



Aboriginal Water and Environmental Advisory Group

TERMS OF REFERENCE

Preamble

The Department of Water and Environmental Regulation (Department) recognises the importance of a partnership approach and acknowledges the role of First Nation's people and their significant cultural knowledge and connection to Country, and living waters such as rivers, springs, soaks, jilas, and saltwater to protect and manage Western Australian's environment and water resources.

Purpose

The purpose of the Aboriginal Water and Environmental Advisory Group (Advisory Group) is to ensure that Aboriginal knowledge, values and needs are considered and appropriately addressed across the Department strategies, policies, programs and planning for the management and regulation of the State's environment and water resources.

Role

The role of the Advisory Group is to:

- provide strategic advice to the department to strive for **sustainable** water and environmental procedural **fairness and equity** for all;
- provide strategic advice, including feedback and analysis to the department on its strategies, programs and projects, as well as legislation and policy development;
- provide advice on opportunities and processes for engagement with Aboriginal people; and
- identify opportunities for the department and Aboriginal groups and communities to develop partnerships, including regional projects and programs.

The Advisory Group will achieve its roles by:

- developing and maintaining strong relationships between the department, members of the Advisory Group and the communities they represent;
- providing early input and advice on development of water and environmental legislation, regulations, policies and other legislative instruments, such as the Water Reform Bill, to safeguard Aboriginal peoples' rights to cultural, social, spiritual and economic wellbeing;
- supporting local water and environmental management projects, policies and planning;
- identifying future partnerships between the department and local Aboriginal groups, communities, corporations or businesses;
- collaborating with the Water Resources Reform Reference Group (WRRRG) and the Environmental Regulatory Stakeholder Group (ERSG);
- contributing to the monitoring and evaluation of key projects, programs or policies; and

- an annual strategic planning session, including a forward agenda and identification of key risks and opportunities.

Responsibility and accountability

- The Advisory Group is Co-Chaired by the Director General of the department and an Aboriginal Co-Chair nominated by the Advisory Group.
- Executive support is provided by the department.
- It is acknowledged that individuals represent themselves, affiliated corporations, local community or business with diverse and sometimes conflicting views, values and needs within local areas and between different regions around the state.

Conduct of Advisory Group Members

- Members will endeavour to bring a broad perspective to the Advisory Group.
- Members must declare personal, financial or other interests that may conflict or are perceived to conflict with their duty as part of the Advisory Group. The Co-Chairs may request members to excuse themselves from discussions where the Co-Chairs consider that a conflict of interest cannot be managed.
- Members may receive confidential or sensitive information. All information received through the Advisory Group is to be treated as confidential unless otherwise specified.
- Members are not to speak to the media in their capacity as Advisory Group members.
- The Advisory Group will endeavour to develop a consensual position on all issues.
- Members will treat other members and observers with respect in a culturally safe space.

Administration

The department liaises with members and provides support to the Advisory Group to facilitate the preparation of meetings. The department will:

- liaise with members to set future meeting dates and send out recurring calendar invites to members and key stakeholders (where required);
- coordinate and liaise with members to facilitate travel arrangements where required;
- liaise with members and key internal stakeholders to seek their considerations for the preparation of the agenda and submitted for endorsement by Co-Chairs;
- take minutes of each meeting, and record decisions and actions of the Advisory Group;
- provide minutes to members for review and comment to submit to the Co-Chairs for endorsement prior to next meeting;
- present minutes of meetings as key actions and outcomes at the next meeting; and
- coordinate any follow-up actions as determined in the meeting.

Meetings Procedures

- The Advisory Group will meet a minimum of four (4) times per year.
- Formal meetings will be held at regional or metropolitan locations and consideration will be given for on-Country opportunities, especially during regional meetings.
- Additional out-of-session meetings or discussions may be called on an as-needs basis for discussions to collaborate and revise documents via email and/or phone.
- The Co-Chairs and members shall determine meeting dates.

Memberships

The Advisory Group will be comprised of up to 14 Aboriginal members - with a goal of gender balance from each region.

Members can nominate a Proxy to attend meetings, who would need confirmation from the Advisory Group.

The Advisory Group should, where possible, be made up of a diversity of representatives from bioregions across Western Australia, including:

- Kimberley
- Pilbara
- Great Sandy Desert
- Geraldton-Mid West
- Goldfields-Esperance
- South West
- Perth

For further information on the regions map, please refer to **Attachment 1**.

Members have the skills, knowledge, and experience for:

- understanding the importance of water and environment in a cultural context;
- competency in relation to water and environmental policy, planning and management;
- effectiveness in engaging with Aboriginal communities;
- leadership and understanding of Cultural values that contribute to social, spiritual, and economic well-being.

Term of memberships

Membership of the Advisory Group will be for two years, with the option to reapply for a second term. The maximum term of membership is normally four years, but Co-Chairs can approve an extension of six months to ensure appropriate handover and transition.

If members resign mid-term and a new member is appointed for the same region, the new member's term commences from the date of appointment by Co-Chairs.

The objective is to ensure continuity in the Advisory Group while also allowing some turnover. The aim is that no more than fifty percent of members are replaced in any two-year period.

