

16.2 LATE ITEM – FUTURE DIRECTION OF THE ROEBOURNE ADVISORY GROUP

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|---------------------------------------|--|
| File No: | CS.4 |
| Responsible Executive Officer: | Director Community Services |
| Reporting Author: | Acting Manager Community and Engagement |
| Date of Report: | 5 May 2015 |
| Applicant/Proponent: | Nil |
| Disclosure of Interest: | Nil |
| Attachment(s) | 1. Roebourne Advisory Group Terms of Reference 2. Roebourne Advisory Group May 2015 Minutes 3. Roebourne Establishment Advice received from Narliyarndu Bindirri Aboriginal Corporation |

PURPOSE

For Council to consider the future direction of the Roebourne Advisory Group.

BACKGROUND

The Roebourne Advisory Group was established by the Shire of Roebourne (now the City of Karratha) on 14 December 2009. Given no community association existed at the time the advisory group essentially looked to accommodate the role of a community association. The overall aim of the Roebourne Advisory Group is to enable community members and Councillors to work collaboratively to represent the views of the community in setting and implementing a shared vision for the town of Roebourne.

The Terms of Reference (attachment 1) state membership of the Roebourne Advisory Group are made up of the Roebourne Ward Councillor, 2 x City Councillors as elected and 4 x Community Members. With Cr. Bailey resigning from the committee (announced at the April 2015 Ordinary Council meeting), the Roebourne Advisory Group is seeking guidance from the Council in regards to the replacement of Cr. Garry Bailey's vacated position and for the future direction of the Roebourne Advisory Group (attachment 2).

Utilising a proportion of ACADS funding, Roebourne Advisory Group has previously supported the investigation into establishing a community association for Roebourne. Below is a summary of the progress the local community has managed to date in regards to establishing a community association, as provided to the Roebourne Advisory Group at the May 2015 meeting. Full details are provided as an attachment (attachment 3).

- A Roebourne Community Association Working Group was established in July 2014 with 15 interested members of the community.
- The Roebourne Community Association structure is suggested as an incorporated body controlled by the Associations Act and registered with Western Australia's Department of Commerce.
- A Rules of Association has been established, through a workshop process with the working group and to align aspirations with that of the community.

- Membership is open to all Roebourne residents (of more than 12 months) and former residents who have attended the Roebourne District High School for more than 4 years.
- The committee is to be made up of 8 residents (maximum 3 former residents) with a 1 year term on the committee.
- Association has 'in principle' support from Narliyarndu Bindirri, NYFL, Marwarnkarra. and Ngarluma Aboriginal Corporation
- It is anticipated that the membership drive is scheduled for public promotion in the months of May-July 2015.

Given the current situation of the Roebourne Advisory Group and the movement towards the establishment of the Roebourne Community Association, Council is essentially presented with two options regarding community representation within Roebourne. They are:

1. Maintain the Roebourne Advisory Group and review the terms of membership , with focus on membership requirements; or
2. Support the establishment of the Roebourne Community Association and dissolve the Roebourne Advisory Group in accordance with statutory process

Whilst it is acknowledged that the membership of the Roebourne Advisory Group have made a significant commitment and contribution to the betterment of the local community since 2009, leading numerous projects and supporting many events and programs aimed to improve community amenity and wellbeing, Officers recommend Council support the establishment of the Roebourne Community Association based on the following elements:

1. Alignment with Councils strategic plan - 1.f.4.2.4 :Support and engage with community groups and associations;
2. Opportunity has presented itself to transfer the community decision making process from a formal body of Council to a localised community association as it exists in the City's 4 other townships;
3. Community Association progress to date towards establishment;
4. Consistency of Community Associations within all 5 towns within the City and
5. Current situation regarding Roebourne Advisory Group.

LEVEL OF SIGNIFICANCE

In accordance with Council Policy CE-8 Significant Decision Making Policy, this matter is considered to be of moderate significance in terms of social and cultural issues.

COUNCILLOR/OFFICER CONSULTATION

Councillor consultation would have taken place at the Roebourne Advisory Group.

COMMUNITY CONSULTATION

Consultation has taken place with the Roebourne Advisory Group May meeting as minuted with The Roebourne Advisory Group now seeking guidance from Council in regards to the replacement of Cr. Garry Bailey's vacated position and for the future direction of the Roebourne Advisory Group.

STATUTORY IMPLICATIONS

Section 5.8 of the *Local Government Act 1995*.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The Roebourne Advisory Group have funds allocated via the ACADS and Ex Gratia policies of Council. Should the City resolve to support the establishment of a Community Association it is proposed that the remaining funds be transferred to the Association with Officers to provide similar support to complete existing projects as was afforded to the Roebourne Advisory group. Alternatively, should Council resolve to maintain the Roebourne Advisory Group, it is recommended that the funds remain allocated to the group.

Currently City Officers manage and administer the delivery of the projects identified by the Roebourne Advisory Group.

STRATEGIC IMPLICATIONS

This item is relevant to the Council's approved Strategic Community Plan 2012-2022 and Corporate Business Plan 2012-2016. In particular the Operational Plan 2014-2015 provided for this activity:

| | | |
|---------------|-----------|--|
| Our Program: | 1.f.4.2 | Provide support to local community group and local service providers for community engagement events, projects, programs and activities. |
| Our Services: | 1.f.4.2.4 | Support and engage with community groups and associations. |

RISK MANAGEMENT CONSIDERATIONS

The level of risk is considered to be moderate to the City in terms of Financial, Service Interruption and Reputation.

IMPACT ON CAPACITY

There is no additional impact on capacity or resourcing to carry out the Officer's recommendation as the City of Karratha Officers are responsible for managing and administering the delivery of the identified Roebourne Advisory Group projects.

Officers currently attend the Roebourne Advisory Group meeting monthly, should the Group dissolve Officers would attend to the Roebourne Community Association in a supportive role rather than an administrative one.

RELEVANT PRECEDENTS

Council has established advisory groups in the past under Section 5.8 of the Local Government Act.

VOTING REQUIREMENTS

Absolute Majority.

OPTIONS:

Option 1

As per Officer's recommendation.

Option 2

That Council by ABSOLUTE Majority pursuant to Section 5.8 of the *Local Government Act 1995* RESOLVES to AMEND the Terms of Reference in relation to the membership requirements of the Roebourne Advisory Group to remove the Roebourne Ward Councillor and increase the membership of the community members from 4 members to 5 members.

