



**ARMIDALE REGIONAL
COUNCIL
ABORIGINAL ACTION
PLAN
2015-2019**

Preface

The Commonwealth *Racial Discrimination Act 1975* (the RDA) makes racial discrimination unlawful in Australia. It aims to ensure that all Australians have equal civil, political, economic, social and cultural rights.

In the Act “Aboriginal” means a person who is a descendant of an Aboriginal inhabitant of Australia. “Torres Strait Islander” means a person who is a descendant of an Aboriginal inhabitant of the Torres Strait Island.

Armidale Regional Council’s Aboriginal Action Plan addresses Council’s responsibility to ensure that people who identify as Aboriginal and/or Torres Strait Islander in Armidale Regional LGA participate equally in community life and have choices about how they live and are assisted with the means to make those choices.

While Aboriginal Action Plans are not a mandatory requirement of the RDA, a local service provider such as Council can develop an Aboriginal Action Plan to assist eliminate discriminatory practices in its activities and highlight its commitment and support to the local community. The Aboriginal Action Plan therefore aims to ensure that people identifying as Aboriginal or Torres Strait Islander enjoy Council’s facilities and services equally with the wider community.

Aboriginal Action Plans can also provide a defence against complaints which may be made under racial discrimination laws in relation to Council’s provision of services or facilities to the community and its staff.

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1. The Racial Discrimination Act

The Commonwealth Racial Discrimination Act 1975 (the RDA) gives effect to Australia's obligations under the *International Convention on the Elimination of All Forms of Racial Discrimination* (CERD). The RDA is a law which applies throughout Australia, to all people regardless of their age or where they live.

The Act aims to ensure that everyone is treated equally, regardless of their race, colour, descent, or national or ethnic origin. The RDA makes racial discrimination unlawful. Discrimination under the RDA means any preference, distinction or exclusion based on race which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of any human right or fundamental freedom in the political, economic, social, cultural or any other field of public life. The human rights and fundamental freedoms are set out in the Article 5 of CERD and include the following rights:

Civil and political rights in particular:

- Equal treatment before the courts
- Protection by the Government against violence or bodily harm
- Right to participation in elections and to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service
- Freedom of movement and residence
- Right to own property alone as well as in association with others
- Right to freedom of thought, conscience, religion opinion and expression and of peaceful assembly and association

Economic, social and cultural rights, in particular rights to:

- Work
- Housing
- Public health, medical care, social security and social services
- Education and training
- Equal participation in cultural activities
- Access to any place or service intended for use by the general public

1. The Racial Discrimination Act (cont)

In addition to the rights listed in Article 5, the RDA has specific provisions making it unlawful to discriminate in such areas as employment, land, housing and accommodation, provision of goods and services, access to places and facilities for use by the public, advertising and joining a trade union.

It is also unlawful to discriminate against a person because of the race of that person's relative or an associate. An associate could be a friend, a business partner, fellow student or flat mate.

The RDA also makes indirect discrimination on the ground of race in these areas unlawful. Indirect discrimination occurs where a person cannot comply with a term, condition or requirement imposed on them by another person, where complying with the condition or requirement has the purpose or effect of nullifying or impairing human rights or fundamental freedoms and the term. If the condition or requirement is not reasonable in all the circumstances, then being forced to comply with such a condition is unlawful.

In some cases, the RDA will permit distinctions based on race where there might be more favourable treatment for one racial group over another. This is called a special measure. It permits a form of affirmative action, so that a group which has been traditionally denied human rights and access to rights, can receive special treatment to redress the situation and to allow that group to enjoy human rights on an equal footing with the rest of the community. This form of favourable treatment is not unlawful discrimination and the special measure will be removed when equality has been achieved.

The RDA is administered by the Human Rights and Equal Opportunity Commission (HREOC). The Race Discrimination Commissioner has the responsibility for investigating complaints. The Race Discrimination Commissioner endeavours to resolve complaints by conciliation that is getting the relevant people together to talk through the complaint. If the complaint cannot be resolved by conciliation, then it will be resolved by a formal hearing of the HREOC.

