

Mataranka Tindall Water Advisory Committee

Terms of Reference

1. Purpose

The Mataranka Tindall Water Advisory Committee (the Committee) is established by the Minister for Environment (the Minister) to advise the Controller of Water Resources (the Controller) on the development of a water allocation plan for the Mataranka Tindall Limestone Aquifer and on other matters within its jurisdiction referred to it by the Controller.

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 and allocate a name to the Committee.

Under section 23(3) of the Act a water advisory committee is to advise the Controller of Water Resources on the development of a water allocation plan and other matters which the Controller may refer to the Committee for advice from time to time.

The Mataranka Tindall Water Advisory Committee was appointed on 22 February 2021 under section 23(1) of the Act. The Committee's name, membership and broad purpose were determined when the Minister signed the instrument.

The Committee shall consist of such members as the Minister thinks fit and the members shall hold office at the Minister's pleasure, as outlined in section 23(2) of the Act.

3. Terms of Reference

The function and matters about which the Committee provides advice to the Controller are established in these Terms of Reference, signed by the Controller, or as otherwise requested in writing from the Controller to the Chairperson.

The Committee's general functions are to:

- Provide advice to the Controller and the Department of Environment, Parks and Water Security on the development of a water allocation plan for the Mataranka Tindall Limestone Aquifer
- Consider and advise the Controller on any other matters that may be referred to it by the Controller.

Specifically, the Committee will:

- Actively and openly participate in the development of a water allocation plan for the Mataranka Tindall Limestone Aquifer.

- Bring a diversity of stakeholder and community views to bear on water management advice for the Mataranka Tindall Limestone Aquifer, and the Roper River catchment more broadly where directly relevant to management of the groundwater resource.
- Identify issues, critically evaluate information and offer advice for water-sharing arrangements which maximise opportunities for sustainable water development within acceptable environmental and cultural limits.
- Provide advice to the Controller on proposed water sharing and management arrangements in the draft Plan.

4. Terms of Appointment

Members are appointed to the Committee by the Minister for Environment under section 23(1) of the *Water Act 1992* and hold office at the Minister's pleasure.

The committee is appointed until a water allocation plan for the Mataranka Tindall Limestone Aquifer is declared, as per the appointment instrument. Memberships are expected to expire on or before 30 September 2021. The Minister may choose to extend member appointments beyond this date.

5. Proxy members and observers

Since members are appointed for their individual skills, sending a proxy should be an exception to the rule, rather than regular practice.

A proxy may attend a meeting in place of a member as long as prior notice is given by the member and approved by the Chairperson. An approved proxy has the same participating and voting rights as the member for the duration of the meeting. As a proxy is not formally appointed to the committee, they cannot be remunerated for attending the meeting.

The Chairperson may invite observers to attend all or part of a meeting. If members require additional support to participate in the meeting, the Chairperson may also invite other people to attend and participate for that purpose.

Requests for proxy and observer attendance should be made to the Chairperson and approved at least five business days prior to the meeting date.

6. 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. Where there is a real, perceived or potential conflict of interest by the member or proxy, the Chairperson shall determine the necessary approach, which may include the member/proxy abstaining from discussions on the affected matter or leaving the meeting. Declared conflicts of interest will be recorded in the minutes of each meeting.

Meetings will be held as often as necessary to conduct the business of the Committee. It is envisaged that three meetings will be convened between February and July 2021. Meetings will be face-to-face, but may be conducted remotely via telephone and/or video if required.

Confidentiality will be maintained by all meeting participants at all times. The Chairperson can decide if all or part of a meeting will be held in camera, such as if there are sensitive or confidential discussions being held.

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

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

The Chairperson may refer inappropriate behaviour of Committee members to the Controller for consideration by the Minister. This may result in a review of the membership by the Minister.

The Committee may be required to provide advice on some matters out-of-session as referred to them by the Chairperson.

