

GREATER SYDNEY LOCAL LAND SERVICES

TERMS OF REFERENCE ABORIGINAL ADVISORY GROUP

1. INTRODUCTION

Local Land Services (LLS) brings together agricultural production advice, biosecurity, natural resource management and emergency management into a single organisation.

The Greater Sydney LLS (GS LLS) is one of eleven LLS regions, managed by local boards that cover NSW. Each region is accountable for delivering services that add value to local industries, enhance natural resources, protect industries from pests and disease, and help communities respond to emergencies like flood, fire and drought.

Local Boards headed by local Chairs work closely with farmers, landholders and communities. Each region developing operational management and strategic plans that prioritise service delivery on a regional basis, reflecting regional priorities.

1.1 Name

This local community advisory group to the GS LLS Board shall be known as:

The **Greater Sydney LLS Aboriginal Advisory Group (AAG)**

For the purposes of this Terms of Reference (ToR) the term Aboriginal also includes Torres Strait Islander Australians etc.

2. PURPOSE

2.1 Scope

The AAG is a local community advisory group established under section 33 of the Local Land Services Act. 2013 (The Act) Section 33 (1) for the GS LLS Board. The AAG was founded at the Board's request to progress activities within its charter including consultation with First Nations people on the strategic direction of GS LLS and make appropriate recommendations to the Board.

Supporting this function, The Act requires the inclusion of Aboriginal community engagement in both state and local strategic plans. With the guidance of the AAG, GS LLS is able to achieve the functions of The Act through advice on the engagement of Aboriginal communities assisting in 'encouraging participation in relation to the delivery of local land services'.

In response to this scope the Board seeks leadership through the AAG to ensure that Aboriginal cultural values and matters of significance within the functions of GS LLS are included in all aspects of business.

Within the Greater Sydney region is a complex and multi-layered Aboriginal community, therefore GS LLS actively seeks guidance and collaboration through the AAG to shape and deliver outcomes. Through the AAG, strategies, plans and projects are carefully and culturally considered, so outcomes on Country assist Aboriginal / First Nations communities to realise meaningful and achievable results.

2.2 Functions

The function of the AAG are to:

1. Provide advice on GS LLS programs, including NRM / Caring for Country investment in partnership with Aboriginal stakeholders;
2. Support exchange of information with, and the development of networks between the Aboriginal Community and the GS LLS;

GREATER SYDNEY LOCAL LAND SERVICES

3. Provide input and assistance in the development of GS LLS plans and strategies, including the Local Strategic Plan, local Aboriginal Engagement Strategy and assist towards the implementation of the Statewide Aboriginal Engagement Strategy; and
4. Support GS LLS with guidance and collaboration in the delivery of relevant outcomes of the local Aboriginal Engagement Strategy.

Note: The AAG does not have a function in GS LLS operational issues which is consistent with other advisory committees and reference groups.

2.3 Responsibilities

The main responsibilities of the AAG are to:

1. Maintain inclusive and extensive networks with the Aboriginal Communities within the GS LLS region to provide a representative forum for the Community;
2. Ensure that the GS LLS receives appropriate advice on engagement with Aboriginal Communities;
3. Advise the GS LLS to support it in making appropriate investments in collaboration with Aboriginal Communities to support implementation of its plans and strategies; and
4. Provide an advisory forum for review and input to GS LLS plans and strategies, including the Local Strategic Plan.

3. MEMBERSHIP

3.1 Membership criteria

Membership of the AAG will reflect the diversity of skills, experience and 'grass-roots' knowledge and connections to Country held by Aboriginal people. Membership will aim to reflect the geographical cross-section of Aboriginal organisations and individuals across the GS LLS region as well as gender and age balance.

Members appointment to the AAG must be able to demonstrate Aboriginality and preferably lives within or hold cultural association within the boundaries of the Greater Sydney region.

