



**LOWER MURRAY
WATER**

INFORMATION PACK

**CUSTOMER SERVICES ADVISORY COMMITTEE (CSAC)
ELECTIONS 2019**

- Candidate Information including timelines
- LMW CSAC Terms of Reference - including eligibility criteria
 - LMW Committee Protocols
 - Notice of Candidature Form
 - Statutory Declaration
- Approved Statutory Declaration Witness List



LOWER MURRAY WATER

Candidate Information for Lower Murray Water (LMW) Customer Service Advisory Committee (CSAC) Positions 2019

Introduction

Vacancies exist on the following:

Robinvale Irrigation District	(5 Members)
Red Cliffs Irrigation District	(3 Members)
Merbein Irrigation District	(4 Members)
Mildura Irrigation District	(4 Members)
Private Diversion Area	(5 Members)
Millewa Rural District	(2 Members)

It is important that candidates read the *Information Pack* and be aware of the timeline for the nomination/election process.

Should you have any further queries regarding the process please contact the Returning Officer Trevor Leighton on 0417 597 956 or email tleigho@bigpond.net.au The Returning Officer is conducting this process as an independent service provider and in accordance with 5.6.4 LMW CSAC Terms of Reference.

The Information Pack contains:

- Candidate Information
- LMW CSAC Terms of Reference – including eligibility criteria
- LMW Committee Protocols
- Notice of Candidature
- Statutory Declaration (to be returned with Notice of Candidature Form)
- Approved Statutory Declaration Witness List

Notice of Candidature and Timeline

Please note the timeline for Notice of Candidature will be strictly adhered to and no late nominations will be accepted. **Please also note that the Notice of Candidature Form must be delivered to or received at LMW Mildura Office 741 Fourteenth Street Mildura by 4pm Monday 16 September 2019. The Notice of Candidature must be accompanied by a duly signed and witnessed Statutory Declaration.**

Eligibility

Please note point 5.3.1 of the LMW CSAC Terms of Reference regarding eligibility.

Candidate Statement

Immediately after the close of Nominations you will be advised if an election is necessary for the Committee. **If there is an election** you will then be requested to submit a candidate statement to the Returning Officer by 4pm on Monday 23 September 2019. The Statement must be no more than 150 words and will be distributed in a candidate booklet with each postal ballot pack. The statement may be emailed to the Returning Officer leight@bigpond.net.au

Postal Ballot

The postal ballot, if required, will open on 2 October 2019 and close at 5pm Monday 21 October 2019.

Voters Roll

Voters' rolls are available for inspection at the Mildura Office, during business hours from Friday 9 August 2019 until Monday 16 September 2019.

Vote Counting

The count of votes if an election is required will commence at 6pm on Monday 21 October 2019 at the LMW offices 741 Fourteenth Street Mildura.

Candidates will be informed of the result as soon as practicable after the count by email (preferably) or phone.

Following consideration of a Report from the Returning Officer to the LMW full Board such persons will be formally appointed to the Committee pursuant to S122C of the Water Act 1989.

Scrutineers

Candidates are entitled to have a scrutineer present for the counting of votes for the Committee. Further information will also be provided later as required.



LOWER MURRAY WATER

STATUTORY DECLARATION

I, _____

of _____

do solemnly and sincerely declare

1. That I have read and understood the terms of Reference and Protocols for Customer Services Advisory Committees;
2. That upon appointment, I will comply with the Protocols for Customer Committees.

AND I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

DECLARED at _____)
in the State of Victoria)
this day of _____)
Two thousand and nineteen)

Before Me



LOWER MURRAY WATER

CSAC TERMS OF REFERENCE

1.0 Purpose of this Document

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 Board of Lower Murray Water on its service to customers.

2.0 Scope

These Terms of Reference apply to all members of the Customer Services Advisory Committees (CSAC's)

3.0 References

- 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 (LMW) seeks to achieve meaningful relations with its irrigation customers and their representatives by utilising an effective customer representative advisory structure.

LMW has established six democratically elected rural CSAC's being in the pumped districts of Merbein, Mildura, Red Cliffs and Robinvale, the Millewa Waterworks District and to represent the Private Diverters between Nyah and the South Australian border as the platform for this relationship.

