

15.5 A member of the ACC who has a non-pecuniary conflict of interest in any matter with which the ACC is concerned and is present at a meeting of the ACC at which the matter is being considered must disclose the interest to the meeting as soon as practicable. If a member of the ACC has declared a non-pecuniary conflict of interest, there exists a range of options for managing the conflict of interest. The option chosen will depend on an assessment of the circumstances of the matter, the nature of the interest and the significance of the issue being dealt with.

15.6 An ACC member will deal with a non-pecuniary conflict of interest in at least one of these ways:

15.6.1 Where the potential for conflict is deemed minimal, take no action. However, the Councillor or ACC member should consider providing an explanation as to why it is considered that only a minimal or non-existent conflict exists.

15.6.2 Where the potential for conflict is more significant, take no part in the matter by leaving the room in which the meeting is taking place nor take part in any debate or vote on the issue, as if the provisions in section 451(2) of the Act applied.

15.6.3 ACC members declaring a conflict of interest, whether pecuniary or non-pecuniary, should complete a Declaration of Interest Form which is to be signed by the CEO and retained by Council in accordance with Council's Code of Conduct and its Ethical Governance: Conflicts of Interest Policy.

16. CONFIDENTIALITY AND MANAGING PRIVACY

16.1 ACC members through their involvement on the ACC may come in contact with confidential or personal information retained by Council. ACC members are required to maintain the security and confidentiality of any such information and not access, use or remove that information, unless authorised to do so.

16.2 *The Privacy and Personal Information Protection Act 1998* and Council's Privacy Management Plan deal with the collection, holding, use, correction, disclosure and transfer of personal information.

17. MEDIA PROTOCOL

17.1 The Chairperson of the ACC is the only person permitted to speak to the

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media on behalf of the Committee, subject to the appropriate provisions of Council's Media Representation Policy.

- 17.2 No other member of the Committee is permitted to speak to the media in their capacity as a Committee member.

18. REVIEW OF THIS COMMITTEE AND THIS CHARTER

- 18.1 Council will review the work of the ACC and this charter every two years.

AUTHORISED BY

Council Resolution

EFFECTIVE FROM

XX April 2020

DEPARTMENT RESPONSIBLE

City Community and Culture (Community Development and Planning)

REVIEW DATE

April 2022

VERSION

Version	Amended by	Date	TRIM Number
1	Council Resolution	22 September 1997	Not applicable
2	Council Resolution	9 July 2001	102269.2007
3	Council Resolution	1 December 2008	216398.2008
4	Council Resolution	28 November 2012	033454.2010
5	Council Resolution	17 June 2015	136853.2015
6	Council Resolution	28 March 2018	016108.2018
7	Council Resolution	29 April 2020	082556.2020

REFERENCES

Liverpool City Council: Code of Conduct

Liverpool City Council: Code of Conduct Procedures
Liverpool City Council: Code of Meeting Practice

Liverpool City Council: Councillor Access to Information and Interaction with Staff Policy
Liverpool City Council: Ethical Governance: Conflicts of Interest Policy

Liverpool City Council: Privacy Management Plan

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Liverpool City Council: Procurement Manual and Procedures
Liverpool City Council: Procurement Policy