

Youth Council

TERMS OF REFERENCE



Consistent with:

1. Resolutions of the New South Wales Aboriginal Land Council ("the NSWALC") at 232nd Council meeting, pursuant to section 118 of the *New South Wales Aboriginal Land Rights Act (1983)* ("the ALRA"); and
2. Key priority areas of the NSWALC to:
 - Developing strong leadership, good governance, integrity and accountability through the provision of training and development opportunities to enhance career progression;
 - Building productive and meaningful partnerships through developing training and development strategies which enhance the capacity of Land Councils and their members to effectively engage in successful partnership arrangements with government, non-government and private sector stakeholders at the local community level;
 - Supporting innovation, learning and continuous improvement through seeking and retaining professional and committed people in the Land Council system; and
 - Encouraging wealth generation and commerce through the promoting the development of initiatives to enhance Aboriginal employment and training outcomes.

AUTHORISING SECTION OF THE ALRA

The NSWALC Youth Advisory Council ("the Youth Council") is appointed by the NSWALC under the provisions of section 118 of the ALRA reproduced hereunder:

- (1) The New South Wales Aboriginal Land Council may from time to time appoint such advisory committees as the Council considers appropriate for the purpose of advising the Council, carrying out consultations with Aboriginal persons or facilitating discussions about issues arising under this Act.
- (2) The advisory committee has such functions as the Council may from time to time determine in respect of it.
- (3) An advisory committee consists of such persons appointed by the Council as the Council thinks fit.
- (4) A committee member holds office for such a period as specified in the instrument of appointment of the committee member, but any such appointment may be terminated by the Council at any time.
- (5) One of the committee members, in and by the instrument of appointment of the committee member, is to be appointed as chairperson of the committee.
- (6) The procedure for the calling of meetings of the advisory committee and for the conduct of business at those meetings is to be as determined by the Council or (subject to any determination of the Council) by the committee.
- (7) A committee member is to be paid such travel and other allowances as the Minister may from time to time determine in respect of the committee member.

FUNCTIONS

The primary functions of the Youth Council will be to provide advice and make recommendations to NSWALC on:

1. Policy, programs and services which impact on young Aboriginal people, with particular focus on Aboriginal Land Rights in NSW and engaging with Youth groups across NSW;
2. Current and emerging issues and concerns of importance to young Aboriginal people, to improve awareness of NSWALC of a range of issues which affect young Aboriginal people;
3. Issues impacting on young Aboriginal people specific to local and regional contexts;
4. Assist with identifying opportunities and developing strategies to increase the participation of young Aboriginal people in the Aboriginal Land Council system; and
5. Assist with facilitating discussions and consultations to raise awareness in young Aboriginal people of Land Rights and the Land Council system in NSW.

In furtherance of the primary functions the Youth Council shall:

- Provide a forum for the sharing of ideas and discussions on a wide range of issues, especially those affecting young Aboriginal people in the NSWALC regions and within the State of NSW;
- Be the primary mechanism for the NSWALC to consult with young Aboriginal people on a range of issues;
- Provide a two-way communication forum for young Aboriginal peoples perspectives on a range of issues, and as a means of communication from the NSWALC to young Aboriginal people on issues relating to Land Rights and the Land Council system;
- Demonstrate leadership through building cooperative and meaningful partnerships with and between young Aboriginal people, Aboriginal Elders, Aboriginal communities, and the NSWALC;
- Demonstrate leadership through a commitment to personal development and learning;
- Encourage the active participation of, including employment or election, by young Aboriginal people in the Land Council system; and
- Contribute to the development of the NSWALC strategic initiatives and policies.

WHO ARE “YOUTH”?

For the purpose of the Youth Council, young people are defined as those aged between 18 – 25 years. This fits closely with the commonly used definition of a young person and is a good representation of the lower membership and participation levels experienced by Local Aboriginal Land Councils¹.

SELECTION AND TERM

The method of filling the Youth Council membership positions shall be via a public advertising process inviting interested persons to nominate for a position in writing whereupon the NSWALC will appoint persons to the Youth Council.

Youth Council members will be appointed based on a merit selection process for the period of the pilot project, being a term of one (1) year.

Selection to the Youth Council is to be based on the following considerations:

1. Is a member of a Local Aboriginal Land Council, or is able to demonstrate they are in the process of becoming a member of a Local Aboriginal Land Council;
2. Is between 18 and 25 years of age;
3. Is able to demonstrate a commitment to actively participate on the Youth Council, including travelling and attending Regional and State-wide meetings; and
4. Is able to demonstrate the willingness to learning and personal development.

