



# First Nations Landcare Working Group Terms of Reference

*February 2024*

## 1. Introduction

Landcare Australia is a national not-for-profit organisation dedicated to environmental restoration and stewardship across agricultural landscapes and other geographic settings.

Australia's First Nations' Peoples hold the key to healing the damage from hundreds of years of poor land and sea management practices across Australia and unlocking agricultural and environmental benefits for future generations.

Landcare Australia is committed to listening to and amplifying the voices of First Nations' Peoples, and following the 2022 National Landcare Conference, Landcare Australia established the voluntary First Nations Landcare Working Group (the Working Group).

The Working Group is a voluntary. Landcare Australia will seek to support members through activities and opportunities consistent with the role of the Working Group.

This partnership is a significant step towards integrating First Nations led Cultural land, sea and water management into landcare practices.

Landcare is a grassroots movement of groups and individuals across Australia with a shared vision to protect, enhance or restore the natural environment in their local community through sustainable land management and conservation activities. Landcare enables people, groups and organisations to actively care for the natural environment in their communities.

## 2. Purpose

The Working Group's purpose is to:

- provide leadership, along with both general and specific advice to the Landcare Australia Board (the Board) and to work practically with Landcare Australia Executives on developing targeted partnerships and achieving outcomes based on the vision and values of the Terms of Reference.
- provide an opportunity for the members of the Working Group to leverage Landcare Australia's standing within the agriculture, environmental and political sectors to increase the voice of First Nations Peoples, furthering the sharing and transfer of First Nations knowledge and wisdom.
- work respectfully with First Nations Peoples, establishing trusting relationships and clear expectations, building mutually beneficial relationships for the transfer of knowledge to the broader landcare community.

- further Landcare Australia’s understanding of our First Nations’ knowledge of land, sea and water management practices and its practical implementation across the Australian landscape.

### 3. The Working Group’s Vision

Landcare is respectfully embracing ancient practices within contemporary caring for Country activities (inclusive of people, land, water, plants, animals, sea and sky). Through this we aim to facilitate knowledge sharing, elevate environmental stewardship, and promote the wellbeing of Country.

### 4. Scope

The Working Group will deal with matters and develop ideas that relate to:

- a) partnerships that enhance activities that improve the wellbeing of Country;
- b) the two-way exchange of knowledge, including land, sea and water management practices that restore land and sea-scape to, improve biodiversity and supporting sustainable agriculture, fisheries and tourism;
- c) initiatives that engage the landcare community;
- d) the roles Landcare Australia can play in supporting the sector in its general engagements with First Nations’ organisations;
- e) a shared learning as we walk together through this journey.

### 5. Working Group Outcomes

The Working Group aims to achieve the following outcomes:

- a) Provide information and advice to the Board and Executive on Indigenous knowledge, including land, sea, and water management practices, with an emphasis on restoring land and sea-scapes, enhancing biodiversity, and supporting sustainable agriculture, fisheries, and tourism.
- b) Provide input to practical events and or programs Landcare Australia is delivering.
- c) Contribute expertise to help Landcare Australia identify its role in engaging with First Nations' organisations and assist in developing an organisational First Nations protocol.
- d) Participate, when possible, in events on behalf of Landcare Australia and provide valuable feedback to the organisation.
- e) Conduct periodic reviews to assess progress, challenges, and achievements.

### 6. Working Group Reflection

The Working Group will undertake an annual reflection, including personal reflections on events and activities undertaken throughout the year by members of the Working Group. This will be prepared by Working Group members with the support of the Landcare Australia team.

## 7. Function

The Working Group and the Board will operate in a respectful and reciprocal manner, undertaking activities including:

- a) Providing recommendations to the Board on matters related to the Working Group's purpose; and where requested.
- b) Taking actions to enable the Working Group to fulfil its purpose, including consulting where necessary and where resources permit.

## 8. Composition

The Working Group is appointed by the Board, with input from existing members of the Working Group.

The Working Group and the Board may make recommendations for new members, and any recommendations will be approved by the Board.

It is desirable that First Nations Landcare Australia Board Members will be members of the Working Group, and the Board Chair will also be invited to be a member.

The Working Group is comprised of individuals, with appropriate skills and expertise.

Appendix A provides details of the Working Group's membership.

The Working Group is intended to have a national geographic spread and gender equality and the Board will invite new members to join the Working Group as needed. It is not intended nor expected that an individual member is expressing anything other than their own personal view unless otherwise indicated, and individuals are not selected as organisational representatives.

### *Process for Inviting New Members:*

When new members are invited to join the Working Group, this decision will be made in consultation with existing members, ensuring diversity in geographic representation, gender equality and required skills.

### *Process for Adding or Removing Members:*

The Board, in consultation with existing Working Group members, may invite new individuals to join the Working Group based on their expertise and alignment with the group's purpose.

A member wishing to resign their position on the Working Group will provide two weeks' notice in writing to the Board.