Option 3

That Council by ABSOLUTE Majority pursuant to Section 5.8 of the *Local Government Act 1995* RESOLVES to DEFER all changes until after further consultation has occurred with the Roebourne Advisory Group and the Roebourne Community Association has occurred.

Option 4

That Council by SIMPLE Majority pursuant to Section 5.8 of the *Local Government Act 1995* RESOLVES to:

1. _____
2. _____
3. _____

CONCLUSION

The Roebourne Advisory Group was established by the Shire of Roebourne (now the City of Karratha) to enable community members and Councillors to work collaboratively to represent the views of the community in setting and implementing a shared vision for the town of Roebourne.

Due to the recent resignation of the Chairperson, the group has resolved to seek guidance from the Council in regards to the future direction of the Roebourne Advisory Group.

Officers recommend Council support the establishment of the Roebourne Community Association.

OFFICER'S RECOMMENDATION

That Council by ABSOLUTE Majority pursuant to Section 5.8 of the *Local Government Act 1995* RESOLVES to:

1. **SUPPORT the Roebourne Community Association in establishing themselves as the community association for Roebourne representing the views and aspirations of the Roebourne community.**
2. **DISSOLVE the Roebourne Advisory Group effective 1 June 2015.**
3. **INVITE the Roebourne Advisory Group membership to the June 2015 Ordinary Council meeting to receive recognition from Council given the many projects, events and programs undertaken by the group since 2009 that have aimed to improve Roebourne's community amenity and wellbeing.**



Roebourne Advisory Group Terms of Reference

1. Establishment

The Roebourne Advisory Group was established by the Shire of Roebourne (now City of Karratha) on 14 December 2009.

2. Scope

The overall aim of the Roebourne Advisory Group is to enable community members and Councillors to work collaboratively to represent the views of the community in setting and implementing a shared vision for the town of Roebourne.

Members will be selected on skills, knowledge and passion for the Roebourne community and their primary place of residence being Roebourne. Members will need to demonstrate the ability to work collaboratively, be active participants and make recommendations that influence the Council's direction in setting and delivering on a vision for Roebourne. Group representation will be endorsed by the City of Karratha.

3. Objectives

The aim of the Roebourne Advisory Group is to advise and provide recommendations to Council on a strategic direction for the community of Roebourne including advice on strategic projects, events and services that the City of Karratha should prioritise for Roebourne.

4. Powers of the Roebourne Advisory Committee

The Roebourne Advisory Group does not have any powers other than the ability to make recommendations to Council in the setting and delivering on a vision for Roebourne and on strategic projects, events and services that the City of Karratha should prioritise for Roebourne. Resolutions of the Group will not be binding to Council, unless specific delegation has been extended.

5. Term of Committee

The function and form of the Roebourne Advisory Group will be reviewed every 2 years at the time of Local Government Elections or earlier as determined by Council.

6. Membership

Representation to consist of:

- Roebourne Ward Councillor
- 2 x Shire Councillors as elected
- 4 x Community Members

7. Meetings

Meetings of the Group will be held in Roebourne once every month or as otherwise agreed and convened by the Chair.

Resolutions of the Group will not be binding to Council, unless specific delegation has been extended.

Group members shall not be entitled to any sitting fees or costs associated with being a representative on the Roebourne Advisory Group.

8. Quorum

A quorum represents 4 members attending the meeting.

9. Place and Duration of Meeting

The meetings will take place at a suitable venue in Roebourne.

10. Reporting

Minutes shall be reported to the City of Karratha at the next Ordinary Council meeting as an Information Item. Formal recommendations of the Advisory Group requiring Council decision shall be presented as a Council report for consideration.

11. Delegated Authority

There are no delegations provided to this Group.

12. Ethical Behaviour

Members of the Group will at all times in the discharge of their duties and responsibilities exercise honesty, objectivity and probity. Members will refrain from entering into any activity that may prejudice their ability to do so. At all times members must act in a proper and prudent manner in the use of information acquired in the course of their work.

Further, members will not publicly discuss or comment on matters relative to the activities of the Group, other than as authorised by the Board of Directors.

13. Liabilities of Members

No civil liability attaches to a member of a Group for an honest act or omission in the exercise, performance or discharge, or purported exercise, performance or discharge, of the members' or committee's powers, functions or duties. Such a liability attaches instead to the Council.

14. Amendments to Terms of Reference

These Terms of Reference can only be amended by resolution of Council on the basis of a report directly to Council.

| | |
|---------------------------------|------------------|
| Original Date of Establishment: | 14 December 2009 |
| Review or Amendment #1 | 24 March 2010 |
| Review or Amendment #2 | |
| Review or Amendment #3 | |
| Review or Amendment #4 | |

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ROEBOURNE ADVISORY GROUP

MINUTES

**The Roebourne Advisory Group Meeting held
at the Gurlu Gurlu Maya, Roebourne
on Tuesday, 5 May 2015**

**RUTH ELLIS
VICE CHAIRPERSON**



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The City of Karratha warns that anyone who has any application lodged with the City of Karratha must obtain and should only rely on

WRITTEN CONFIRMATION

of the outcome of the application, and any conditions attaching to the decision made by the City of Karratha in respect of the application.

Signed: _____
Ruth Ellis – Vice Chairperson

DECLARATION OF INTERESTS (NOTES FOR YOUR GUIDANCE) (updated 13 March 2000)

A member who has a **Financial Interest** in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest:

- (a) In a written notice given to the Chief Executive Officer before the Meeting or;
- (b) At the Meeting, immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- (c) Preside at the part of the Meeting, relating to the matter or;
- (d) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.68 or Section 5.69 of the *Local Government Act 1995*.

NOTES ON FINANCIAL INTEREST (FOR YOUR GUIDANCE)

The following notes are a basic guide for Councillors when they are considering whether they have a **Financial Interest** in a matter. I intend to include these notes in each agenda for the time being so that Councillors may refresh their memory.

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measure in money terms. There are exceptions in the *Local Government Act 1995* but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The **only** exceptions are:
 - 6.1 Where the Councillor discloses the **extent** of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the *Local Government Act*; or
 - 6.2 Where the Minister allows the Councillor to participate under s5.69 (3) of the *Local Government Act*, with or without conditions.

INTERESTS AFFECTING IMPARTIALITY

DEFINITION: *An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected, but does not include an interest as referred to in Section 5.60 of the 'Act'.*

A member who has an **Interest Affecting Impartiality** in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest;

- (a) in a written notice given to the Chief Executive Officer before the Meeting; or
- (b) at the Meeting, immediately before the matter is discussed.

