

## **Aboriginal Community Advisory Group** **Terms of Reference**

**September 2022**

### **Acknowledgement of Country**

Hunter Local Land Services recognises that Aboriginal and Torres Strait Islander Peoples are the oldest continuous living cultural group in the world.

We pay our deepest respects to the Traditional Custodians of the Fresh and Saltwater Lands and Country right across the region, and we honour their Elders through the thousands of generations. Hunter Local Land Services also acknowledges the diverse and rich cultures of all Aboriginal and Torres Strait Islander Peoples living in the Hunter and Manning Great Lakes Regions who willingly share their sacred traditional knowledge in land and environmental management to ensure Country and Waters are protected, restored, and preserved in ways for everyone to enjoy.

The Board and staff of Hunter Local Land Services are extremely proud of the long standing and collaborative relationship with our dedicated Aboriginal Community Advisory Group (ACAG). Nominated members from the nine Local Aboriginal Land Councils and numerous Aboriginal-led organisations across the Hunter and Manning Great Lakes advise and guide Hunter Local Land Services on strategies and actions to benefit Aboriginal Communities in the Hunter and Great Lakes Regions.

We remain committed to working with the Aboriginal communities of this region so that the coming years are inclusive of Aboriginal knowledge and cultures which come from continued and unbroken connections to Country and Community.

Dr Elizabeth McEntyre

Worimi and Wonnarua First Nations Woman and Elder

Hunter Local Land Services Board Member

### **Background**

Hunter Local Land Services (LLS) is part of a NSW Government Agency which works on natural resource management, livestock health and pest control and biosecurity and agricultural management issues. Hunter LLS has a commitment to work with the Aboriginal community and to achieve good outcomes for the community. Hunter LLS needs the guidance of the Aboriginal community to inform its strategies and operations, this guidance will be mainly sought from this advisory group.

### **1. Primary Function:**

- a) The role of the Aboriginal Community Advisory Group (ACAG) is to advise Hunter Local Land Services on the strategies and priorities that Hunter LLS should implement with the Aboriginal community.

### **2. Broader Roles and Responsibility:**

- a) Act as a mechanism to give advice and recommendation to HLLS programs including priority strategies and activities.
- b) Support and develop consistent policy for Aboriginal involvement in natural resource management, livestock health and pest control, biosecurity, emergency and, agricultural management issues in the Hunter Local Land Services region.
- c) Be a forum for relevant Government agencies to consult with some members of the Aboriginal community.

### **3. ACAG Membership:**

The ACAG is to consist of up to 25 members from the Aboriginal community in the Hunter LLS region.

The appointed members of the ACAG are to consist of:

- a) Local Aboriginal Land Councils (LALCs) - one nominated representative and one alternate member for the following LALCs: Wanaruah, Mindaribba, Awabakal, Biraban, Bahtabah, Purfleet Taree, Karuah, Forster, Mudgee and Worimi).
- b) Community - up to five Aboriginal community representatives from each of the three HLLS district areas being Lower Hunter (Maitland, Port Stephens, Newcastle, Lake Macquarie, Dungog & Cessnock local government areas), Upper Hunter (Singleton, Upper Hunter and Muswellbrook local government areas) or Manning Great Lakes (Mid Coast Council local government areas).
- c) Membership of the ACAG will reflect the diversity of skills, experience and 'grass-roots' knowledge held by Aboriginal people as well as a balance of geography, gender and age and currently networked with Aboriginal community.
- d) Members may invite an observer to the meeting with prior approval from the Co-chairs.

### **4. Eligibility:**

Aboriginal Community Representatives applicants will need to submit an expression of interest for membership. Members appointed from the community must be able to demonstrate Aboriginality including descent, identification with, and affiliation to Community, reside in a Hunter LLS district (UH, LH, MGL) (or have strong Cultural Heritage, Traditional Ecological Knowledge and Kinship connection to) and will possess one or more of the following attributes, skills and/or areas of knowledge:

- a) Aboriginal Cultural heritage needs of the community;
- b) Currently networking with Aboriginal Community groups;
- c) Knowledge of the issues facing the Aboriginal community;
- d) Rights to hold and maintain the community/Cultural Intellectual Property

- e) Knowledge of natural resource management, Flora and Fauna and introduced pests and biosecurity of lands and all waters;
- f) Conflict resolution, facilitation and negotiation, both internally and externally; and
- g) Collaboration and teamwork.

