

CLARENCE VALLEY ABORIGINAL ADVISORY COMMITTEE

CONSTITUTION

Preamble

This committee has been established by Clarence Valley Council to advise Council on matters that impact on the Aboriginal communities within the Clarence Valley. This committee will play a key role in representing the interests, concerns and aspirations of Clarence Valley Aboriginal communities to Council as well as enhancing the broader community's understanding of Aboriginal culture. The Committee's vision is for continuous improvement and a better future for Clarence Valley Aboriginal people. Its values are expressed in the following verse:

Having come together, relying on God
We the people of Clarence Valley Aboriginal Advisory Committee
Proud of our diversity
Celebrating our unity
Loving our unique and ancient land
Recognising the Bundjalung; Gumbaynggirr and Yaegl nations as the original occupants and
custodians of our land
Believing in freedom and equality, and
Embracing democracy and the rule of law
Commit ourselves to this our Constitution.

1. Interpretation:

Unless otherwise indicated:

"Act" means the Local Government Act, 1993.

"Committee" means the Clarence Valley Aboriginal Advisory Committee (CVAAC).

"Council" means Clarence Valley Council.

2. Relationship of the Committee and Council:

The Committee is appointed by Council to advise Council in relation to the following:

- a. Prioritising and devising implementation plans with relevant service providers to address the issues of unmet need as identified in the Clarence Valley Social Plan, and monitor the ongoing progress of these issues.
- b. Issues that impact on the Aboriginal Communities within the Clarence Valley Council boundaries.
- c. Issues of mutual interest between the Aboriginal communities and Council.

3. Functions of the Committee:

- 3.1 To discuss issues of mutual interest and those that impact on the Aboriginal communities of the Clarence Valley and to provide advice to Council on behalf of the community that the members represent.
- 3.2 To make recommendations to Council on programs and strategies that promote greater awareness and understanding of Aboriginal culture within the broader community of the Clarence Valley.
- 3.3 To oversee the implementation of actions to address Aboriginal issues within the Clarence Valley Council's Social Plan.
- 3.4 To contribute to the development of each new Social Plan as it relates to Aboriginal issues: identify key issues; determine priorities; suggest appropriate strategies to address issues; identify lead agencies to address key issues; provide feedback on outcomes; and promote achievements.
- 3.5 Report progress and promote achievements to Council, the Aboriginal Community and broader community of the Clarence Valley.

4 Notice:

Any notice required to be given by Council under this Constitution may be:

- 4.1 sent to the last known address of the member, and
- 4.2 deemed to be received on the second day after posting.

5 Membership of the Committee:

- 5.1 The term of membership to this Committee aligns with the term of the Council. Subject to Clause 5.8, members are appointed until the day before the next Council elections. Generally, this will be a period of approximately four (4) years.
- 5.2 The membership of the Committee shall consist of a maximum six (6) persons, appointed by Council, consisting of:
 - One (1) member of the Maclean Aboriginal community and one(1) alternative - nominated in an open process by that community.
 - One (1) member of the Yamba Aboriginal community and one(1) alternative - nominated in an open process by that community.
 - One (1) member of the South Grafton Aboriginal community and one(1) alternative - nominated in an open process by that community.
 - One (1) members of the Grafton Aboriginal community and one(1) alternative - nominated in an open process by that community.
 - One (1) member of the Baryulgil Aboriginal community and one(1) alternative - nominated in an open process by that community.
 - One (1) member of the Malabugilmah Aboriginal community and one(1) alternative - nominated in an open process by that community.
- 5.3 While the members nominated to represent each Aboriginal community, would ideally be a resident of the specific community, it is a matter for the communities to determine who would best represent the interests of their respective communities.

- 5.4 In nominating the representatives for each community the process must be clear and open to the community and the results clearly reported to each community.
- 5.5 The assistance of Council's CDO – Aboriginal (or other person nominated by the Team Leader) will be provided in the member nomination process. The CDO – Aboriginal (or other person nominated by the Team Leader) will not have voting rights in the member nomination process.
- 5.6 A Councillor may be appointed to the Committee with the same voting rights as any other member.
- 5.7 Council may appoint staff to attend meetings to provide administrative support and advice. The staff will be entitled to speak at meetings of the Committee, but they do not have any voting rights.
- 5.8 A person remains a member until:
- (a) fail to attend three (3) consecutive meetings without leave of absence,
 - (b) move their permanent place of residence outside the Council boundary,
 - (c) deliver their written resignation to Council, or
 - (d) receive written notification from Council that their membership of the Committee has been terminated.
- 5.9 Should a casual vacancy arise, the relevant Aboriginal community shall appoint a new member in the same manner as set out in Clause 5.2.

