

Rapid Creek Water Advisory Committee Terms of Reference

Department of Environment, Parks and Water Security

Document title	Rapid Creek Water Advisory Committee Terms of Reference
Contact details	Department of Environment, Parks and Water Security
Approved by	Chief Executive Officer
Date approved	24 August 2019
Document review	As required
TRM number	DENR2021/0120-0003~0001

Version	Date	Author	Changes made
1	2017		Initial version
2	August 2019	Amy Cooper	Updated to reflect the reporting lines in the Water Act 1992, which are that WACs report to the Controller of Water Resources
2.1	12 July 2021	Carmony Leso	Update to new template and government department names throughout
3	18 October 2021	Carmony Leso	Update to the reporting arrangements from the Controller of Water Resources to the Minister for Environment.

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1. Purpose

The Rapid Creek Water Advisory Committee (the Committee) provides advice to the Northern Territory Government through the Minister for Environment on water quality and water resource management issues affecting Rapid Creek and the Rapid Creek catchment area.

2. Statutory effect

Section 23(1) of the [Water Act 1992](#) (the Act) authorises the Minister to establish, and appoint the members of a water advisory committee, for a particular purpose.

3. Role

The Committee will:

- Identify, discuss and make recommendations to the Minister on matters regarding the management and protection of Rapid Creek and the Rapid Creek catchment area where issues have a direct impact on the creek.
- Provide a forum to share information with stakeholders and the community and seek their values and interests, ensuring these are communicated back to the Minister.
- Advise the Minister on development issues and policy matters that may influence the use, development and management of Rapid Creek and the Rapid Creek catchment area.
- Develop and implement a Rapid Creek Plan of Management and annual assessment against the Plan to the Minister.
- Review and/or revise the Rapid Creek Plan of Management at least every five years.
- Consider any other matters referred to it by the Minister which directly impact on the health or management of Rapid Creek.

4. Terms of Appointment

Members are appointed to the Committee by the Minister for Environment under section 23(1) of the Act and Members hold office at the Minister's pleasure.

Members who do not attend three consecutive meetings may have their membership reviewed.

Members are remunerated based on Class C3 Advisory and Review Body – Ministerial Assistant classification, as per the [2012 Assembly Members and Statutory Officers \(Remuneration and other Entitlements\) Act - Statutory Bodies Classification Structure Determination](#).

Members who choose to resign from the Committee are to do so in writing, to the Minister.

5. Role of the Chairperson

The Chairperson has the following responsibilities:

- The Chairperson is the primary media spokesperson for the Committee.

- The Chairperson will advise members of their roles and obligations and will conduct meetings to foster effective, respectful consideration of issues referred to or raised by the Committee.
- The Chairperson will be responsible for setting meeting dates and agendas for meetings.
- The Chairperson will ensure accurate reporting of the advice and recommendations of the Committee to the Minister after each meeting.
- In the event that the Chairperson is not able to attend a meeting, she/he shall nominate an alternate Chairperson or, if this is not possible, the Committee shall elect a Chairperson from those members present for that meeting.

6. Role of the Committee members

Members of the Committee shall bring relevant expertise, skills, perspectives and opinions related to water management in the Rapid Creek water catchment area, on behalf of their representative group. In doing this, members are expected to canvas the views of the group they represent.

7. Proxy Members

Members will advise the Chairperson that their proxy will attend a meeting if they are unable to attend all or part of a meeting.

- Proxy members are endorsed by the Chairperson, in consultation with the department, prior to Committee meetings.
- The proxy has the same participatory rights as other members for the duration of the meeting. The following operating rules concerning proxies will be applied:
 - a) Proxies cannot attend a meeting as a member if the official member is also present, however, a member's proxy may co-attend as an observer subject to prior permission from the Chairperson. This permission will be sought and provided not more than 48 hours before the meeting.
 - b) Proxies and Committee members will be provided with all information for the relevant meeting.
- It will be the responsibility of the Member to ensure that proxy members are up to date with Committee activities and considerations.

Remuneration for proxies (non-observatory) is at the discretion of the department, in consultation with the Chairperson, and will be paid at the rates detailed in the Remuneration for Statutory Bodies Schedule, payable to non-government proxies.

8. Operating Arrangements

Members and/or proxies shall declare conflicts of interest and inform the Chairperson immediately if a matter comes before the Committee that may have a personal financial or other substantial personal interest. The member shall abstain from discussions on the affected matter by removing themselves from the meeting room. Declared conflicts of interest will be recorded in the minutes.

Meetings will be held as often as necessary to conduct the business of the Committee. It is envisaged meetings will be held every 12 weeks, most likely during business hours.

Confidentiality will be maintained by all participants at all times.

A quorum shall comprise the Chairperson and half the membership of the Committee or their proxies.

Observers may attend meetings with the prior permission of the Chairperson.

Committee members and their proxies are required to comply with the Northern Territory Government Boards Handbook.

9. Decision-making

Committee members are responsible for the identification of issues and options for water resource management within the Rapid Creek water catchment area. Members will critically evaluate information presented to them and offer suggestions for innovative and sustainable water management strategies that support a range of social, economic and environmental opportunities.

Whenever possible, the Committee will seek consensus in its decision, positions or recommendations.

If consensus is not possible, a motion will be passed if there are at least 75% of members present (including proxies where they are present instead of the member) who support the motion. The Chairperson has the same voting rights as ordinary members.

The Committee may elect to present alternate positions or recommendations that reflect different views within the Committee.

Observers or proxies attending with a member do not participate in decision-making. The Chairperson may invite observers to provide advice or comment to the Committee.

The Chairperson will report inappropriate behaviour of Committee members to the Minister which may result in membership being reviewed.

10. Role of the Department

The department will support the effective operations of the Committee.

The department will provide secretariat support and resources to the Committee and will assist the Chairperson to organise meetings, prepare agendas and record minutes.

Proxy members will not be formally appointed to the Committee. In consultation with the Chairperson, the department will assist with the selection, approval and remuneration (subject to approval) of proxy members.

The Executive Director Water Resources has budgetary decision-making responsibility for the Committee and will decide on remuneration for proxy members in consultation with the Chairperson.

Subject to budgetary and resourcing considerations, the department shall use its best endeavours to ensure that the Committee is:

- Informed of matters relevant to the Committee's purpose, role and functions; and
- Provided with support and resources to assist the Committee to develop its advice and recommendations in a timely and efficient manner.