IMPACT OF AN IMPARTIALITY CLOSURE

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote.

With the declaration of this new type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the Meeting continues as if no interest existed.

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MINUTES

1 OFFICIAL OPENING

The Roebourne Advisory Group Meeting was held at the Gurlu Gurlu Maya, Roebourne on Monday 4 May 2015 and was declared open at 5.15pm.

Welcome – we would like to acknowledge the traditional owners of the land on which we are gathered, and pay our respects to their elders past and present.

2 RECORD OF ATTENDANCE / APOLOGIES

Advisory Group

Members: Ruth Ellis
Susan Smith
Elizabeth Smith
Paul Costanzo

Staff: Vanessa Subramoney (A/Manager Community & Engagement)

Community

Members: Nil

Apologies: Cr Fiona White-Hartig
Cr Michael Saylor

3 DECLARATIONS OF INTEREST

Nil

4 CONFIRMATION OF PREVIOUS MEETING MINUTES

That the Minutes of the Roebourne Advisory Group Meeting held on Monday, 4 May 2015, be confirmed as a true and correct record of proceedings.

Moved: Ruth Ellis **Seconded:** Susan Smith **CARRIED**

5 RESIGNATIONS

The Roebourne Advisory Group acknowledge Cr. Garry Bailey's resignation from the Roebourne Advisory Group effective 20 April 2015.

Officer provided possible options in regards to the replacement for Cr. Bailey's position. These included:

- Roebourne Advisory Group dissolving.
- Amend the Term of Reference and advertise for a new committee member.
- Assist the Roebourne Community Association establish as a group.

A general discussion took place and the group were undecided on what direction they should take and are therefore seeking direction from Council about their future as a committee.

Resolution:

That Roebourne Advisory Group seek guidance from Council regarding a replacement for Cr. Garry Bailey's vacant position and the future direction of the Roebourne Advisory Group.

Moved: Ruth Ellis **Second:** Elizabeth Smith **CARRIED**

6 BUSINESS ARISING FROM PREVIOUS MINUTES

5.1 Resolution Register

- Update on the progress of the War Memorial Project. The new war memorial has been installed and was officially unveiled at the 2015 Roebourne ANZAC Day centenary celebrations on Saturday, 25 April 2015. Further works are required such as the install of the concrete block to accommodate the plaque and the install of the fuse box for the lighting required.
- Update on community consultation regarding playground/fitness equipment. Elizabeth Smith on behalf of the Roebourne Advisory Group has commenced community consultation with the Roebourne community. To date 36 community members have been consulted about the fitness equipment, with a majority in favour of the fitness equipment project. The consultation included representatives from organisations such as Act Belong Commit and Heart Foundation.

Locations of the fitness equipment was discussed with three options being provided. The locations included the Jubilee Park, Andover Park and in the vicinity of the Roebourne skate park.

Actions:

- Cr. White-Hartig to circulate the pictures of the playground equipment to the Roebourne Advisory Group to commence consultation with the Roebourne community.
 - Elizabeth Smith to investigate possible funding options to support the fitness equipment project with Marwarnkarra Health Services, Act Belong Commit and the Heart Foundation.
 - Ruth Ellis to establish contact with Wickham Tidy Towns to gather information about the proposed Wickham Tidy Towns fitness equipment project in particular about the types of fitness equipment.
 - Officers to provide information at the June Roebourne Advisory Group meeting regarding fitness equipment located in Karratha particularly around maintenance and public liability.
- Investigation regarding possibility to install slow down signage at three locations along Main Street, Roebourne. City of Karratha Officer emailed Main Roads to explore possible signage options, a response has not been received at this stage.
 - Update on the kerbside at Jubilee Park Rest Area. A response has been received from the City of Karratha which reported that there are three driveways with 2 at 7 metres wide and 1 at 6 metres wide. This is well over the standard crossover widths required with the kerbsides being made larger in rest areas. The issue is that the caravans are not coming out of the rest area squarer to crossover rather they are just driving out parallel to the main road. This then has part of tourist

caravans going over and hitting the kerb. The City of Karratha will not be making the kerbside wider.

- Update on the Roebourne Community Association. A formal response was received from Ngarliyarndu Bindirri Aboriginal Corporation (NBAC) CEO, Susan Shirliff, on behalf of the Roebourne Community Association Working Group. Summary points from the letter include:
 - Roebourne Community Association Working Group was established in mid-2014 with 15 members.
 - The Rule of Association has been workshopped with the community to ensure alignment to the community’s aspirations for the association.
 - Membership is by application (nominal fee is applicable) and is open to all residents of Roebourne of more than 12 months, former residents of Roebourne that attended Roebourne District High School for more than four 4 years, with ex officio being invited from the City of Karratha, NBAC, NYFL, Marwarnkarra Health Services and NAC.
 - The draft constitution has been developed.
 - Application forms are currently being developed to call for Roebourne Community Association members.
 - To date the RCA working group expenditure has been minimal (approx. \$600) due support being provided through in-kind contributions. It is anticipated that funding will be required for the community meetings schedule for May and June 2015 and for the development of a community newsletter.

7 ITEMS FOR DISCUSSION

a) Funding Allocations

The following table indicates the current status of Roebourne Advisory Group funding available, expended and committed.

| | Funds Acquired | Funds Committed | Funds Remaining (exc. Committed Funds) | Timeline for Expenditure |
|--|---|---|--|--------------------------|
| <ul style="list-style-type: none"> • 2012/2013 • ACADS • \$100,000 (ex GST) | \$15,000 for Community Events for Luke Adams Foundation for Roebourne Girls FX program. \$1, 698 Business After Hours Roebourne Visitors Centre \$65,000 Roebourne Skatescape \$6,000 Community Kitchen/Skatescape \$1,051 Boulder relocation | \$11,251 Jubilee Park signage project. | \$0 | 30 June 2015 |
| <ul style="list-style-type: none"> • 2012/2013 • Birra Birra ex-gratia • \$125,000 (ex GST) | \$74,000 Roebourne Skatescape | \$51,000 for Roebourne War Memorial Sculpture | \$0 | 30 June 2015 |

