

## TERMS OF REFERENCE

### ABORIGINAL REFERENCE GROUP

#### 1. PURPOSE

The purpose of the Aboriginal Reference Group is to provide recommendations and advice to the Sustainable Communities Program and the South Coast NRM Board on the development, implementation and review of Cultural Heritage Theme of the South Coast Regional Strategy for NRM.

To achieve this, the group will:

- i) Provide technical advice for new and existing projects including review and adoption of innovative approaches to maximise the efficacy and efficiency of delivery;
- ii) Provide a critical link to community by identifying local community issues, concerns and activities related to cultural heritage and natural resource management;
- iii) Develop activities for funding by the NRM Investment Plan that are aligned to the Southern Prospects 2019-2024, the Regional Strategy for the South Coast;
- iv) Assist with the critical review and monitoring of activities funded under the Cultural Heritage programs; and
- v) Provide strategic direction for the Cultural Heritage program through minuted resolutions to the Board;

#### 2. CONTEXT IN RELATION TO THE SOUTH COAST NRM CONSTITUTION

The Board is the governing body of South Coast Natural Resource Management. The Board has the power to establish Reference Groups to assist the operations of the organisation.

These Terms of Reference establish the authority and purpose of the group so that it may function effectively to support the Board on matters relating to the Cultural Heritage Theme.

#### 3. AUTHORITY

Through these Terms of Reference (ToR), the group is authorised by the Board to make use of group members' expertise to:

- i) Investigate any activity within its terms of reference.
- ii) Investigate activity within Southern Prospects 2019 - 2024 – the South Coast Regional Strategy for Natural Resource Management and supporting documents such as the Investment Plan.
- iii) Oversee other matters as directed by the South Coast NRM; and
- iv) Co-opt expertise as required.

#### 4. MEMBERSHIP

##### 4.1 Membership: Size and Composition

- i) The group will be composed of a minimum of 5 and a maximum of 10 members. Where possible, region-wide representation and an appropriate range of skills and experience should be reflected in the membership.
- ii) Membership is open to the Aboriginal –community, representatives of Aboriginal corporations and to staff from any relevant agency, authority, commission or non-government organisation that bring expertise to the group. are encouraged.
- iii) It is preferred that Aboriginal community members constitute a majority of the total

membership of the group subject to the requisite skills being available in the first instance. A community member is defined as someone who actively and objectively reflects the views and needs of the broad natural resource management sector, and is not morally or otherwise obliged to represent the views of their employer at the meetings of the reference group. This does not preclude the employees of government agencies from being considered as a community member, but each member should determine their obligations to their employers and make this aware to the Reference Group.

- iv) It is preferred that members become financial members of South Coast NRM but this is not a requisite requirement of membership of the Reference Group.
- v) South Coast NRM staff members may facilitate and support the operations of the group in an ex-officio capacity but are ineligible to be members of the group.

#### **4.2 Expertise**

Each member of the group should have expertise based on skills and an understanding of the diversity of the ecological, economic, and social components relevant to the Cultural Heritage Theme.

#### **4.3 Responsibilities of Reference Group Members**

- i) Attend group meetings and contribute fully to the Purpose of the Aboriginal Reference Group as defined in these ToR;
- ii) If unable to attend a meeting, members should submit an apology and where possible, nominate a proxy (to the responsible officer) who is able to attend on their behalf.
- iii) Act, at all times, ethically, morally and in the best interests of South Coast NRM and the region;
- iv) Read meeting papers in advance and prepare for issues under debate;
- v) Review and provide comment on any written or emailed material where appropriate, including out of session;
- vi) Declare any interest, whether actual or perceived, associated with discussion arising from the meeting agenda; and
- vii) Complete allocated action items by agreed dates.

#### **4.4 Responsibilities of the Chair**

Key roles and responsibilities of the Chair is to:

- i) Meet with (either physically or by phone) the responsible officer at least fourteen (14) days before the reference group meeting to develop the meeting agenda;
- ii) Chair the reference group meetings ensuring the agenda items are discussed, resolved/endorsed as a priority and that all reference group members can actively participate in the meetings; and,
- iii) Review the draft meeting minutes within seven days and provide feedback to the responsible officer before they are distributed to reference group members.

#### **4.5 Review of Membership Composition**

On an annual basis, the Chair, with assistance of the responsible officer and the CEO of South Coast NRM will review the group membership to ensure that the membership composition is appropriate.

#### **4.6 Appointment of Members**

- i) Members will be selected by an open expression of interest process. Nominees will be assessed by the South Coast NRM Chief Executive Officer, Sustainable Communities Program Manager and a member of the Board with recommended members approved by the Board;

- ii) New members will be provided with Terms of Reference, copies of the minutes of the previous meeting and other appropriate materials; and,
- iii) Before each Annual General Meeting of the Association, the group will undertake a formal review of its membership and effectiveness, review this Terms of Reference, and provide any relevant recommendations to the Board.