Committee members and their proxies are expected to abide by the [Northern Territory Government Boards Handbook](#).

7. Decision-making

Whenever possible, the Committee will seek consensus in its advice to the Controller and the department. If consensus is not possible, the Committee may elect to present different advice or options that reflect the different views of the committee members.

The Chairperson may invite observers to provide information or guidance to the Committee which helps it to formulate its advice.

8. Composition

In addition to the chairperson, the committee will have a minimum of eight members appointed at the Minister's pleasure.

Membership will aim to reflect gender balance and the following skills, knowledge and experience related to the water allocation plan area:

- Diversity of stakeholders representing consumptive and non-consumptive users of water
- Breadth of knowledge about water and its sustainable use
- Diversity in terms of race, ethnicity and age
- Individuals who are well-connected to the community and stakeholder groups who can communicate their views in a collaborative and constructive way
- Individuals who are well-positioned to disseminate information and collect feedback from their community or stakeholder group

9. Role of the Chairperson

The Minister nominates the Chairperson of the Mataranka Water Advisory Committee in the letter advising that person of their appointment to the Committee.

The Chairperson is the presiding member of the Committee and has the following responsibilities:

- Set meeting dates and agendas for meetings in consultation with the department's secretariat
- Conduct meetings in ways that foster effective, respectful consideration of issues referred to or raised by the Committee
- Ensure members, proxies and observers understand their roles and obligations
- Approve attendance by proxies and observers and those providing support to members
- Ensure accurate minutes are recorded for each meeting
- Act as the primary media spokesperson for the committee
- Ensure accurate reporting of Committee advice to the Controller

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. This person will have responsibilities related to the conduct of the meeting and members and ensure the recording of accurate minutes and timely reporting of advice.

10. Role of the Committee members

Members of the committee:

- Shall bring relevant expertise, knowledge, skills, perspectives and opinions related to the consumptive and non-consumptive uses of water in the Mataranka Tindall Limestone Aquifer Water Allocation Plan area. In doing this, members are expected to canvas the views of stakeholders and the broader community.
- Will ensure that considerations relate to all beneficial uses of water as far as is practicable. Beneficial uses include water for agriculture, aquaculture, environment, cultural, industry, rural stock and domestic, Aboriginal economic benefit, mining activity, petroleum activity and public water supply.
- Are required to respect the views of other committee members, as well as those of people presenting to the Committee or providing advice to the Committee.
- Should consider the advice and information provided by the department as being the best advice available, but are not required to agree with it. Members are not obligated to accept or endorse the views of the department, but where an alternative view is provided by a member, it is to be expressed in a respectful way.

11. Role of the Department

The Department will support the efficient and effective operation of the Committee by providing secretariat support and resources to the Committee, including the preparation of meeting papers, assisting the Chairperson to organise meetings, prepare agendas and record the outcomes of a meeting, and arranging the payment of member remuneration.

The Department will respect the views of all committee members.

The Department shall use its best endeavours, within budgetary and resourcing constraints, 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 in the following ways:

- a) Frame options for the sustainable and equitable management of water in the Mataranka Tindall Limestone Aquifer Water Allocation Plan area and the connected waters of the Roper River catchment.
- b) Provide relevant technical information and analysis and ensure that it is presented in forms accessible to all members of the Committee.
- c) Identify gaps in knowledge and information and ways of filling those gaps
- d) undertake appropriate consultation with all stakeholders and the community, to complement and support the work of the Committee.
- e) Assist in framing advice from the Committee to the Controller

The Executive Director Water Resources has budgetary decision-making responsibility for the Committee and will oversee the payment of remuneration. Sitting fees, travelling allowance and other entitlements will be paid to non-government appointees as per the remuneration schedule for a Class C3 Ministerial Assistance Advisory and Review Body and in accordance with the [Northern Territory Government Boards Handbook](#).



ALARIC FISHER
A/Controller of Water Resources

25/01/21