

CLLMM Community Advisory Panel

Terms of Reference



Introduction

The Coorong, Lower Lakes and Murray Mouth (CLLMM) Community Advisory Panel (CAP) is established as a voluntary, non-statutory, community-based advisory body. The CAP collectively provides knowledge and advice to the Department for Environment and Water (DEW) facilitating a two-way exchange of information; which assists in the development, planning and implementation of actions and policy related to the water resource management of the Coorong, Lower Lakes and Murray Mouth (CLLMM).

It does not have the delegated powers to act on behalf of the responsible Minister or Government or commit the Government to any actions.

The CAP has developed a value statement to support current and future direction and believes the Panel offers significant value in supporting on-going and future water resource management and decision-making by Government within the CLLMM Region.

Value Statement

To give a local community voice to the planning, wise use and management of the Coorong, Lakes Alexandrina and Albert Ramsar wetland of international importance.

The Coorong, Lower Lakes and Murray Mouth Community Advisory Panel is the only group of its kind that fulfils this role.

1. Establishment

- 1.1 The CAP was established by DEW as a voluntary, non-statutory advisory committee.

2. Objectives

- 2.1 To advise DEW on draft project proposals, plans and the planning and delivery of environmental water to maximize ecological objectives / targets in line with climatic events and water availability. Further advice is also sought by DEW on broader water resource management on how water resource issues including the operation of the barrages and manipulation of the Lower Lakes. This will ensure that management can be implemented for the site in a manner that aligns with the needs and aspirations of the region and South Australian community, along with maintaining the ecological character of the Ramsar site, where feasible.
- 2.2 To advise DEW regarding primary business areas, which include:
- Water resource planning and operations
 - CLLMM Recovery Project actions
 - The Living Murray Icon Site management
 - Climate change impacts and adaptation as it relates to water
 - Environmental water planning and delivery
 - Communication and education about the Ramsar site
 - Management of ecological character (Ramsar)
 - Murray-Darling Basin Plan implementation
 - Drought response and preparedness
- 2.3 To promote and facilitate effective communications and working relationships between the South Australian Government (DEW), local government, the local communities and stakeholders within the site. This role further extends to working relationships with Commonwealth agencies / environmental water holders, including the Murray-Darling Basin Authority (MDBA) and the Commonwealth Environmental Water Office (CEWO).

- 2.4 To provide adequate opportunity for a range of community and stakeholder input into decisions affecting management of the Ramsar site, its ecological character, and to facilitate the consideration of relevant stakeholder information and diversity of views in the decision making process.
- 2.5 To facilitate regional collaboration where possible to support achievement of common goals for the Ramsar site and maintenance of its ecological character.

3. Responsibilities / Functions

- 3.1 The key responsibilities and functions of the CAP are:
 - a) Represent a range of community and stakeholder views in terms of the environmental, economic and social impacts that relate to the planning and development of project proposals or on-ground operations within the site.
 - b) Assist the implementation of projects and water resource management operations in the site, particularly those affecting its ecological character, by disseminating information within the community in a way that promotes clear understanding of the context and rationale of decisions, and enhances community ownership and support.
 - c) Provide advice and feedback regarding community attitudes, issues and expectations of projects and initiatives within the CLLMM site including primary business areas outlined in objective 2.2, and provide advice on actions and responses to address these.
 - d) Provide advice regarding opportunities to address community information, participation and involvement needs and opportunities.
- 3.2 The key responsibilities and functions of DEW in regard to the CAP are to:
 - a) Appoint a member of the South Australian Government from DEW as the Executive Officer for the CAP to provide executive support, to administer meetings and to record and maintain accurate minutes of meetings in accordance with the *State Records Act 1997*.
 - b) Facilitate the increase in understanding and advice of the CAP regarding the areas outlined in objectives 2.1 and 2.2.
 - c) Facilitate internal and external relationships required to support the fulfilment of the objectives of the CAP.
 - d) Provide clear instructions as to the confidential nature of any information provided verbally or in documentation to members.

4. Membership

- 4.1 The CAP will comprise of up to 16 representatives from the local community who may also be a member of other key stakeholder groups inside or outside the region.
- 4.2 Membership of the CAP will be voluntary by self-nomination. Nominations will be considered by a South Australian Government selection panel comprised of DEW representatives. Membership will be called via an Expression of Interest advertised in local newspapers and on the DEW website.
- 4.3 The selection panel will (as far as reasonably practicable) give consideration to choosing members that provide a broad range of community knowledge, skills, leadership and experience across the following areas:
 - a) Ngarrindjeri and other regional Indigenous cultures;
 - b) Environmental interests (including water resource management);

- c) Community landcare / wetland management groups including Local Action Planning staff or board members;
 - d) Industry including boating, commercial fishery, irrigation and agriculture;
 - e) Tourism and recreation including recreational fishery, boating etc;
 - f) Economic development and education.
- 4.4 Membership will include at least one elected member from South Australian Local Government and at least one member from a regional Board.
- 4.5 The CAP will be chaired by a member who is appointed by a consensus vote from the group. A Deputy Chair will also be appointed by a consensus vote to cover any meeting the Chair is unable to attend.
- 4.6 The tenure of the appointed Chair or Deputy Chair will be 2 years, after which the appointment will be revised and may be changed by the DEW Selection Panel. Each of the appointed members must be a person who resides in, or has linkages to, communities within the CLLMM region.
- 4.7 The selection panel will consider a balance of age, gender and geographical demographics when appointing members to the CAP.

