



LOWER MURRAY WATER

SAC TERMS OF REFERENCE

1.0 Purpose of this Document

The purpose of this Strategic Advisory Committee (SAC) Terms of Reference is to create a framework to enable this Committee to provide informed advice to the LMW Board on a range of policy and strategic issues that affect its irrigation customers.

2.0 References

- Committee Protocol
- Water Act 1989

3.0 Definitions

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

- The owner (be it sole, joint or tenants in common) or operator of irrigated or farmed land with an area in excess of 5,000 sq metres; or
- The owner or operator of a commercial irrigation or broadacre farm enterprise; or
- A full time active employee of an irrigated or broadacre farm and has the support of its owner or operator.

4.0 Status

The SAC is established as a Committee pursuant to Section 122C (1) of the Water Act 1989.

5.0 Terms of Reference

5.1 Purpose of the Committee

The purpose of the SAC is to provide advice and its opinion to the Board on strategy, policy or industry matters as they affect irrigation customers and LMW generally.

The Board sees the SAC as an integral part of its customer engagement.

The SAC does not have a negotiation or decision making role; it is an advisory body only.

The Board are responsible for the strategic direction of the business and this Committee is part of LMW's commitment to customer consultation.

The Board may also request that the SAC act jointly with the Corporation as the situation may require. Similarly the Board may request that the SAC or individual Committee Members act or attend functions or events in their capacity as a Committee Member. This may entail deputations to out of district locations or placement on external Committees that meet out of district.

5.2 Committee Membership

5.2.1 Number of members

The SAC will consist of twelve (12) democratically elected Members comprising two (2) members each from Millewa, Merbein, Mildura, Red Cliffs, Robinvale and the Private Diverter region administered by LMW.

5.2.2 Eligibility

To be eligible to nominate for membership a candidate must be an irrigation or broadacre customer of LMW in the area for which they nominate in accordance with the 'Definition' above and additionally must not:

- a. Be a director or employee of LMW;
- b. Be an undischarged bankrupt;
- c. Have been prosecuted for an offence under the Water Act 1989;
- d. Have been convicted of any indictable offence within the last five years; or
- e. Have a debt with LMW beyond 90 days, without having entered into an arrangement with LMW that would apply to a similar class of debtor.

Candidates must have signed a statutory declaration that, upon appointment, the Committee Member will comply with the Committee Protocol and these Terms of Reference. Candidates will be supplied with these documents as a pre-condition of nomination.

LMW values diversity and encourages candidates with a broad range of backgrounds and experience including women, indigenous Australians, people with a disability and people from culturally and linguistically diverse backgrounds representative of the LMW customer base.

5.2.3 To remain a Committee Member

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

- a. Continue to comply with Clause 3 and 5.2.2. A sitting Committee Member whose eligibility ceases would, immediately upon becoming known to LMW, have that Committee membership terminated;
- b. Attend a minimum of one meeting in any calendar year, unless written approval for absence is given by LMW;
- c. Comply with the Protocol for Committees and these Terms of Reference.

5.2.4 Insufficient Candidates (Post Election Process)

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

5.2.5 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.

5.2.6 Appointment by the LMW Board

Following election successful candidates will be formally appointed to the Committee pursuant to S122C of the Water Act 1989.

5.2.7 Filling of a Casual Vacancy

In the event of a casual vacancy occurring the position will be filled by secondment at the discretion of the Board subject to clause 5.2.2.

The Board in filling a casual vacancy shall take into consideration the following selection criteria for candidates:

- The knowledge and skill in relation to water industry matters.
- LMW values diversity and would seek to consider appointees with a broad range of backgrounds and experience including women, indigenous Australians, people with a disability and people from culturally and linguistically diverse backgrounds representative of the LMW customer base.

As part of canvassing for potential appointees to fill casual vacancies LMW Board and Management may approach irrigation or broadacre customers.

5.2.8 Term Of Office

The normal term of office will be four years except as provided for in the following paragraphs.

The initial Members from each area will be split by the number of votes received. The highest polling candidate will be in post for four years.

Elections will be held every two years thereafter for six (6) positions.

Casual vacancies may be filled for shorter time periods at the discretion of the LMW Board.

5.2.9 Chair and Deputy Chair

The Chair and Deputy Chair will be determined by ballot by the twelve Members of the SAC on a biannual basis following the election of new Members. Should a tie occur the positions will be drawn by random selection.

5.3 Meetings

5.3.1 Meeting Procedures

Meetings of the SAC will be conducted in accordance with generally accepted meeting procedures.

5.3.2 Formal meetings of the SAC

The LMW Board may convene a SAC meeting at any time on reasonable notice and will provide an agenda, the Chair of the meeting and a venue.

5.3.3 Quorum

A quorum of six Committee Members is required for any meeting.

5.3.4 Record of Meetings

Meetings will be minuted and reported to the LMW Board.
Records of the SAC meetings will not be publicly available.

5.4 Sitting/Travel Fees

In accordance with Section 122C (5) of the Water Act 1989, members are entitled to be paid any fees and allowances fixed by the Minister.

5.5 Induction and Training

New Members will be provided with an induction session designed to prepare a new member for Committee service. This may include:

- Explanation of the Committee Protocols and Terms of Reference.
- Briefing on pertinent LMW assets, policies and procedures.
- Briefing on current issues before the Board or Committees.
- Provision of a copy of the latest Annual Report.
- Provision of a copy of the current Corporate Plan and Water Plan.

This induction will be provided as soon as practical after a Committee Member is appointed.

5.6 Communication with LMW

Day to day communication with LMW will be through the Senior Manager Customer and Stakeholder.

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 document to ensure it is reviewed as per the review due date listed in the record table (if there is one) or per the metadata of the master controlled document within the Records Management System.
- 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 document before the review due date.
- 8.3** This TOR may be amended by the Board of LMW at any time, irrespective of any other term of this document.

9.0 Appendices

Not applicable