

**DRAFT**

# **City of Adelaide Reconciliation Committee Terms of Reference and Meeting Procedures**

## ##### 2024

Legislative

**ACKNOWLEDGEMENT OF COUNTRY**

The City of Adelaide acknowledges that we are located on the traditional Country of the Kaurna people of the Adelaide Plains and pays respect to Elders past, present and emerging.

We recognise and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kaurna people living today.

And we also extend that respect to visitors of other Aboriginal Language Groups and other First Nations.

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# Contents

<b>PREAMBLE</b> .....	<b>4</b>
<b>PURPOSE OF THE RECONCILIATION COMMITTEE</b> .....	<b>4</b>
<b>APPOINTMENT OF MEMBERS AND MEMBERSHIP</b> .....	<b>5</b>
<b>RECONCILIATION COMMITTEE RESPONSIBILITIES AND REPORTING</b> .....	<b>6</b>
<b>GUIDING PRINCIPLES</b> .....	<b>7</b>
<b>BEHAVIOURS</b> .....	<b>7</b>
Behavioural Standards .....	7
Members of the Public.....	9
<b>MEETINGS</b> .....	<b>9</b>
Reconciliation Committee .....	9
Frequency, Times and Locations of Meetings .....	10
<b>BEFORE THE MEETING</b> .....	<b>10</b>
Notice of Meeting and Agenda .....	10
Agenda Structure .....	10
Developing the Agenda.....	11
Confidential Items.....	11
Late Reports .....	12
Attendance at Meetings.....	12
Conflict of Interest.....	12
<b>AT THE MEETING</b> .....	<b>13</b>
Dual Chairpersons.....	13
Other Procedure.....	13
Minutes .....	14
Recording of Meetings and Use of Mobile Phones .....	14
Quorum.....	14
Chair .....	14
Starting the Meeting.....	15
Decision making by Resolution.....	15
Speaking, Motion/Amendments/Variations in Decision-making .....	16
Order of Business.....	18
Managing interruptions or improper/disorderly behaviour .....	20
Closure of the Meeting .....	21
<b>AFTER THE MEETING</b> .....	<b>22</b>
Minutes of Reconciliation Committee .....	22
Reconciliation Committee Minutes.....	23
Public Access to Minutes .....	23
Live streamed meetings .....	23
<b>OTHER MATTERS</b> .....	<b>24</b>
Special meetings of Reconciliation Committee .....	24
Provisions that Apply to Reconciliation Committee .....	24
Review .....	24

### 1. PREAMBLE

1. The City of Adelaide Reconciliation Committee (Reconciliation Committee) was established by Council on 13 December 2022 pursuant to section 41 of *the Local Government Act 1999 (SA)*, for the 2022-2026 Council term with a membership of 11 comprising:
  - The Lord Mayor (Ex Officio)
  - Three Councillors
  - Three strategic agency representatives - representing Reconciliation South Australia, Aboriginal Affairs and Reconciliation (Attorney General's Department) and Aboriginal Health Council of South Australia
  - Three Aboriginal and/or Torres Strait Islander representatives
  - One Kurna specific representative and one proxy (representing Kurna Yerta Aboriginal Corporation)
  - Two proxies
2. The Reconciliation Committee will have dual Chairs, one of whom will be the Lord Mayor for the 2022-2026 term of office, and the second person for the dual Chair role, as well as a Deputy Chair, for a term not exceeding 2 years, will be selected by the Reconciliation Committee from the community representative membership.

Selecting Dual Chairpersons enables equal participation by both Council Members and Aboriginal and Torres Strait Islander members of the Reconciliation Committee and promotes a shared responsibility for advancing reconciliation in the city.
3. The Reconciliation Committee may be wound up at any time by resolution of the Council.
4. The establishment of the Reconciliation Committees does not derogate from the power of the Council to act in a matter.
5. The Reconciliation Committee will operate until the end of the 2022-2026 term of office unless Council resolves otherwise.

### 2. PURPOSE OF THE RECONCILIATION COMMITTEE

6. The Reconciliation Committee will provide advice and recommendations to the Council by considering the following matters:
  - Council Reconciliation Action Plans (schedule of reconciliation initiatives) that demonstrates Council's commitment to reconciliation.
  - Policy development and strategic advice across areas likely to impact Aboriginal and Torres Strait Islander peoples as requested by Council or resolved by the Committee.
  - Promote and advocate a positive representation of Aboriginal and Torres Strait Islander peoples, facilitate reconciliation between the City's diverse communities and contribute to the education and awareness of the City's communities about the diversity of Aboriginal and Torres Strait Islander cultures.
  - Monitor the implementation of the guiding principles of Council's Reconciliation Vision Statement across CoA.

### 3. APPOINTMENT OF MEMBERS AND MEMBERSHIP

#### Council Members

7. Council will appoint the Lord Mayor (Ex Officio) and will nominate and appoint three Council Members onto the City of Adelaide Reconciliation Committee.

#### Strategic Agency Representatives

8. Three agencies identified as strategic representatives will be invited to nominate a representative onto the City of Adelaide Reconciliation Committee.

These nominations are managed through Council's administration, by writing directly to strategic agencies that align with outcomes sought through the COA's Stretch Reconciliation Action Plan 2021-2024, and amending from time to time.

#### Kaurna Representative

9. Correspondence will be forwarded to the Chairperson of the Kaurna Yerta Aboriginal Corporation (KYAC) inviting the nomination of one representative and one proxy on to the City of Adelaide Reconciliation Committee.

#### Aboriginal and/or Torres Strait Islander Community Representatives

10. Three Aboriginal and/or Torres Strait Islander community positions will be promoted on City of Adelaide's employment pages, Social Media channels, in the Koori Mail and through Aboriginal information networks.
11. Nominees will be required to provide a 500-word summary of skills and experience relating to the Terms of Reference and address the following points in their response:
  - Recognised as an Aboriginal or Torres Strait Islander.
  - Experience as an ambassador and in advancing reconciliation.
  - Demonstrate the value and extent of their networks with Aboriginal communities.
  - Demonstrate a history of positive involvement with Aboriginal communities and the reconciliation process.

