

Koorie Engagement Action Group Advisory Committee

Terms of Reference

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1. Background

- 1.1. By this Terms of Reference document, the Ballarat City Council (Council) establishes the Koorie Engagement Action Group (KEAG) Advisory Committee (Committee).
- 1.2. The term 'Koorie' in relation to the Advisory Committee's title is used to refer to Aboriginal and Torres Strait Islander peoples. The remainder of the Terms of Reference refers to Aboriginal and Torres Strait Islander peoples rather than Koorie peoples.
- 1.3. Throughout this TOR and all other KEAG documentation, the term Traditional Owners is an inclusive term referring to Traditional Owners and Traditional Custodians.
- 1.4. From time to time, Council will establish various Advisory Committees. The purpose of the Committee is to provide Council with expertise in relevant matters to assist its decision making for the municipality.
- 1.5. The Unfinished Business Advisory Committee (UBAC) was established in April 2003 as an informal working group to enhance the opportunities for Aboriginal and Torres Strait Islander residents of Ballarat.
- 1.6. Re-launched in 2006, Council established UBAC as an Advisory Committee to Council with fixed membership to be appointed by Council. The re-launch provided Council with an opportunity to confirm its commitment to Aboriginal reconciliation by creating a formal relationship through a reconstituted committee.
- 1.7. During 2009, Council worked with the local Aboriginal and Torres Strait Islander community on identifying several community issues and priorities as part of a Reconciliation Strategy review process. A central theme of the feedback provided was that UBAC was not representative of the local Aboriginal and Torres Strait Islander community and the Committee needed to operate within a different context.
- 1.8. At the UBAC meeting on 16 February 2010, the Committee unanimously endorsed a proposal to re-develop the group as the Koorie Engagement Action Group. The working group remains an Advisory Committee to Council.
- 1.9. The Committee is established by the functions and responsibilities as set out in this Terms of Reference document. The Terms of Reference document sets out the structure and basis on which the Committee can make recommendations to Council.
- 1.10. These Terms of Reference are authorised by a resolution (R134/23) of Council passed on 23 August 2023.

2. Purpose

The Committee is established for the purpose of:

- 2.1. Enhancing the opportunities for Aboriginal and Torres Strait Islander residents of Ballarat to contribute, participate and benefit from Ballarat's community life;

- 2.2 Council receiving advice from Aboriginal and Torres Strait Islander stakeholders in the municipality on matters of engagement, support, advocacy, and services to Aboriginal and Torres Strait Islander peoples; and
- 2.3 Advising on the implementation of Council's Reconciliation Action Plan (RAP).
- 2.4 The Committee does not advise on behalf of Registered Aboriginal Parties or Traditional Owner organisations or replace the need for Council to engage with these entities on matters specific to Traditional Owners.

3. Objectives

The objectives of the Committee are:

- 3.1 Advise and provide recommendation to the City of Ballarat on matters of engagement for Aboriginal and Torres Strait Islander peoples in the region;
- 3.2 Provide advice to Council on the implementation of Council's RAP;
- 3.3 Enhance and promote understanding within the Ballarat community of Aboriginal and Torres Strait Islander cultures, society and heritage;
- 3.4 Identify issues affecting the health and wellbeing of Aboriginal and Torres Strait Islander peoples and develop responses in collaboration with key partners, agencies and other tiers of government;
- 3.5 Influence change processes in agencies providing services to Aboriginal and Torres Strait Islander peoples to assist in building cultural sensitivity and service integration that facilitates greater responsiveness to the needs of Aboriginal and Torres Strait Islander peoples; and
- 3.6 Advocate for and support key elements of the existing current service and support infrastructure in the municipality for Aboriginal and Torres Strait Islander peoples.

4. Roles and Responsibility

4.1. The role of the Committee is to:

- 4.1.1 Facilitate the operation of KEAG and ensure broad representation that provides relevant coverage for the items in these Terms of Reference;
- 4.1.2 Advise on ways that all Council activities, practices, plans, decisions and strategic directions are undertaken in a way that is responsive and inclusive of Aboriginal and Torres Strait Islander culture, issues and community;
- 4.1.3 Advise Council on advocacy to other tiers of Government and key bodies and agencies regarding issues impacting on Aboriginal and Torres Strait Islander peoples in the municipality;

- 4.1.4 Work collaboratively with other KEAG members and their agencies to seek improved outcomes for Aboriginal and Torres Strait Islander Peoples in the municipality;
 - 4.1.5 Increase the Ballarat community's level of awareness of Aboriginal and Torres Strait Islander matters;
 - 4.1.6 Advise and support the Council and broader Ballarat community in the recognition and celebration of Aboriginal and Torres Strait Islander cultures; and
 - 4.1.7 Inform the Council of member agency activities and upcoming opportunities to progress Aboriginal and Torres Strait Islander culture and issues within the municipality.
- 4.2 Committee members are expected to keep confidential all sensitive, commercial and personal information that the members encounter while being a member of the Committee.
- 4.3 Committee members are expected to attend meetings whenever possible and provide a notice of apology prior to the meeting if not able to do so.
- 4.4 All Committee members will be issued a copy of Council's Committee Governance Manual. The manual will provide direction regarding the Code of Conduct for Committee members and detail a Complaints procedure.