2. Aims and Principles of this Plan

Council's 2011-2026 Community Strategic Plan "Excellent Lifestyle – Sustainable Growth" (the CSP) is based on the NSW Government's Social Justice Principles of equity, access, participation and rights and these principles underpin the development of the CSP. The CSP is a 15 year strategic Plan and the Aboriginal Action Plan sits within the CSP as a 4 year Action Plan revised annually.

In summary the NSW Government Social Justice Principles state that:

EQUITY

There should be fairness in decision making, prioritising and allocation of resources, particularly for those in need. Everyone should have a fair opportunity to participate in the future of the community. The planning process should take particular care to involve and protect the interests of people in vulnerable circumstances.

ACCESS

All people should have fair access to services, resources and opportunities to improve their quality of life.

PARTICIPATION

Everyone should have the maximum opportunity to genuinely participate in decisions which affect their lives.

RIGHTS

Everyone's rights should be established and promoted, with opportunities provided for people from diverse linguistic, cultural and religious backgrounds.

Council's Mission Statement outlined in the CSP is to provide community leadership and excellent local government services in a sustainable and efficient manner, to enhance our community's social, economic and environmental qualities.

The CSP also outlines Council Corporate Values being:

RESPECT

We respect other people's values and acknowledge the views of others, through active listening, showing understanding and compassion.

HONESTY

We will act honestly in the conduct of Council's operations by encouraging open and transparent communication and being accountable to our community.

FAIRNESS

We will act fairly in the conduct of Council business by treating everyone in a non-discriminatory, consistent and equitable manner.

ACHIEVEMENT

We will encourage achievement by supporting colleagues, developing skills and knowledge, encouraging new ideas and innovation, striving for goals and performance targets, and use of good governance.

TRUST

We will aspire to establish trust by being open and transparent in decision making, being reliable, honouring our commitments and accepting responsibility for decisions made.

One of the key elements outlined in the CSP is "Our People" which aims to focus on maintaining and where possible improving people's social, cultural and economic well being.

2.1 The Role of Council

Council has many roles in the community. These are as :-

A PROVIDER

Where the goals and strategic actions fall within Council's responsibility.

A FACILITATOR

Where assistance can be given by other organisations.

AN ADVOCATE

Where Council speaks on behalf of the community.

3. Principles Supporting this Plan

This Plan has been developed as part of a collaborative process with the local community in order to identify key issues and strategies to maintain and improve community well being. This Plan is especially concerned with promoting the following principles:-

- People should not be racially discriminated against;
- People have equal access to services within the Armidale Regional Council community;
- Recognition of the contribution that the community make to the Armidale Regional Council community.

3.1 Key Plan Statements

- This Plan endorses a commitment to the principles of equal participation, access, rights and equity enshrined in the Racial Discrimination Act 1975.
- Council aims to ensure that there is no discrimination based on race in any of its own functions, services and programs.
- Council will provide an annual budget allocation for the Action Plan.

In particular, the objectives of the Plan will be achieved by:

- The allocation of overall responsibility for its implementation and monitoring, respectively, to the Council's Aboriginal Community Development Officer, the Gayinyaga Community Consultative Group and the Manager of Community Services.
- Regularly reviewing existing policies, facilities, activities, systems and attitudes within the organisation that is relevant to the Plan.
- Implementing the actions listed in the Plan and where possible adding further actions provisionally identified in this document to the list of tasks for implementation, when information and resources are provided that make it feasible to do so.

4. Development of this Plan

4.1 Initial Scoping and Draft Plan

In developing this Plan in 2015 the following process was undertaken:-

- Establishment of a working party comprising of members of the Council's Gayinyaga Aboriginal Community Consultative Group, the Council's Aboriginal Community Development Officer and members from the local Aboriginal Community.
- A full review of the services and facilities currently provided by Council to the community.
- Formulation of a Draft Plan provided the basis for further consultation, especially with Council Managers responsible for the provision of Council services and facilities.

