

# CUSTOMER SERVICES ADVISORY COMMITTEES TERMS OF REFERENCE

Authorised By: LMW Board

Signature.....  ..... Date. 15/7/11.....

Custodian: Governance Committee

To be advised of amendments:

1. Board
2. Managing Director
3. General Manager Technical Services
4. General Manager Business Services
5. Manager Southern Region
6. Members of Customer Services Advisory Committees (hard copy)

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 Customer Services Advisory Committee Members

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Record Table for Review of Procedures/Forms/Documents

Revision	Review Due Date	Date Reviewed/ Amended	Reviewer (Title)	Procedure Re-issued? (Yes/No)	Comments
A	May 2010	May 2010	GMCS		
B	May 2012				

## **1.0 Purpose**

The purpose of the Customer Services Advisory Committee Terms of Reference is to provide a sound framework for Committees to operate and give advice to the Corporation on its service to customers.

## **2.0 Scope**

The Terms of Reference apply to all Members of the LMW Customer Services Advisory Committees.

## **3.0 References**

- Customer Services Advisory Committees Protocols
- Water Act 1989

## **4.0 Definitions**

An 'irrigation customer' for the purposes of eligibility must be:

- The owner or operator of irrigable land with an area in excess of 5000 sq metres;
- The owner or operator of an irrigable commercial enterprise;
- A full time active employee of an irrigable commercial enterprise and carrying the endorsement of its owner or operator.

A 'Customer of the Millewa Rural District' must own rateable land in the Millewa District.

## **5.0 Terms of Reference**

### **5.1 Introduction**

Lower Murray Water strives to achieve positive relationships and communications with customers and other stakeholders by:

- Keeping all customers and the community informed about water issues generally and issues which directly affect them.
- Maintaining open and constructive relationships with all customers
- Maintaining customer-representative and advisory structures and processes through which customers can have meaningful input to the Corporation's planning processes.

To achieve its goals LMW has established six rural Customer Services Advisory Committees being in the Pumped Districts of Mildura (FMID), Merbein, Red Cliffs and Robinvale, the Millewa Waterworks District and to represent the Private Diverters between Nyah and the South Australian border.

Committee Members are elected to the Merbein, Millewa, Private Diverters, Red Cliffs and Robinvale Committees but in the case of the Mildura (FMID) Committee, Members are appointed by the Board.

The Customer Services Advisory Committees have been established in accordance with the Water Act 1989 – Section 122C (1)

(1) The board of directors of a water corporation -

- (a) may establish a committee to advise the water corporation on any matter referred by the board of directors;

In accordance with the Water Act 1989 – Section 122C (2)

(2) The following provisions apply to committees-

- (a) the board of directors may at any time remove from office a member of a committee

- and must provide in writing to the member the reasons for the removal;
- (b) a committee may act despite any vacancy in its membership;
  - (c) subject to this Act and any rules made under paragraph (d), a committee may regulate its own proceedings;
  - (d) the board of directors of a water corporation may, by resolution, make rules, with which committees must comply, about-
    - (i) their quorums; and
    - (ii) voting powers of their members; and
    - (iii) their proceedings;

## 5.2 Purpose

The purpose of the Committees is to provide advice to the Board and Management of the Corporation on a range of water and service related matters. Committees are not established as lobby forums. The Corporation may seek advice from the Committees on Corporate Planning embracing maintenance priorities, capital expenditure requirements, service levels, tariff changes and billing regimes and any other matters of mutual interest referred to the Committees by the Board of the Corporation.

In addition, the Board will meet with the representatives of the Committees at least annually.

Responsibility for making policy decisions remains with the Board. These committees have an advisory role, not a decision making role.

## 5.3 Committee Membership

### 5.3.1 Eligibility

To be eligible for membership of a Customer Services Advisory Committee members must be irrigation customers or a Customer of the Millewa Rural District in accordance with 'Definition' above and must not:

- a. Be an undischarged bankrupt; or
- b. Have been prosecuted for an offence under the Water Act 1989,
- c. Nor convicted of any indictable offence within the last 5 years; or
- d. Have a debt with the Corporation beyond 90 days, without having entered into an arrangement with the Corporation that would apply to a similar class of debtor, and

Committee members must have signed a statutory declaration that, upon appointment, the Committee member will comply with the Protocols for Customer Services Advisory Committees. Candidates will be supplied with such documents as a pre-condition for nomination.

### 5.3.2 To remain as a Committee member

A Committee member must, while that person is a Committee member:

- a. Continue to comply with item 5.3.1; A sitting member whose eligibility ceases would, immediately upon becoming known to the Corporation, have Committee membership terminated.
- b. Attend a minimum of two meetings in any calendar year, unless written approval for absence is given by the Corporation.
- c. Comply with the Customer Services Advisory Committees Protocols and Terms of Reference.

#### **5.4 Committee Composition**

There shall be six members appointed/elected to each Committee in the Mildura (FMID), Merbein, Millewa, Private Diverters, Red Cliffs and Robinvale areas.

#### **5.5 Term Of Office**

In the case of the Mildura (FMID) Committee, membership will be for three years.

