



Government
of South Australia



Australian Government



MURRAY FUTURE

Lower Lakes & Coorong Recovery

COORONG, LOWER LAKES and MURRAY MOUTH PROGRAM AND THE LIVING MURRAY ICON SITE PROGRAM COMMUNITY ADVISORY PANEL

Terms of Reference

Introduction

The Community Advisory Panel is established as a voluntary, non-statutory, community-based advisory body. It provides input by working with the Department of Environment, Water and Natural Resources (DEWNR) to facilitate the exchange of information for the development and implementation of the *Murray Futures* Coorong and Lower Lakes Recovery Project actions and *The Living Murray* (TLM) Icon Site program. It does not have the delegated powers to act on behalf of the Minister or Government or commit the Government to any actions.

1. Establishment

- 1.1 The Community Advisory Panel is established by the Department of Environment, Water and Natural Resources as a voluntary, non-statutory advisory committee under the South Australian *Murray Futures* Coorong and Lower Lakes Recovery project and *The Living Murray* Icon Site program.

2. Objectives

- 2.1 To advise DEWNR on draft project proposals and plans on behalf of the Coorong and Lower Lakes Recovery project and The Living Murray Icon Site program; and how these management actions can be implemented for the Coorong, Lower Lakes and Murray Mouth (CLLMM) site.
- 2.2 To promote and facilitate effective communications between the South Australian Government and the local communities and stakeholders within the CLLMM site.
- 2.3 To provide adequate opportunity for a range of community and stakeholder input into decisions affecting management of the CLLMM site and facilitate the consideration of relevant stakeholder information and diversity of views in the decision making process.

3. Responsibilities/Functions

- 3.1 The key responsibilities and functions of the Community Advisory Panel are:
 - a) Through existing or by developing networks, represent a range of community and stakeholder views in terms of the environmental, economic and social impacts of planning, project proposals or actions within the CLLMM site.

- b) Assist the implementation of the Coorong and Lower Lakes Recovery and TLM Icon Site projects and management actions 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 Coorong and Lower Lakes Recovery and TLM Icon Site Projects, and provide advice on actions and responses to address these.
- d) Provide advice regarding opportunities to address community information needs and for participation and involvement.

4 Membership

- 4.1 The Community Advisory Panel will comprise up to 16 representatives of the local community.
- 4.2 Membership of the Community Advisory Panel will be voluntary by self-nomination. Nominations will be considered by a South Australian Government selection panel comprised of DEWNR representatives. Calling of Expressions of Interest will be advertised in the Advertiser, local newspapers and on the DEWNR website.
- 4.3 The selection panel will (as far as reasonably practicable) give consideration to choosing members so as to provide a broad range of community knowledge, skills, leadership and experience across the following areas:
 - a) Ngarrindjeri & other regional Indigenous cultures
 - b) Environmental interests
 - c) Community landcare/wetland management groups including Local Advisory Panels
 - d) Industry
 - e) Tourism
 - f) Boating industry
 - g) Commercial and recreational fishing
 - h) Irrigation/agriculture
 - i) Economic development.
- 4.3 Membership will include at least one elected member of local government and at least one member of the regional NRM Boards.
- 4.4 The Community Advisory Panel will be chaired by a member appointed by the DEWNR Selection Panel.
- 4.5 Each of the appointed members must be a person who resides in, or has close linkages to, communities within the CLLMM region.
- 4.6 The selection panel will consider a balance of age, gender and geographical demographics when appointing members to the Community Advisory Panel.

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 one year. Upon nomination a member may have their membership extended by the agencies up to a maximum of five years.
- 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 office of an appointed member becomes vacant if the member:
 - (a) dies; or
 - (b) resigns by written notice to the South Australian Government; or
 - (c) is dismissed from the Community Advisory Panel under Section 5.3.
- 5.5 If the office of an appointed member becomes vacant a person must 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.

6 Sub-committees

- 6.1 The Community Advisory Panel may establish sub-committees by nominating members and others with specialist and local expertise as members, if a specific need is identified.
- 6.2 A sub-committee of the Community Advisory Panel will abide by these Terms of Reference, with the exception of the provision of secretarial support, and provision of allowances and expenses, described in Section 8.
- 6.3 A sub-committee of the Community Advisory Panel reports directly to the Community Advisory Panel.