Costings were also developed for the identified tasks, where not already funded in future budget programs.

4.2 Consulting Processes

During 2014/15 a series of consultations was held with internal and external groups on the initial Draft Plan. These included discussions with:

- Gayinyaga Consultative Committee
- Armidale Aboriginal Elders
- Local Services
- Council Managers

The aim of the consultations was to encourage feedback on issues that affect the local Aboriginal community in their use of Council facilities and services.

4. Development of this Plan (cont)

4.3 Council Consideration and Public Exhibition Process

Following Council consideration of the Draft Plan, it will be placed on public display for 28 days for further community comment. The Draft Plan will then be finalised taking into consideration additional community input.

4.4 Review of the Plan

Monitoring of progress on responsible management of action strategies will be undertaken through the Gayinyaga Community Consultative Committee and the Council's Aboriginal Community Development Officer. Review of the Plan will take place at the end of the life of the Plan.

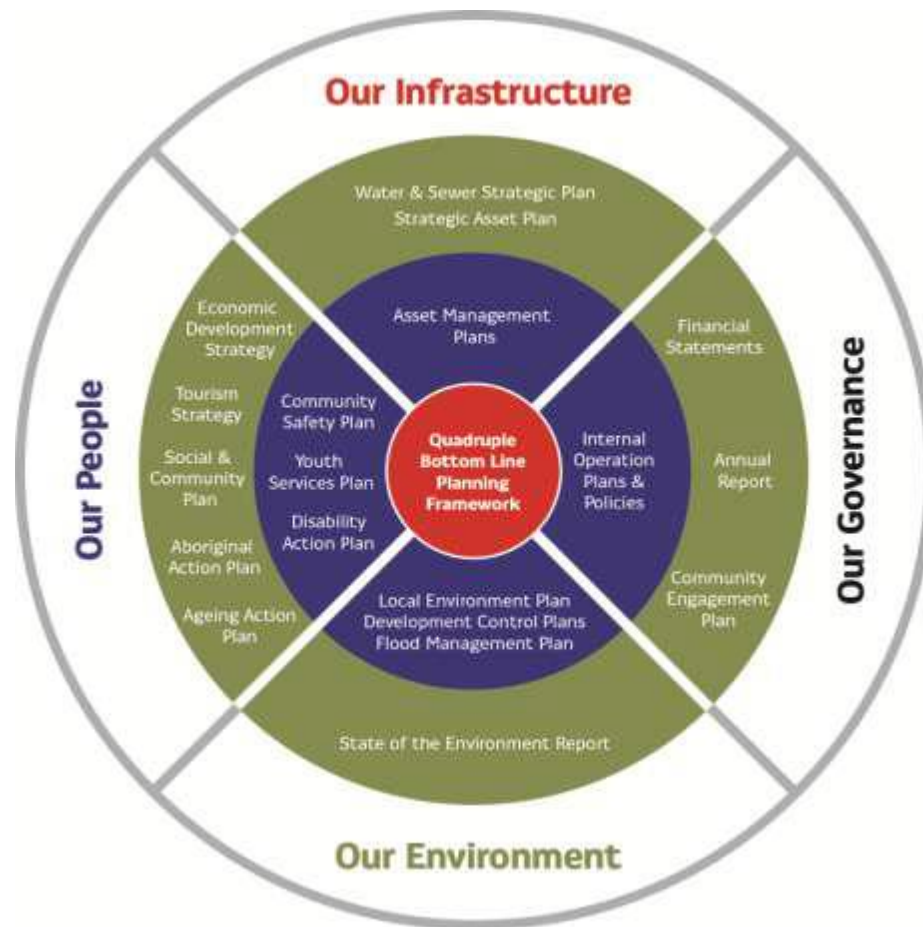
4.5 Adoption of the Plan

This plan was endorsed at the 14 December 2015 Council meeting.