5. Conditions of membership

- 5.1 Members have the duty to act honestly and in good faith, exercise reasonable skill, care and diligence in carrying out their duties, avoid conflict of interest and not make improper use of information.
- 5.2 A member appointed by the South Australian Government will be appointed for a term of four years. Upon nomination a member may have their membership extended by the agency subject to funding.
- 5.3 The South Australian Government holds the right to dismiss an appointed member from office:
- a) for misconduct; or
 - b) for failure or incapacity to carry out the duties of his / her office satisfactorily.
- 5.4 The position of an appointed member becomes vacant if the member:
- a) resigns by written notice to the South Australian Government; or
 - b) is dismissed from the CAP under Section 5.3; or
 - c) deceases.
- 5.5 If the position of an appointed member becomes vacant a person may be appointed by the South Australian Government in accordance with these Terms of Reference.
- 5.6 With approval of the Chair, members may nominate and send a proxy to attend the meetings in their absence upon approval by the agency.

6. Vacancies or Defects in appointment of members

- 6.1 A vacancy in membership or a defect in the appointment of a member is insufficient reason for an act or advice of the CAP to be deemed invalid.

7. Remuneration

- 7.1 Appointed members to the CAP will be on a voluntary basis.

- 7.2 Reimbursement of travel to attend CAP meetings will be paid, only to appointed members, corresponding proxies and observers invited in writing by request of the Chair, in accordance with the Department of the Premier and Cabinet Circular – PC016 – Remuneration for Government Appointed Part-Time Boards and Committees and Commissioner’s Standard 3.2.

8. Authority to Act

- 8.1 The CAP is established as a non-statutory advisory body only. Its capacity to act is limited to the provision of advice to the South Australian Government. Further, the CAP does not have any delegated powers to act on behalf of, or to commit, the South Australian or Australian Government to any actions.
- 8.2 The CAP is not a legal entity in its own right, does not have any South Australian Public Sector financial, procurement contracting or human resource delegations and cannot make any commitments in these areas. These services are made available to the CAP through DEW.

9. Proceedings of the Community Advisory Panel

- 9.1 The Chair will preside at each meeting at which they are present.
- 9.2 In the absence of the Chair, the Deputy Chair will preside at the meeting, and in the absence of the Chair and Deputy Chair a member chosen by those present will preside at the meeting.
- 9.4 Appointed members may express their respective views and opinions at a meeting and all reasonable effort will be made by the Chair / Deputy Chair to reach common agreement on any issue put to a vote. For / against / abstain results will be recorded in the minutes and on request of any member a dissenting opinion will also be recorded. Any CAP decisions and recommendations should be made by consensus. Consensus is achieved when the majority (more than half) of members present are in agreement. All reasonable effort will be made to reach agreement by the Panel.
- 9.5 An appointed member who has a direct or indirect pecuniary interest in a matter under consideration by the CAP must disclose the nature of the interest to the DEW Selection Panel. Such a disclosure must be recorded in the minutes of the meeting.
- 9.6 Meeting agendas will be developed in collaboration between DEW and the Chair and agendas will be distributed no less than five working days prior to the scheduled meeting. The minutes taken at the meeting will also be disseminated to CAP members promptly after each meeting.
- 9.7 Meetings of the CAP will be scheduled bi-monthly and held on the third Thursday of the month (where possible) to maintain consistency and availability of CAP members to attend regularly. Meetings may be scheduled with increased frequency as necessary.
- 9.8 Meeting details must be made available to members in reasonable time before each meeting.

10. Observers

- 10.1 Other representatives of the South Australian Government or key stakeholders may, by invitation of the Chair, attend a meeting of the CAP as observers.

11. Confidentiality

- 11.1 Materials presented to the group should be considered appropriate for public dissemination unless they are marked with a confidentiality clause. Members should maintain the confidentiality of any materials they are provided with that contain such clauses. It is the responsibility of the provider of the materials to make clear to any such requirements of confidentiality.
- 11.2 Members should be aware that all written material associated with the CAP is subject to the *Freedom of Information Act 1991* and may be made publicly available.

12. Media

- 12.1 The Chair, or a person nominated by the Chair, is the appropriate spokesperson for media-related enquiries and interviews from a community / CAP perspective. The Chair should advise DEW Communications and Community Engagement Branch through the CAP Executive Officer the nature of any upcoming media request as soon as practicable. The Executive Officer will also run this by the communications section of DEW before any interviews take place.
- 12.2 If CAP members (other than the Chair) communicate with the media (without approval of the Chair and DEW) they should clearly state that they are not representing the views of the CAP.

13. Information Management

- 13.1 Records of the CAP must be maintained in accordance with the *State Records Act 1997*. Records should be made available for inspection by members at any convenient time.
- 13.2 Members should be aware that all documents of the CAP, including all correspondence, draft papers, documents, presentations, emails, and personal notes, may be made available to the public through the *Freedom of Information Act 1991*.
- 13.3 DEW will make any necessary determinations pursuant to the Freedom of Information Act 1991 on behalf of the CAP.

14. Terms of Reference

- 14.1 DEW may vary the Terms of Reference for the CAP at any time by notice in writing to members.

15. Dissolution

- 16.1 The State or Australian Government may, withdraw support for continuation of the CAP. The CAP will be notified of this dissolution by the Agency in writing.
- 16.2 Notwithstanding 16.1, the CAP TORs have a review date of 01 January 2021.

Membership – as at 13 January 2020

Bill Paterson (Chair)

Chris Bagley

Clem Mason

Eli Bickley

Garry Hera-Singh

Geoff Gallasch

Julie Barrie

Lian Jaensch

Lorraine Leese

Melissa Rebbeck (proxy for Keith Parkes)

Paul Harvey (Deputy Chair)

Ross Oke

Trevor Harden