¹ The United Nations General Assembly defines ‘youth’ as those persons falling between the ages of 15 and 24 years inclusive. The ABS commonly uses the age group 0-14 years for children and 15-24 years for youth although this does not necessarily apply to all output. The Australian Institute of Health and Welfare uses the ranges 0-14 years for children and 12-24 years for youth.

MEMBERSHIP AND COMPOSITION

All members of the Youth Committee shall be appointed by NSWALC. Furthermore, a person appointed to the Youth Council shall remain a member of the Youth Council for the term of the pilot project, but any such appointment can be terminated by the NSWALC at any time.

The Youth Committee shall comprise of the following membership:

1. Consist of a maximum of 18 persons, being two (2) representative from each of the 9 NSWALC regions;
 - a. One (1) principal representative whom will attend all training and meetings in the first instance; and
 - b. One (1) deputy representative whom will attend all training and only those meetings where the primary representative is absent, or where requested.
2. Is a member of a Local Aboriginal Land Council, or is able to demonstrate they are in the process of becoming a member of a Local Aboriginal Land Council; and
3. Be aged between 18 and 25 years only.

MEETINGS

At the first meeting of the Youth Council:

1. Shall elect a Chairperson of the Youth Council, amongst themselves; and
2. May elect a Deputy Chairperson, again from amongst themselves.

The Youth Council, when electing a Chairperson or Deputy Chairperson, are to vote on the matter by secret ballot.

The persons elected by the Youth Council to these positions shall remain in that position for the period of the pilot project, or until:

1. The person ceases to become a member of the Youth Council; or
2. The person resigns from that position.

Where the positions of Chairperson or Deputy Chairperson do become vacant the Youth Council must elect a replacement at the next meeting of the Youth Council.

If the Chairperson and Deputy Chairperson are absent from the same meeting, the members present must elect an Interim Chairperson for that meeting from amongst themselves, prior to the commencement of any business.

The procedure for calling of meetings of the Youth Council and for the conduct of business at those meetings will be determined by the NSWALC, in consultation with the Youth Council, or subject to any determination of the NSWALC, by the Youth Council.

The Youth Council is to meet at least four (4) times during the period of the pilot project at a place and time to be determined by the NSWALC.

Notice of meetings of the Youth Council shall be given not less than 30 days before each meeting.

Minutes shall be kept of the meetings proceedings. The Youth Council may nominate a member to keep Minutes of the meetings proceedings and/or the NSWALC may appoint a person other than a member of the Youth Council to keep Minutes of the meetings proceedings.

RESPONSIBILITIES OF YOUTH COUNCIL

Each member of the Youth Council will be required to:

1. Attend and participate in meetings of the Youth Council, and where necessary regional NSWALC meetings (will require travel);
2. Undertake further training and development as provided by the NSWALC;
3. Work cooperatively with the respective NSWALC regional Councillor, the NSWALC, and the NSWALC Elder Advisory Council; and
4. Assist facilitate discussions and consultations within their respective NSWALC region to raise awareness of the broader community, particularly young Aboriginal people, in Land Rights and the Land Council system, and other matters where required.

RESPONSIBILITIES OF NSWALC

The NSWALC will:

1. Assist Youth Council members fulfil their roles and responsibilities through the provision of high level support;
2. Assist Youth Council members develop their skills and knowledge through the provision of training and mentoring;
3. Work cooperatively with the Youth Council at all times; and
4. Provide a safe and respectful environment for open two-way dialogue by and with the Youth Council.

REMUNERATION

A Youth Council member is to be paid such travel and other allowances as the Minister may from time to time determine, and as approved by the NSWALC, in respect of the Youth Council member.

CONDUCT OF MEMBERS

The NSWALC requires all members of the Youth Council to adhere to a strict code of conduct in relation to their activities as representatives of the NSWALC.

CRIMINAL RECORD CHECKS

Pursuant to section 114 of the ALRA, a person who is convicted of an offence under Part 3 (except section 61), 4, 4A or 5 of the *Crimes Act 1900* must not be employed as a staff member of the NSWALC for 5 years from the date of conviction.

An Youth Council member must undergo a criminal record check prior to appointment to the Youth Council.