| | | | | |
|---|---|--|------------|---|
| <ul style="list-style-type: none"> • 2013/2014 • ACADS • \$100,000 (ex GST) | <p>\$40,000 Roebourne Skatescape</p> <p>\$4,825 allocated to Roebourne VFRS for ANZAC Day Gunfire Breakfast 2014</p> <p>\$7,320 allocated to V Swans Roebourne Basketball Competition</p> | <p>\$40K total allocation for Community Events: \$2,000 allocated to IF Foundation Ambassador Program \$5,000 allocated to Mingullatharndu Association) \$1,000 allocated to Ngarluma Yindjibarndi Foundation Limited (NYFL) Additional Needs Parent Support Group.</p> <p>\$45,000 Additional Anzac Day Centenary celebrations (\$19,855 available from the 13/14 Community)</p> <p>\$12,319.49 Roebourne Redevelopment Project (playground and fitness equipment)</p> <p>\$7,680.51 \$5,145 Anzac Day 2015 Centenary celebrations \$1,035.51 War memorial concrete plaque \$1,500 fuse box expenses</p> | <p>\$0</p> | <p>30 June 2016</p> |
| <ul style="list-style-type: none"> • 2013/2014 • Birra Birra ex-gratia • \$125,000 (ex GST) | <p>\$100,000 Roebourne Skatescape</p> <p>\$25,000 BB court Art project (scheduled completion 14/15 FY)</p> | | <p>\$0</p> | <p>30 June 2016</p> |
| <ul style="list-style-type: none"> • 2014/2015 • ACADS • \$100,000 (ex GST) | <p>\$2,500 NAIDOC contribution</p> | <p>\$20,000 Light's On</p> <p>\$28,500 Roebourne Redevelopment project (playground and fitness equipment)</p> <p>\$12,000 ANZAC Day and Aboriginal Veterans</p> <p>Up to \$17,000</p> <ul style="list-style-type: none"> • Consultation/Investigation & Establishing a Community Association for Roebourne • Contingency for programs <p>\$20,000 Contingency allocated to the additional Anzac Day celebrations.</p> | <p>\$0</p> | <p>30 June 2015 (unless extension granted)</p> <p>30 June 2015</p> |
| <ul style="list-style-type: none"> • 2014/2015 • Birra Birra ex-gratia • \$101,500 (ex GST) | | <p>\$101,500 Roebourne Redevelopment project (playground and fitness equipment)</p> | <p>\$0</p> | <p>30 June 2015 (unless extension granted)</p> |

*Bold denotes changes to funding allocations

b) The additional \$45,000 allocated to the Anzac Day celebrations for Roebourne is not adequately covered from the 2013/14 community funding available. The 2013/14 community funding has \$19,855 available for distribution and \$20,000 from the 2014/15 contingency funds. There is a shortfall of \$5,145.

- c) The Roebourne War Memorial have additional expenses such the concrete plaque installation (\$1,035.51 ex GST) and the fuse box installation (approx. \$1,500).

Resolution:

Reallocate a total \$7,680.51 (total project costs highlighted in points b and c) from the \$20,000 (2014/15 ACADS) funds initially allocated to the Roebourne Redevelopment project (playground and fitness equipment). The remaining \$12,319.49 will remain as the Roebourne Redevelopment project (playground and fitness equipment).

Moved: Ruth Ellis **Second:** Paul Costanzo **CARRIED**

Resolution:

The \$7,680.51 to be allocated to the proposed ACADS 2015/16 contingency funds for the Roebourne Redevelopment project (playground and fitness equipment).

Moved: Elizabeth Smith **Second:** Ruth Ellis **CARRIED**

d) Community Events Funding Applications

Application received from Bornor Gundi Gurrama Aboriginal Corporation requesting \$10,706.50. It should be noted that there are no further funds available for community events and festivals. No quorum was reached to make a decision on this application as Roebourne Advisory Group member, Susan Smith declared an interest in the application as the applicant for the funding. Item laid on the tabled for the June 2015 Roebourne Advisory Group meeting.

e) Jubilee Park Signage Project

City of Karratha Officer established contact with Roebourne District School who have expressed a strong interest in developing designs for the signage with local artists and school students. City of Karratha Officer will commence project planning and work collaboratively with Roebourne District School to develop designs for the signage for presentation at the June meeting.

f) Anzac Day Commemorations including Whim Creek, Roebourne and Dampier

Roebourne Advisory Group members provided some details regarding Anzac Day Commemorations in Roebourne. Approximately 2000 people attended the centenary celebrations. A debrief meeting will be scheduled by the Anzac Day Committee.

7. GENERAL BUSINESS

a) Community Funding Applications

The Roebourne Advisory Group requested that Officers action the following with an update to be provided at the June meeting:

- Update the Community Funding Application forms to Ruth Ellis as being the contact for the applications.
- Updated application forms and guidelines to be distributed to the Roebourne Advisory Group.
- Provide an update on the status of the outstanding successful Community Funding applications.

B) CLOSURE & DATE OF NEXT MEETING

The Meeting closed at 6.30pm and the date of the next meeting will be Tuesday 2 June 2015 at 5.00pm at Gurlu Gurlu Maya in Roebourne due to the public holiday on Monday 1 June 2015.

| Date Raised | Issues/Items Raised | Recommendation | Action Officer | Comments/Updates | Status |
|--------------|---|---|---|---|---|
| April 2015 | Promote engage/consultation with aboriginal corporations | Establish contact with aboriginal corporations to provide an update on completed projects, committed funds and consultation regarding future projects | Kim Sykes | Prepare a draft letter to aboriginal corporations. | Draft letter to be considered by RAG members at June RAG meeting. |
| April 2015 | Community Association Project Update | Invite Susan Shirliff, CEO NBAC to provide an update on investigations and establishment of Community Association in Roebourne | Kim Sykes | Letter submitted as an invite to Susan Shirliff, CEO (NBAC) to attend May Roebourne Advisory Group meeting. | Complete |
| March 2015 | Speeding motorists through the Main Street of Roebourne. | Investigate the possibility of installing signage at 3 locations along the Main Street. | Kim Sykes | Officer contacted Main Roads via email to discuss concerns and suitable signage including wording and location. | Update to be provided at June Advisory Group meeting. |
| March 2015 | Roebourne Redevelopment Project - Children's playground and fitness equipment | Investigate potential site and approvals for a playground on Roebourne School Oval. Consult with Roebourne community regarding appropriate equipment and investigate potential suppliers | Kim Sykes Roebourne Advisory Group | Officer to commence discussions with Leisure Services regarding appropriate location for toddlers playground. Consultation commenced with community regarding the fitness equipment and possible locations | Update to be provided at April Advisory Group meeting. Ongoing |
| January 2015 | Blackboard to display community activities and events | Investigate the cost of purchasing and installing a blackboard at Roebourne basketball courts. | Kim Sykes | Officer to obtain quotes for a blackboard, explore a suitable location and cost of installation. | Ongoing. |
| January 2015 | Community Bus | Investigation into the number of services meeting passenger demands during the school holidays. | Kim Sykes | Officer to obtain statistics for December/January school holidays. | Passenger statistics to be provided post April school holidays. |