## **5. Application Process & Appointment of Members:**

The process for appointment of Aboriginal Committee members is as follows:

- a) Appointment of LALC representatives will be by invitation to the LALC to nominate a member and alternate.
- b) Appointment of Aboriginal community representatives shall be by expression of interest to the Hunter LLS in response to a public call for applications. Applications will be assessed through an interview process by a panel including an independent person approved by the Hunter LLS Chair, Hunter LLS board member and Hunter LLS staff member.
- c) The panel will recommend nominees to Hunter LLS Board for endorsement.
- d) New members to be provided with an information package and/or other induction process.

## **6. Members Responsibilities:**

ACAG Member will be responsible for carrying out the following functions:

- a) Attending all ACAG meetings (and any other meetings as deemed appropriate by the members);
- b) Expressing the range of views of the communities within their areas, as is culturally appropriate;
- c) Informing the Hunter LLS local and regional community about cultural heritage, natural resource management, livestock health and pest control and biosecurity and agricultural management issues;
- d) Providing other groups within the Hunter LLS region with accurate information on the Aboriginal programs within Hunter LLS
- e) Contributing to the development of priorities for resource allocation
- f) Providing strategic advice at ACAG meetings

## **7. Code of Conduct:**

- a) The ACAG members must not:
  - Engage in improper or unethical conduct towards other ACAG members;
  - Abuse their power or engage in misconduct towards other ACAG members;
  - Carry out any action that causes, comprises, or involves any of the following:
    - intimidation, harassment or verbal abuse towards other ACAG members;
    - discrimination, disadvantage or adverse treatment in relation to employment;
    - prejudice in the provision of a service to the community; or
    - act in a disorderly conduct at ACAG meetings.
- b) The ACAG members must:
  - Report grievances, including breaches of the code of conduct, to ACAG Co-Chairs or Hunter LLS staff to undertake relevant inquiries;
  - Disclose interests whether pecuniary or otherwise, that could conflict with the proper performance of a member's functions and avoid conflict of interest; and

- Maintain currency of any new interests through updating declaration forms or at every meeting.

## **8. ACAG Cultural Protocols:**

Aboriginal and/or Torres Strait Islander Peoples are recognised as the First Peoples of Australia. The diverse histories, cultures, customs, circumstances, and experiences of First Nations Peoples are acknowledged and respected by the Hunter Local Land Services workers and Board.

- The following Cultural protocols have been developed to ensure that the business of the Aboriginal Community Advisory Group (ACAG) and Hunter Local Land Services respects and includes the cultural beliefs, customs, and practices of those Aboriginal Peoples of the Hunter Region of NSW are represented at ACAG meetings. These Cultural Protocols guide the ethical and responsible behaviour of ACAG Members and Hunter Local Land Services workers who attend ACAG meetings and in other business situations. The Cultural Protocols are a means for strengthening relationships between Hunter Local Land Services and Aboriginal Communities to achieve improved land management outcomes.
- Agreeing to support the Cultural Protocols can represent and value different Aboriginal worldviews, enhance culturally responsive work practices and promote mutual respect, cultural responsibility, and ethical conduct.
- The ACAG owns and controls their cultural and intellectual property. The ACAG determines and regulates how culture, heritage, stories, language, and information is presented, used, and recorded. The ACAG can authorise or refuse the use of their cultural and intellectual property according to cultural heritage practices. The ACAG can maintain secrecy of their knowledge and other cultural heritage practices. The ACAG is to have full and proper attribution for sharing their diverse histories, identities, knowledges, languages, customs, circumstances, teachings, skills, and experiences of culture and heritage.
- Representation of the ACAG should reflect their cultural understandings and values. Any writings about or images of the ACAG should consider how the work affects the ACAG Members. Before publishing, ensure the material accurately reflects their cultural identity. Permission must be sought from the ACAG who owns the story and any potential issues discussed with them prior to publishing. The rights and interests of the ACAG in how they are portrayed in writings and images must be respected and always protected.
- There can be many pressures on the ACAG Members who work in or represent Aboriginal Communities, and perceived conflicts of interest may arise. Due to the importance of family and Community, workers are often expected to prioritise their family and Community before others. The ACAG will ensure that a culturally safe meeting environment is created for Members and Hunter LLS workers to discuss any perceived or actual conflicts of interests that may arise at meetings.
- The ACAG will advise Hunter LLS on protocols for visiting Aboriginal Communities whether urban remote or rural. These protocols may include: seeking permission from the Local Aboriginal Land Council responsible for the Community, sending a letter of intent, stating the purpose of the visit, honouring the importance of recognised Elders, dressing appropriately, asking Aboriginal People how they want to be acknowledged, and being aware of the many demands that can be placed on underfunded Aboriginal-

Led organisations and groups which represent and deliver services to disadvantaged Communities with limited administrative and management resources.