4.6 Relationship of this Plan to other Council Plans

The diagram below illustrates the inter-relationship between the Aboriginal Action Plan and other Council Plans and Policies (inner rings) and annual reporting requirements (outer ring). In particular, this Aboriginal Action Plan will form part of the Aboriginal Community Development Officer's strategic tasks which will be detailed in the Council's annual Operational Plan. Monthly and quarterly reports to senior management and Council will track the implementation and progress of the Aboriginal Action Plan.

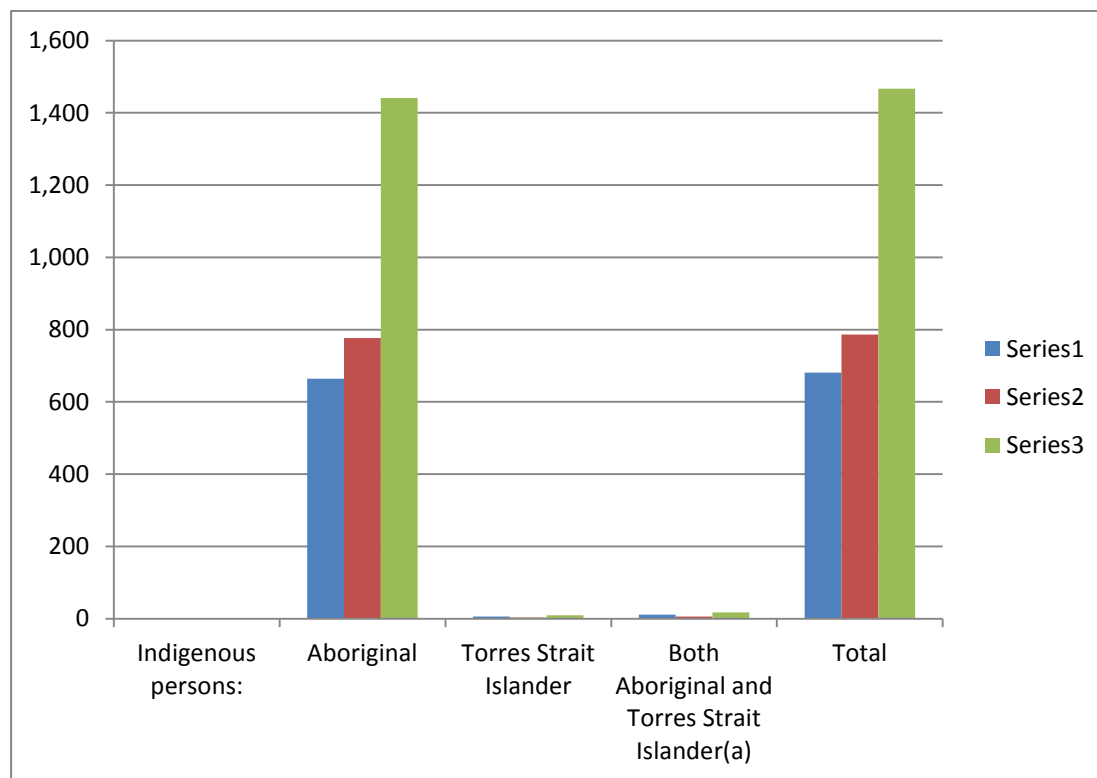
The Gayinyaga Community Consultative Committee will oversee the implementation and progress of the Action Plan.



