



## **Warren Donnelly Water Advisory Committee Terms of Reference November 2023**

### **1. Introduction**

The Warren Donnelly Water Advisory Committee (Committee) was created on 24 May 1963 in accordance with section 109 of the *Water Agencies (Powers) Act 1984* to provide advice to the Minister for Water regarding surface water management, in the Warren Donnelly River catchments.

### **2. Purpose**

The Warren Donnelly Water Advisory Committee provides advice to the Minister for Water and the Department of Water and Environmental Regulation (DWER) about surface water management and allocation within the Warren and Donnelly River catchments. The Committee provides a critical link between water users, the broader community and government agencies. Major areas of input from the committee include:

- water allocation objectives and principles of the Warren-Donnelly Surface Water Allocation Plan (2012), plan evaluations and updates.
- local area water management issues including the provision of advice for future surface water management plans and policies.
- communication opportunities with the broader community on water resource management issues in the Warren Donnelly River catchments.

### **3. Role and Responsibilities**

The Warren Donnelly Water Advisory Committee is responsible for:

- bringing local knowledge and skills to support DWER in managing water resources sustainably in the Warren-Donnelly region.
  - providing a range of views on water resource issues.
  - being involved in community consultation on water resource issues and planning.
  - providing a community interface for engagement and awareness about Warren-Donnelly water resource management issues; and
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- when requested by a landowner or the Department, attend site visits as a support person with a Departmental officer and, where appropriate, assist in brokering discussion between the parties.

#### **4. Powers of the Committee**

The remit of the Committee is advisory only. It can make recommendations to the Department but has no mandate to act on behalf of the Department.

The Committee has no delegations or decision-making powers.

The Committee and DWER may, from time to time, establish sub-committees to assist DWER with its work.

The Committee may recommend to DWER that other parties be invited to attend Committee meetings to assist with discussions and deliberations.

#### **5. Membership**

There are twelve (12) positions on the Committee:

- six positions for community or industry representatives;
- one representative from the Department of Primary Industries and Regional Development;
- one representative from the Warren Catchments Council;
- one representative from the Manjimup Shire;
- one representative from DWER;
- one representative from Karri Karrak Aboriginal Corporation; and
- one representative from Wagyl Kaip Aboriginal Corporation.

#### **6 Chair Services**

The position of chair is appointed by the Minister for Water.

A senior executive member from DWER will provide support services to the chair.

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## **7. Terms of appointment**

Committee members will hold office until such time as they are either re-appointed or their successor comes into office.

All members are eligible for re-appointment however, community members should serve no more than three consecutive, three-year terms. Additional terms will be at the discretion of the Minister.

Membership appointment will be staggered to ensure that turnover of the Committee is no more than 50% at any given time, to ensure continuity of support, knowledge and understanding.

All board and Committee appointments should reflect the diversity and inclusivity of the community and contribute towards the State Government's target of 50 per cent representation of women on State Government boards and committees.

Eligible members are paid for attendance and travel in accordance with the rates and conditions set by the Department of the Premier and Cabinet and determined by the Minister for Water.

Where practicable, outgoing members will attend one meeting with incoming members to allow handover of understanding/ knowledge and committee notes or documentation held by the outgoing member.

## **8. Criteria for appointment to the Committee**

### *Selection Criteria*

The below criteria for the position of a community member on Warren Donnelly Water Advisory Committee should be outlined in a written submission to the committee along with an up-to-date curriculum vitae, for consideration.

### *Essential criteria*

- Live or work in the Warren River and Donnelly River catchment areas/ communities.
  - Have links to community or industry groups, particularly in relation to natural resource or water management and protection.
  - Have an understanding of natural resource management issues and social, environmental and cultural interactions.
  - Knowledge of water and water management issues.
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- Good communication, interpersonal and negotiation skills.

#### *Desirable criteria*

- Demonstrated ability to represent broad community interests.
- Farming and/or an agricultural background

### **9. Meeting frequency**

There will be a minimum of four scheduled meetings per year (quarterly). Additional meetings or workshops may be called by DWER, Committee members and/ or the Chair, when there is a need for timely input on emerging issues or additional time required on an important/critical issue.

### **10. Quorum and proxy**

A quorum is required for each meeting and must include:

- the Chair; and
- 50% community and industry members; and
- a DWER member.

Every organisation/ industry member is to ensure that they have a representative at every meeting.

Organisational/ industry members are to provide a proxy if the appointed member is unable to attend a meeting.

A proxy may only attend a maximum of two (2) meetings per year and will receive minutes of the meeting.

### **11. Operation of the Committee**

#### ***The Committee***

Members must be available to attend scheduled meetings. Where any member is absent for more than three consecutive meetings without appropriate notice or reason, DWER may seek to identify a replacement member. If members are not able to attend a meeting, they must advise the Chair directly or through the DWER Executive Officer.

Attendance at meetings in person is preferred however, members may attend via TEAMS at the discretion of the chair. All workshops must be attended in person.

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To ensure effective decision-making, members are required to prepare for meetings by giving due consideration to the agenda papers (and associated attachments), which are circulated in advance of each meeting.

Communication may occur between DWER and members outside scheduled meetings, particularly when out-of-session decisions or feedback is required.

Members may be asked to sit on local working groups if required.

Members will endeavour to be available to attend and help with public presentations and community liaison events as appropriate.

Members will endeavour to provide feedback that reflects broad community views, rather than individual views.

