

City of Karratha and Ngarluma Aboriginal Corporation RNTBC

Ngarluma Ngurra/City of Karratha

Working Group

Terms of Reference

Version 4

1. Background/Context

- a. The Ngarluma Aboriginal Corporation (NAC) is the Native Title Prescribed Body Corporate that has authority and responsibility to manage and protect Ngarluma native title rights and interests and Aboriginal Sites on Ngarluma Country. Ngarluma Country and the determined native title rights and interests of the Ngarluma people fall within the municipal boundaries of the City of Karratha.
- b. Through planning future land use and management, providing community services and extending and expanding community infrastructure, the City of Karratha (City) can affect Ngarluma native title rights and interests and Aboriginal Sites on Ngarluma Country.
- c. The NAC has its own plans for Ngarluma Country and has an interest in plans and works proposed by the City and others.
- d. It is important that the NAC and the City have a good working relationship and that the parties can work together to achieve the best possible balance of sensitive development and cultural recognition.
- e. The NAC and the City have agreed to create the Ngarluma Ngurra/City of Karratha Working Group to assist with the preparation, implementation and review of an Agreement between the NAC and the City, and to assist in building and maintaining a positive working relationship between the two Parties.

2. Roles and functions of the Working Group

The role of the Working Group is to:

- a. oversee and guide the proper implementation and review of the Ngarluma Ngurra/City of Karratha Relationship Agreement;
- b. meet at least twice a year during the term of the Agreement or more frequently as required to discuss aspects of the Agreement and any other matters;
- c. contribute to resolving matters subject of dispute in accordance with the terms of the Agreement;
- d. maintain dialogue and contribute to a positive working relationship between the parties;
- e. be a forum for the City and the NAC to present ideas and information on projects and initiatives;

- f. assist in improving the understanding and knowledge of Ngarluma cultural heritage values and the role of local government and ways to engage in local government processes;
- g. support the advancement of Ngarluma employment, training, skills development and business opportunities;
- h. establish a strategic framework and an efficient way to work through native title to progress future development in a culturally sensitive way and under agreed terms; and
- i. represent and report to the City Council and the NAC Board.

In addition to the above roles, the Working Group will also carry out the following functions:

- a. Oversee negotiation, settlement, implementation and review of agreements between the Parties (including the Agreement);
- b. Guide and oversee the work of the NAC and City officers responsible for implementing recommendations of the Working Group and any agreement or other proposals prepared under the guidance of the Working Group;
- c. Build and maintain a strong and effective working relationship between the NAC and the City;
- d. Exchange information relating to current projects, initiatives, ideas and issues;
- e. Assist in guiding the resolution of issues presented;
- f. Improve processes to streamline the way the Parties work through relevant matters;
- g. Identify opportunities for the Parties to work together on matters of common interest; and
- h. Without pre-empting decisions, represent the views of the NAC Board and the City Council in considering matters presented.

3. Role of individual group members

The role of the individual members of the Working Group includes:

- a. attending meetings as required and actively participating in the Working Group;

- b. contributing meaningfully and productively to Working Group meetings in terms of working towards resolving issues and setting direction;
- c. maintaining a genuine interest and commitment to initiatives and outcomes being pursued by the Working Group;
- d. being an advocate for the aims of the Working Group and the outcomes being pursued;
- e. being open to sharing, and being respectful and considerate to views and perspectives expressed by Working Group members.

4. General

4.1. Membership

The Working Group shall be comprised of the following Standing Members:

Member	Position	Proxy
NAC Chairman	Chair	NAC Board Member
City Mayor	Deputy Chair	Alternative Councillor
Councillor Garry Bailey		
Councillor Fiona White-Hartig		
Councillor Evette Smeathers		
NAC Executive Officer		NAC staff member nominee
NAC Heritage Manager		NAC staff member nominee
City Chief Executive Officer		Director Development Services
City Manager Planning Services		Director Development Services
City Development Services DAO	Secretary	City Executive Assistant

Other NAC and City representatives including consultants may attend Working Group meetings as required.

4.2. Chair/Convenor

The Working Group will be chaired by the NAC Chairman. Meetings will be convened at least twice a year during the term of the Agreement or more frequently as required by the NAC Chairman.

4.3. Agenda items

Where possible, all agenda items will be forwarded to the Secretary by close of business ten (10) Business Days prior to the next scheduled meeting.

The aim is for the agenda, with attached meeting papers, to be distributed at least five (5) Business Days prior to the next scheduled meeting.

4.4. Minutes and meeting papers

The minutes of each Working Group meeting will be prepared by the Secretary.

Full copies of the minutes, including attachments, will be provided to all Working Group members no later than five (5) working days following each meeting.

Where it is not possible to arrange a Working Group meeting to consider priority matters that requires Working Group consideration, such matters may be considered out-of-session by agreement of the Working Group. Any out-of-session consideration to matters shall be recorded in the minutes of the next scheduled meeting.

4.5. Frequency of meetings

The Working Group will meet at least twice a year during the term of the Agreement or more frequently as required.

4.6. Proxies to meetings

The Proxy for the Chairman is an alternative NAC Board member.

As there are four City Councillors on the Working Group (including the Mayor), there are no nominated proxies.

4.7. Quorum requirements

A quorum will be the Chairman (or proxy) and at least two City Councillors. In situations where the Chairman is not available for a Working Group meeting, the Deputy Chairman will assume the position of Chairman for that meeting.

The Secretary will ensure there is a quorum for each Working Group meeting. If a quorum cannot be achieved at a scheduled meeting, then the meeting will be rescheduled to the next available date when a quorum can be achieved.