



Moreland

City Council

Terms of Reference for First Nation Advisory Committee

1. Classification	This Terms of Reference applies to all Advisory Committees and Reference Groups established by Council, except for the Youth and Children's Reference Groups.
2. Delegation	Advisory Committees and Reference Groups have no formal delegation. Their role is to provide advice to: (a) the Council; or (b) a Delegated Committee; or (c) a member of Council staff who has been delegated a power, duty or function of the Council.
3. Accountability	The Advisory Committees are accountable to the full Council of Moreland City Council. Reference Groups are accountable to their Convenor. This is the Council officer responsible for coordinating each Reference Group.
4. Term	The Advisory Committees and Reference Groups are established by Council resolution dated 9 th February 2022 and will sunset six (6) months after the end of the Council term.
5. Role and Responsibilities	The specific role and responsibilities of each Advisory Committee and Reference Group are detailed in Attachments A
6. Council Membership and Chairperson	Advisory Committees established by Council will be chaired by a Councillor as appointed in accordance with Council Governance Rules. The Chairperson is a standing Member of the Committee. Reference Groups can be chaired by a Councillor or alternatively they can be chaired by a Council officer or a community member.
7. Community Membership	In accordance with Council resolution, the Members appointed to each Advisory Committee and Reference Group are detailed in Attachment A.

<p>8. Role of Staff Member(s)</p>	<p>Council officers will provide a support role to each Advisory Committee and Reference Group. Council officers may participate in meetings but must not actively influence the discussions and recommendations of the Committee or Group.</p> <p>Council administration will appoint appropriately skilled Council officers to provide secretariat support, including minute-taking and other administrative functions, to each Advisory Committee and Reference Group.</p> <p>This may also include:</p> <ul style="list-style-type: none"> (a) Preparation of an agenda for each meeting in liaison with the Chair; (b) Preparation and distribution of all papers required for each meeting; and (c) Notification to all other external parties or invitees who are required to attend any meeting for specific agenda items. <p>The officer support function provided by Council's administration for each Advisory Committee and Reference Group is detailed in Attachments A and B.</p>
<p>9. Meeting Frequency</p>	<p>Times and dates of meetings for the Advisory Committee and Reference Group shall be determined at the discretion of the Chairperson and/or Convenor, after seeking the views of all other Members of the Committee or Group.</p> <p>Unless otherwise determined by the Chairperson, Advisory Committees and Reference Groups will generally meet on a quarterly cycle. Less or additional meetings may occur subject to approval of the Chairperson.</p>
<p>10. Notice and attendance of Meetings</p>	<p>Agendas, meeting minutes and any reports will be circulated ten (10) days prior to the meeting, wherever possible, in a suitable format.</p> <p>The meeting Agenda shall be determined by the relevant officer in consultation with the Chairperson.</p> <p>Members may request items to be included on the agenda by advising the relevant officer at least fourteen (14) days prior to the scheduled meeting. Inclusion of the items on the proposed agenda shall be at the discretion of the Chairperson, based upon their judgement as to whether the item is consistent with the specific scope and core responsibilities of the Committee or Group.</p> <p>An Advisory Committee or Reference Group Member shall endeavour to advise the relevant Officer of non-attendance at any meeting.</p>

