

TERMS OF REFERENCE

Whittlesea Aboriginal Gathering Place Advisory Group (WAGPAG)

1. Acknowledgement

The Whittlesea Aboriginal Gathering Place Advisory Group (WAGPAG) and the City of Whittlesea recognises the rich Aboriginal heritage of this country and acknowledges the Wurundjeri Willum Clan and Taungurung People as the Traditional Custodians of lands within the City of Whittlesea.

2. Background

A Gathering Place is a physically, socially, and culturally safe space led by First Peoples. Its primary purpose is to support improved outcomes for First Peoples communities, strengthen connection to culture, and facilitate healing. Many successful Gathering Places also contribute to local Reconciliation efforts by fostering meaningful engagement between First Peoples and non-First Peoples communities.

The establishment of an Aboriginal Gathering Place within the City of Whittlesea has been a priority for the local First Peoples community for over 20 years and remains a key objective of the Whittlesea Reconciliation Group. Its delivery and activation are also central to the City of Whittlesea's Aboriginal Action Plan, which includes ongoing work with local First Peoples communities to enable the Gathering Place to operate independently in the future.

The development of the Aboriginal Gathering Place has been guided by collaboration between Council and the local First Peoples community, underpinned by the principles of self-determination, sustainability, and co-design. This ensures that the space reflects community needs, priorities, and cultural authority.

3. Aboriginal Gathering Place vision

The Aboriginal Gathering Place will be a welcoming, inclusive and culturally safe space where all First Peoples can connect and have a sense of belonging, as well as having access to activities, programs and services which strengthen culture and enhance wellbeing.

It will also be a place for the whole community, First Peoples and non-First Peoples, supporting knowledge sharing, celebration of culture, building community connection and promoting understanding and reconciliation.

4. Purpose

The purpose of the Whittlesea Aboriginal Gathering Place Advisory Group (WAGPAG) is to provide advice to Council and collaborate on the activation and ongoing development of the Aboriginal Gathering Place. The Group is guided by the principles of co-design, self-determination, and sustainability, and supports the long-term vision for the Aboriginal Gathering Place, including transition toward an independent governance model.

5. Members of the WAGPAG will work in good faith to:

- Foster a productive, inclusive, and trusted relationship between Council and the First Peoples community.
- Provide advice on the strategic development of the Aboriginal Gathering Place to support the achievement of its overall vision.
- Empower the First Peoples community through meaningful participation and shared decision-making.
- Collaborate in preparing for a successful transition to a more independent governance model.

This will be achieved by:

- Providing advice to Council to inform the development of programs delivered from the site in response to local needs and opportunities.
- Co-designing an Aboriginal Gathering Place activity and event planning framework with Council to ensure decision-making aligns with the overall vision.
- Supporting engagement with Traditional Owners and ensuring their perspectives inform planning and activities.
- Providing expertise and advice, and actively leading engagement with the wider community and stakeholders regarding the Aboriginal Gathering Place.
- Supporting the transition to a more independent governance model by:
 - Participating in and implementing training and capacity-building initiatives to strengthen community skills and leadership.
 - Assisting in securing additional partners, external funding, and income streams to support sustainability.
 - Exploring and recommending future governance arrangements to Council.

6. Phases

It is anticipated that, across three key phases, the Aboriginal Gathering Place will transition from a Council-managed facility to an independent, community-run entity. These Terms of Reference apply only to governance arrangements for Phase 1.

The table below outlines the anticipated governance approach for Phases 2 and 3, for which new Terms of Reference or alternative governance agreements will be developed and endorsed prior to implementation.

Phase	Governance	Activities	Timeline
Phase 1	Council manages the Aboriginal Gathering Place while WAGPAG provides strategic advice and prepares for future	• Advise on the coordination and implementation of programs and services run from the site. • Co-design program planning framework with Council to ensure	3-5 years



Phase	Governance	Activities	Timeline
	governance model (Phase 2): WAGPAG operates as outlined in these Terms of Reference. In collaboration with Council, WAGPAG to identify ongoing governance arrangements for the Aboriginal Gathering Place to transition to a greater independence model.	decision making aligns with the Aboriginal Gathering Place vision. • Build community capacity to operate the facility. • Secure additional partners and external funding and income streams. • Develop future governance arrangements and operational model (Phase 2), including development of new Terms of Reference (or alternative agreement).	
Phase 2	Transition to greater independence: Implementation of greater independence model, such as establishment of Community Asset Committee as listed under section 65(2) of the <i>Local Government Act</i> (2020). (A Community Asset Committee is a committee with powers of the Council, with terms and conditions specified by the CEO, for the purpose of managing a community asset).	• Transition to greater independence model such as a Community Asset Committee, managing the asset on behalf of Council. • Funding to be derived from revenue raised by Committee including room hire fees, events and/or external grants. Council may also provide some financial support. • Delivers programs and services from the site (in partnership with Council and others). • Continues to: ○ build community /organisational capacity, and transition to an independent arrangement ○ secure additional partners and external funding and build income streams. • Develop future governance arrangement and operational model (Phase 3), including development of new Terms of Reference (or alternative agreement)	TBD
Phase 3	Transition to independent Aboriginal Community Controlled Organisation entity - TBC	• An independent Aboriginal Community-Controlled Organisation that self-operates and fully funds the Aboriginal Gathering Place.	TBD

7. Relationship with Whittlesea Reconciliation Group

Regular 'for information' updates regarding the Aboriginal Gathering Place will be provided to the Whittlesea Reconciliation Group (WRG). These may be from WAGPAG members (if also members of the WRG), or Council staff.