Remuneration

Travel and accommodation costs for voluntary members to attend the Advisory Group meetings are covered by the department.

Advisory Group members may be eligible for paid participation (in addition to reimbursements for travel expenses) according to the terms set out in the Department's Community Paid Participation in Engagement Activities.

Information sharing

- Information sharing will primarily occur through electronic mail (e-mail) communications and telephone.

- An AWEAG Communique will be finalised following each meeting and approved by the Co-Chairs. The Communique will be provided to other DWER Advisory Groups for information-sharing purposes and members may wish to distribute it to relevant stakeholders.
- Co-Chairs of AWEAG and the Chairs of the WRRRG and ERSG groups **will** collaborate and ensure key outcomes are achieved for the department in the water and environmental sphere.
- Sub-groups or 'think-tanks' can be established in agreement with the Advisory Group to focus on specific topics and report back to the Advisory Group.

Reporting

Endorsed minutes of the AWEAG meetings will be tabled at the DWER Corporate Executive meeting for noting or action.

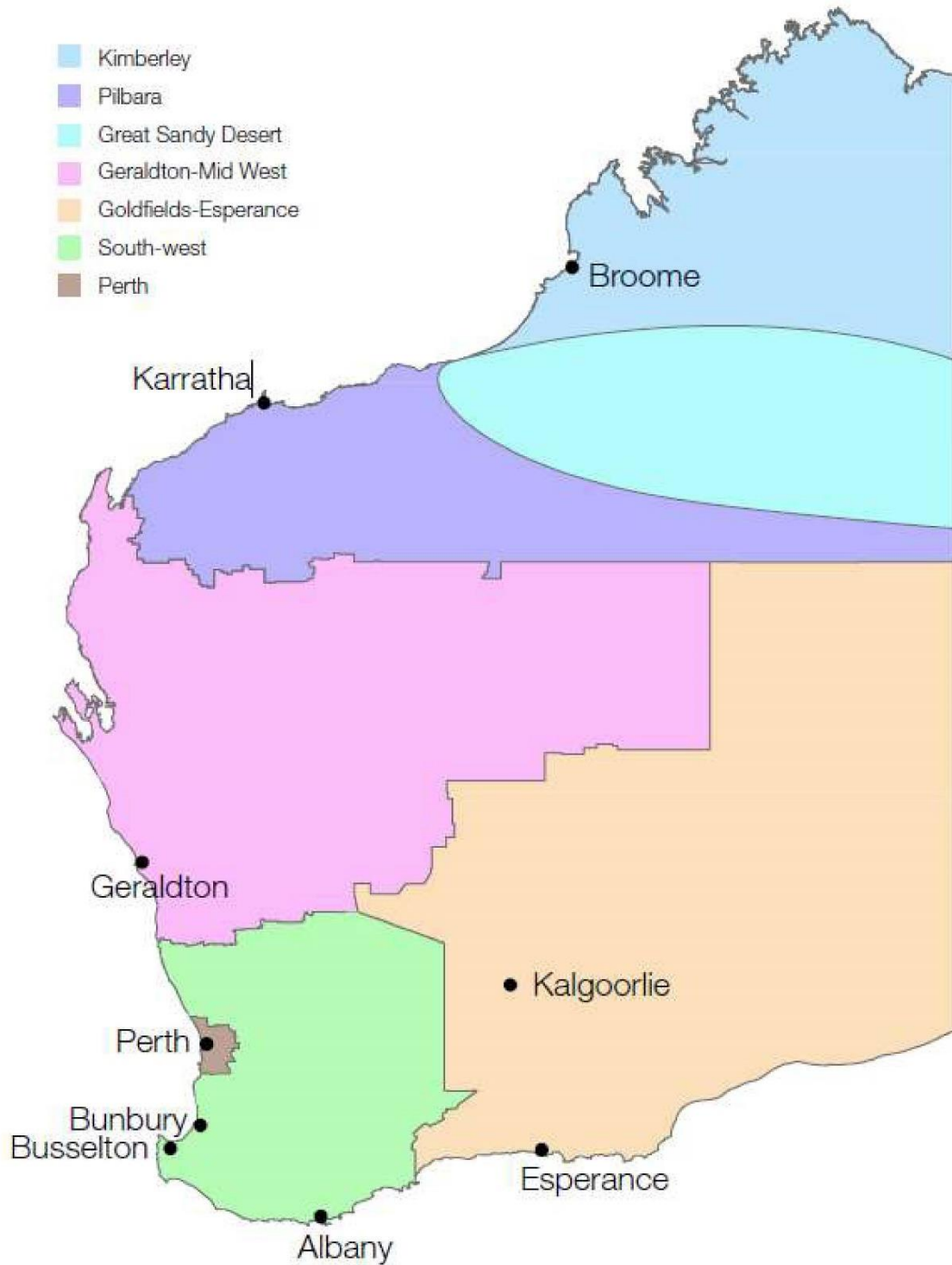
Review

The Terms of Reference and performance of the AWEAG will be reviewed in line with the corporate timelines and amended when necessary.

Endorsement Date: 12 April 2023

AWEAG Representation Map

Attachment 1



These regions have been defined by DWER's internal mapping branch