#### Proxies

12. Two Aboriginal and/or Torres Strait Islander proxies will be selected from the pool of community applicants.  
Each Strategic Agency Representatives will be able to nominate a proxy to the Committee.  
The Kaurna Representative will be able to nominate one proxy to the Committee.  
If any Committee member is unable to participate in a committee meeting, then the appointed proxy member can participate in the Committee meeting and is entitled to vote.

#### Selection and Appointment

13. Administration will undertake initial assessment of nominations received from all proposed representatives and provide recommendations to Council or the Chief Executive Office for endorsement and appointment to the City of Adelaide Reconciliation Committee.
14. Kaurna Yerta Aboriginal Corporation and Strategic Agency representatives will be appointed to the City of Adelaide Reconciliation Committee by the Chief Executive Officer following liaison with each entity.  
The Chief Executive Officer will appoint Kaurna Yerta Aboriginal Corporation and Strategic Agency representatives to the Committee after liaising with each entity.  
Confirmation of each selection and appointment will be provided in writing by the Reconciliation Officer.  
Consideration should be given to equity and diversity of the Committee members when appointing Committee members.

### Remuneration Schedule 2022-2026

15. The Lord Mayor and Council Members are not remunerated for participation on the City of Adelaide Reconciliation Committee as their participation is voluntary, and can be considered an extension of their role.
16. Strategic Agency Representatives are not remunerated for participation as they are supported by their workplace to represent them on the City of Adelaide Reconciliation Committee.
17. Aboriginal and/ or Torres Strait Islander Representatives, including designated Kurna Yerta Aboriginal Corporation representatives, are remunerated for participation on the City of Adelaide Reconciliation Committee, as per the following schedule:
  - The City of Adelaide Reconciliation Committee convenes quarterly meetings
  - Each meeting is scheduled for 2½ hours
  - The Dual Chair of the Reconciliation Committee, elected at the first meeting of the Reconciliation Committee from amongst Aboriginal and/ or Torres Strait Islander Community Representatives, is required to attend a ½ hour pre- briefing meeting with the Lord Mayor prior to each meeting – remuneration for each meeting of the Reconciliation Committee is \$650/ meeting
  - Remuneration at a rate includes reading and preparation time and is based on an Adelaide, market- average, social planning consultant remuneration rate that has been benchmarked. Remuneration for each meeting will be \$550.
  - Reimbursement at a rate of \$50/ meeting is made as a contribution towards participation costs (loss of income, transport/parking, childcare etc.).
  - Remuneration for participation at Panpapanalya is \$150 for members and \$200 for Chair.

#### 4. RECONCILIATION COMMITTEE RESPONSIBILITIES AND REPORTING

18. Whilst the Reconciliation Committee format is less structured and seeks less formality than a Council meeting, several procedures emulate those procedures observed by and mandated by Regulation for a meeting of Council and/or a committee established by the Council.

The Reconciliation Committee will observe the provisions contained in Parts 1, 3 and 4 of the *Local Government (Procedures at Meetings) Regulations 2013 (SA)*, along with the provisions in this Terms of Reference and Meeting Procedures document.

19. The Reconciliation Committee will provide advice and make recommendations to Council through the applicable Core Committee.
20. The Reconciliation Committee may:
  - Engage collaboratively with peak Government and non-Government reconciliation groups to advance reconciliation in the City and encourage and seek broad Aboriginal and Torres Strait Islander participation in Council activities and events.
  - Seek input and advice from Aboriginal community members and organisations when examining specific matters.
  - Determine who will undertake the Dual Chairing role alongside the Lord Mayor, and also a Deputy Chair for an appointment not exceeding 2 years within the 2022-2026 council term of office.

The process to select and appoint a Co-Chair and Deputy Chair is as follows:

- Nominations sought to elect from amongst Aboriginal and/ or Torres Strait Islander Community Representatives.
- A ballot process for selection if required.
- Appointment through resolution (refer to ballot process in parts 108-114)

- Determine the dates and times of meetings to support a quarterly meeting schedule.
- Appoint Strategic Agency representatives.
- Receive and consider reports to resolve a recommendation for Council determination.
- Receive reports for noting.
- Receive Presentations.
- Determine its own procedure provided it is not inconsistent with the Act, Regulations, or this document.

## 5. GUIDING PRINCIPLES

21. Procedures in the Reconciliation Committee meeting that must be observed are detailed in the *Local Government Act 1999 (SA)* and *Local Government (Procedures at Meetings) Regulations 2013 (SA)*.
22. Council has resolved to apply the provisions of Parts 1, 3 and 4 of the *Local Government (Procedures at Meetings) Regulations 2013 (SA)*.
23. Procedures within the:
  - *Local Government Act 1999 (SA)* (the Act)
  - Parts 1, 3 & 4 of *Local Government (Procedures at Meetings) Regulations 2013 (SA)*
  - Behavioural Standards for Council Members
 have informed the drafting of the Terms of Reference and Meeting Procedures for the Reconciliation Committee.
24. This document includes any Council specific requirements, identifies practices or protocols that support meeting procedures, is in plain language and is a summary of the legislation wherever possible.
25. Where a procedure is not prescribed, the Reconciliation Committee can determine its own procedure provided it is not inconsistent with the Act, Regulations, or this document.
26. This document is drafted to support the guiding principles that the procedures to be observed at meetings of the Reconciliation Committee will:
  - contribute to open, transparent, and informed decision making.
  - encourage appropriate public participation in the affairs of the Council.
  - reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting.
  - be sufficiently certain to give the community and decision makers confidence in the deliberations undertaken at the meeting.
27. This document is written for the information of the public, Reconciliation Committee members and staff of the City of Adelaide and applies to ordinary and special meetings.

## 6. BEHAVIOURS

28. City of Adelaide Council members are required to observe the Behavioural Standards as determined by the Minister. The Behavioural Standards published in the Government Gazette 22 November 2022 are a public declaration of the principles of good conduct and standards of behaviour that the Lord Mayor and members of Council are expected to demonstrate in the performance of their responsibilities as elected community representatives and within decision-making forums.