8. Delegation

The WAGPAG has no formal delegation. Its role is to provide advice to Council on matters relating to the Aboriginal Gathering Place.

9. Advisory Group Governance

Membership and Tenure

The WAGPAG to consist of up to 12 First Peoples voting members including:

- 1 x member of Whittlesea Reconciliation Working Group
- 2 x Traditional Owners (Wurundjeri Woi wurrung) representation

Non-voting members:

- 1 x Councillor representative
- 1 x member of Council's Executive Leadership team (or their delegate)
- Council Officers providing administration and coordination support

Where required, non-First Peoples members will be invited to meetings to provide specialist skills or expertise.

The WAGPAG will aim to build a membership that reflects the diversity of the local First Peoples community and seek to include representation from young people, Elders, and local Aboriginal Community Controlled Organisations.

Appointment of members

Voting First Peoples members will be appointed for an initial period of up to two years, with the option of reappointment for a further term of up to two years.

At Council's discretion:

- The length of an initial appointment may be varied to enable staggering of terms and ensure continuity of WAGPAG membership.
- Extensions beyond the maximum four years may be approved by Council's Executive Leadership team representative - where a member's skills, experience, and contribution are considered valuable to the work of the WAGPAG.

Efforts will be made to ensure the membership of the WAGPAG is diverse and reflective of the local community including Elders, Traditional Owners, young people, people of all abilities, and culturally diverse individuals.

10. Eligible individuals:

The eligibility requirements to be a voting member of the WAGPAG include all the below:

- Live, work or study in the City of Whittlesea for the duration of the WAGPAG appointment
- Committed to the WAGPAG purpose and Aboriginal Gathering Place vision
- Committed to the City of Whittlesea's Code of Conduct
- Committed to attending a minimum of four ordinary meetings per year and all WAGPAG planned events
- Must not be a current employee of City of Whittlesea or an employee who has left the City of Whittlesea within a two-year period
- Must not be a current Councillor
- Must have current Police and Working with Children Checks

Appointment of Co-Chairpersons

Two Co-Chairpersons will be nominated (self-nominations are accepted) and voted by members of the group at the first meeting following the annual appointment of Councillors to advisory groups (usually December).

Majority vote is required for selection of Co-Chairpersons, and only voting members of the WAGPAG can be nominated.

Appointment of the Co-Chairperson will be for a term of one year.

Appointment of Members

Vacancies for the WAGPAG will be filled through Expression of Interest (EOI) Process facilitated by Council Officers, which will be advertised on Council's website and other appropriate platforms.

Expression of interest (EOI) Process

1. Individuals wishing to join the group must complete the WAGPAG Expression of Interest (EOI) form and submit it to the City of Whittlesea Aboriginal Communities Unit.
2. Council Officers will consult with WAGPAG Co-Chairpersons on all EOI's received.
3. Co-Chairs supported by Council Officers will present the EOI recommendations to WAGPAG members for endorsement.
4. The Director Community Wellbeing or their delegate will seek formal resolution of the Council.
5. Council Officers will liaise with applicants and notify them of the outcome.

Resignation or expulsion

Membership may be terminated for any of the following reasons:

- The member's no longer lives, works or studies within the City of Whittlesea.
- Failure to attend two consecutive meetings without prior notice.
- The member does not declare a conflict of interest, breaches confidentiality, the City of Whittlesea Employee Code of Conduct or exhibits behaviour unbecoming as a member of the WAGPAG.
- The member expresses views on behalf of the WAGPAG or Council.

WAGPAG members may resign at any time in writing to the Director Community Wellbeing.

If members resign or Council is required to terminate membership of any WAGPAG member, the vacancy will be advertised on the Council's website.

Sitting Fee

In recognition of the unique cultural knowledge, leadership and custodial responsibilities of First Peoples members, Council will provide voting WAGPAG members with a sitting fee of \$100 per voting member for each full WAGPAG meeting attended.

The sitting fee will apply to all members and will be subject to annual review. The fee will be paid in two equal instalments each year and will be automatically indexed in line with the rate cap on 1 July annually.

At the discretion of the Director Community Wellbeing, an additional payment may be approved for attendance at extraordinary meetings.

Code of Conduct

The City of Whittlesea Employee Code of Conduct sets out behaviours that must be demonstrated by those working for or representing Council. The Code applies to all people appointed by Council to any committee, working group, reference group or similar advisory or decision-making body of Council.

The members of the WAGPAG are required to operate with integrity, objectivity, accountability, honesty and openness, and always act in accordance with City of Whittlesea's Employee Code of Conduct.