Key messages from each meeting to be finalised within ten (10) working days by DWER for distribution to committee members via email. Committee members will distribute the Key messages to their networks .

Members will be provided with, and are expected to adhere to, the Committee's *Code of Conduct*, particularly in relation to confidentiality regarding Committee deliberations, and information provided on a confidential basis by the Department.

### ***The Department***

The Department will provide executive support to the Committee and Chair.

The Department will support the Committee in increasing members' water literacy and, therefore, community water literacy, through the presentation of strong scientific information DWER and other Government agencies.

The Department will seek, where possible, to bring emerging issues or policy decisions to the Committee for feedback early in the process of decision-making.

The Department will ensure that the Minutes of meetings are clear, concise, and provide the information and detail the Committee requires to ensure follow-up from one meeting to the next.

The Department will alert the Committee of potential significant contentious issues that may elicit a response from the community.

DWER will continue to supply onboarding packages for new members at appointment.

### ***Review***

The Committee will undertake an operational review of its progress in twelve months from the issuing of these revised Terms of Reference.

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## Warren Donnelly Water Advisory Committee Code of Conduct

**November 2023**

This Code of Conduct (Code) has been developed by, and applies to, the Warren Donnelly Water Advisory Committee (WDWAC) and conforms to the Public Sector Commission Code of Conduct 2023. Members of the Committee are expected to familiarise themselves with the Code and to comply with its standards.

### VALUES

The Committee's key values are:

- **Mutual respect** between Committee members, and between Committee members and Departmental staff, regardless of differing views on policy issues;
- **Honesty and transparency** in feedback provided to and from the Department; and
- Advocacy of a **fair and equitable** approach to all dealings between the Committee, the Department, and the water user community.

### CONDUCT BY COMMITTEE

#### 1. PERSONAL BEHAVIOUR

As Committee members, we will put the public interest first, ahead of our own personal and pecuniary interests, and act with loyalty, in good faith, ethically and with integrity by:

- exercising our powers and discharging our duties in the best interests of the entity of which we are members;
  - making recommendations fairly, impartially and promptly and considering all available information, legislation, policies, procedures and ethical codes;
  - treating members of the public, stakeholders and fellow Committee members with respect, courtesy, honesty and fairness; having proper regard for their interests, rights, safety and welfare;
  - maintaining and contributing to a harmonious, safe and productive working environment and professional relationships; and
  - understanding the consequences of misconduct and actions that may be taken if we do not comply with the code and associated policies.
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As Committee members, we will make an active contribution by:

- attending all committee meetings. If we cannot attend, we will submit an apology. If we are likely to miss several consecutive meetings, we may apply for a leave of absence;
- diligently preparing for meetings by reading and considering papers circulated with the agenda; and
- expressing our concerns to the chair or other relevant authority about consultations, decisions, or actions we believe may be contrary to the Committee's public duty.

## **2. COMMUNICATION AND OFFICIAL INFORMATION**

As Committee members, we will:

- maintain confidentiality and not divulge information deemed confidential or sensitive, other than where proper authorisation is given. If we are unsure, we will seek direction from the Committee Chair or DWER;
- respect confidential information and observe any restrictions agreed by the Committee and Department (subject to Freedom of Information Act 1992 requirements);
- respect the privacy of individuals and the security of personal information;
- protect intellectual property; and
- raise concerns of improper communications or use of information with the chair, or other relevant authority.

### **2.1 PUBLIC COMMENT**

As Committee members, we will:

- adhere to applicable legal requirements, policies and all other lawful directives regarding communication with Parliament, Ministers, ministerial staff, lobbyists, the media and members of the public;
  - only make public comment on behalf of the Committee to the media or outside organisations when authorised to do so in consultation with the Ministers Office.
  - understand how we may use social media in an official capacity, if at all.
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### **3. FRAUD AND CORRUPTION**

As Committee members we will:

- not make improper use of information obtained in the course of our Committee duties, or use for direct or indirect personal or commercial gain; and
- keep our private commercial or political interests separate from our official Committee role.

### **4. CONFLICTS OF INTEREST**

As Committee members we will:

- openly declare, in the first instance to the chair (or in the case of the chair him or herself, to the deputy chair), matters relating to a private interest that may conflict, or be perceived to conflict, with our public duty. This may involve removing ourselves from discussion and decision making on the matter; and
- ensure the Committee meeting minutes record any issues of conflict and the steps taken to manage the conflict, so they are transparent and capable of review.

### **5. BREACHES OF THE CODE**

It is everyone's responsibility to report suspected wrongdoing and breaches of the code and understand the consequences for breaching the Code.

If the Committee or the Department believe that there has been a breach of this Code they will:

- Contact one of the department's Public interest disclosure (PID) officers to make a public interest disclosure.
- Use the Department's complaints management system to report suspected breaches of the code.
- Report matters related to minor misconduct or public interest disclosure directly to the Public Sector Commission.
- Report matters of serious misconduct to the Corruption and Crime Commission.

The departments process is that all reports of suspected breaches of the code will be treated confidentially, and fully investigated with appropriate response measures where required. This investigation may occur internally or using an external party. Investigations will be carried out in accordance with departmental policy, procedures

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and guidelines. The investigation standards applied will ensure that investigations are carried out objectively, thoroughly and without prejudice.

If misconduct, fraud or corruption is proven to have occurred, the WDWAC member will be subject to disciplinary procedures. The ultimate outcome of disciplinary proceedings may involve a reprimand, termination from the committee or referral for criminal prosecution.