5. Membership

- 5.1. Membership will include Aboriginal and Torres Strait Islander Community Members, Representatives of both Traditional Owners groups and a Councillor Co-Chair. The Committee recognises the diversity of Aboriginal and Torres Strait Islander Peoples and will undertake reasonable efforts to ensure the Committee membership is reflective of this.
- 5.1.1 Community members of the Committee will consist of up to ten members from the Aboriginal and Torres Strait Islander community with strong connections to the municipality or organisations within it.
 - 5.1.2 Two additional seats will be reserved for Aboriginal representatives from Wadawurrung Traditional Owners Aboriginal Corporation and DJAARA, respectively. These organisations can nominate an Aboriginal and Torres Strait Islander individual as proxy with voting rights if regular representatives are unavailable.
 - 5.1.3 A Councillor is nominated as the Co-Chair and is a voting member of the Committee.
 - 5.1.4 Any Councillor can attend the meetings of the Committee as an observer. KEAG can invite the Mayor and/or the CEO and Directors to upcoming meetings where items that may be pertinent are to be discussed.

- 5.2. The Chief Executive Officer shall appoint the Director Community Wellbeing or delegate to attend meetings as an observer.
 - 5.2.1 The Chief Executive Officer shall appoint a Council Officer to provide administrative support and guidance to the Committee.
 - 5.2.2 Council Officers who are invited to attend the meetings of the Committee are to provide advice and support to the Committee and are not considered Committee members and do not have voting rights.
- 5.3. The Co-Chair's plus each individual member of the Committee has and may exercise one equal vote on any question before the Committee for determination.
- 5.4. Council will revise the membership and voting rights of each Committee member as it sees fit.
- 5.5. There is no limit on the number of terms a member can be on the Committee. Membership terms will be for two years. Members need not reapply at the end of a term if they wish to remain on the Committee. When casual Committee vacancies appear during the two-year term, positions can be filled at any time via an Expression of Interest (EOI).
 - 5.5.1 When EOIs are received, they will be tabled at the next KEAG meeting. Members will vote on the EOI with majority vote required to support a new member. This recommendation will then be tabled at the next Council meeting for consideration.
- 5.6. A Councillor will be appointed as a Co-chair through delegation by Council, and a community member will be elected by the Aboriginal and Torres Strait Islander members as Co-chair at the first meeting of the Committee each calendar year.
- 5.7. If both Co-Chairs are absent from a Committee meeting, the Committee will select a temporary Chair to chair the Committee meeting.
- 5.8. Any member complaints will be directed to City of Ballarat's Complaint Management Policy.
- 5.9. If a Committee member is absent from three consecutive meetings without apology or reasonable explanation, their membership will be reviewed by the Co-Chairs, where a recommendation may be put to Council for their consideration.
- 5.10. Committee members are required to attend at least 75% of meetings over a calendar year unless they have reasonable explanation, or their membership will be reviewed by the Co-Chairs where a recommendation may be put to Council for their consideration.

6. Meetings

- 6.1 Unless Council resolves otherwise, Committee meetings must be conducted in accordance with:
- 6.1.1 The City of Ballarat's Committee Policy
- 6.2 The Committee will meet monthly as agreed by the Committee, and from time to time every two months.
- 6.3 A quorum of the Committee will be half of the members plus one
- 6.4 Voting will be by a majority of votes by a show of hands. Only members in attendance are entitled to vote. In the event of a tied vote, a second vote will be taken to seek to resolve the matter. If the vote remains tied, the agenda item will be deferred to the next meeting to enable more context and information to be circulated to group members.
- 6.5 On occasion voting may be undertaken in writing via email. In this instance, the vote via email will be conducted prior to the scheduled commencement of the meeting and sent to the nominated City of Ballarat officer for collating and presenting to the Chairs of the meeting.
- 6.6 Sub committees may be appointed by the Committee and may meet between Committee meetings and as authorised or directed by the Committee.

7. Reporting

The appointed Council officer is responsible for taking proper minutes of all meetings and preparing reports for the Committee's consideration in accordance with:

- 7.1 Minutes of Committee meetings must be forwarded to the Statutory Compliance Unit immediately after adoption by the Committee.
- 7.2 In accordance with Council's Governance Rules, a Council Record of the matters discussed at meetings organised or hosted by Ballarat that involve Councillors and Council staff will be kept. The Record must be completed and sent to Statutory Compliance within 48 hours.

8. Creation and Dissolution

- 8.1 By these Terms of Reference, the Committee is established.
- 8.2 These Terms of Reference:
- 8.2.1 come into force immediately when the resolution of Council adopting them is made; and
 - 8.2.2 remain in force until Council determines to vary or revoke it.

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8.3 Dissolution of the Committee must be by a resolution of Council.

8.4 The Terms of Reference will be reviewed as required.

Dated: 23 August 2023 (R134/23).