5. Local Demographics

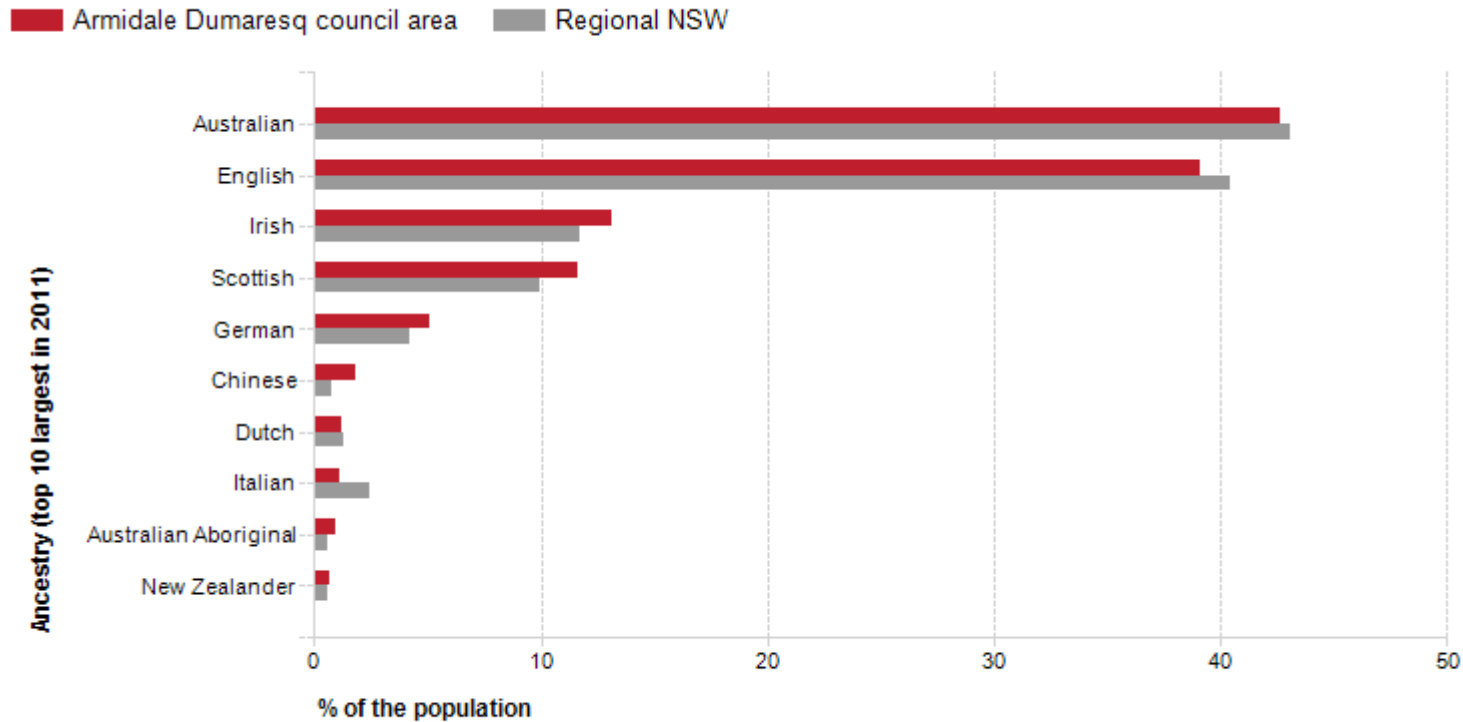
Indigenous persons:

Aboriginal	664	777	1,441
Torres Strait Islander	6	3	9
Both Aboriginal and Torres Strait Islander(a)	11	6	17
Total	681	786	1,467



5. Local Demographics (cont)

Percentage of Aboriginal Persons as a Proportion of Total Population, Armidale Regional and NSW, 2011
Ancestry, 2011



Source: Australian Bureau of Statistics, Census of Population and Housing, 2011 (Usual residence data)
Compiled and presented in profile.id by .id, the population experts.



