

First Nations Committee

Terms of Reference

March 2024

1. Background

The City of Melbourne (CoM) stands on the land of its Traditional Owners, the Wurundjeri Woi-wurrung and Bunurong Boon Wurrung peoples of the Kulin Nation.

CoM is committed to leading by example and meaningfully engaging with First Nations communities to build respect for their heritage, culture and knowledge. First Nations voices and aspirations must be embedded in our core business and decision-making at every level as we strive for reconciliation, recognition, respect and truth telling.

The First Nations Committee is appointed by Council to advise it on First Nations policy and programs. It is a key mechanism by which Council is seeking to implement the principles of self-determination.

Members of the Committee are appointed to represent the broad demographics of the First Nations community who live, work or use the services of the City of Melbourne. Members are not appointed to represent the views of a particular sector, group or organisation.

2. Purpose, Objectives and Outcomes

2.1. The role of the Committee is to:

2.1.1 Provide advice to inform the development and implementation of Strategies, Policies, Plans, and other relevant documents adopted by the City of Melbourne, on matters that may impact First Nations people and communities.

2.1.2 Provide advice and guidance on the programming and delivery of key First Nations events

2.2. Projected outcomes from the Committee include:

2.2.1 Provision of guidance and advice on key initiatives and strategies aimed to reduce disadvantages and increase social justice opportunities for First Nations people and communities including the Council's Reconciliation Action Plan.

2.2.2 Support the establishment of partnerships with relevant agencies to strengthen outcomes for First Nations community within the municipality.

2.3. The First Nations Committee does not replace other First Nations advisory committees and working group established by the City of Melbourne i.e. the Stolen Generations Marker Working Group or the Yirramboi Advisory Group.

2.4. The First Nations Committee is not an executive panel and is not authorised to undertake work on behalf of the City of Melbourne. Committee members are not authorised to represent the City of Melbourne in communications with the public

2.5. The Committee will focus on the work of Council.

3. Membership

3.1. The First Nations Committee will comprise of twelve representatives, including:

- The Lead and Deputy Lead of the Aboriginal Melbourne Portfolio
- Nine First Nations representatives who collectively represent the broad demographics of First Nations communities including but not limited to: elders, youth, reconciliation, creatives, health and wellbeing, and economic development
- Director Aboriginal Melbourne
- At least half of the Committee members will identify as women.

3.2. The Council will make appointments based on merit, skill and expertise. The Committee will bring specialist and lived experience of health and wellbeing, innovative thinking and a passion for creating improved outcomes for First Nations people and communities.

- 3.3. The Committee will be co-chaired by the Lead of the Aboriginal Melbourne Portfolio together with a First Nations person appointed by Council.
- 3.4. Decisions by the Committee will be made by consensus. All members except Council Officers shall have full voting rights. In the event that a consensus decision cannot be reached, decisions will be made by two thirds voting in favour.
- 3.5. The Committee may invite guests, with specific skills and expertise, to participate in discussions as needed.

Tenure

- 3.6. Committee members shall be appointed for a maximum of three years.

Disqualification of a Member

- 3.7. If the Council proposes to remove a member from the Committee, it must give written notice to the member of its intention to do so and provide that member with the opportunity to be heard if that member so requests.
- 3.8. If a member misses two consecutive Committee meetings without an accepted approval of absence, they will have disqualified themselves from membership.
- 3.9. Any vacancies will be filled by reviewing previous applicants or by placing a public advertisement as soon as possible.
- 3.10. Members may be required to undergo Police and/or Working with Children Checks.
- 3.11. The CEO has the power to exclude an appointed member from Council premises and committee meetings under their powers and responsibilities to provide a safe workplace.