7 Vacancies or Defects in appointment of members

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

8 Remuneration

- 8.1 Appointed members to the Community Advisory Panel will be on a voluntary basis.

- 8.2 Travel allowances will be paid, only to appointed members, proxies and observers invited in writing by request of the Chair, in accordance with Public Sector management Act Determinations and the *Department of the Premier and Cabinet Circular – PC016 – Remuneration for Government Appointed Part-Time Boards and Committees and Commissioner’s Standard 3.2*.
- 8.3 Any recommended expense payments to sub-committees will be at the discretion of the Community Advisory Panel, with approval of the South Australian Government.

9 Authority to Act

- 9.1 The Community Advisory Panel 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 Community Advisory Panel does not have any delegated powers to act on behalf of, or to commit, the South Australian or Australian Government to any actions.
- 9.2 The Community Advisory Panel 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 Community Advisory Panel through the Department of Environment, Water and Natural Resources.

10 Proceedings of the Community Advisory Panel

- 10.1 The Chair will preside at each meeting at which they are present.
- 10.2 In the absence of the Chair a member chosen by those present will preside at the meeting.
- 10.3 The required quorum for the transaction of business at a meeting of the Community Advisory Panel is determined by dividing the number of members of the panel by two, disregarding any fractions, and adding one.
- 10.4 Appointed members may express their respective views and opinions at a meeting. Any Panel decisions and recommendations should be made by consensus. All reasonable effort will be made to reach agreement by the Panel.
- 10.5 An appointed member who has a direct or indirect pecuniary interest in a matter under consideration by the Community Advisory Panel must disclose the nature of the interest to the panel. Such a disclosure must be recorded in the minutes of the meeting and the member must not take place in any discussions regarding the matter.

- 10.6 A member of the South Australian Government will be appointed from the Department of Environment, Water and Natural Resources as the Executive Officer for the Community Advisory Panel to provide executive support, to administer meetings and to record and maintain accurate minutes of meetings and in accordance with the *State Records Act 1997*.
- 10.7 Meeting agendas will be developed in collaboration between DEWNR and the Chair and agendas will be distributed no less than five working days prior to the scheduled meeting.
- 10.8 Meetings of the Community Advisory Panel will be scheduled quarterly. Meetings may be scheduled with increased frequency as necessary.
- 10.9 Meeting details must be made available to members in reasonable time before each meeting.

11 Observers

- 11.1 Legal or other representatives of the South Australian Government or key stakeholders may, by invitation of the Chair, attend a meeting of the Community Advisory Panel as observers.

12 Confidentiality

- 12.1 Members should maintain the confidentiality of any materials they are provided with.
- 12.2 Members should be aware that all written material associated with the Community Advisory Panel is subject to the *Freedom of Information Act 1991* and may be made publicly available.

13 Media

- 13.1 The Chair, or a person nominated by the Chair, is the appropriate spokesperson for media-related enquiries and interviews and should advise DEWNR Communications and Community Engagement through the Executive Officer of any media interviews as soon as practicable.
- 13.2 If Community Advisory Panel members (other than the Chair) communicate with the media they should clearly state that they are not representing the Community Advisory Panel.

14 Information Management

- 14.1 Records of the Community Advisory Panel must be maintained in accordance with the *State Records Act 1997*. Records should be made available for inspection by members at any convenient time.

14.2 Members should be aware that all documents of the Community Advisory Panel, including all correspondence, draft papers, emails, and personal notes, may be made available to the public through the *Freedom of Information Act 1991*.

14.3 The Department of Environment, Water and Natural Resources will make any necessary determinations pursuant to the *Freedom of Information Act 1991* on behalf of the Community Advisory Panel.

15 Terms of Reference

15.1 DEWNR may vary the Terms of Reference for the Community Advisory Panel at any time by notice in writing to members.

16 Dissolution

16.1 The State or Australian Government may, in consultation with the Community Advisory Panel and approved by the CLLMM Steering Committee, dissolve the Community Advisory Panel by notice in writing to members.

16.2 Notwithstanding 14.1, the Community Advisory Panel has a sunset date of 30 June 2014.