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|---------------|--|--|---|---|--|
| January 2015 | Kerbside at Jubilee Park Rest Area – kerb is not sufficient for caravans and longer vehicles. | City of Karratha amend the kerbside angle to meet the requirements of a caravan or long vehicle. | Kim Sykes | Officer to request City of Karratha consider amending the kerbside angle at the Jubilee Rest Area to allow sufficient room for caravans to enter and exit the site. | Response provided by the Infrastructure team. Complete |
| June 2014 | Long term parking at Centenary Park Carpark | Investigate what options available to Rangers to prevent all day parking. | Martin Waddington (Infrastructure) | Map marked up with sign locations and a letter to the CEO sent on behalf of RAG 19 August 2014. | Location of signage currently being investigated by Infrastructure team. |
| February 2014 | NW Coastal Highway and Roebourne-Point Samson Rd intersection. Crawford Rd and NW Coastal Hwy. | Response requested from Main Roads as to what actions can be taken to improve safety at these two intersections. | Strategic Projects and Infrastructure | Summary of issues provided to Director Strategic Projects and Infrastructure for MRWA discussions. Follow up being undertaken. Strategic Projects and Infrastructure also investigating cross over barrier at Crawford Rd intersection. | Ongoing. Update to be supplied. |
| February 2014 | Poor street lighting around Roebourne. | A letter to be drafted to Horizon Power outlining concerns. | Rebecca Steinki/Strategic Projects and Infrastructure | Horizon Power has supplied a flyer for residents to report lighting issues. Flyer emailed to Roebourne calendar for dissemination to community. Draft letter requesting additional lights and strength of lights in Roebourne be addressed was not sent as maintenance was being undertaken. | Completed Installation expected for early 2015. |

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| | | | | The Horizon Power crew intend to replace the old streetlight heads with the new LED as fault calls come through, costs and stock permitting. They won't be replacing the broken streetlights until they receive the order of new LED lights to replace them. | |
| February 2014 | Presentation of Roebourne cemeteries. | Request from committee to get update on actions planned to be undertaken at the Roebourne cemeteries. | Rebecca Steinki/Martin Waddington. | <p>Cemetery day at 2 mile conducted 21 May.</p> <p>Roebourne/Wickham conducted 24 June.</p> <p>Roebourne Town conducted 8 July.</p> <p>Feedback being collated for presentation to Council Officer's.</p> <p>Example images for alternate use of broken headstones presented at August meeting.</p> | <p>Ongoing.</p> <p>New fencing installed at Roebourne Town Cemetery November 2014</p> <p>Consideration being given to art project for broken headstones.</p> |
| October 2013 | Coordination and installation of war memorial sculpture | Request from the committee to source a maximum of five different artist proposals for the sculpture | Rebecca Steinki/RAG | <p>Council report presented at the November OCM to endorse engaging Archipelago Arts to administer the project.</p> <p>Presentation of concept designs occurred at June RAG meeting.</p> | <p>Timelines for installation to be communicated so as not to be delayed by Main Street Lighting Project.</p> |

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| | | | | <p>Final images presented at July RAG meeting.</p> <p>Community consult occurred post August RAG meeting with these results incorporated into preferred artist selection.</p> <p>Community consult occurred at 50c hall 2 November and Andrew attended November RAG meeting.</p> | |
| July 2013 | 13/14 ACADS funding available for Community Events \$40,000 | \$40K allocated to support local community events in 13/14 | Rebecca Steinki | 2013/2014 Event Application form has been updated. Copies provided to all RAG members and are available for Community Organisations from the Post Office or by request. | Ongoing. |
| July 2013 | Centenary Park should have a sign | RAG approved a sign stating 'Centenary Park' should be erected. | Rebecca Steinki/RAG | <p>Options available for signage were presented at June RAG meeting. Recommendation from group to make it a competition for youth.</p> <p>Officer's have confirmed it is possible to turn the sign design into a competition, however RAG has indicated the name of the Park should be confirmed first from community feedback so far.</p> <p>Consultation on the name of the park was undertaken at same</p> | <p>3 successional signs to be designed and installed indicative of what the park means to the community (fishing, swimming, historical importance etc)</p> <p>Designs to be requested from the following groups (one sign each):</p> <ol style="list-style-type: none"> 1. School 2. Roebourne Art Group |

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| | | | | <p>time as War Memorial consult. Most commonly used name was determined to be Jubilee Park.</p> | <p>3. Yinjaa-Barni Art Group</p> <p>Letter approved by Advisory Group Members and will be sent to the above mentioned groups by Friday 9 January 2015.</p> <p>Follow up with Roebourne School regarding participation in project.</p> |
|--|--|--|--|---|---|

27 April 2015

Vanessa Submaroney, Andrew Ward and Mayor Peter Long
City of Karratha
Welcome Road
Karratha WA 6714

Via email Vanessa.submaroney@karratha.gov.au
Andrew.ward@karratha.gov.au
Peter.long@karratha.gov.au

Dear Peter, Andrew and Vanessa

Roebourne Community Association Update

Thank you for your letter of 16 April (Ref CS.6/OCR132673) and interest in the work being undertaken to establish Roebourne's community association. There is considerable interest in the topic up and down Roe Street and much work has taken place behind the scenes to formalise the ideas of those interested. For your information I have summarised the outcomes of this work below;

a. **Roebourne Community Association Working Group**

The Roebourne Community Association Working Group was established in mid-2014 to pursue the idea of an association for Roebourne residents in the broader community. Since that time the Working Group has addressed many of the issues relating to a community association through formal and informal gatherings of Roebourne residents.

Members of the Working Group are voluntary and include people from a range of backgrounds – though all are residents. The collective views of this working group have been debated over the period and are represented in the attached Rules of Association.