- Aboriginal cultures are complex, dynamic, and evolving, therefore the ACAG has the option to change the Cultural Protocols on an ongoing basis to enrich and drive work and business.
- Sorry Business - It is very important to recognise that for many Aboriginal communities in the Hunter, the expectation is that Sorry Business may involve the whole community within the Hunter LLS district and may extend to other districts within the Hunter Region. Therefore, out of respect some members may not be able to attend ACAG meetings and meetings maybe rescheduled due to lack of attendance of members.
- Information regarded as sensitive information should be recorded as sensitive with the name of the person or members of the community who are the custodians of the sensitive information. (According to cultural protocol, as decided by the Advisory group).
- ACAG Members may be provided with information from sources in both the Hunter LLS and Aboriginal communities that is of a confidential or culturally sensitive nature, e.g. sacred sites, verbal reports and documents. This information is not for general circulation in the broader community and members must be prepared to maintain this confidentiality until the HLLS and the ACAG approves the release of material for community information and/or comment.
- Any information provided by ACAG members pertaining to Aboriginal cultural knowledge should be considered intellectual property and should be handled accordingly as decided by the group:

## **9. Term of Membership:**

- a) The Aboriginal Community Representatives term of membership will be two years from the date of appointment.

## **10. ACAG Operations:**

- a) Operate in a consultative capacity by providing information and recommendations to the Hunter LLS Board;
- b) The ACAG does not have a role in Hunter LLS operational issues;
- c) Meetings will be held at various locations throughout the HLLS geographic area.

## **11. Media and Publications:**

- a) The Hunter LLS will remain responsible for any public announcements or other media contact relating to activities of the committee, in consultation with the committee members. The HLLS may authorise members of the ACAG to carry out this function.
- b) Any correspondence will be approved or jointly agreed by chairs of advisory group and chair of Hunter LLS.

## **12. ACAG Co-Chairs:**

- a) The Chairs will consist of 1 Chair from a LALC representative member and 1 Chair from the Aboriginal Community Representative member.

## **13. Election of Co-Chair:**

- a) Election of Chair shall be conducted by way of secret ballot during the closed members session at the first ACAG meeting.
- b) Must meet the definition of Aboriginality as referenced above in Section (4.1) Eligibility

#### **14. Co-Chair Term of Office:**

- a) Chairperson's term of office shall be two years from the date of appointment.

#### **15. Chair Responsibilities:**

- a) Chair meetings;
- b) Encourage open and fair discussion;
- c) Summarise actions from discussions;
- d) Represent the ACAG at a range of functions and events as required;
- e) Present ACAG recommendations to Hunter LLS Board meetings as required; and
- f) Ensure the Code of Conduct is adhered to.

#### **16. Hunter LLS Board Representation:**

- a) A Hunter LLS Board member shall attend each meeting.

#### **17. HLLS Staff Responsibilities:**

- a) Provide executive support to the ACAG Committee including meeting arrangements, travel, accommodation, catering needs and a single point of contact for correspondence with ACAG members;
- b) Support ACAG members to attend meetings;
- c) Provide reasonable accommodation, meals and travel costs for members only;
- d) Prepare a flexible agenda other meeting papers for ACAG meetings;
- e) Prepare a report of the meeting covering the in session and out of session outcomes;
- f) Action any resolutions from ACAG meetings;
- g) Promote the ACAG in other agency forums; and
- h) Disseminate information to ACAG members and Aboriginal Communities in a timely and effective manner, including feedback from the Board.
- i) Network with other agencies about Aboriginal programs.
- j) Timely and accurate reporting happens between the ACAG, LLS and Board.

#### **18. Quorum:**

- a) Five members shall form a quorum at any meeting of the ACAG.
- b) Questions arising at a meeting of the ACAG shall be determined by a majority of votes of the members present and voting.

#### **19. Schedule of meetings:**

- a) A minimum of 2 meetings per year scheduled in May and September
- b) Other out-of-session meetings or activities as they arise.

#### **20. Structure of meetings:**

- a) Two-day meetings, overnight stay with field trip and presentations.

#### **21. Agenda and meeting reports:**

- a) Agenda to be sent out at least one (1) week prior to an ACAG meeting

- b) Meeting minutes to be sent within two (2) weeks following an ACAG meeting.

## **22. Communication protocol:**

- a) ACAG Chairs may make recommendations from the ACAG Committee to the HLLS Board by way of Hunter LLS Board paper.
- b) Operational communications are through the Senior Land Services Officer (Aboriginal Communities) who is supported by Hunter LLS management.

## **23. Review of Terms of Reference:**

- a) The Advisory group will modify the Terms of Reference as required in consultation with the Hunter LLS Board.