Members will be appointed from the community through the 3.2 Selection and Appointment process within this ToR and preferably possess skills and experience in a number of the following:

- Demonstrated ability to network with Aboriginal Community groups and or hold experience with established local or regional Aboriginal community networks;
- Demonstrated commitment to AAG processes in a community context;
- Caring for Country or sustainable Natural Resource Management (NRM);
- Aboriginal Cultural Heritage;
- Agriculture;
- Biosecurity;
- Emergency management;
- Investment decision making, such as identifying local and/or regional funding priorities and opportunities, and monitoring the success of investments in these priority areas;
- Socio-economic impacts of Caring for Country and / or NRM decisions and actions; and
- Strategic planning including analysing complex issues.

GREATER SYDNEY LOCAL LAND SERVICES

3.2 Selection and appointment

To select and appoint members to the AAG, GS LLS will advertise for candidates who can demonstrate their responses to the 3.1 Membership Criteria to fill the-vacant positions in alignment with the requirements of 3.5 AAG Term.

A selection panel consisting of a GS LLS Manager, Senior Aboriginal Officer and an independent Aboriginal representative will be established to oversee the process.

The panel will select and interview potential candidates for the positions and provide recommendation to the AAG for consideration and endorsement.

Pending endorsement from the AAG, the candidates will be recommended to the GS LLS Board on suitability of potential candidates and endorsement.

The Aboriginal representation on the AAG will be appointed following endorsement by the GS LLS Board in accordance with section 33 (2) of The Act.

When appointing candidates to the AAG the panel will consider where possible:

- The geographic spread of members across the region;
- representation from a cross-section of Aboriginal organisations and individuals in the region; and
- achieving a mix of genders and age.

3.3 Membership vacancies

An eligibility list of standby members will be created from the selection and appointment process, where applicants may be invited to fill any vacancies should they exist during an AAG Term.

If no eligibility list exists following the initial selection and appointment process, GS LLS and the AAG may invite applications for membership, in alignment with 3.1 Membership criteria and 3.2 Selection and Appointment process.

Any vacancy filled through this process will also require endorsement by the GS LLS Board.

3.4 Composition

The AAG is composed of Aboriginal representative members and relevant GS LLS representatives, comprising of:

- Up to seven (7) Aboriginal representative members;
- GS LLS General Manager and / or Manager Land Services; and
- GS LLS Senior Aboriginal Officer.

A quorum of the AAG will comprise of three (3) Aboriginal representative members and two (2) GS LLS representative members

The AAG may invite or request the attendance of other appropriate Aboriginal or other non-Aboriginal GS LLS staff or other non-members to participate in AAG meetings where appropriate and corresponding to the business of agreed meeting agendas.

Non-members of the AAG may attend meetings as per the process above; however, within the capacity as an observer and will abstain from participating in discussion unless otherwise advised by the AAG.

3.5 AAG Term

In order to ensure continuity of 2.2 Functions and 2.3 Responsibilities of the AAG, ongoing cultural governance, transitional mentoring and alignment with the term of the GS LLS Board, the term of AAG membership is as follows:

GREATER SYDNEY LOCAL LAND SERVICES

- Four (4) Aboriginal representative members are appointed for a 4-year term;
- Within two (2) years of that term, three (3) additional Aboriginal representative members are appointed for a 4-year term;
- This will commence as a continuous cycle until a change to this ToR in line with section 5.9 Changes to the ToR.

At the completion of the above described membership terms, those AAG memberships will become vacant and will be filled in alignment with the 3.2 Selection and Appointment process within this ToR.

Members may seek to be re-appointment for an additional term through the selection and appointment process or may choose to retire

3.6 Cessation of Membership

Representatives cease to be a member of the AAG:

- On completion of their term of membership; or
- By written notice of retirement as a member to the GS LLS Board; or
- Due to a breach of the 5.7 Code of Conduct and as determined through the provisions of the *Public Sector Employment and Management Act 2002* with disciplinary action processes to be commensurate with suspension from meetings or dismissal from the AAG; or
- Following non-attendance for two (2) consecutive meetings without prior leave of absence, after the GS LLS General Manager has first provided the member with an opportunity to explain their circumstance and show just cause for non-attendance.