In my capacity as CEO of Roebourne's community association for Aboriginal people, I have been asked to assist the group in an ex-officio capacity, to undertake correspondence, governance and housekeeping for the group - until they are established. It is my understanding that other organisations in Roebourne have similarly been approached to provide support for the working group.

Members of the Working group are likely to stand for election as Coordinating Committee members, though accept that the final makeup of this committee will depend on eligibility and voting. Roebourne Community Association Working Group members comprise:

| | | |
|---------------|------------------|-----------------|
| Shenara Smith | Marie Pont | Beth Smith |
| Russell Sandy | Jill Churnside | Josie Alec |
| Deanne Alec | Pansy Sambo | Ian Wally |
| Kathy Booker | Phyllis Simmonds | Cherylea Walker |
| Dion Storey | Georgia Mills | Michael Nikakis |

b. **Roebourne Community Association Structure**

The Roebourne Community Association Working Group has workshopped sought and received legal advice on an appropriate structure and operating framework. The advice suggested an incorporated body controlled by the Associations Act and registered with Western Australia's Department of Commerce. A copy of the advice is attached for your information.

b. Roebourne Community Association Rules of Association

The Roebourne Community Association Working Group has workshopped through the community the attached Rules of an association that align to their aspirations. It is my view that these rules are sufficient to undertake the process of incorporation. For your information I précis the attached draft rules as follows:

- a. Membership is open to all residents of Roebourne (of more than 12 months)
- b. Membership is open to all former residents of Roebourne (that attended Roebourne District High School for more than 4 Years)
- c. Membership is by application
- d. Ex Officio membership will be extended to
 - i. The City of Karratha
 - ii. Ngarliyarndu Bindirri,
 - iii. NYFL
 - iv. Marwarnkarra. and
 - v. Ngarluma Aboriginal CorporationThe purpose of such ex-officio invitations is administrative support, transparency and information sharing. Ex officio organisation representatives are expected to be informed of the progress and intentions of the Association.
- f. Membership fee is likely to be nominal.
- g. Meetings will -
 - i. Take place in Roebourne
 - ii. Be open to all members
 - iii. Minimum 6 per year
- h. The working group will stand until voting by community members in accordance with the attached draft constitution
- i. The working group will give way to a Coordinating Committee. The Coordinating Committee will comprise:
 - i. Maximum 8 residents (maximum 3 former residents)
 - ii. Term on the Management Committee is 1 year

c. Marketing RCA Membership

In order to 'market' the Association to the broader community an application form is currently in draft for marketing via a range of outlets – including local radio and local organisation memberships. NBAC will be offering RCA membership to our own members.

d. Financial Position

NBAC is aware of the assistance (kindly) offered to establish the group. The working group have consumed very little of this assistance to date (less than \$600) due to the 'in-kind' and voluntary nature of support for the Working Group's efforts.

The Working Group plans to utilise the funds offered to promote the Community Association and Membership of the association via a newsletter and community meetings. These Community meetings are scheduled for May and July, 2015.

A newsletter for Roebourne community that will include information about the association and application forms for membership is slated to coincide with the community meeting in July this year.

These initiatives, alongside structural requirements such as insurance and incorporation fees are still intended to be drawn down against the amount of \$10,000 allocated to the project by the City of Karratha. Ngarliyarndu Bindirri Aboriginal Corporation is happy to provide the governance and acquittal support to the working group as these funds are expended.



Thank you for your invitation to join the Roebourne Advisory Group meeting on Monday, 4 May at Gurlu Gurlu Maya. I am unable to attend due to a conflicting commitment in Roebourne, but would be happy to discuss the progress of the Roebourne Community Association with any member of that committee at another time.

I trust the information provided herein provides you with a fulsome picture of the progress of the community to establish a Community Association. Your continued support and interest in these initiatives is much appreciated.

Please do not hesitate to contact me directly should your require any more information on the project.

Yours sincerely



Susan Shirliff
Chief Executive Officer

To Jolleen Hicks
From Daniel Knight & Katherine Glossop
Date 13 October 2014
Subject Structuring options for Roebourne community association

1 Executive Summary

- (a) We consider that the most appropriate structure for Roebourne's community association is the incorporated association model. Incorporated associations are simple to set up and run, and the structure will meet the needs of the Roebourne community association.
- (b) Further, we understand that a number of other community associations based in the Pilbara use the incorporated association model.
- (c) For the sake of completeness, we have set out some information on the company limited by guarantee structure, and CATSI Act corporations in Schedule 1. These structures would also suit the needs of the Roebourne community association, but they are more difficult to run and are subject to more onerous reporting obligations. Given this, and the lack of significant advantages provided by the other options, we consider that an incorporated association is the best approach. However, we would be happy to discuss the use of one of these alternative structures should you prefer it.
- (d) If you are happy to proceed with an incorporated association, we recommend that you instruct us to prepare a draft set of rules. The rules can be based on the model rules published by the Western Australian government.

2 Background

Ngarliyarndu Bindirri Aboriginal Corporation (**NBAC**) is an Aboriginal corporation that works in the Roebourne community in WA. Roebourne is situated within the City of Karratha local government area, where the majority of the population is Aboriginal. Roebourne is the only town in this region that does not have a community association

The City of Karratha provides funding to its towns. We understand that, as Roebourne does not currently have its own community association, funds allocated for Roebourne are managed by the Roebourne Advisory Group (**RAG**). RAG consists of three City Councillors, and three representatives from Roebourne (none of whom are Aboriginal). The establishment of a community association will remove the need for RAG, and will ensure that funding allocated to Roebourne is disbursed in line with the best interests of the Roebourne community. Further, the establishment of a community association would:

- (a) promote community initiatives;
- (b) provide community programs;
- (c) promote leadership;
- (d) provide a united community voice for Roebourne; and
- (e) ensure that funding for Roebourne is spent in Roebourne

NBAC seeks our advice on the structuring options for the association, and assistance with the establishment of the association.

3 Options and Recommendation

The three options we have identified for establishing a community association are:

- (a) Incorporated association under the *Associations Incorporation Act 1987 (WA)*;
- (b) Company limited by guarantee under the *Corporations Act 2001 (Cth)*; and
- (c) CATSI Act corporation under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cth)*.

Each of these options involves the creation of a separate legal entity under the relevant Act. A summary of each option is set out in Schedule 1.

We consider that the key factors in determining which option is the most appropriate structure for NBAC's community association include:

- (a) ensuring the liability of members/directors is limited;
- (b) minimising the costs of establishment and administration of the body; and
- (c) minimising the complexity of the body's administrative procedures.