	<p>Any Member of an Advisory Committee or Reference Group unable to attend three (3) consecutive meetings shall notify the Chairperson in writing as to their availability to continue as a member. Where this provision has not been met, the Chairperson will deem the member resigned from the Advisory Committee or Reference Group.</p>
<p>11. Quorum</p>	<ul style="list-style-type: none"> a. A quorum is the majority (more than half) of appointed Members to the Advisory Committee or Reference Group which must include either the Chairperson or Acting Chairperson. b. If a quorum is not present within 30 minutes of the time appointed for the commencement of the meeting, the meeting shall lapse. If a quorum fails after the commencement of the meeting, the meeting shall lapse. c. Business that is unfinished at the completion of a meeting may, at the discretion of the Chairperson, be referred to the next meeting.
<p>12. Code of Conduct</p>	<p>All Members of Advisory Committees and Reference Groups are expected to comply with the following expectations in order to ensure safe, respectful and effective conduct of meetings:</p> <ul style="list-style-type: none"> (a) Prepare for each meeting and be active participants. (b) Regularly contribute to discussions during meetings, provide advice and opinions on topics of discussion and respond to Council requests for input or feedback. (c) Treat others with respect, dignity and courtesy always. Harassment, intimidation, abuse or any behaviour deemed offensive or hurtful will not be tolerated. Any Member displaying these behaviours will be asked to stop immediately. Should this continue, the person can be asked to leave the meeting. Council, at its discretion, will take appropriate action in the event of gross misconduct by an Advisory Committee or Reference Group Member. <p>In the first instance of conflict between Members, any complaint should be brought to the Chairperson, who can bring the parties together to seek a resolution. Where the dispute involves the Chairperson, the issues will be brought to the Council primary contact officer. Mediation through an agreed mediator can be</p>

	arranged with the consent of all parties.
<p>13. General Conflicts of Interest (COI)</p>	<p>A well-established system for identifying, disclosing and managing a conflict of interest (COI) increases Moreland City Council’s public accountability and reduces the risk of corruption, misconduct and bias in Council’s operations and decision-making processes.</p> <p>All Members will approach the declaration of conflicts of interests with the following principles:</p> <ol style="list-style-type: none"> a. Obligations and good practice: Council, and Advisory Committees and Reference Groups of Council, must comply with statutory obligations under relevant legislation in a manner which is supported by good governance practice. b. Public interest: COIs must be avoided wherever possible. Where a conflict exists, it must be declared and managed in the public interest. c. Real, potential or perceived: COIs exist whether the conflict is real, potential, or perceived. d. Transparent and accountable: The process for declaring and managing COIs is transparent, accountable and consistent with the Victorian Directors’ Code of Conduct. <p>Culture of integrity: Council and Advisory Committees and Reference Groups of Council must foster and lead a culture of integrity. Members are supported to raise their own COIs and to speak up if they believe another Member may have an undeclared conflict.</p>
<p>14. Specific Conflict of Interest</p>	<ul style="list-style-type: none"> • The Chairperson is responsible to manage all declared conflicts of interest at each meeting. Conflicts of interest may be raised at the commencement of the meeting in response to an Agenda item, where this cannot be anticipated, upon the conflict of interest being realised/presented. • All Members have a duty to place the public interests above their private interests when carrying out their official duties, role and functions or in representing the Moreland City Council. • All Members are individually and collectively responsible to consider their personal interests in the context of Agenda items and discussions at each meeting. • At the time indicated on the Agenda, Members with a conflict

	<p>of interest must declare their real, potential or perceived conflict of interest and the matter in which the conflict arises.</p> <ul style="list-style-type: none"> • At the time for discussion of that item, those Members with a conflict of interest must excuse themselves from the meeting for the duration of the discussion and must abstain from communicating on that matter with any Members of the meeting thereafter. • Where there is no Agenda or where the matter raising the conflict could not be anticipated, Members with the conflict of interest must declare a real, potential or perceived conflict of interest as soon the matter arises, in an effective manner. • Where a Member has excused themselves from the meeting as a result of a real, potential or perceived conflict of interest, they must not participate in the discussion of that matter which has come before the Advisory Committee or Reference Group for deliberation, decision, or where a decision will be made by a Member of staff acting under delegation. • Any and all declared conflicts of interest will be recorded in the Minutes of the Meeting by the meeting secretariat. • Where there are no Minutes kept of the meeting, the declared conflict of interest will be recorded in a Meeting record and provided to the Governance team to be registered and managed accordingly. • The meeting Minutes or record will also reflect the duration of the discussion and whether the Member excused themselves from the Meeting.
15. Confidentiality	<ul style="list-style-type: none"> • Advisory Committee and Reference Group Members must not release information that the Member knows, or should reasonably know, is confidential information in accordance with the Local Government Act 2020.
16. Member Support	<ul style="list-style-type: none"> • Members will be provided with the resources, facilities and support reasonably required for them to be effective in their role. • First Nations Advisory Committee members will be paid \$80 per meeting to recognise the multiple responsibilities First Nations people have to their cultural obligations both through their work roles and wider community responsibilities. It also acknowledges and values Aboriginal and Torres Strait Islander members' cultural knowledge, advice and guidance. • The Community Co-Chair will receive a higher sitting fee to reflect the increased responsibilities and standing of this role.