3.7 Leave of Absence

AAG members may apply for a leave of absence from AAG and the GS LLS General Manager. This leave of absence will be recorded in the minutes of the meeting.

AAG members will continue to receive communications relating to the AAG during a leave of absence unless they express otherwise.

A leave of absence may apply for a period of up to 6 months and may only be applied for once during a member's four (4) year term.

4. PROCESS

4.1 Chair

AAG will determine and appoint the Chair from within the Aboriginal representative members for the period of 1 year per calendar year.

The Chair will preside over AAG meetings. If the Chair is absent or unable to act, another AAG member will be elected to chair the meeting.

The Chair is responsible for ensuring that the advice provided by the AAG is recorded.

4.2 Convenor

A Senior Aboriginal Officer of GS LLS should assist as convenor of the AAG and arrange for other GS LLS Officers and external visitors to present if required. The Senior Aboriginal Officer will facilitate support for the AAG.

GREATER SYDNEY LOCAL LAND SERVICES

4.3 Meetings

AAG meetings will be held as follows:

- Through an annual meeting schedule will be established with the AAG meeting at least four (4) times per calendar year, and more frequently if required;
- May be held in different locations around the GS region by mutual agreement between member representatives as determined at the end of each AAG meeting;
- All agenda items are to be submitted to AAG Chair through the Convenor at least two weeks prior to the scheduled meeting, the Chair with assistance from the Convenor will then establish the agenda for the forthcoming meeting.
- Meeting agendas, previous minutes together with relevant supporting material will be forwarded to AAG members at least one (1) week prior to the meeting to enable consideration of key issues. AAG representatives are required to provide a response to all scheduled meetings.
- Should any meeting be cancelled an alternate meeting must be convened, either face to face or by media conferencing as soon as possible after the cancelled meeting.

4.4 Advice giving procedures / decisions

The following process will guide how the AAG provide advice:

- It is intended that the AAG will provide advice / decisions to GS LLS by consensus of the members.
- Advice / Decisions are to be proposed as motions, require a seconder and are then confirmed by the majority of members and are adopted as a resolution. In the event of disagreement decisions will be determined by a majority of the votes of the members of the AAG present at the meeting.
- Each member present at a meeting of the AAG is entitled to one vote.
- Decisions made at meetings are recorded in the form of resolutions which are binding on the AAG until they are formally amended or repealed. Resolutions, once recorded, take effect immediately.

4.5 GS LLS support for the AAG

GS LLS will provide administrative support for the AAG through:

- Administrative support before, during and after meetings by the GS LLS Convenor and at every AAG meeting as well as technical support from other GS LLS staff as required;
- Regular updates on GS LLS overarching Aboriginal investments and outcomes as delivered in GS LLS Business;
- Acknowledge and include AAG in appropriate GS LLS programs in media, correspondence and community consultations;
- Updates on changes to programs/projects made to GS LLS programs, strategies and business as a result of the AAG feedback;
- Support for quarterly AAG meetings, with all reasonable meeting-related travel / parking expenses, where appropriate as well as refreshments for AAG members covered by the GS LLS (including insurance when appropriate);
- Informal working groups or out of session processes, including through electronic means (with feedback through “replying all” to email correspondence related to the decision being made), may be established by the AAG with GS LLS support to address specific issues or responsibilities;
- Development of AAG annual report aligned with section 5.1, to be tabled at the relevant GS LLS Board meeting. The Manager (or delegated Officer) of the Aboriginal Communities Function to speak to the paper as required;

GREATER SYDNEY LOCAL LAND SERVICES

- Representatives of the AAG may be invited to present at GS LLS Board meetings; and
- Provision of meeting room space such as LLS offices for AAG meetings or other venues in the region if required.