The CSAC's are established pursuant to section 122C of the Water Act 1989.

5.2 Purpose of the Committees

The purpose of the CSAC's is to provide advice to the Board and Management of LMW on a range of water and service related matters. LMW may seek advice from the Committees on 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.

The CSAC's do not have a negotiation or decision making role.

Committee Members will act as a customer liaison point for irrigation customers in their districts. This role is intended to provide a local point of contact for irrigation customers regarding service and supply issues of an operational nature. Complaints or queries of a non service related nature should be referred directly to the office of LMW.

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

5.3 Committee Membership

5.3.1 Eligibility

To be eligible for membership of a CSAC candidates must be irrigation customers or a customer of the Millewa Rural District in accordance with the 'Definition' above and must not:

- a. Be a Director or employee of LMW
- c. Be an undischarged bankrupt or
- d. Have been prosecuted for an offence under the Water Act 1989 or
- e. Have been convicted of any indictable offence within the last 5 years or
- f. Have a debt with LMW beyond 90 days, without having entered into an arrangement with LWM that would apply to a similar class of debtor, and candidates must have signed a statutory declaration that, upon appointment, the Committee member will comply with the Committee Protocols. 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. Continue to comply with the Committee Protocols and these Terms of Reference.
- c. Attend a minimum of two meetings in any calendar year, unless written approval for absence is given by LMW.

5.4 Committee Composition

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

5.5 Term of Office

The normal term of office will be four years

Elections will be called every two years for three positions.

5.6 Elections

5.6.1 Calling for Candidates

Advertisements will be placed in regional newspapers seeking nominations from eligible candidates in accordance with Clause 4.

5.6.2 Timing

Elections will be held every two years subject to the number of nominations exceeding the number of vacancies.

5.6.3 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. The Board will set the term of any vacancy.

5.6.4 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.

5.6.5 Appointment by the Board

The Board will formally appoint successful candidates to the Committees pursuant to S122C of the Water Act 1989.

5.7 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. The Board will set the term of any vacancy.

5.8 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.

5.9 Meetings

5.9.1 Meeting Procedures

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

5.9.2 Regular Meeting

The Committees shall meet at least three times in each 12-month period

5.9.3 Meeting with the Board

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

5.9.4 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.

5.9.5 Consensus in Decision Making

The CSAC shall decide on its preferred view by the consensus method. Should a matter remain unresolved the Board shall be advised that a consensus was unable to be reached. The Chair does not have a casting vote.

5.9.6 Meeting Notice/Agenda

A notice of meeting and an agenda will be prepared by LWM and provided along with relevant information papers prior to scheduled regular meetings.

5.9.7 Administrative Support

LMW 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.

5.10 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 as set by LMW.

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 LMW.

5.11 Relationship with LMW

- Committees will provide advice to LMW.
- Day to day communication with LMW will be through a nominated LMW Officer
- CSAC minutes of meetings will be provided to LMW Board

5.12 Customer Liaison and Complaints

Committee members are encouraged to liaise with fellow customers and to provide a local point of contact where service or supply problems can be reported. Such problems can then be channelled into LMW and addressed.

LWM will actively promote and support committee members in this role.

Committee members should direct any non service type of complaint directly to LMW.

5.13 Induction and Training

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

- Terms of Reference for CSAC's
- The Committees Protocols
- Details of relevant sessional fees;
- The most recent Annual Report; and

LMW 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



LOWER MURRAY WATER

CUSTOMER COMMITTEE PROTOCOL

1.0 Purpose

The purpose of these Protocols is to provide guidance and the expected behaviours in relation to the conduct of Customer Committee Members.

2.0 Scope

These Protocols apply to all members of Customer Committees appointed by the Board pursuant to Section 122C of the Water Act 1989.

3.0 References

Water Act 1989

Terms of Reference for the relevant Customer Committees

4.0 Definitions

Not applicable

5.0 Introduction

Lower Murray Water (LMW) values comment, feedback, ideas and suggestions from customers in relation to all aspects of our business.