### Behavioural Standards

29. Council has adopted a Council Member Behavioural Support Policy, within which Council members have also committed to the following values and supporting behaviours:

- Value & Respect – We engage with each other respectfully in robust debate. We listen to others' views and speak to the issue and not the person/s.
- Optimism – We are positive, constructive and creative in our problem solving. We are open-minded and are willing to learn from each other and from staff input.
- Integrity – We are well prepared and stay focused on agreed strategic priorities. We uphold decisions of Council. Where it is not a unanimous decision, we respectfully communicate the decision to others.
- Connected – We ensure we provide a safe, supportive environment where people thrive, are listened to and communication is open and transparent.
- Excellence – We value leading toward clear strategic and inspiring goals and implement outcomes that benefit the community as a whole.
- Accountability – We value accepting responsibility for our actions.

### Committee Member Integrity

30. City of Adelaide Reconciliation Committee members, pursuant to s62 of the *Local Government Act 1999 (SA)* are required to observe the following:
- A member of Committee must always act honestly in the performance and discharge of official functions and duties.
  - A member of a committee must always act with reasonable care and diligence in the performance and discharge of official functions and duties.
  - A member or former member of a committee must not, whether within or outside the State, make improper use of information acquired by virtue of his or her position as a member of the Committee to gain, directly or indirectly, an advantage for himself or herself or for another person or to cause detriment to the council.
  - A member of a committee must not, whether within or outside the State, make improper use of his or her position as a member of the committee to gain, directly or indirectly, an advantage for himself or herself or for another person or to cause detriment to the council.
  - A member or former member of a committee must not disclose information or a document:
    - where there is a confidential order in effect for the information or document to be treated confidentially, or
    - that the member or former member knows, or ought reasonably to know, is information or a document that is otherwise required to be treated confidentially.
  - A member of a committee must not direct or seek to influence an employee of the council in the exercise or performance of a power or function delegated to or performed by the employee.
  - A member of a committee must—
    - ensure that a request for information or a document from a person engaged in the administration of the council is made in accordance with the requirements of the chief executive officer of the council; and
    - ensure that a request for the performance of work or the taking of action by an employee of the council is made in accordance with the requirements of the chief executive officer of the council.
31. A Reconciliation Committee member must not whilst at a meeting –
- Behave in an improper or disorderly manner, or
  - Cause an interruption or interrupt another member who is speaking.



32. A Reconciliation Committee member is not considered to have caused an interruption if they are:
- Objecting to words used by a member who is speaking, or
  - Calling attention to a point of order, or
  - Calling attention to want of quorum.
33. If the Co-Chair presiding considers that a committee member has behaved improperly, or in a disorderly manner, or is causing interruption or interrupts another who is speaking, the meeting may resolve to censure or suspend for a part or remainder of the meeting.

### **Members of the Public**

34. Public access to meetings underpins a key aim of the Local Government Act for transparency and accountability of Council and Committee decision making.
35. Any person attending a meeting of the Reconciliation Committee is required to:
- not intentionally obstruct or hinder proceedings.
  - not behave in a disorderly manner.
  - not disrupt or interrupt the meeting.
  - be respectful in their language and behaviour.
  - reserve discussion and conversation for before or after the meeting.
  - observe the protocol for electronic devices to be switched off or switched to silent.
  - limit the number of distracting activities.
36. The Co-Chair presiding may remind any person attending a meeting (as a participant or an observer) of the expectation of behavioural standards at the beginning of the meeting.
37. The Co-Chair presiding may request any participant or observer to not behave or to not continue to behave in a disorderly or disruptive manner.
38. In the event that a participant or person attending a meeting refuses the request of the Co-Chair presiding, that person may be escorted from the meeting or the meeting may be adjourned.
39. A member of the public who behaves in a disorderly manner or causes interruption at a meeting may incur a maximum penalty of \$500.

## **7. MEETINGS**

### **Reconciliation Committee**

40. All meetings are open to the public.
41. The public may be excluded from attendance at part of a meeting if the meeting determines that the receipt, discussion and consideration in confidence is necessary and appropriate.
42. An up-to-date schedule of dates, times and places set for ordinary meetings of the Reconciliation Committee, Council and the following Core Committee meeting forums:
- City Community Services and Culture Committee
  - City Finance and Governance Committee
  - City Planning, Development and Business Affairs Committee
  - Infrastructure and Public Works Committee
- can be found on [www.cityofadelaide.com.au](http://www.cityofadelaide.com.au)
43. Special meetings may be held at any time, the date, time and place will be published on [www.cityofadelaide.com.au](http://www.cityofadelaide.com.au)

### **Frequency, Times and Locations of Meetings**

44. Council has determined that the Reconciliation Committee will meet quarterly in the Colonel Light Room, Town Hall, King William Street, Adelaide, unless otherwise determined by Council or the Chief Executive Officer.
45. The Reconciliation Committee will consider and determine its meeting dates and commencement times to support a quarterly meeting schedule.
46. Each Reconciliation Committee meeting is scheduled for 2 ½ hours.

## **8. BEFORE THE MEETING**

### **Notice of Meeting and Agenda**

47. Notice to the public of the times and places of Reconciliation Committee meetings will be published on [www.cityofadelaide.com.au](http://www.cityofadelaide.com.au)
48. Public notice with an Agenda will be displayed at 25 Pirie Street, Adelaide until the completion of the relevant meeting.
49. An agenda is the list of items of business to be considered at a meeting.
50. The agenda for every meeting will identify any items of business and the basis for any matter recommended to be received, discussed and considered in confidence.
51. A notice of meeting setting out the date, time, place of meeting and accompanied by the agenda with reports for the Reconciliation Committee will be distributed to Committee members and published on the Council website by Friday 12:00 pm of the week before the meeting.
52. Public notice for an ordinary meeting of the Reconciliation Committee will be at least 3 days before the meeting.
53. One hard copy of the agenda for a Reconciliation Committee, including reports or workshop/discussion items and excluding any items recommended to be received and discussed in confidence, will be displayed at 25 Pirie Street, Adelaide until completion of the relevant meeting and made accessible to the public via, the City of Adelaide website at [www.cityofadelaide.com.au](http://www.cityofadelaide.com.au).
54. Public notice with an agenda for a special meeting of the Reconciliation Committee will, wherever possible, be published with at least 24 hours' notice of the meeting.
55. Noting the minimum notice to be given of four hours prior to a special meeting, an agenda with reports for a special meeting will, wherever possible, be distributed with at least 24 hours' notice of the meeting.
56. If the nature of a matter requires that it remains confidential, the matter will be marked 'Confidential' in agendas, reports and any other meeting papers dealing with the matter, prior to distribution to meeting participants.
57. A person receiving a meeting paper marked 'Confidential' must not provide that paper to any other person or discuss or disseminate information in that paper unless the meeting has resolved that the matter is not treated confidentially.