Source: ABS, 2001

5. Local Demographics (cont)

Gender Chart, Aboriginal Population, NSW, 2011

AUSTRALIAN BUREAU OF STATISTICS 2011 Census of Population and Housing
Armidale Regional (A) (LGA10110) 4230.8 sq Kms

I02 INDIGENOUS STATUS BY SEX
Count of persons

[List of tables](#)

Find out more:

[Sex](#)

[Indigenous Status](#)

	<i>Males</i>	<i>Females</i>	<i>Persons</i>
Indigenous persons:			
Aboriginal	682	802	1,484
Torres Strait Islander	5	5	10
Both Aboriginal and Torres Strait Islander(a)	12	7	19
<i>Total</i>	<i>699</i>	<i>814</i>	<i>1,513</i>
Non-Indigenous persons	10,191	11,060	21,251
Indigenous status not stated	623	716	1,339
Total	11,513	12,590	24,103

Total residents

- Armidale Regional had 24,104 residents at the 2011 Census.
- 52% of these residents were female.
- 3,620, or 15%, of its residents fell into the HACC "older" group (ie were aged 50 and over, if Indigenous, and 65 and over, if not).
- Perhaps because of its education facilities, the LGA has a comparatively younger age profile than New England. 18.2% of New England's population fell into the older HACC group. However the LGA's aged proportion is comparable with NSW's (15%) and Australia's (14.3%).
- So, Armidale Regional had only 11% of the region's "older" HACC population, although it had 14% of New England's total residents.

- A. Armidale Regional
- B. Armidale Regional
- C. & D. Armidale Regional
- E. Age Group X NELGAs
- F.

Indigenous residents

- 6.4% of the people in Armidale Regional at the time of the 2011 census, who fell within the "younger" HACC population (ie were aged under 50 if Indigenous, or under 65 otherwise) identified as Indigenous.
- 5.8% of the people in Armidale Regional at the time of the 2011 census, who fell within the "older" HACC definition, identified as Indigenous.
- 1,515, or 6.3%, of all Armidale Regional residents identified as Indigenous, compared to 9% of New England's total population, 2.5% of NSW's and 2.5% of Australia's
- 9.6% of New England's Indigenous population lived in Armidale Regional at the time of the 2011 Census

- G.
- G. Indigenous & Age Groups by New England LGAs
- G.
- H. LGAs as % of New England's Population

6. Armidale Regional Council's role as a Service Provider

Council is a multi-purpose Local Government authority, with an annual budget of around \$30 Million. The Council provides a wide range of services and facilities to the community, as detailed in its annual Operational Plan. These include:

Facilities	Services
<ul style="list-style-type: none"> • Civic Administration Building and Council Chambers • Armidale Town Hall • Armidale Regional Memorial Library • Armidale Visitor's Centre • Armidale Regional Airport • Kent and Hughes Houses (HACC, Aged and Disabled Services facility) • Armidale Folk Museum • Hillgrove Museum • Armidale Aquatic Centre • Armidale Regional Animal Shelter • Landfill and Waste Transfer Station • Parks, Playing Fields and Reserves • Parking facilities • Public Amenities and Toilets • Public Halls • Street lighting • Cycleways • Visitor Tour Service • Construction Works • Footpaths 	<ul style="list-style-type: none"> • Customer Relations, including access to information and advisory services relevant to Council's operations and facilities • Public Administration • Civil Works, including roads, water, sewer and drainage services • Environmental Planning and Development Control • Asset and Infrastructure Management • Environmental Health • Recreational and Cultural services • Tourism Services • Library Services • Public Safety and Risk Management • Occupational Health and Safety • Ranger Services • Records Management • Road Safety • Social services, especially for older <i>people and those with disabilities (see over)</i> • Human Resource Management and Equal Employment Opportunity • Financial Management and Revenue • Financial and in-kind support to local community service providers

- | | |
|---|--|
| <ul style="list-style-type: none"> • Roads and Drains • Pedestrian Areas and Crossings • Footpath Vegetation • Water and Sewer Infrastructure • Cemeteries | |
|---|--|

6. **Armidale Regional Council’s role as a Service Provider (cont)**

Thus Council has a major role as the manager of public infrastructure and assets (including public buildings), as a provider of a wide range of information, social and recreational services to the community, as well as being a major employer and the regulatory authority responsible for environmental management and control of new development.