#### **4.7 Appointment of the Chair**

- i) Members of the group will be recommended by the group and approved by the Board as chair and deputy chair.
- ii) The Chair and Deputy Chair are to be a community member (see 4(1)(iii));
- iii) The nomination of the recommended chair will be a formal process, wherein the role is declared vacant and an election is held. The responsible officer takes the role of presiding officer and calls for nominations for chair. Nominations do not have to be seconded and can be self-nominated. Where a vote is required, all nominees must depart the room and the presiding officer will conduct a vote. The person with the majority of votes is the recommended chair and assumes this function immediately in an acting capacity until approved by the Board;
- iv) Another member will be recommended by the group as the Deputy Chair and appointed as per the process for the Chair;
- v) In the Chair's absence, either the deputy chair or one of the group members nominated by the chair or elected by the other members of the group will act as chair.
- vi) In the event that the Board of Management determines that either the Chair or Deputy Chair are unsuitable for these positions, the process described in 4.7(i-iv) will be conducted at an appropriate time.

#### **4.8 Term of Office**

- i) The term of all members (including the Chair and Deputy Chair) will be two years, commencing on date of appointment.
- ii) In order to ensure renewal and a progressive focus, once established the reference group will have at least one third of its members considered for renomination biennially. The longest serving members (either of the current or previous reference groups) will be considered for renomination at this time.
- iii) Any member wishing to resign should give one month's notice to the chair and responsible officer.
- iv) Any member failing to attend three consecutive meetings without an apology will be deemed to have retired and will be removed as a member.

#### **4.9 Responsibilities of the Responsible Officer**

The Aboriginal Reference Group responsible officer is the South Coast NRM Sustainable Communities Program Manager. The responsibilities of the responsible officer for each reference group are as follows:

- i) Producing, coordinating and distributing reports to the group members at least 1 week prior to the meeting;
- ii) Coordinating attendance of South Coast NRM staff and guest speakers (as required);
- iii) In consultation with the chair, prepare and circulate of the agenda;
- iv) Booking meeting facilities and catering;

- v) Actively support the chair to ensure meetings remain on topic and time by acting as a “time keeper” and prompt the chair as needed; and,
- vi) Responsible, in consultation with the chair, for preparing and reviewing the minutes.

## **5. MEETINGS**

### **5.1 Frequency**

- i) The group shall meet a minimum of three times per year and may meet more frequently if required.
- ii) Extraordinary meetings to address specific items may be held at the call of the Chair or responsible officer with 14 days’ notice.

### **5.2 Agenda and Notice**

- i) An agenda is to be prepared for meetings with relevant issues, papers attached, and distributed to members preferably at least 7 days prior to the meetings.
- ii) Agenda items may be considered out of session by electronic or other means and should be minuted at the next meeting.

### **5.3 Quorum**

There shall be a quorum of five (5) group members (or their proxy).

### **5.4 Observers**

- i) An Observer is an individual who is attending a reference group meeting as a guest and not as a member of the group or the Committee;
- ii) An Observer is not entitled to participate in resolutions or other business of the Meeting and shall take direction from the Chair in regards to contributions to the discussions of the Meeting;
- iii) Observers may only attend a meeting after having been granted approval by the Chair;
- iv) The attendance of Observers will be recorded in the minutes of the meeting;
- v) Observers are required to maintain confidentiality with respect to any discussions that take place within a Meeting;
- vi) Observers may be required to withdraw from the meeting at the request of the Chair where matters of confidential business or those that that may present a conflict of interest to the individual exist.

### **5.5 Pecuniary Interest and Conflict of Interest**

Any member of the group with a pecuniary interest or conflict of interest (*as per South Coast NRM PGV 003 – Conflict of Interest, Board, Committees, Reference Groups policy*) in any matter being considered by the group must advise the other group members of the existence of that pecuniary interest or conflict at the earliest possible opportunity. The Reference Group will determine how the declared conflict of interest will be addressed.

All stated conflicts of interest are to be minuted and recorded on South Coast NRM’s Conflict of Interest Register.

### **5.6 Minutes of Group Meetings**

- i) Meeting minutes will be approved by the chair and kept on file once they are resolved by the

group to be a true and accurate record.

- ii) Reference group meeting minutes will be presented to the Board.

### **5.7 Resolutions**

- i) Any matters arising at a meeting of the group must be determined by resolution by consensus of the members.
- ii) Employees of South Coast NRM are excluded from the voting membership.

### **6. SITTING FEES**

Sitting fees and travel reimbursements apply to community members and are available as per *South Coast NRM Policy: PBS009 – Reimbursements and Allowances (Committees, Reference Groups) Policy*.

### **7. CONFLICT/GRIEVANCE RESOLUTION**

Where there is a conflict or personal grievance situation between reference group members and/or South Coast NRM staff the reference group members involved should follow the process of the policy *PHR 005 -Personal Grievance*.

This includes:

- i) Attempt to resolve the grievance yourself.
- ii) Discuss the issue with the reference group chair and/or the responsible officer.
- iii) Bringing the issue to the attention of South Coast NRM's senior managers (CEO or CFO).

If the issue cannot be resolved using these steps, the issue will then be investigated as per the procedure in the policy and if required an external mediator may be engaged to assist.

**Date Approved:** December 2018

**Date of Last Review:** 19 December 2018

**Date of Next Review:** September 2019

**Responsible Officer:** South Coast NRM Sustainable Communities Program Manager