	<ul style="list-style-type: none"> Members will be reimbursed for out-of-pocket expenses that are bona fide expenses, have been reasonably incurred in the performance of their role and are reasonably necessary for the Member to perform this role note this is subject to the 2022/23 budget process
17. Reporting Requirements	<ul style="list-style-type: none"> Meeting minute records and reports of Advisory Committees (only) will be presented to Council for noting and inclusion on the public record. Written reports of Advisory Committees must include any disclosures of conflicts of interest and record whether the person who disclosed a conflict of interest was excused from Meeting for the relevant discussion. There are no such formal reporting requirements for Reference Groups although reporting to Council and the public may occur on an as needs basis.
18. Transparency Requirements	<p>In order to maintain transparency of Advisory Committee operations, the following information will be published on Council's website in respect of each Advisory Committee:</p> <ul style="list-style-type: none"> The Terms of Reference The names of all Members Reports of Committee activities (in Agenda/Minutes of Council Meetings) There are no such transparency requirements for Reference Groups although relevant information may be published on Council's website on an as needs basis.
19. Compliance	<p>All Members of the Advisory Committees and Reference Groups must comply with the requirements of Council's Governance Rules and Framework for Advisory Committees and Reference Groups.</p>
20. Review	<p>These Terms of Reference for Advisory Committees and Reference Groups will be reviewed every 4 years, at the beginning of each new Council term, or as otherwise directed by Council.</p>

Attachment A. Details

Name	First Nations Advisory Committee
Role and responsibilities	<p>The role of the First Nations Advisory Committee is to provide input and advise on the implementation of the Statement of Commitment to Wurundjeri Woi-wurrung People and Aboriginal and Torres Strait Islander Communities in the City of Moreland.</p> <p>The First Nations Advisory Committee is also responsible for:</p> <ul style="list-style-type: none"> • contributing to development and implementation of relevant Council policies, strategies, and plans. For example, the Human Rights Policy and Implementation Plan • providing advice and recommendations to Council in relation to issues and barriers affecting First Nations communities • promoting knowledge, visibility, equality and inclusion of First Nations communities • assisting to identify opportunities for advocacy, projects and partnerships that reflect the needs of First Nations communities • informing, consulting and collaborating with other Advisory Committees and Reference Groups on issues relating to First Nations communities.
Membership	<p>This Advisory Committee is made up of:</p> <ul style="list-style-type: none"> • 1 Councillor, who is the Co-Chair • 8 First Nations community Members, one of whom will Co-Chair • 2 position are reserved for Wurundjeri Woi wurrung <p>The Co-Chair role is for a 1-year term aligned with Committee terms and will be elected at a committee meeting with voting limited to community members.</p>
Current Members	<p>The current Members are:</p> <ul style="list-style-type: none"> • Cr Sue Bolton (Chairperson) and Cr James Conlan <p>Community Members:</p> <ul style="list-style-type: none"> • Gary John Murray • Geoffrey Masters • Liz Phillips • Sue Atkinson Lopez • Wurundjeri Woi wurrung Elders x 2 • Vacant positions to be filled x 2
Council Officer Support	<p>Council officer support is provided by:</p> <ul style="list-style-type: none"> • Unit Manager Community Development and Social Policy (Nalika Peiris) – Primary contact for Members • Social Policy Officer (Petr Svoboda) – Agenda preparation / Minute Taker