In all these areas of work, Council must consider the needs of Aboriginal people.

7. **Community Input**

The Gayinyaga Community Consultative Committee (“Gayinyaga”) meets monthly in the Council Chambers and the minutes of these meetings are presented at each monthly Council meeting. The Council’s Aboriginal Community Development Officer is the responsible officer for Gayinyaga and provides Gayinyaga with the relevant administration support.

Gayinyaga provides a direct link between Council and the local Aboriginal community keeping Council informed of any issues and concerns the local community may have.

A Working Party from the Gayinyaga Committee has been set up to oversee the development of the Aboriginal Action Plan. The Working Party will be the community reference group for the implementation of this Aboriginal Action Plan, as well as having played a significant role in its development. While this role may have existed informally in the past, a key initiative of this Aboriginal Action Plan is to formalise the role of the Working Party in the monitoring and evaluation of the Plan.

8. Plan Monitoring and Reporting Arrangements

Overall responsibility for monitoring and reporting on the implementation of the Plan will rest with the Gayinyaga Working Party, Council's Aboriginal Community Development Officer and the Manager Community Services. These responsibilities include following up all actions and recommendations with other Council officers and committees, ensuring Gayinyaga has the resources it needs to continue to contribute to Council and to the community.

The Aboriginal Community Development Officer, together with the Gayinyaga Working Party, will provide status reports to Gayinyaga. Any major issues arising from the monitoring process, including departures from intended actions or other changes required to the Aboriginal Action Plan, will be presented to Council through Gayinyaga.

8.1 Plan Evaluation

The next major review of this plan by a Council project team will occur in the 2019/2020 financial year. Progress against the Aboriginal Action Plan can be tracked via regular status reports to Gayinyaga. A full evaluation report is prepared by the Aboriginal Community Development Officer in consultation with Gayinyaga and presented to Council.

Part of the evaluation process will include an independent evaluation survey to be conducted in 2019/2020. This information is vital to the development of the next Aboriginal Action Plan. It is recommended that this survey be carried out by the UNE Rural Futures Institute.

9. Action Plan 2015 – 2019

The main section of this Plan outlines the detailed series of actions to which Council will be committed over the four financial years, in support of the aims and principles of this Plan as previously outlined.

The information is presented in tabular form, listed alphabetically by the responsible section within Council and identifying time frames for implementation and the implementation status for each action. The budget implications of each action are identified where these are additional to existing budgets.

At the time of writing the total budget implications of the Plan for each of the four financial years is as follows:

2015-2016	\$ TBA
2016-2017	\$ TBA
2017-2018	\$ TBA
2018-2019	\$ TBA

9. COUNCIL ACTION PLAN 2015 - 2019

ABORIGINAL SERVICES					
Issue / Strategy	Performance Measure	Time Frame	Budget Implications	Responsible Officer	Status
<p>Place Naming Policy To promote and utilise Council's Place Naming Policy, particularly in regard to local Aboriginal names</p>	Number of applications lodged requesting use of Aboriginal Place names	Ongoing	Nil	ACLO, Planning and Development, Gayinyaga Committee	
<p>Acknowledgement of Aboriginal Un-Marked Graves, Armidale Cemetery. Construction of a monument to acknowledge the unmarked graves of Aboriginal people in the Armidale Cemetery. .</p>	Completion of monument	End 2019	Public Donation, Grant, Minimum Council expenditure	ACLO, Parks and Gardens (CARS), Gayinyaga Committee	
<p>Narwan Village Establish a Narwan Village Working Party comprising residents and other interested persons to work with Council and other agencies to improve the quality and standard of living.</p>	Involvement of Village community with changes made in response to community need	Ongoing	\$1,000	ACLO, Planning, Environmental Health, Narwan Village Working Party, Community Relations Committee	