Each of the options can satisfactorily address these factors. However, incorporated associations are the least formal of these options, and the easiest and cheapest to establish and run. For example, an incorporated association can be run by a management committee, whereas directors (who may be subject to more onerous requirements) must be appointed to run a company limited by guarantee or a CATSI Act corporation. Accordingly, we recommend that NBAC select the incorporated association model.

One potential disadvantage of an incorporated association is that its operations will be limited to Western Australia. Given that NBAC's focus is on the Roebourne community, we do not anticipate that this will be an issue. However, please let us know if this is not correct.

4 Next Steps

The process for establishing an incorporated association is set out in section 1.9 in Schedule 1 below. If NBAC is happy to proceed with this option, the next step will be for us to prepare a draft set of rules for the association. The rules will be based on the model rules for incorporated associations published by the Western Australian government with any amendments we consider appropriate. We are also happy to discuss the options set out in Schedule 1 should you have any queries.

Schedule 1

1 Incorporated Association

1.1 Overview

An incorporated association is a separate legal entity which is created under the *Associations Incorporation Act 1987 (WA)* (**Act**).

The key features of an incorporated association are as follows:

- (a) the association acquires the powers of a body corporate with perpetual succession and a common seal;
- (b) the association may sue or be sued;
- (c) the association may enter into contracts and acquire, hold and dispose of property;
- (d) members or officers of the association are generally not liable to contribute towards the payment of debts or liabilities of the association;
- (e) the name of the association concludes with the word "Incorporated" or the abbreviation "Inc." as part of its name; and
- (f) if members or office bearers of the association incurred liabilities or obligations on behalf of the association prior to incorporation, those liabilities and obligations can be exercised against the incorporated association.

1.2 Eligibility

Under the Act, an association is eligible to be incorporated if:

- (a) it has more than five members; and
- (b) it is formed for the purpose of establishing, carrying on, or improving a community, or promoting the interests of a local community.

1.3 Advantages

An incorporated association is empowered to do the following:

- (a) sue, contract and own property in its own name.
- (b) open and operate bank accounts;
- (c) borrow money; and
- (d) invest its money.

An incorporated association is simple and inexpensive to set up, and is easier to run than a company limited by guarantee and a CATSI corporation (discussed below in Schedule 1 sections 2 and 3).

1.4 Disadvantages of Forming an Incorporated Association

An incorporated association can only operate in the state in which it is incorporated. We expect that this will not be an issue for Roebourne community association as its activities will be carried out in Roebourne for the purposes of the Roebourne community. If this is not correct, please let us know.

1.5 The Rules

The Western Australian government has published a set of model rules that can be adopted or amended to suit the association's requirements. The rules cover (amongst other things):

- (a) qualification for membership of the association;
- (b) termination of membership;
- (c) election of the management committee (see below at 1.6); and
- (d) voting rights of members.

The rules do not take effect until they are lodged with the Department of Commerce.

1.6 Management

The rules of the association will establish a committee of people who have the power to manage the affairs of the association. The association will be able to choose how it allocates that power under the rules. Generally the rules will provide for the election of committee members at the annual general meeting. The rules may also provide for specific office-holders such as chairperson, secretary and treasurer.

Committee members must take reasonable steps to ensure that the association complies with its obligations under the Act. A failure to do so is an offence that attracts a maximum fine of \$500. Committee members are also responsible for avoiding conflicts of interest by disclosing any direct or indirect financial interest they may have in any contract, or proposed contract being entered into or considered by the committee. Committee members who have a direct or indirect financial interest in a contract must not vote or take part in any deliberations in relation to the contract. A failure to comply with the conflicts rules is an offence, carrying a maximum penalty of a \$500 fine.

1.7 Meetings

An incorporated association may hold its first annual general meeting at any time within 18 months of incorporation, and must hold an annual general meeting in every calendar year thereafter within 4 months after the end of the association's financial year.

1.8 Records

An incorporated association must keep:

- (a) records showing the financial transactions and financial position of the association, kept in such a manner as will enable the accounts to be properly audited; and
- (b) an up-to-date register of members and a record of office bearers.

At the AGM, an incorporated association must submit to its members accounts of the association showing the financial position of the association as at the end of the preceding financial year.

There is however, no requirement to lodge an annual report with the Commissioner.

1.9 Process for Incorporation

The process for incorporating an association is as follows:

- (a) check the availability of your intended name;
- (b) advertise your intention to incorporate in a registered newspaper circulating in the area where the association will be situated or will conduct its affairs;
- (c) develop a set of rules governing the day-to-day management of the association;
- (d) apply for incorporation by lodging the prescribed application form, accompanied by the \$138 application fee.

Once the application is approved, the Department of Commerce provides an incorporation certificate.

2 Company limited by guarantee

2.1 Overview

A company limited by guarantee is established under and operates pursuant to the *Corporations Act 2001* (Cth) (**Corporations Act**). A company limited by guarantee is a legal entity in which the members do not hold shares, but each member agrees to contribute a limited amount (which is usually nominal eg. \$2) specified in the company's constitution to meet the company's liabilities in the event that the company is wound up. Companies limited by guarantee are not able to issue shares, however, they are able to borrow money and typically raise funds by way of grants and donations.

Like an incorporated association, a company limited by guarantee:

- (a) has the powers of a body corporate with perpetual succession and a common seal;
- (b) may sue or be sued; and
- (c) may enter into contracts and acquire, hold and dispose of property.

A company limited by guarantee is a public company, and as such it must have a minimum of 3 directors and a company secretary.

2.2 Eligibility

A company limited by guarantee must have at least one member. There are no requirements as to purpose.

2.3 Advantages

The advantages of forming a company limited by guarantee include:

- (a) Like an incorporated association, a company limited by guarantee is a separate legal entity that can sue, contract and own property in the company's name.
- (b) The liability of the company's members is limited to the amount each member has agreed to contribute, if the company is unable to meet its liabilities when it is wound up. That is, members cannot be required to contribute more than the amount that they have guaranteed (which is usually a nominal amount, such as \$2).
- (c) A company limited by guarantee has the freedom to do business anywhere in Australia, without the need for further registration.

2.4 Disadvantages

The main disadvantage of the company limited by guarantee structure is that it is subject to the onerous financial reporting requirements of a public company. These requirements will include the preparation of a directors' report and audited financial accounts – which necessarily entails additional annual expenditure and management time.