5. GOVERNANCE

5.1 Communication with GS LLS

GS LLS will remain responsible for any public announcements and/or media contact relating to activities of the AAG, unless otherwise agreed in writing (including email) by both the AAG and the GS LLS General Manager.

All media contacts in relation to the activities of the AAG are to be made through the GS LLS media officer.

The AAG shall provide a regular report to the Board on key matters of interest, to be presented by an appropriate GS LLS Manager at Board meetings.

The AAG can seek advice from the GS LLS Board and vice versa.

5.2 Providing information to Aboriginal Communities

In providing an active connection between their communities, the AAG with GS LLS will decide how best to distribute information relating to the business of the AAG to Aboriginal communities.

In order to exchange matters of interest and initiatives for consideration the AAG will develop approaches to communicate with Aboriginal communities including guidance in undertaking appropriate action.

5.3 Dispute resolution

Disputes within the AAG will be raised through the GS LLS General Manager in the first instance for resolution. Issues that cannot be resolved will be escalated to the LLS Board for resolution.

5.4 Confidentiality and Copyright

AAG members may be provided with information from sources in both the GS LLS and Aboriginal communities that is of a confidential or culturally sensitive nature, such as sacred sites, verbal reports and draft documents.

This information is not for general circulation in the broader community and members must be prepared to maintain this confidentiality until the AAG and GS LLS approves the release of material for community information and/or comment, if appropriate.

5.5 Indigenous Cultural and Intellectual Property (ICIP)

Any information provided by AAG members pertaining to Aboriginal cultural knowledge or Indigenous Cultural and Intellectual Property (ICIP) will be considered as such and the appropriate copyright acknowledgment should be applied to these instances.

5.6 Conflict of Interest

A member of the AAG who has a pecuniary or non-pecuniary interest in any matter before the AAG, and who is present at a meeting where the matter is being considered, must disclose and identify the nature of the interest to the meeting as soon as practical.

GREATER SYDNEY LOCAL LAND SERVICES

5.7 Code of Conduct

AAG members are responsible for upholding the integrity of the AAG and their respective community with the highest regard at all times, whilst maintaining their own values and ideals.

Members of the AAG must always:

- Conduct themselves with integrity and have the utmost consideration and respect for the function of the AAG and fellow AAG members;
- Refrain from the use for any reason of offensive language;
- Attend meetings on time and stay for the duration of the meeting, unless otherwise notified;
- Maintain a professional and culturally respectful approach;
- Refrain from all sorts of harassment;
- Not allow personal relationships to affect professional relationships;
- Refrain from acting in any way that would unfairly harm the reputation and / or activities / initiatives of other members outside of the AAG;
- Keep personal information in confidence, including information gained through sources outside the AAG;
- Not misuse authority or office for personal gain;
- Give due credit to the contributions of other members;
- Be prepared to report any suspected fraud, corrupt, criminal or unethical conduct to the AAG or GS LLS.
- Consider the impact of decisions on the well-being of others and the broader Aboriginal community in the region.

AAG members that do not adhere to the Code of Conduct and the GS LLS meeting protocols may be removed from meetings at the discretion of the other AAG members.

Any breach of the Code of Conduct in relation to attendance may result a review of conduct by GS LLS.

Note: Disciplinary action may be taken against a member in accordance with the relevant provisions of the *Public Sector Employment and Management Act 2002* and may result in suspension from AAG meetings or from the AAG as outlined in 3.6 Cessation of Membership.

5.8 Review

The GS LLS and the AAG should review the effectiveness and operation of the AAG through the ToR every two (2) years at the commencement of the calendar / financial year.

The AAG will inform the GS LLS Board of the outcomes of the review and if any changes to the ToR are recommended.

5.9 Changes to the ToR

Changes to the ToR may occur after each review.

Any change(s) to the ToR must be ratified by the AAG and be submitted to the GS LLS Board for acceptance in accordance with its functions relating to local community advisory group Terms of Reference under section 33 (3) of The Act.