<p>Communication Strategy Develop an effective Communication Strategy which will include a regular, Media, Electronic and Hard Copy mailing lists, update on Council webpage on Aboriginal Services</p>	<p>Increased involvement and activity from the Aboriginal community in Council and general community</p>	<p>Ongoing</p>	<p>Nil – this work can be done in-house</p>	<p>ACLO, Community Relations Committee, Gayinyaga Committee</p>	
<p>Participation in Local Government Increase Aboriginal involvement in Council activities including membership of Council Committees such as Autumn Festival, Community Safety, Australia Day, Community Relations, Companion Animals, Gayinyaga, Sports Council</p> <p>Implement the Aboriginal Mentoring program for prospective Aboriginal Councillors</p>	<p>Increased contribution to Council and community from Aboriginal population</p> <p>Increased involvement of Aboriginal community in Council meetings</p>	<p>Ongoing</p> <p>June 2016</p>	<p>Nil</p> <p>Nil</p>	<p>ACLO, Gayinyaga Committee, Community Relations Committee</p> <p>ACLO, Councillors, Executive Office</p>	

Elders Morning Teas with the Mayor and Councillors and senior management	Provide an opportunity for Council to sit down and talk directly to the Aboriginal Elders	Quarterly	\$750	ACLO	
Armidale Folk Museum and War Memorial Library Increase acknowledgement of Aboriginal settlement in Folk Museum and in Library, through input from Aboriginal community	Increased knowledge and understanding of Aboriginal history of Armidale	Ongoing	Donation and Grants	ACLO, Folk Museum, Library Staff, Aboriginal community, Gayinyaga Committee	
Access and Support to Services for the Aboriginal Community Increase community education in regard to other government services such as education, employment, and youth facilities Encourage increased involvement between Aboriginal community, Interagency, Government and non-Government services.	Increased involvement, knowledge and understanding of other services available to the Aboriginal community	June 2016	Nil	ACLO, Gayinyaga Committee, Aboriginal Interagency	

Facilitate and support Aboriginal Organisations, Aboriginal Medical Centre and Local Aboriginal Land Council, Aboriginal Legal Service etc.					
Council Aboriginal Employment Strategy Develop a Council Aboriginal Employment Strategy based on Recruitment and Career paths for current and prospective Aboriginal employees To liaise through HR with relevant training and funding agencies which can support this strategy	Increased number of Aboriginal staff in employment and training positions on Council.	Ongoing	Funding from Council required to supplement government subsidy, depending on type of program	ACLO, HR	
Cultural Awareness Training Engage an Aboriginal consultant to deliver Cultural Awareness training program to Council staff and Councillors	All staff and Councillors have attended Cultural Awareness training workshop	All staff and Councillors to have received training by end June 2016	Donations and grants	ACLO, Gayinyaga Committee, HR, Executive Office	

<p>Sporting and Cultural support fund. Allocation of \$5000 to support Aboriginal individuals or teams that excel in their chosen field and require financial assistance to travel and compete.</p>	<p>Number of applicants</p>	<p>Review end June 2016</p>	<p>\$5,000</p>	<p>ACLO, Gayinyaga Committee, Armidale Sports Council</p>	
<p>NAIDOC event Establish a NAIDOC committee to organise NAIDOC activities during NADOIC week and council sponsored "A Day in the Dale" cultural day.</p>	<p>Completion of NAIDOC events.</p>	<p>To be held September 2015/16, as part of NAIDOC Week activities in Armidale</p>	<p>\$2,000</p>	<p>ACLO, Working Party, Tourism</p>	
<p>Reconciliation Cricket Match</p>	<p>Council to host a Mayors XI Reconciliation Cricket Match</p>	<p>Annually in January</p>	<p>\$1,000</p>	<p>ACLO</p>	
<p>Continue to support the Gayinyaga Aboriginal Consultative Group</p>	<p>Meet monthly in the Council Chambers</p>	<p>Held 2nd Wednesday every month expect for January.</p>	<p>\$2,000</p>	<p>ACLO</p>	