The Corporation seeks to foster a mutually productive and co-operative relationship with customers through customer committees. Each committee member is an important part of the Corporation's customer consultation process. Members are encouraged to offer constructive advice in various contexts which may be:

- as an individual; or
- as a conduit for the views of other customers

The Board recognises that this advice may be constructively critical in nature.

Ultimately, LMW retains some responsibility for the activities of Committee Members appointed by it under the Water Act. This protocol sets out the expectations of the conduct of Committee Members.

6.0 Protocols

6.1 Code of Conduct

As a member of a Customer Committee you are required to:

- Act with **honesty and integrity**. Be open and transparent in your dealings; do not place yourself in a position of conflict of interest; strive to earn and sustain public trust;
- Act in **good faith in the best interests of LMW**. Demonstrate accountability for your actions; accept responsibility for your decisions; do not engage in activities that may bring you or LMW into disrepute;

- **Act fairly and impartially.** Avoid bias, discrimination, or self-interest; demonstrate respect for others by acting in a professional and courteous manner;
- **Use information appropriately.** Ensure information gained as a committee member is only applied for proper purposes and keep it confidential where required to do so;
- **Use your position appropriately.** Do not use your position as a committee member to seek an advantage which accrues only to yourself, family members or associates, or to cause detriment to LMW; ensure that you decline gifts or favours that may cast doubt on your ability to apply independent judgement as a committee member;
- **Act in a financially responsible manner.** Read and if in doubt seek clarification in relation to financial reports, audit reports and other financial material that comes before the committee; and
- **Exercise due care, diligence and skill.** Ascertain all relevant information; make reasonable enquiries; understand the financial, strategic and other implications of the information provided when forming decisions in relation to the work of the Committee.

6.2 Improper Influence

A Committee Member, or former Committee Member, must not take advantage of the Committee Member's position, to improperly influence another Committee Member, or LMW employee, in performing that person's functions; in order to gain any undue or improper advantage, either for the Committee Member, or any other person or body.

6.3 Communication

- 6.3.1 Day to day communication with the Corporation will be via the Senior Manager Customer and Stakeholder;
- 6.3.2 A Committee Member must obtain the prior consent of the Managing Director before contacting or requesting information from a LMW employee, except as a customer or from the Senior Manager Customer and Stakeholder;
- 6.3.3 Committee Members are encouraged to discuss the work of the Committee with fellow customers. Committee Members must not disclose information to third parties or the general public which has been identified by LMW as confidential;
- 6.3.4 The Chair or spokesperson appointed by the Committee may, subject to receiving prior written approval from the Managing Director, issue a statement or media release relevant to the activities of the Committee. Such approval shall not be unreasonably withheld.
- 6.3.5 Except as specified in Clause 6.3.4 a person filling a position of Committee Member may not make any public comment or public communication about the activities of the Committee or of LMW.

7.0 Conflict of Interest Obligations

A Committee Member must ensure that there is no actual or perceived conflict between the Committee Member's activities as a Committee Member and the Committee Member's personal or political interests. If in doubt seek advice from the Managing Director.

A Committee Member should not enter into a business arrangement that may give rise to an actual or perceived conflict of interest. In the event a conflict of issue does arise, that member should not participate in the discussion or decision making in relation to that matter.

Where conflicts of interest may be an issue, committee members must consult with the Senior Manager Customer and Stakeholder in the first instance.

Committee Members should be familiar with the Pecuniary Interest Requirements in the Water Act 1989 - refer Sections 109, 110, 111 and 112.

8.0 Confidentiality Obligations

Where information is provided to Customer Committee members, which is deemed and noted as confidential in nature, it is a requirement of the committee member to:

- a) keep the Confidential Information confidential and preserve its confidential nature; and
- b) not use or disclose or permit the use or disclosure of Confidential Information for any purpose; and
- c) promptly, upon request from Lower Murray Water, return or destroy all material containing Confidential Information in its possession, power or control, which was received from LMW.

9.0 Process Flow Chart

Not applicable

10.0 Documents / Forms

Not applicable

11.0 Review

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.

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.