Selection Process

- 3.12. Every three years, an expression of interest will be promoted to the City of Melbourne First Nations community via media, community networks, key First Nations organisations and stakeholders.
- 3.13. Applications for membership must meet at least one of the following criteria:
 - 3.13.1 Traditional Owners of the City of Melbourne local government area.
 - 3.13.2 Aboriginal and/or Torres Strait Islander people who live, work or study in the City of Melbourne's local government area.
 - 3.13.3 Aboriginal and/or Torres Strait people with connections to the City of Melbourne local government area.
- 3.14. Applications must include a statement supporting the application that contains:
 - 3.14.1.1. The reason for nominating;
 - 3.14.1.2. A list of skills, knowledge and experience that they will bring to the committee;
and
 - 3.14.1.3. Outcomes they hope to see from the work of the Committee.
- 3.15. Applications for membership of the Committee will be assessed by a panel comprised of City of Melbourne officers.
- 3.16. The Chief Executive Officer will make recommendations on the appointment of members to Council for final decision.
- 3.17. Applicants will be advised in writing of the outcome of their nomination.

4. Roles and responsibilities

- 4.1. The duties of the Advisory Committee members is to:
 - attend and participate in a compulsory induction workshop, if required, on the Committee

- understand the role and responsibility of members and Council
- abide by the First Nations Committee Code of Conduct (Appendix 1) and other related policies and protocols
- attend and participate in meetings of the Committee
- work cooperatively with other members in achieving the aims of the Committee
- provide informed and considered advice, ideas and recommendations

4.2. The role of the co-chairs is to:

- chair meetings in accordance with the Terms of Reference, Code of Conduct and meeting agenda
- liaise with the Council Officer convening the Committee to determine the Agenda for each meeting
- initiate new issues for discussion as they arise
- facilitate the discussion of items on the agenda in a timely manner
- facilitate the moving of recommendations and voting by Committee members
- ensure all committee members have the opportunity to participate

Meetings

Conduct of Meetings

4.3. The Director Aboriginal Melbourne will:

- allocate secretarial support to the First Nations Committee to:
 - coordinate meetings, agendas and minutes
 - organise interpreters, cab vouchers, reimbursements or any other requirements in order to support members to attend and participate in meetings
- provide policy support to the Committee
- provide the support required to enable the meetings of the Committee and invite City of Melbourne Officers or others to attend meetings to provide pertinent information as necessary; and
- facilitate a collaborative meeting format.

Attendance and quorum

- 4.4. All Committee members are expected to attend each meeting.
- 4.5. In the absence of the First Nations co-chair from a meeting, the meeting shall appoint an acting co-chair from the First Nations members present.
- 4.6. If less than half plus one of the 'voting membership' is not in attendance then the committee will not be able to determine any decisions or actions and may only deliberate on issues and undertake informal discussion.

Meeting Frequency

4.7. The Committee meetings will take place a minimum of four times per year.

Meeting papers

- 4.8. Documents will be sent to members with a minimum of seven business days in advance of the Committee meeting. This will include:
- agenda for the upcoming meeting
 - minutes of the previous meeting, and
 - any other documents, information and/or attachments to be considered at the meeting.

Conflicts of Interest

- 4.9. The Disclosable Interest Protocol and Declaration applies to all Council's Advisory Bodies. In addition to this code, all committee members will comply with the Disclosable Interest Protocol and Declaration.
- 4.10. In the event of a conflict of interest arising from any member of the Committee, the matter must be immediately tabled and the member must abstain from any dialogue in relation to that matter.

Confidential and sensitive information

- 4.11. Members are expected to comply with the confidential information provisions contained in sections 3 (1) and 125 of the *Local Government Act 2020*.
- 4.12. Members must treat information they receive as confidential unless otherwise advised. The documents presented to the Committee will often be in draft format and not ready for wider community distribution.
- 4.13. Members must not use confidential information other than for the purpose of performing their function as a member of the Committee.
- 4.14. Draft documents cannot be referred to or used in any grant applications, presentations or in the private working roles of members.

5. Payment

- 5.1. The City of Melbourne may pay Committee members, other than Councillors and Officers, a sitting fee of no more than \$300 per meeting they attend.
- 5.2. For Councillors, expense reimbursements are to be made in accordance with Council's Expenses Policy.

6. Reporting

- 6.1. The City of Melbourne Administration will report to the First Nations Committee on activities and issues as they arise. The First Nations Committee will provide strategic advice to the City of Melbourne through the Chair.
- 6.2. The First Nations Committee will report to Council through the portfolio lead on matters of importance or priority.

7. Review

- 7.1. The First Nations Committee will be reviewed prior to the end of the current term of the Committee.