### **Agenda Structure**

58. The Chief Executive Officer may change the structure of the agenda at any time.
59. The Co-Chair presiding with the consent of the meeting may change the order of consideration of an item listed on the agenda.

60. Agenda structures for an ordinary meeting and special meeting are provided below.

#### Ordinary Meeting Agenda

1. Welcome and Apologies
2. Acknowledgment of Country
3. Moment Silence in Remembrance of Departed Community Members
4. Confirmation of Minutes
5. Declaration of Conflict of Interest
6. Reports
7. Presentations
8. Any Other Business
9. Exclusion of the Public (if required) \*
10. Confidential reports (if required) \*
11. Next Meeting
12. Closure

\*Note - Items 10 and 11 will only be listed on the agenda when an Item is presented with a request for consideration in a meeting closed to the public

#### Special Meeting Agenda

1. Welcome and Apologies
2. Acknowledgement of Country
3. Declaration of Conflict of Interest
4. Reports (Chief Executive Officer Reports) (or purpose of the special meeting)
5. Closure

\*Note –The Special meeting agenda will list and identify an Item presented with a request for consideration in a meeting closed to the public

#### Developing the Agenda

61. The Chief Executive Officer is responsible for Agenda development and publication for Council and Committee meetings.
62. The Reconciliation Officer will convene a Panpapanalya to identify topics likely to be presented to a quarterly meeting.
63. To enable effective decision making at the meetings of the Reconciliation Committee, members must commit to reading agendas in advance of the meetings and addressing any questions or concerns about the content to the Reconciliation Officer or to the Chief Executive Officer.

#### Confidential Items

64. To support transparency and accountability, Council endeavors to receive reports in public wherever possible and any reports proposed to be considered in confidence will be in line with relevant legislation.
65. Confidential items are listed toward the end of the agenda to minimise disruption to the meeting and public gallery.
66. The matter will be listed with the basis for consideration in confidence.
67. A Reconciliation Committee member must not disclose information, or a document identified for consideration in confidence.
68. Staff must not disclose information, or a document identified for consideration in confidence.

### Late Reports

69. From time to time, a report will be prepared for the consideration of the Reconciliation Committee after the compilation of reports for the preparation of the agenda. This will only occur when there is a matter of urgency that requires a timely decision by the Council.
70. A late report will be listed on the agenda with a notation advising the report will be distributed separately and circulated to committee members via email and published on Council's website, at the earliest opportunity prior to the meeting.
71. A late report not circulated with an agenda for a meeting will be attached to the minutes of the meeting.

### Attendance at Meetings

#### Leave of Absence

72. Whilst absence from a meeting may, on occasion, be unavoidable, it is recommended practice to request a 'leave of absence' when a member knows in advance that they will be unable to attend two or more Reconciliation Committee meetings. The council has given delegation to the Chief Executive Officer to grant leave of absence requests.
73. A Council member who stands as a candidate for election as a member of Parliament in South Australia is granted leave of absence from the office of a member of the council from the date on which nominations for the election close until the result of the election is publicly declared.

#### Apologies

74. Apologies for non-attendance at a Reconciliation Committee meeting must be forwarded to the Co-Chairs and Reconciliation Officer before the scheduled start time of the meeting. Apologies will be recorded in the minutes and, time permitting, in the agenda.

#### Non-Attendance at Meetings

75. A member who does not attend a Reconciliation Committee meeting without a formal leave of absence or an apology will be recorded in the minutes as absent.

#### Leaving during a Meeting

76. If a committee member needs to leave the Colonel Light Room, he or she should indicate this to the Co-Chair (e.g. by standing, facing the chair and making eye contact before leaving the meeting).
77. This will also provide the minute taker with the opportunity to record the movement from the Colonel Light Room. Committee members should be aware that as soon as they leave their seats, they are considered to have left the meeting.

### Conflict of Interest

#### Committee Members

78. The Act outlines material and general conflicts of interest and disclosure. It is the responsibility of all members to acquaint themselves with these Sections to inform them of the considerations and behaviour required.
79. Committee members need to review the agenda and supporting papers and reports prior to attending a Reconciliation Committee meeting and have considered his or her potential interest in the matters to be discussed at the meeting. A copy of the Conflict-of-Interest form will be circulated with the agenda.
80. A member will complete a Conflict-of-Interest form prior to the meeting to outline their conflict and how they intend to manage it. This will be submitted to [COAGovernanceTeam@cityofadelaide.com.au](mailto:COAGovernanceTeam@cityofadelaide.com.au) who will also provide it to the Co-Chairs no later than 12:00 pm on the day of the meeting.

81. If a member wishes to seek advice about a possible conflict of interest before a meeting, they should contact the Reconciliation Officer or Manager Governance or Team Leader Council Governance. If necessary, staff will refer the matter to the Council's lawyers for advice.
82. Committee members are required to inform the meeting and will be asked by the Co-Chair presiding to declare their conflict, describe the nature of the interest and indicate whether they propose to participate in the matter, at the beginning of the meeting.

#### Staff

83. It is a condition of employment and the responsibility of all staff acquaint themselves with relevant sections of the Act to inform them of the considerations and behaviour required.
84. The Chief Executive Officer must inform the Council and staff must inform the Chief Executive Officer.
85. Staff providing advice or making recommendations are also required to inform the meeting.

## 9. AT THE MEETING

### Dual Chairpersons

86. The Co-Chair presiding and the meeting are required to observe the provisions in this Terms of Reference and Meeting Procedures document.
87. The Co-Chair presiding must be fair and impartial to all in a meeting to maintain order and to ensure that the conduct of the meeting adheres to this document.

