

WIMAG Terms of Reference – April 2009

The following agencies agree to support the Wilson Inlet Management Advisory Group, as outlined in the Group's Terms of Reference, as a means of achieving effective integrated management for the Inlet and its foreshores.

**Regional Manager
Department of Water**

**Regional Manager
Fisheries**

**Regional Manager
Department of Planning and Infrastructure**

**CEO
Shire of Denmark**

**Chairperson
Wilson Inlet Catchment Committee**

**CEO
City of Albany**

**CEO
SCNRM**

**Regional Manager
Water Corporation**

As at 09 April 2009

Note: Only changes made since February 2009 version is to add provision for Vice-Chairperson

TERMS OF REFERENCE

PURPOSE OF THIS DOCUMENT

The purpose of this document is to describe the role of the Wilson Inlet Management Advisory Group, its structure and relationships with the community and agencies.

It is expected that this document will be regularly reviewed and amended where necessary by the group. Any changes need the endorsement of more than half of the members, including the Department of Water and Shire of Denmark representatives.

WIMAG

WIMAG is an independent group, supported primarily by the Department of Water, committed to promoting the sustainable management of Wilson Inlet.* The group provides a forum for discussing issues in relation to the Inlet, and provides community input to agency proposals and decisions. **WIMAG is an advisory group and has no decision making responsibilities.** The group is dependant on decision making agencies bringing items of relevance to the group and taking on board advice from other members of the group. WIMAG works as a conduit between agencies and the community, therefore, adding value through community input into agency decisions, and ensuring the community is made aware of agency initiatives relating to the Inlet.

The roles of the group are to:

- Pro-actively promote the protection and enhancement of Wilson Inlet and its foreshores.
- Promote research and understanding of Wilson Inlet.
- Ensure the community is well informed about Wilson Inlet, its values, threats, condition and management.
- Provide a forum for encouraging integrated planning and management of Wilson Inlet through participation of key agencies and the community.
- Encourage funding and projects that will enhance or protect the values of Wilson Inlet.
- Encourage a balanced approach to the management of Wilson Inlet, and to ensure that environmental, social and economic needs are properly considered.
- Encourage the preparation and implementation of plans and policies aimed at protecting or enhancing the Inlet's values.
- To act as a referral body for government agencies for decision making by those agencies and management of Wilson Inlet by those agencies.
- Provide an effective link between technical information and agency roles and the local community.
- Promote the role and function of WIMAG in the community, and increase the capacity of the community to be involved in the management of Wilson Inlet.

Mission Statement

WIMAG will encourage a balanced and sustainable approach to the protection and management of Wilson Inlet in consideration of environmental, social, cultural and economic needs.

* Wilson Inlet includes its associated foreshores and connected wetlands

Membership of WIMAG

Membership will consist of a range of community, industry and government representatives who are involved with matters relevant to the management of Wilson Inlet. Membership will be invited from a broad range of interests.

Expected membership of WIMAG is as follows:

Department of Water x 1
Fisheries x 1
Shire of Denmark x 2 (1 councillor, 1 officer)
City of Albany x 2 (1 councillor, 1 officer)
Department of Planning and Infrastructure x 1
Water Corporation x 1
Wilson Inlet Catchment Committee x 1
Community representatives x 7

Agency representatives will be as nominated by the agency.

Community representatives will be selected by the Regional Manager- DoW, CEO- Shire of Denmark and WIMAG chairperson. Community representatives will be selected based on criteria relating to

- personal skills
- linkages with the local community
- knowledge/experience in matters relevant to the management of the Wilson Inlet

Areas of knowledge/experience expected to be covered by community membership include:

- Local fishing (commercial and/or recreational)
- Foreshore management
- Tourism
- Recreation
- Conservation groups
- Boating
- Natural Resource Management and catchment management

One community member to be appointed that represents indigenous interests

Membership can be extended, subject to the agreement of the Regional Manager, Department of Water and CEO, Shire of Denmark. Additional agency representatives are expected to attend meetings on an as needs be basis, and this is supported subject to the Chairperson's endorsement.

Terms of Appointment of Community Members

The terms of appointment are for 3 years, with a one third replacement each year.