In the case of Merbein, Millewa, Private Diverters, Red Cliffs, and Robinvale two members' terms will expire concurrently each year on 30 June to produce an annual turn over.

#### **5.6 Appointment Process Mildura (FMID)**

##### **5.6.1 Expressions of Interest Invited**

Advertisements will be placed in regional newspapers inviting expressions of interest in accordance with Section 3 – Committee Membership.

##### **5.6.2 Interviews conducted by Selection Panel**

Interviews will be conducted by a Selection Panel comprising two members of the board of directors and the Managing Director will be undertaken.

##### **5.6.3 Appointment by the Board**

Pursuant to S122C (1) of the Water Act the Selection Panel will make a recommendation to the full Board for its final determination.

#### **5.7 Election Process (Merbein, Millewa, Private Diverters, Red Cliffs, Robinvale)**

##### **5.7.1 Expressions of Interest Invited**

Advertisements will be placed in regional newspapers inviting expressions of interest in accordance with Section 3 – Committee Membership.

##### **5.7.2 Timing**

Elections will be held each year.

##### **5.7.3 Insufficient Candidates**

Where there are insufficient nominations for the available vacancies, nominees will be deemed elected and vacancies will be filled by secondment at the discretion of the Board.

##### **5.7.4 Undertaking of Elections**

The election will be conducted by an independent party, using a postal voting system. Successful candidates will be determined on a first past the post basis.

##### **5.7.5 Board Appointment**

Following consideration by the full Board such persons will be formally appointed to the Committee pursuant to S122C of the Water Act 1989 (refer Clause 1).

#### **5.8 Filling Of A Casual Vacancy**

In the event of a vacancy occurring the position will be filled by secondment at the discretion of the Board.

#### **5.9 Chair and Deputy Chair**

Each Committee shall annually elect a Chair and Deputy Chair. Where there is a voting deadlock for the position of Chair and/or Deputy Chair the matter will be decided by a ballot undertaken by the Managing Director.

## **5.10 Meetings**

### **5.10.1 Meeting Procedures**

Meetings of Customer Services Advisory Committees will be conducted in accordance with generally accepted meeting procedures.

### **5.10.2 Regular Meeting**

The Committees shall meet with the Corporation at least three times in each 12-month period usually in the months of July, October and April.

### **5.10.3 Meeting with the Board**

The Chair and Deputy of each Committee will be invited to separately meet with the Board annually.

### **5.10.4 Quorum**

A quorum of three Committee members is required for any meeting, with one member taking the Chair by agreement in the absence of the Chair or Deputy.

### **5.10.5 Voting**

All Committee members' votes shall be of equal value. Any deadlock votes shall be recorded as such in the meeting minutes, and noted as an "Unresolved Issue".

### **5.10.6 Meeting Notice/Agenda**

A notice of meeting and an agenda will be prepared by the Corporation and provided along with relevant information papers five clear days prior to scheduled regular meetings.

### **5.10.7 Administrative Support**

The Corporation will provide administrative support for all regular meetings. Senior Management will attend meetings and provide the necessary support information to enable informed discussion. Other information may be provided upon request and at the discretion of the Managing Director.

## **5.11 Sitting/Travel Fees**

In accordance with Section 122C (5) of the Water Act (5) A member of a committee is entitled to be paid any fees and allowances fixed by the Minister.

Payment of sitting fees and travel expenses shall be made:

- From attendance records, as noted in regular meeting minutes;
- In accordance with regulations set by Victorian Government (Guidelines for the Appointment and Remuneration of Part-time Non-executive Directors of State Government Boards and Members of Statutory Bodies and Advisory Committees 1998) or
- As determined from time to time by the Minister; and
- Shall be for regular meetings of the Committees and special meetings requested by the Corporation.

## **5.12 Relationship With Corporation**

**5.12.1** Committees will provide advice to the Corporation.

**5.12.2** Day to day communication with the Corporation will be through the General Manager Customer Services.

## **5.13 Customer Complaints**

Committees are not a customer complaints service or customer liaison service and members

will direct any complaints to the Corporation.

#### **5.14 Induction and Training**

The Corporation will provide each person appointed to membership of a Committee with a copy of:

- Terms of Reference for Customer Services Advisory Committees;
- The Protocols for Customer Services Advisory Committees;
- Details of relevant sessional fees;
- The most recent Annual Report; and
- The current Corporate Plan or Water Plan as appropriate.

The Corporation will also provide each Committee member with induction training, as soon as possible after the Committee member is appointed; to assist the Committee member to understand the business and procedures of the Committee.

#### **6.0 Process Flow Chart**

Not applicable

#### **7.0 Documents / Forms**

Not applicable

#### **8.0 Review**

**8.1** It is the responsibility of the Custodian of this procedure to ensure this procedure is reviewed every 24 months, as per the review due date listed in the record table.

**8.2** The people listed as “to be advised of amendments” must alert the Custodian to the need for procedure review if any amendments are required to the procedure before the review due date.

#### **9.0 Appendices**

Not applicable