The Dual Chairs are not excluded from debate and may add to the debate nearing its end (to not lead whilst presiding).

88. The role of Co-Chair presiding is to:
  - Oversee the orderly conduct of meetings in accordance with meeting regulations and the Terms of Reference for the Reconciliation Committee.
  - Ensure that all committee members have an opportunity to participate in discussions in an open and responsible manner.
  - Following discussion, request a motion be moved, seconded and voted upon by Committee members:
    - To confirm Minutes
    - To exclude the public (if required)
    - To retain a matter in confidence (if required)
    - To confirm the outcome of discussion that will be a decision of the Committee
  - Ensure when a matter has been significantly discussed and no new information is being introduced to ask for the discussion to be finalized and for the motion or amendment to be voted upon or to proceed to the next discussion item.
  - Regularly engage with the Reconciliation Officer outside of meetings to facilitate the timely progression of the Committee's work

### Other Procedure

89. In the event a procedure is not prescribed, by the Act, regulation or determined in this document, for a circumstance that occurs in a meeting, the Co-Chair presiding and/or meeting may determine a procedure to manage the circumstance having considered the following principles:
  - to be fair and contribute to open transparent and informed decision-making,
  - appropriate participation by people present at the meeting,
  - the level of formality appropriate to the nature and scope of the responsibilities exercised at the meeting, and

- the need to demonstrate certainty to give members and other key stakeholders confidence in the deliberation undertaken at the meeting.

### Minutes

90. The Chief Executive Officer is responsible for ensuring that minutes are kept of the proceedings at every Council or Council Committee meeting.

### Recording of Meetings and Use of Mobile Phones

91. Recording of meetings (including audio, photographs and/or video) by members or third parties will only be allowed with the prior approval of the Co-Chairs.
92. If the public session of the meeting is being recorded and/or streamed live to the internet, the Co-Chair presiding or the Reconciliation Officer or Chief Executive Officer will announce this at the opening of the meeting.
93. Mobile phones (including other devices capable of emitting sound, should be turned off or in silent mode during the Reconciliation Committee meeting.
94. Committee Members should limit their use of mobile phones during meetings. If members need access to their phone, members are required to leave the Colonel Light Room to take a call without disruption to the meeting.

### Quorum

95. With a membership of 11, the quorum for a meeting of the Reconciliation Committee to proceed is six.
96. A meeting is not able to conduct any business until a quorum is present.
97. The quorum for a meeting is ascertained by dividing the total number of members by two, ignoring any fraction resulting from the division, and adding one.

### Adjournment of meeting prior to start time

98. If the number of apologies received by the Reconciliation Officer and Chief Executive Officer indicates that a quorum will not be present at a meeting, the Chief Executive Officer will cancel the meeting, and refer the business listed for the meeting to the next or another meeting.

### Chair

99. The Committee has dual Chairs, one of whom is the Lord Mayor and the other an Aboriginal and/or Torres Strait Islander Community Representative member on the Committee.
100. When a person appointed as a Co-Chair is present, they must preside.
101. When Co-Chairs are absent the Deputy Chair will preside.
102. In the absence of both Co-Chairs and the Deputy Chair, a committee member selected via nomination is chosen to preside by resolution of the members present. The Committee member chosen may preside until a Co-Chair or Deputy Chair is present.

### Appointing a committee member to preside if required

103. In the absence of the Co-Chairs and Deputy Chair, the process to appoint a Chair for the meeting is as follows:
- Nominations sought.
  - A ballot for selection if required.
  - Appointment through resolution.
104. With a quorum present, the Chief Executive Officer, Manager Governance or Governance officer will ask for nominations for a committee member to preside.
105. Nominations do not require a seconder, nor do they need to be in writing.

106. To proceed to an appointment, a committee member nominated will be requested to indicate acceptance of their nomination.
107. If there is only one nomination, a mover and seconder will be sought, and motion voted upon to appoint the Committee member to the role of Chair for the meeting.
108. If there is more than one nomination, a ballot will be conducted prior to a mover, seconder and motion voted upon. The ballot may be conducted electronically or via a paper ballot. A record of individual votes in a secret ballot is not retained.

#### Ballot Process

109. The Chief Executive Officer, Manager Governance or Governance officer will identify the name of each nominee and request each member to vote by marking their ballot with an X for their preferred nominee.
110. All Committee members present will indicate which member they wish to vote for via their ballot. A senior officer distributes and collects the ballot and conducts the count.
111. The member with the most votes from the ballot will be declared the winner. A senior officer reports the numbers to the Co-Chairs or the meeting.
112. In the case of a tied ballot, members are to cast a vote for their preferred candidate from the tied candidates. If a revote cannot determine a clear winner and there is a continuing tie, then lots must be drawn to determine which candidate(s) will be excluded.
113. A senior officer will place the names of the nominees into a voting box. The name of the candidate/s withdrawn are excluded from the ballot. After lots are drawn the remaining candidate is the winner.
114. The successful candidate is announced. The meeting makes the appointment by resolution, namely a mover/seconder for a motion to appoint and a majority vote in favour by show of hand.

#### Starting the Meeting

115. The Co-Chair presiding will seek the attention of all members present and start an ordinary or special meeting at the time given in the Notice for the meeting or soon after when a quorum is present.

#### Adjournment for want of a quorum

116. If after 30 minutes from the commencement time specified in the notice of meeting a quorum is not present, the Chief Executive Officer will disband the meeting and refer the business listed for the meeting to the next or another meeting.
117. If debate is interrupted for want of a quorum and the meeting is then adjourned the debate, on resumption of the meeting, will continue from the point at which it was interrupted.
118. A meeting can be adjourned from time to time and from place to place, on another day or the same day as the notice for the meeting.

#### Decision making by Resolution

119. A matter for decision at a meeting will be decided by a majority of the votes cast by the members present at the meeting and entitled to vote.

#### By Resolution

120. The decision-making process for meetings is by resolution ie
  - A motion,
  - That is moved, seconded and
  - voted on by show of hand in favour or against.
  - A majority in favour becomes a decision and the resolution.

