



Port Augusta
CITY COUNCIL

Port Augusta Aboriginal Community Committee

Terms of Reference

PREAMBLE

A Committee of Council may be established by resolution of the Council. A Committee can be established to assist the Council in the performance of its functions, to inquire into and report to the Council on matters, provide advice to the Council and to exercise, perform or discharge delegated powers, functions or duties.

1. Establishment of the Port Augusta Aboriginal Community Committee

Council establishes a Committee to be known as the Port Augusta Aboriginal Community Committee (referred to in these Terms of Reference as 'the Committee') as a Council prescribed committee.

2. Committee Objectives

To provide advice and guidance to the Council on the strategies and priorities that the Council should implement within the Port Augusta Aboriginal Community to ensure that positive outcomes are achieved that are consistent with the cultural requirements of the diverse Aboriginal Community.

Keep Council informed of issues impacting the Aboriginal Community and how Council can be more inclusive of Aboriginal groups, individuals and communities.

3. Committee Activities

- i) To provide advice and guidance to Council
- ii) Consult with and develop partnerships with relevant Aboriginal bodies to develop and implement activities consistent with the cultural requirements of the community.
- iii) Develop a partnership and communication with the Aboriginal Community.
- iv) To act as the REP Working Group for the Council's Reconciliation Mission Statement which will include monitoring, reviewing and reporting to Council on the implementation of actions within the Strategic Plan and making recommendations for changes of the plan to ensure it is a living document that reflects the changing needs of the community.
- v) Facilitate and conduct Aboriginal Community consultation and engagement activities as required.
- vi) To elevate issues through to Council that the Aboriginal Community require assistance and support with.
- vii) To monitor the implementation of the Regional Public Health Plan and other Council planning documents where required and assist with ensuring a collaborative approach is taken to addressing the actions identified.

4. Membership:

Membership of the Committee shall comprise the following:

- i) 6 Members of the Aboriginal Community as nominated and selected by ACEG and endorsed by Council.
- ii) Chief Executive Officer
- iii) Cr Phillip Brown

5. Presiding Member of the Committee

There will be 2 Co-Chairpersons who will be appointed by the Committee. An Aboriginal and Non-Aboriginal Member will share this role. It will be the responsibility of these members to pre-determine who will chair upcoming meetings prior to Meeting being convened.

6. Term of Office

4 years – Membership of the Committee terminates at the end of each Council term, and the purpose and necessity for the Committee will be reviewed by the new Council.

7. Reporting Arrangements

The Committee reports and makes recommendations to the Council on any item on the Committee agenda.

Reporting Officers of Council as designated by the Chief Executive Officer, shall provide written reports on specific issues that arise from the Aboriginal Community Committee.

Council Officers to provide reports to the Committee with recommendations that they require comment on (frequency of these to be determined and finalised when standing agenda items are finalised).

Aboriginal Community Committee minutes, which will also include recommendations, will be forwarded to Council for approval.

8. Confidentiality

The confidential provisions of the *Local Government Act 1999* shall apply to ALL members of the Committee. This in short means that those matters that are deemed to be 'confidential' (which includes the report discussions and any resulting decision) **must remain confidential**, and is not to be discussed outside the forum of the Committee Meeting, until the matter is discussed and determined by the Council. There are substantial penalties for breaches of confidentiality.

9. Delegated Authority

Not applicable.

10. Conduct and Conflict of Interest of Committee Members

Elected Members of the Committee must comply with the Code of Conduct for Elected Members as published by the Minister for Planning for the purposes of Section 63 (1) of the *Local Government Act 1999* and Chapter 5 Part 4 of the *Local Government Act 1999* relating to Conduct and Disclosure of Interests.

As a member of the Committee, you must not make improper use of your position to gain (directly or indirectly) an advantage for yourself or for another person closely associated with you. You must make sure there is no conflict between your private interests and your role as a public decision maker.

As a Committee Member you will have to declare what your interest is in any matter before the Committee.

11. Meeting Times & Place

Committee meetings are to be held on a monthly basis (first Monday of the month) commencing at an agreed time by the Committee.

Meetings will be predominantly held in the Council Chambers but require the flexibility to meet off site in other locations when and where required.

12. Quorum & Voting by Members

At all meetings of the Committee, a quorum shall be 4 members.

Each member of the Committee present at a relevant meeting, must vote of any motion put at that meetings.

The Presiding Members shall have a deliberative vote but does not in the event of an equality of votes have a casting vote.

13. Meeting Procedures

Meetings of the Port Augusta Aboriginal Community Committee will be held in accordance with:

- i) *Local Government Act 1999*
- ii) *Local Government (Procedures at Meetings) Regulations 2013*
- iii) *Council's Code of Practice – Meeting Procedures 1.1.15*
- iv) *Council's Code of Practice – Access to Council and Committee Meetings and Documents 1.1.06*

14. Access and Documents

Pursuant to Section 87 of the *Local Government Act 1999* a minimum of three clear days' notice of the meeting, accompanied by the agenda, will be provided to Members of the Committee and the public.

Minutes will be available within five clear days after a meeting in accordance with Section 91 of the *Local Government Act 1999* and will be provided to all Members of the Committee and placed on Council's Website www.portaugusta.sa.gov.au and a hardcopy placed in the Council Office, Civic Centre, 4 Mackay Street, Port Augusta.

Members of the public are able to attend all meetings of the Committee, unless excluded from the meeting by the confidentiality provision of Section 90 of the *Local Government Act 1999*.

*NOTE: For the purposes of the calculation of **clear days** in relation to the giving of notice before a meeting, the day on which the notice is given, and the day on which the meeting occurs, will not be taken into account; and Saturdays, Sundays and public holidays will be taken into account. However, if a notice is given after 5pm on a day, the notice will be taken to have been given on the next day.*

15. Responsible Officer

Chief Executive Officer

16. Liability and Insurance

Pursuant to Section 80 of the *Local Government Act 1999* Council must take out a policy of insurance insuring every member of the Council, and a spouse, domestic partner or another person who may be accompanying a member of the Council, against risks associated with the performance or discharge of official functions or duties by members.

Further, pursuant to Section 41(12) of the *Local Government Act 1999* no civil liability attaches to a member of a committee for an honest act or omission in the exercise, performance or discharge, or purported exercise, performance or discharge, of the member's or committee's powers, functions or duties.

17. Administrative Support

To be provided by the Aboriginal Community Development Officer (or another Officer acting in that position).

The Executive Officer – the Chief Executive Officer shall be the Council Officer responsible for fulfilling the executive role for the Committee including arranging the preparation of agendas, ensuring reports are provided as required and ensuring that Committee decisions are implemented.

18. Sitting Fee

Not applicable.