

Department of Climate Change, Energy, the Environment and Water


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Terms of Reference

Tumut River Works Program Reference Group

May 2024



Acknowledgement of Country

The Department of Climate Change, Energy, the Environment and Water acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

Published by NSW Department of Climate Change, Energy,
the Environment and Water

dcceew.nsw.gov.au

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First published: May 2024

Department reference number: PUB24/414

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TMP-MC-R-SC-V1.2

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Introduction

The NSW Department of Climate Change, Energy, Environment and Water coordinates the delivery of the Tumut River Works Program along the Tumut River channel, downstream of Blowering Dam to the Murrumbidgee River confluence.

The goal of the program is to undertake bank stabilisation works and other complementary activities to support an ecologically healthy and self-sustaining riverine environment along the Tumut River.

The program aims to make the most of economic and water supply opportunities while preserving the environmental, cultural and recreational aspects of the river.

The program achieves this by:

- stabilising active erosion sites along the river through physical works
- maintaining existing river works
- maintaining channel capacity for efficient delivery of water
- conservation of Aboriginal cultural heritage sites
- enhancing environmental values including instream habitats to support native fish and platypus communities
- managing stock access, woody weeds and other threats to waterway health.

The types of works undertaken include:

- bank protection works including rock revetment & log revetment
- fencing and revegetation
- snag removal and re-alignment
- weed control and willow management
- stock watering points, installation of off-stream stock troughs.

The program of works is proposed to be delivered over the next 10 years.

The program also covers the anabranches associated with the Tumut River as well as its tributaries where they meet the river. The area adjacent to the river is also covered for a width of 20 metres. Other areas impacting the stability of the river, falling outside the 20-metre corridor, may also be covered (e.g., wetlands and flood runners across the necks of bends in the river).

1.1 Purpose of the reference group

The objective of the Tumut River Works Reference Group is to provide guidance and support to the department's Water Group on the development and delivery of the program.

The role of reference group members is to:

- be informed and consulted throughout major stages, developments and progress during the program's lifecycle
- provide feedback, local knowledge and insights on key elements of the program
- help provide further insights into matters raised by the community or industry.

Members are expected to provide input to inform, including (but not limited to):

- implementation and delivery
- identification of resource efficiencies including any complementary projects
- technical review and input if applicable
- ongoing review and evaluation as part of adaptive management of program delivery
- communicating consistent messaging and reference group outcomes to stakeholders and the broader community.

In the discussion of issues, members will be expected to:

- focus on the program objectives
- consider diverse points of view
- reflect on the local context
- refer concerns through the proper channels
- seek more information when needed.

The reference group is not a forum to debate the broader Murray-Darling Basin Plan, river management or water policy issues, or any other NSW Government programs.

Membership

2.1 Reference group members

Membership of the reference group is set by the department's Water Group and may vary throughout the program according to program need.

The reference group will have a maximum of 12 members.

Members will be appointed following an expression of interest and selection process being run by the Water Group.

The reference group may comprise representatives from:

- the Department of Climate Change, Energy, Environment and Water
- Soil Conservation Services
- First Nations representatives
- Snowy Valleys Council

- business owners and business managers
- landholders and property managers
- community members
- community groups
- recreational groups
- education providers.

A range of other personnel and technical specialists will be invited to attend meetings as appropriate but will not be formal reference group members.

It is requested that attendance of persons, other than nominated members, be made known to the Chair prior to each meeting (by email) for inclusion onto the meeting agenda.

2.2 Selection criteria

To be eligible reference group member, applicants must:

Either:

- be a community member, or a member of a community organisation, residing, or representing a community group, in the Snowy Valleys Council area
- or a landholder/property manager or business operator in the Snowy Valleys Council area.

And:

- have a vested interest in related issues within the program area
- be able to consider the level of impact and/or benefit of the program to the environment, wider community, landholdings or assets
- not be a current state or federal member of Parliament
- be willing to contribute openly, cooperatively and effectively as part of a small, diverse group
- be willing to adhere to the reference group's Code of Conduct.

2.3 Reference group participation

If reference group members cannot attend a meeting, they may provide comment on papers prior to the meeting or propose an alternative attendee.

The department's Water Group may request the replacement of any member who fails to attend three consecutive reference group meetings.

The Water Group may invite other individuals or groups to present or observe the reference group meetings.

Where agreed by the Chair of the meeting, the reference group members may also invite other guests to attend meetings to provide expert advice and support concerning a specific topic affecting the program.

These may include:

- representatives or government agencies
- technical experts or consultants
- members of the public.

The Chair will consult with other members of the group before the department secretariat issues an invitation to a guest. If there is any disagreement from other members about the invitation, the facilitator will have the final say on whether an invitation is made.

A guest's attendance is limited to the duration of discussion on the nominated specific topic and, while it is not anticipated there will be regular items requiring a vote, for avoidance of doubt, guests do not have voting rights.