The process also includes debate (speaking), possible amendment or variation and final voting by the members present and entitled to vote.

121. The outcome of a majority vote in favour of a motion is referred to as the resolution. The phrase 'by resolution' is used to refer to the decisions of Council and a Committee.
122. The resolutions of the Reconciliation Committee decision-making process are for the purpose of recommendation to Council for determination, except for several matters that relate to the operation of the meeting.
123. Resolutions of the Reconciliation Committee requiring Council determination are presented in a report to the relevant Core Committee by the Chief Executive Officer.

### Voting

124. Subject to Conflict-of-Interest provisions, each member of the Reconciliation Committee has a deliberative vote.
125. The Co-Chairs or Deputy Chair, or another member presiding in a meeting of the Reconciliation Committee, has a deliberative vote with no casting vote in the event of an equality of votes.
126. To vote, the Co-Chair will ask for the votes of those members in favour and then for the votes of those members against.
127. Those Reconciliation Committee members present and entitled to vote must vote and clearly indicate by show of hand when asked to vote by the Co-Chair.  
A proxy member in attendance is entitled to vote when representing a committee member who is not present at the meeting.
128. This process can be repeated as often as is necessary to enable the Co-Chair to determine the result of the voting and then declare the outcome.
129. A member who is not in his or her seat is not permitted to vote.
130. The outcome of a vote will be declared by the Co-Chair in a meeting of the Reconciliation Committee to be:
  - Carried (majority in favour) (decision made)
  - Lost (majority against) (no decision)
  - Lost due to an equality of votes (no decision)

### Speaking, Motion/Amendments/Variations in Decision-making

#### Addressing each other

131. When the Lord Mayor is present at a meeting, the Lord Mayor is to be addressed as 'Lord Mayor'.
132. At a meeting of a Reconciliation Committee, the Co-Chair presiding is to be addressed as 'Chair'.
133. At a meeting a committee member should address the Chair and not the public gallery.

#### Speaking

134. To support shared values and supporting behaviours, Committee members are requested to:
  - engage with each other respectfully in robust debate.
  - listen to others' views and speak to the issue and not the person/s.
  - be positive, constructive and creative in problem solving.
  - be open-minded and willing to learn from each other and from staff input.



135. To support engagement and provide an equal and equitable opportunity for participation, the Chair will invite questions from each committee member.
136. During each item the Chair will facilitate and support a forum that enables all committee members and staff present to participate in an open and transparent discussion and exchange of information on each item.
137. A committee member must not speak for longer than five minutes at any one time without the consent of the Chair.
138. Following the moving/seconding of a motion or amendment, a member may speak:
- Once to a motion (including the Chair, immediately prior to the mover in reply who will be summing up).
  - Once to each amendment to a motion.
  - As the mover in reply to a question seeking clarity on the motion or amendment.
  - As the mover requesting leave of the meeting to vary, alter or withdraw a motion or amendment.
  - As the mover of a motion or amendment to sum up.
139. The contribution of a member must be relevant to the subject matter of the debate.
140. A member whilst speaking or through their behaviour, must not behave in an improper or disorderly manner.
141. It is at the discretion of the Chair, whether to control improper and/or disorderly behaviour by way of a few warnings before imposing regulation.
142. A member whilst speaking or through their behaviour must not speak to cause interruption or interrupt another member who is speaking, unless they are:
- Objecting to words being used by the member speaking.
  - Raising a point of order.
  - Advising of a loss of a quorum.

#### Speaking to raise a Point of Order

143. A point of order is raised to draw attention to and must relate to an alleged breach of the Act, a meeting regulation or this document in relation to the proceedings of the meeting.
144. The Chair may call to order a member who is in breach.
145. A Committee member may raise a point of order and must identify the nature of the breach.
146. A point of order takes precedence in the meeting until determined.
147. Discussion in the meeting is to cease whilst the Chair considers and then rules on the point of order raised.
148. If the ruling is accepted, the meeting continues in accordance with the direction in the ruling and discussion in the meeting resumes from where it was before the point of order was raised.
149. The meeting may resolve to not agree with the ruling and in so doing the ruling will have no effect and the point of order is annulled.
150. If the ruling is objected to, a motion that the ruling is not agreed must be moved and seconded immediately.
151. Prior to the motion to not agree with the ruling being put to a vote, the Chair may make a statement in support of the ruling.
152. If the motion to not agree with the ruling is lost, the ruling of the Chair stands, and the meeting continues in accordance with the direction in the ruling.

153. If the motion to not agree with the ruling is carried, the resolution binds the meeting and the ruling will have no effect, the Point of Order is annulled and the meeting continues.

### Speaking to ask a Question in a meeting

154. During consideration of an item of business, Committee members may direct a question in a respectful manner through the Chair and the Chief Executive Officer in relation to the item of business.
155. A question raised in relation to an item of business is not an opportunity to debate or express an opinion on the matter the subject of the question.
156. Staff will respond to questions from the floor at the invitation of the Chair and will acknowledge the Chair.
157. The Chair may:
- Allow a reply to a question to be given at the next meeting.
  - Rule that a question not be answered if the Chair considers that the question is vague, irrelevant, insulting or improper.
158. A question asked and the reply to a question will not be included in the minutes of the meeting unless a motion is moved/seconded and carried to do so, at the time the reply is given.

### Motion, Amendments and Variations

159. The following is a precis of the process that may occur in a decision-making process:
- Motion (moved/seconded)
  - Motion accepted/refused by Chair
  - Debate on motion
  - Leave of the meeting to vary, alter or withdraw a motion
  - Amendment – 2
    - Amendment (moved/seconded by members who have not spoken in the debate)
    - Debate on an amendment
    - Leave of the meeting to vary, alter or withdraw an amendment
    - Mover of amendment to sum up.
    - Vote on an amendment and outcome declared by Chair
  - Debate continues, motion or motion as amended
  - Mover of the motion (or motion as amended) afforded the opportunity to sum up prior to a vote.
  - Vote on the motion (or motion as amended) and outcome declared by Chair.