11. Roles and Responsibilities

Co-Chairpersons

All meetings to be led by the nominated Co-Chairpersons, ensuring they are run fairly and as per the governance requirements outlined in this Terms of Reference.

The Co-Chairpersons will:

- Chair each meeting (including opening and closing meetings).
- Follow the agreed agenda, keep discussions focused, inclusive and respectful
- Ensure only one member speaks at a time
- Ensure only one item is discussed at a time
- It is the responsibility of the Chair to ensure that everyone has an opportunity to participate and speak on agenda items
- Ensure that member input is respected and congruent with the City of Whittlesea Employee Code of Conduct.

Advisory Group Members

Members are expected to:

- Provide advice regarding the strategic development of the Aboriginal Gathering Place.
- Build the capacity of community members to manage a successful Aboriginal Gathering Place in the longer term.
- Operate in alignment with the City of Whittlesea Employee Code of Conduct
- Dedicate appropriate time and effort to the functions of the WAGPAG.
- Prepare for and actively participate in meetings.
- Exercise independent judgment.
- Maintain effective working relationships with each other and with Council.

Proxy Voting

- Absent members may vote via proxy through completion and signature of the proxy voting template.
- Proxy votes will be taken 'after' an item is discussed but 'before' voting is taken.
- Verbal disclosure of proxy votes will be made at the commencement of an agenda item discussion

Council Officers

During meetings the supporting Council Officers are responsible for minute-taker duties.

12. Advisory Group Operations

Ordinary Meetings

An annual schedule of six meetings will be held with additional meetings scheduled as required. Meetings will be approximately 1.5 hours in duration and may be held in person or virtually. Special guests / subject matter experts may be invited to meetings at the discretion of the Co-Chairs and the Director Community Wellbeing.

Distribution of Meeting Papers

Meeting agenda papers will be prepared and provided to members, where possible, at least one week in advance of meetings.

Quorum

A quorum of members must be present before a meeting can proceed. A quorum shall comprise of:

- Half plus 1 of the total number of Aboriginal voting members (required for each meeting, to enable decisions to be made).
- 1 x member of Council's Executive Leadership team or their representative.
- 1 x Council officer.

If no quorum can be achieved, the Co-Chairpersons may choose to continue the meeting informally,

but decisions must be ratified at the next scheduled meeting.

13. Notice and Attendance at Meetings

- All members are required to attend a minimum of four ordinary meetings per year.
- Members are to be given notice of meetings at least 2 weeks prior via email.
- An annual meeting schedule will be provided to all members by the end of each year.
- A set agenda and meeting pack with all required readings will be distributed to all members.
- Members may attend by hybrid methods should they not be able to attend in person.
- Members who miss two consecutive meetings without 24 hours' notice, will have disqualified themselves from membership.

Minutes

Minutes will be taken by Council officers at each meeting and distributed to all members within ten working days.

14. Reporting Requirements

The WAGPAG must adhere to following standards regarding minute-keeping, reporting and confidentiality:

- Meeting minute records and reports are to be sent to Council for inclusion on the public record. All WAGPAG members personal information to remain confidential at their request.
- Disclosed Conflicts of Interest are to be noted in the minutes of the applicable meeting and record whether the person who disclosed a conflict of interest was excused from meeting for the relevant discussion.
- Written reports of the WAGPAG must include any disclosures of conflicts of interest and the outcome.

15. Transparency

In order to maintain transparency of the operations and in alignment with Council's Governance Rules the following information is to be published on Council's website:

- The Terms of Reference
- The names of all members (where appropriate)
- Minutes of meetings
- Reports of activities (as reported bimonthly to Council) as prepared by Council Officers.

All WAGPAG members personal information to remain confidential at their request.

16. Public Statements

Members of the WAGPAG will agree to follow **Council's Communication Policy** and cannot make public statements on behalf of Council.

17. Conflicts of Interest

The City of Whittlesea is committed to ensuring that its decision-making has integrity, is fair and is in



the best interests of the community and that in making decisions Conflicts of Interest (COI) are avoided and managed as they arise.

Declaring COI is applicable to all members of this advisory group. Disclosed COIs are to be noted in the minutes of the applicable meeting.

- **General Conflict** - You have a General Conflict if an impartial fair-minded person would consider that your private interests could result in you acting in a way that is contrary to your Public Interest Duty.
- **Material Conflict** - You have a Material Conflict if you or a Family Member or Close Friend could gain a benefit or suffer a loss (directly or indirectly) depending on the outcome.

For more information on COI's please refer to the [Conflict of Interest Policy Guidelines 2023](#).

18. Review

The WAGPAG shall be established for three years. At the end of this term, the WAGPAG will recommend to Council that it either:

- Continues for another two years (continuing Phase 1);
- Transitions (as per Phase 2) to an alternate governance arrangement (such as a Community Asset Committee); or
- Transitions to some other governance structure.

The WAGPAG can recommend an earlier transition date – before the initial three-year period has concluded – where appropriate.