2.5 Rules

A company is not required to have its own constitution. It may instead rely on the replaceable rules in the Corporations Act. It would however, be prudent for Roebourne Community Association to have its own company constitution, as the replaceable rules in the Corporations Act are not aimed at community groups, and would not be appropriate. A copy of the constitution must be lodged with ASIC.

2.6 Management

A company limited by guarantee must have at least three directors. Directors must comply with certain duties set out in the Corporations Act, including that directors must:

- (a) act in good faith, in the best interests of the company and for a proper purpose;
- (b) not make improper use of information or position;
- (c) act with care and diligence;
- (d) disclose any material personal interest in matters relating to the affairs of the company; and
- (e) not allow the company to trade while it is or would become insolvent.

The company must also have at least one secretary.

2.7 Meetings

A company limited by guarantee must hold an annual general meeting at least once a year within five months after the end of its financial year. The first annual general meeting must be held within 18 months of incorporation.

2.8 Records

A company limited by guarantee must keep:

- (a) a register of members, options and charges; and
- (b) financial records regarding its transactions and financial position and performance that would enable true and fair financial statements to be prepared and audited.

Small companies limited by guarantee (ie. a company with revenue of less than \$250,000 per year) are not required to prepare financial or directors' reports. Companies with a yearly revenue exceeding \$250,000 must prepare annual financial and directors' reports. The annual financial report must include:

- (a) financial statements;
- (b) notes to financial statements; and
- (c) a directors' report.

2.9 Process

The process for establishing a company limited by guarantee is as follows:

- (a) check the availability of your intended name (note that a company limited by guarantee must have the word "limited" at the end of its name unless its constitution requires that it pursue charitable purposes only; prohibits the company making distributions to its members and paying fees to its directors; and requires the directors to approve all other payments the company makes to directors);
- (b) lodge ASIC Form 410 to reserve the proposed company name (this attracts a fee of \$45);
- (c) decide how the company will be internally governed and draft a proposed constitution;
- (d) obtain written consents from proposed initial company directors and secretaries, and identify the initial member/s (there must be at least one member);
- (e) apply for incorporation using the prescribed form (this attracts a fee of \$377); and
- (f) after receipt of the application ASIC will:
 - (i) give the company an Australian Company Number (ACN);

- (ii) register the company; and
- (iii) issue a Certificate of Registration

In order to stay registered, a company limited by guarantee must pay an annual review fee of \$45 per year.

3 CATSI Act Corporation

3.1 Overview

The *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (**CATSI Act**) was enacted to allow Aboriginal and Torres Strait Islander groups to form corporations. CATSI corporations are regulated by the Office of the Registrar of Indigenous Corporations (**ORIC**).

3.2 Eligibility

A CATSI corporation must:

- (a) have a minimum of five members;
- (b) have a majority of members and directors who are indigenous;
- (c) have in its name:
 - (i) 'Aboriginal Corporation';
 - (ii) 'Torres Strait Islander Corporation';
 - (iii) 'Aboriginal and Torres Strait Islander Corporation';
 - (iv) 'Torres Strait Islander Corporation';
 - (v) 'Indigenous Corporation'; or
 - (vi) if applicable, 'Registered Native Title Body Corporate'; and
- (d) have a rule book approved by the Registrar.

3.3 Advantages

There are a number of advantages to registering under the CATSI Act, including:

- (a) upon registering the corporation, the members can choose not to be liable for the debts of the corporation;
- (b) a CATSI corporation is a separate legal entity that can sue, contract and own property in the company's name;
- (c) the rules can take into account Aboriginal or Torres Strait Islander customs and traditions;
- (d) CATSI corporations can operate nationally – they are not limited to the state in which they are registered;
- (e) registration is free;
- (f) the Registrar may exempt corporations from lodging annual reports;
- (g) the Registrar can provide specialised assistance to CATSI corporations, for instance, the registrar can:
 - (i) provide advice about the registration and operation of the corporation;
 - (ii) assist with dispute resolution;
 - (iii) assist with complaints under the CATSI Act;
 - (iv) conduct public education programs;

- (v) conduct research and develop policy proposals; and
- (h) the Registrar's office conducts training programs covering topics such as corporate governance, and the legal responsibilities involved in becoming a CATSI corporation.

3.4 Disadvantages

Similar to a company limited by guarantee, CATSI corporations are subject to reporting requirements, and directors are subject to the duties set out in the CATSI Act.

3.5 Rules

CATSI Corporations must have a rule book agreed to by the members which sets out how the corporation will be run. The rule book contains a number of rules applicable to all corporations, as well as rules that can be replaced, changed, and inserted.

The rule book can be changed by calling a directors' meeting to make the changes, followed by a general meeting for the members to approve the changes.

3.6 Management

A CATSI corporation with more than two members must have at least three, and no more than 12, directors. Directors are subject to certain duties, including:

- (a) care and diligence;
- (b) not to improperly use their position or information;
- (c) not to trade while insolvent;
- (d) good faith; and
- (e) to disclose conflicts of interest.

3.7 Meetings

A new CATSI corporation must hold a meeting within three months of registration. After that, the annual general meeting must be held every year within five months after the end of the financial year.

3.8 Records

CATSI corporations must report to the Registrar each year regarding their finances, membership, and compliance with the CATSI Act and the corporation's rule book. Reporting requirements differ depending on the size of the corporation:

- (a) Small corporations (with a consolidated gross operating income of less than \$100,000) have to submit a general report;
- (b) Medium corporations (with a consolidated gross operating income of more than \$100,000 and less than \$5 million) have to submit a general report and a financial report; and
- (c) Large corporations (with a consolidated gross operating income of more than \$5 million) have to submit a general report, financial report, audit report, and directors report.

3.9 Process

The process for establishing a CATSI corporation is as follows:

- (a) fill in the application form;
- (b) draft a proposed rule book;
- (c) hold a meeting of members where at least 75% of the people who have consented in writing to becoming members must agree to:

- (i) apply for registration;
- (ii) approve the proposed rule book;
- (iii) nominate the directors; and
- (iv) nominate the contact person or secretary,
this must either be evidenced by minutes from the meeting, or a resolution document;
and

(d) send the form, resolution and rule book to ORIC.

When approved, ORIC will:

- (a) send you a certificate of registration;
- (b) send you a copy of the approved rule book; and
- (c) place the corporation's details on the Public Register of Aboriginal and Torres Strait Islander Corporations.