### Resolutions

160. Once debated, the Chair puts the motion to a vote and if carried by a majority of votes, it becomes a resolution of the meeting. Resolutions of the Reconciliation Committees are implemented by the Chief Executive Officer.
161. The Reconciliation Committee cannot make decisions except by resolution.
162. In the meeting, the Chair will facilitate a motion being moved, seconded, debated and voted upon by the members present.

### Order of Business

163. With a quorum present, the Chair will open/commence the meeting and introduce the business of the meeting in the order as listed in the agenda, unless otherwise determined.

### Welcome and Apologies

The Chair will advise the meeting of any known apologies or leave.

### Protocol

#### Acknowledgement of Country

The Meeting and/or Dual Chairs will state:

'The City of Adelaide Reconciliation Committee acknowledges that we are meeting on traditional Country of the Kaurna people of the Adelaide Plains and pays respect to Elders past, present and emerging.

City of Adelaiderlu ngadlu Kaurna Yartangka tampinhi.

Kaurna miyurna yaitya mathanya Wama Tarntanyaku.

Ngadlurlu Kaurna Miyurna, puki-unangku, yalaka, tarrkarrila tampinhi.

We recognise and respect their cultural heritage, beliefs and relationship with the land.

We acknowledge that they are of continuing importance to the Kaurna people living today.

And we also extend that respect to other Aboriginal Language Groups and other First Nations who are present today.'

#### Moment Silence in Remembrance of Departed Community Members

The Chair will identify a departed community member or seek advice from a committee member to identify a departed community member and request a moment of silence in remembrance

#### Confirmation of Minutes

The Chair will seek a mover/seconded for a motion to confirm the minutes of a previous meeting. In the absence of any discussion, the motion will be put to the vote and the outcome declared.

Discussion on the minutes must only relate to the accuracy as a record of proceedings.

At or after the meeting, once the minutes -Have been confirmed, the Co-Chair presiding will initial each page of the minutes and place their signature and the date of confirmation at the foot of the last page of the minutes.

#### Declaration of Conflict of Interest

The Co-Chair will ask Members to declare and describe any conflicts of interest and advise whether they plan to participate in matters on the agenda where they have conflicts of interest.

When a conflict occurs during the meeting, the Member will need to ensure that they declare and describe the interest in accordance with the requirements of the Act. Members will also need to complete the Conflict-of-Interest form and provide it to Council Governance staff.

A disclosure made at a Reconciliation Committee meeting will be recorded in the minutes, including the details of whether the member remained in the meeting, and if the member remained, the way all members voted.

The Chief Executive Officer will also inform the Council as will staff providing advice or making recommendations.

#### Reports for recommendation to Council

Reports provide information and advice to assist in decision-making.

Reports in this section contain a recommendation based on expertise and provide a starting point for deliberation and resolution by the Reconciliation Committee.

The recommendation in the report may be moved as a motion, moved with alteration, or not moved at all and a different motion moved.

The decision of the Reconciliation Committee will be presented as a recommendation for Council determination.

The Reconciliation Committee may resolve to defer a matter to another meeting.

### Presentations

Provision for external or CoA presentations

### Any Other Business

Provision to raise business items

Exclusion of the Public

An order to exclude the public will be sought for each item with a request for consideration in confidence.

When a resolution is passed to consider an item in confidence:

- members of the public gallery and administration not required to be present are asked to leave the meeting room and move to a location where the meeting cannot be overheard or viewed
- the doors of the meeting room are closed.

The Reconciliation Committee will disconnect any live stream of a meeting for the period that the meeting is closed to the public.

### Confidential items

All confidential items on the agenda are clearly identified as confidential.

Each report in this section includes a recommendation that incorporates a confidentiality order.

The Chair will seek a resolution for the recommendations listed in the reports in this section.

The confidentiality order within a resolution of the Reconciliation Committee is included in the public minutes of the meeting to inform the community of the confidential status of the matter.

Members who wish to retain confidential papers for reference are required to keep them in a secure location.

### Next Meeting

The Chair will identify the date of the next meeting.

### Closure

In the absence of Items to be considered in confidence the Chair will formally close the meeting after identifying the date of the next meeting.

At the conclusion of deliberation in confidence the meeting will re-open for the Chair to formally close the meeting.

The Reconciliation Committee will aim to determine all matters within the agenda before the close of the meeting. The Reconciliation Committee meeting will finish once all items have been dealt with, or after 2 ½ hours, whichever is met sooner.

### **Managing interruptions or improper/disorderly behaviour**

164. It is at the discretion of the Chair, whether to control improper and/or disorderly behaviour by way of a few warnings, before resorting to reliance upon a procedure that

could result in a member being suspended from part or remainder of a meeting or being censured.

165. It is expected that committee members will support the Chair, in his/her endeavours to maintain appropriate standards of behaviour during meetings, without the need to implement a provision that would result in in censure or suspension.
166. A Reconciliation Committee member must not, while at a meeting—
- behave in an improper or disorderly manner; or
  - cause an interruption or interrupt another member who is speaking.
- It is not an interruption if the member is:
- objecting to words used by a member who is speaking; or
  - calling attention to a point of order; or
  - calling attention to want of a quorum.

#### Meeting to consider conduct

167. The Chair may indicate to the meeting that they consider that a member is behaving improperly, in a disorderly manner or has caused interruption to the meeting or a person speaking.

This indication may be in response to observation or a ruling in response to a Point of Order.

In so doing, the Chair will ask the Member to make a personal explanation about his/her behaviours prior to leaving the room for the meeting to consider the matter.

168. The meeting will then consider the conduct and determine if it wishes to take any action against the Member.

If the remaining Members resolve that the Member has behaved in the manner indicated by the Chair, those Members may, by resolution:

- censure the relevant Member; or
- suspend the Member for a part, or for the remainder, of the meeting

169. A resolution to censure the Member is an expression or statement of dissatisfaction with the Member's performance, conduct and/or behaviours. Such a resolution has no further effect other than as a formal, public reprimand that is expressed publicly and recorded in the Minutes of the meeting.
170. Suspension of the Member by resolution will be reserved for the most serious behaviours.
171. A Member who refuses to leave a meeting, or enters a meeting in contravention of a suspension, is guilty of an offence and a maximum penalty of \$1250 may apply.