In cases where cessation of an individual's membership may be necessary, either due to non-alignment with the objectives of Landcare Australia and the Working Group, or other reasons, the Board (or its nominated representatives) and other members of the Working Group will consider the matter jointly. The resolution, ideally based on consensus, will be enacted by the Board.

## 9. Term

The initial membership term of the Working Group will be two years, Appendix A provides details on Working Group terms. The term may be renewable or extended based on the mutual agreement of the Working Group members and the Board, with consideration given to Working Group members meeting regular attendance, responsiveness to communications, progress made, continued collaboration and other personal commitments.

Working Group members wishing to renew or extend their term will be required to reapply for their position.

## 10. Working Group Lead Yarner

The Working Group will rotate the position of Lead Yarner. The Lead Yarner will be identified at the start of each meeting.

## 11. Operation of the Working Group

- a) Meetings, held online, via teleconference or face-to-face, of 1-2 hours will aim to be held bi-monthly, but may be reviewed and adjusted according to progress to work through the scope of the Working Group.
- b) One face-to-face meeting to be held on Country each year. The location will be determined by the CEO in consultation with the working group.
- c) There will be male and female leaders in the Working Group for different areas of discussion.
- d) From time to time Working Group members will be invited to participate in particular activities by Landcare Australia as needed.
- e) The Working Group Lead Yarner is responsible for leading the Working Group in its duties, facilitating effective discussion at Working Group meetings and ensuring effective communication with the Board and Executive as required.
- f) A Landcare Australia delegate will undertake secretariat and convening duties for the Working Group and liaise with the Lead Yarner as appropriate to support meeting preparation and delivery.
- g) There will be the opportunity for the Working Group to meet in-person formally with the Board at least annually.
- h) If a Working Group member is unable to attend a meeting, it is desirable that efforts should be made to notify Landcare Australia Executive in advance of this meeting.
- i) If a Working Group member doesn't attend three consecutive meetings, the Landcare Australia Secretariat will have a discussion with the member to inform a recommendation to the Landcare Australia Chair about the individual's membership.
- j) Meeting dates for the following calendar year will be agreed by consensus by October 31<sup>st</sup> of the current calendar year based on Board meeting dates. Meetings need to occur one month prior to Board meetings to allow for the submission of minutes from Working Group meetings.

#### *Conflict Resolution:*

In the event of conflicts of interest or disagreements among members, the Working Group will employ a consensus-based approach to address and resolve such issues. Working Group members will work collaboratively to reach common ground.

If an agreement cannot be reached, the Working Group will follow Landcare Australia's grievance policy.

#### *Conflict of Interest:*

If any Working Group member perceives a potential conflict of interest concerning a matter under discussion, they are expected to promptly disclose the conflict to the group. The Working Group will then assess the situation and determine the appropriate course of action, which may include recusal from the discussion or the appointment of an impartial advisor to provide guidance.

If a resolution is unable to be achieved, the Working Group will follow the Board's conflict resolution policy.

### 12. Recommendations to the Board

- a) Recommendations by the Working Group to the Board will be made by consensus.
- b) Recommendations will be recorded in the minutes.
- c) Where input is sought from the Working Group outside of scheduled meetings this will be circulated in writing, or postponed to a future meeting as determined by the Working Group.
- d) It will be assumed that no response within the requested timeframe is approval of the proposed recommendation.
- e) The Board will refer to the Working Group when considering new First Nations appointments for Directors.
- f) Feedback from the Board will be provided to the Working Group on any recommendations.

### 13. Minutes of Meetings

A Landcare Australia delegate will perform secretariat and convening duties to the Working Group including meeting agenda, minutes of the proceedings and recommendations from meetings of the Working Group.

- a) Minutes of the Working Group will be circulated to all members of the Working Group within two weeks of the meetings and subsequently made available to the Board.
- b) Delegates of the Working Group or Landcare Australia may from time to time present (verbal or written) to the Board any outcomes/recommendations or advice to the Board.

### 14. Review of these Terms of Reference

The Working Group will review these terms of reference annually at the face-to-face Working Group gathering.

#### *Procedure for Making Changes to the Terms of Reference:*

Proposals for changes to the Terms of Reference may be introduced by any Working Group member. The proposed changes will be discussed within the Working Group to ensure alignment with the group's objectives. Any proposed changes will be subject to a vote within the Working Group. If the proposed changes are approved by a majority vote, they will be forwarded to the Board for final endorsement. This process ensures that modifications to the Terms of Reference are transparent and receive broad approval from the Working Group.

Appendix A will be updated as required to reflect group membership changes.

#### *Cultural IP*

The Working Group members will:

- Identify when work goes beyond voluntary commitment and consideration will be made by Landcare Australia for remuneration on particular subject knowledge.
- Identify through record of meetings when ICP has been referenced and requires consideration of a culturally appropriate response and/or management.
- Identify an agreed definition of ICP, with possible reference to Terri Janke/AMK Law.
- Be eligible for reimbursement, for services beyond voluntary input, as agreed with Landcare Australia. E.g., provision of cultural awareness training as part of a commercial engagement.

#### *Policies and Procedures*

The Working Group will adhere to Landcare Australia's policies and procedures.