6. Committee Chairperson / Deputy Chairperson:

At the first meeting of each new Committee, the Committee shall elect one of its number as Chairperson and one of its number as Deputy Chairperson. The method of election shall be decided by the Committee.

7. Committee Secretary:

Council's Community Development Officer – Aboriginal (or other person nominated by the Team Leader) will assume the role of Secretary for the committee. This role will include:

- Minutes: taking, distribution and preparation of reports to Council;
- Liaising with Council officers, committees and interagencies in relation to the business of the committee;
- Preparation of the agenda in consultation with the Chairperson and its distribution;
- Updating committee business on Council's website;
- Arranging travel reimbursements for committee members for travel to meetings.

8. Role of Members

- 8.1 The primary role of committee members is to advise and make recommendations to Council on matters of interest to their communities. As such, members are obliged to represent their community's interests, rather than personal interests or those limited to a few members of their communities.

- 8.2 Members are expected to be the liaison between their communities and Council and provide a two-way flow of information between them.

9. Conduct of Meetings:

- 9.1 At all meetings of the Committee the Chairperson shall occupy the Chair and preside. In the absence of the Chairperson, the Deputy Chairperson will preside.
- 9.2 A meeting shall not proceed unless a quorum of at least one (1) more than half the number of members are present. At least three communities must be represented by the members present for the meeting to proceed.
- 9.3 Members are to advise of their attendance to the Secretary one week prior to the meeting to ensure that adequate notice can be given to attendees of whether the meeting is to proceed.
- 9.4 Meetings of the Committee shall be quarterly and the venue for meetings may alternate between Maclean, Yamba, Grafton, South Grafton, Baryulgil, and Malabugilmah as determined by the committee.
- 9.5 Decisions of the Committee shall be by majority of the members present at each meeting and each member shall have one vote. In the event of voting on any matter being equal for or against, the matter shall be referred to Council for decision. The Chairperson shall not have a casting vote.
- 9.6 A record of minutes in the usual form shall be kept by the Secretary and forwarded to Committee members no later than seven (7) days following each meeting. If any member considers that the minutes are inaccurate in any respect, then they should advise the Committee Secretary within seven (7) days of receipt of the minutes or else raise the matter at the next Committee meeting. The minutes will also be issued to members no later than one week prior to each meeting.
- 9.7 Members shall observe the provisions of the Act in relation to declarations of interest in business placed before the Committee. Members should also be aware of conflicts of interest that they may have and should not vote on any matter in which their private interest conflicts with the matter under discussion. Interest declared by any member shall be recorded in the Minutes of the Meeting.
- 9.8 If the Chairperson or Deputy Chairperson ceases to be a member of the Committee, the remaining members of the committee shall vote for one (1) of its members to fill the executive vacancy.
- 9.9 The Secretary shall forthwith notify Council of any decision that needs to be referred to Council.

10. Meeting Agenda:

- 10.1 An agenda is to be prepared for each meeting by the Committee Secretary and circulated to all members one (1) week prior to the meeting. The preparation for the next meeting's agenda will commence at the current meeting. Additional items for inclusion on an agenda shall be forwarded to the Secretary for approval by the Chairperson to enable the distribution of the agenda one (1) week prior to the meeting.

- 10.2 Following the process set out in clause 9.6, the minutes will be made available to the Councillors at the next ordinary meeting of Council as part of Council's business papers.
- 10.3 All minutes are public documents and any member of the public has a right to inspect them. These will be included on Council's website. They may also receive a copy of them from Council (on payment of a photocopying fee).

11. Attendance by members of the public:

Every Committee meeting is a public meeting and members of the public may attend. As such, it should be held in a public place. The Committee will determine whether or not to allow members of the public to address it. However, no member of the public may vote on any issue which is being considered by the meeting, regardless whether they have been allowed to speak on that issue or not.

12. Correspondence:

All correspondence either received by or sent by the Committee shall be tabled at the next meeting of the Committee and recorded in the minutes. Members should have the opportunity at each Committee meeting to discuss the correspondence and, if appropriate, determine how the Committee is going to respond to correspondence.

13. Relationships

- 13.1 Aboriginal Interagency
Minutes of the Committee will be exchanged with the Aboriginal Interagency to ensure that relevant matters can be considered and addressed by the appropriate group.
- 13.2 Other Council Advisory Committees
Minutes will be exchanged between all relevant Council advisory committees. The Secretary will identify matters of significance for this committee to be included on the agenda.
- 13.3 Other Interagencies
Council officers will advise the Secretary of matters of significance for this committee to be included on the agenda.

Date	Version	CVC meeting approved
March 2015	3.1	August 2015
July 2013	2.1	September 2013
September 2009	1.1	February 2010