All guests must complete a confidentiality and conflict of interest agreement before attending a meeting.

Reference group members will be advised in advance of a meeting where additional guests may be present. Ideally this will be a minimum of one week in advance.

Operational guidance

3.1 Confidentiality

Confidential information will be shared with the reference groups. We ask reference group members to respect confidentiality and not discuss or share information outside the meeting about confidential matters.

The Chair will note where confidential information is being shared with reference group members for the avoidance of doubt.

We also ask reference group members to respect the opinion of other reference group representatives on confidential issues and to not discuss other member's views or share their views outside the meeting.

To support an environment of trust and the sharing of information, it is required members sign a non-disclosure agreement. Should members need to seek input from their membership or stakeholders, this is to be discussed and agreed with the Chair and Water Group secretariat.

3.2 Conflict of interest

Members must declare through the Chair any conflicts of interest before each meeting and manage those conflicts in consultation with the Chair.

A conflict may relate to a position a member holds, personal relationships, pecuniary (financial) interests or to the content of a specific item for deliberation.

3.3 Media/social media protocols

To encourage open discussion at the meetings, members of the reference group must agree to adhere to the following media/social media protocols:

- the minutes are the authoritative record of the meeting
- members of the reference group are not authorised to provide written or verbal statements to the media/social media representing the views of the reference group
- reference group members can continue to use media/social media on project matters in an individual capacity, ensuring it is clear the views are theirs and not the views of other reference group members or the department.

3.4 Grievances

If a member of the reference group has a concern with any aspect of the group (members, team cooperation, peer conflict etc.) they should approach the Chair with their concerns.

The Chair will record the complaint and determine if further action needs to be taken to rectify the situation. The identity of any individual filing a concern or complaint will be kept confidential.

3.5 Review

These terms of reference may be amended, varied or modified in writing after consultation and agreement with reference group members.

The reference group will be formed in 2024 and will be ongoing with a review after five years. At the conclusion of this period, the Water Group and reference group members will assess the purpose and effectiveness of the reference group in consultation with the Chair. The Water Group will then consider the outcomes of this assessment to decide if the reference group should continue. The reference group terms of reference will also be reviewed at this time.

Administrative arrangements

4.1 Meeting structure and operations

Meetings will be chaired by the department's Water Group.

Meetings may not proceed unless a quorum of members is present. A quorum comprises at least one representative from the Water Group, Soil Conservation Services and two other group members.

If a reference group member can't attend a scheduled meeting, a proxy needs to be nominated by the representative to attend on their behalf.

Meetings will be held in person at agreed locations and/or via Microsoft Teams. Microsoft Teams will be accessible for all meetings.

The Water Group will provide secretariat support to the reference group including venue, catering, and preparation of agendas with clear representation of items to discuss; and, will circulate minutes as soon as practical to members for comment. The minutes (and action list) will be confirmed by members at the next meeting.

The reference group will meet twice yearly throughout the delivery of the program. Additional extraordinary or out-of-session meetings may be scheduled as needed. While attendance at these meetings is voluntary, it is highly encouraged to ensure the effectiveness of the program and active participation in its development.

Roles and responsibilities

5.1 Chair

All reference group meetings will be chaired by the department's Water Group. The Chair of the meeting will be responsible for the following functions:

- chairing the meetings in an impartial manner
- liaising with the members to ensure the smooth operation of business, including managing meeting priorities, the agenda, motions, and actions
- liaising with the Water Group to invite and manage meeting guests, and monitor guest participation to ensure the effectiveness of the group
- alert members to potential risks and issues impacting the program's implementation, as they arise

- ensuring members are given an opportunity to participate and their performance and conduct are appropriate.

5.2 All members

The reference group aims to engage a wide range of community members in a transparent, equitable, fair, and consistent manner regarding the program.

Reference group members shall:

- at all times act honestly, respectfully, co-operatively and impartially
- at all times act in accord with, and represent wholly the views of the agencies they represent
- not act in a way likely to bring discredit on the program
- bring to the meeting expert comment, local context and/or technical advice on river management, remediation works and related issues
- provide advice and resolution during the delivery of the program's key tasks and risk management
- review and comment on any material provided (e.g., meeting attachments).

A member, or former member, must respect the confidentiality of meetings, and not make improper use of information acquired by virtue of their position as a member to gain, directly or indirectly, an advantage for themselves or any other person.

Conflicts of interest, real or perceived, must be declared through the Chair.

In case of member resignation, a member must provide a written resignation notice to the Chair.

5.3 Group consensus

Members should strive to reach a consensus on the advice they offer to the program. In instances where consensus is not achievable, the differing opinions and the prevailing majority view will be recorded in the minutes. When working towards consensus, it's important to ensure that the issues are thoroughly discussed and that the resulting advice is at least acceptable to all members and aligns with the program's objectives. Note that while members contribute valuable advice, they do not hold decision-making authority.