#### Closure of the Meeting

172. The Reconciliation Committee will aim to determine all matters within the agenda before the close of the meeting.
173. Reconciliation Committee meetings will finish once all items have been dealt with, or after 2 ½ hours, whichever is met sooner.
174. The Chair may seek to extend the time of closure of the meeting until all business has been dealt with.
175. Any items not dealt with at the meeting will be deferred to the next or another Reconciliation Committee meeting or a Core Committee (if time critical).

## 10. AFTER THE MEETING

### Minutes of Reconciliation Committee

176. If a meeting is disbanded or adjourned, for want of a quorum, the minutes of the meeting will identify the meeting adjourned for want of a quorum, the names of the Committee members present and identify that the business listed for consideration will be re-presented as determined by the Chief Executive Officer.

177. The minutes of the proceedings of a meeting will include—

- the names of the members present at the meeting.
- the name of any member who is not present because the member is suspended or taken to have been granted leave of absence from the office of member of the council.
- in relation to each member present—
  - the time at which the person entered or left the meeting; and
  - unless the person is present for the whole meeting, the point in the proceedings at which the person entered or left the meeting; and
  - if, during the meeting, the member is excluded, a statement that the member was excluded and the period for which the member was excluded.
- each motion or amendment, and the names of the mover and seconder.
- any variation, alteration or withdrawal of a motion or amendment.
- whether a motion or amendment is carried or lost.
- any disclosure of interest made by a member.

If a member discloses a general conflict of interest in a matter to be discussed at a meeting, the following details must be recorded in the minutes of the meeting:

- the member's name;
- the nature of the interest, as described by the member;
- the manner in which the member dealt with the general conflict of interest;
- if the member voted on the matter, the manner in which the member voted;
- the manner in which the majority of persons who were entitled to vote at the meeting voted on the matter.

If a member discloses a material conflict of interest in a matter to be discussed at a meeting, the following details must be recorded in the minutes of the meeting:

- the member's name;
- the nature of the interest, as described by the member;
- if the member took part in the meeting under Ministerial approval, the fact that the member took part in the meeting.
- details of the making of an order to exclude the public from the meeting.

If an order is made to exclude the public, a note must be made in the minutes of the making of the order and specifying -

- the grounds on which the order was made; and
- the basis on which the information or matter to which the order relates, falls within the ambit of each ground on which the order was made; and
- if relevant, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest.
- a note of the making of an order to keep a matter confidential.

If through resolution there is an order to keep a matter confidential, a note must be made in the minutes specifying -

- the grounds on which the order was made.

- the duration of the order, or the circumstances in which the order will cease to apply.
- a period after which the order will be reviewed.
- details of any adjournment of business.
- a record of any documents tabled at the meeting.

AND

- Carried unanimously (as directed by the Chair)
- The opening and closing time of the meeting
- The names of members with Apologies and approved leave of absence
- The names of members who have not provided an apology or been granted a leave, as being absent
- A record of any undertaking given by the CEO
- Acknowledgment of Country
- The topic of a Presentation, name of speaker and precis of topic presented

#### Confirmation of Minutes

178. The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is not possible, at a subsequent meeting.
179. On confirmation of the minutes, the Chair must, on hardcopy or electronically:
- initial each page of the minutes, which are to be consecutively numbered.
  - place his or her signature and the date of confirmation at the foot of the last page of the minutes.
180. The Chair may initial/date/sign the minutes at or after the meeting.

#### Reconciliation Committee Minutes

181. Committee Members will receive a copy of all minutes of proceedings within 5 days of the meeting and all City of Adelaide Council Members will also be provided with a copy

#### Public Access to Minutes

182. Minutes excluding proceedings retained in confidence, will be available on the City of Adelaide website [www.cityofadelaide.com.au](http://www.cityofadelaide.com.au) following distribution to Committee Members

#### Live streamed meetings

183. Reconciliation Committee commits to meetings being live streamed unless otherwise determined by Reconciliation Committee or Council or in the event the location of the meeting does not support live streaming.

If an audio and/or visual recording of a meeting for live streaming (excluding any portion of the meeting closed to the public) is produced, the visual recording for live streaming will be available via the City of Adelaide YouTube channel, accessible on the City of Adelaide website [www.cityofadelaide.com.au](http://www.cityofadelaide.com.au), for the quarter following the meeting and will be replaced each quarter.

If the public session of the meeting is being recorded and/or streamed live to the internet, the Co-Chair presiding, Reconciliation Officer or relevant Director will announce this at the opening of the meeting.

Live streaming may be paused at the direction of the meeting during a discussion identified as culturally sensitive.

## 11. OTHER MATTERS

### Special meetings of Reconciliation Committee

184. Special meetings may be held at any time.
185. If a written request with an agenda for a special meeting is given to the Chief Executive Officer, the Chief Executive Officer must call a special meeting of the Reconciliation Committee at the request of:
- the Co-Chairs, or
  - at least two members of the Reconciliation Committee.
186. A member of the Reconciliation Committee must receive notice of a special meeting at least 4 hours prior to the commencement of the special meeting.
187. Public notice with an agenda for a special meeting of the Reconciliation Committee will, wherever possible, be published with at least 24 hours' notice of the meeting.

### Provisions that Apply to Reconciliation Committee

188. The Terms of Reference and meeting provisions contained in the City of Adelaide Reconciliation Committee Terms of Reference and Meeting Procedures were resolved by Council on ## ##### 2024.

### Review

189. As part of Council's commitment to deliver the City of Adelaide Strategic Plan, services to the community and the provision of transparent information, all policy documents are reviewed as per legislative requirements or, when there is no such provision a risk assessment approach is taken to guide the review timeframe.
190. The Reconciliation Committee Terms of Reference will cease to operate if the Reconciliation Committee is wound up through Council resolution or at the conclusion of the 2022-2026 Term of Office.

### Review History

191. In the event of:
- statutory provisions enacted by the Parliament of the State of South Australia being amended; or
  - resolution of the Council;
- the Terms of Reference will automatically be updated, and a description of the edit included in the review history table below.

Trim Reference	Authorising Body	Date	Description of Edits
	Council	##/##/2024	Determined by Council

### Contact:

For further information contact the Governance Program

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