It is intended the present (December 2005) membership of WIMAG will continue, with 2 community members having terms of 1 year, 2 community members having terms of 2 years, and 2 community members having a term of 3 years.

Voting Rights

WIMAG is an advisory group, and a consensus on issues will not necessarily be required. Indeed, a range of views and opinions will often be sought by agencies. As such, recommendations or advice by the group can rightly reflect a range of views put forward by members.

Voting on issues is not expected to occur, but where, in the opinion of the Chairperson, a vote is required, each member (including chairperson) is entitled to a vote.

It is not mandatory to vote, and the group needs to be mindful of not compromising the position of its individual members by voting on issues that relate to that members (particularly an agency's) area of responsibility. There is a need to work in a productive way with decision making agencies and with the group's own members.

Provision for proxy

Agency representatives can nominate suitable proxies.

Community members may nominate a proxy however proxies will have to undergo the selection process as per the community membership appointment process.

Appointment of Chairperson

The chairperson is appointed by the Regional Manager, Department of Water and CEO, Shire of Denmark, from the community membership (including Councillor representatives). The term of appointment will be for three years.

Appointment of Vice-Chairperson

A Vice-Chairperson may be appointed at the discretion of the Regional Manager, Department of Water and CEO, Shire of Denmark, from the community membership (including Councillor representatives). The term of appointment will be for three years

Advertising of Positions

All vacant positions will be advertised, using a notice in local newspapers, and a media release.

Public Access to Meetings and Minutes

Minutes of meetings will be taken, and outline any actions/recommendations. These minutes will be made available at the Department of Water, City of Albany and Shire of Denmark offices following each meeting.

Each meeting will be preceded by a 15 minute public forum, where members of the public can address the group on any issues relating to Wilson Inlet, if the consent of the chairperson is provided.

Requests to attend the full meeting, or parts of the meeting need to be made to the chairperson. A decision on attendance will be made on the request's merits. Any such attendance will be conditional on silent participation unless otherwise agreed by the chairperson.

Meetings

Meetings will be held bi-monthly, or as otherwise agreed by the majority of the group, and CEO Shire of Denmark and Regional Manager, Department of Water.

Should a member not be present for more than two meetings in a row then membership to WIMAG will be reviewed by the CEO – Shire of Denmark, Regional Manager – DoW and chairperson. Membership may be cancelled and the position re-advertised.

Responsibilities of Members

Servicing of WIMAG (including arranging the agenda, recording and circulation of minutes, meeting arrangements and distribution of correspondence) will be undertaken by the Department of Water.

There is a responsibility on all members (both agency and community) to bring items of interest to meetings, and to inform the Department of Water of any such items at least 2 weeks prior to meeting dates. There is an expectation that all members will bring items of relevance to Wilson Inlet to the attention of WIMAG, at an early stage, to enable WIMAG's early involvement. Members are expected to provide briefing notes on any subject requiring WIMAG's consideration, with (where appropriate) a recommendation on appropriate action.

Tabling of items should be avoided if possible.

Actions will be undertaken by the agency whose powers relate to that item, and there is an expectation that decision making bodies will consider the advice of WIMAG. Members of WIMAG will be expected to action items from meetings and report back at future meetings. Agency representatives will be used as a means of communicating with these agencies, and formal communication will only be used where considered essential by the Chairperson.

Members will at times discuss matters of a confidential nature, and will be expected to not disclose such information outside of meetings.

Meeting Procedure

Meetings will be undertaken in an informal manner, to promote constructive debate and discussion. Formal motions are not required.

Where voting is required, a quorum will need to be present. A quorum shall comprise of a number exceeding half the present membership.

Members are expected to provide their apology for any meeting they cannot attend, and a written notification if more than 1 meeting is to be missed. Any community member who does not attend

3 consecutive meetings without written notification will be deemed to have no further interest in the group and to have resigned by default from the group.

Code of Conduct

Members will act at all times in the best interests of the group.

Members need to support the collective aims and vision of the group. Discussion and dissent on particular issues is to be expected, and is necessary to debate issues. However, outside of the meetings each member is an ambassador for the group and needs to support its purpose. This means that community group members will not pursue the interests and views of the stakeholder group which they represent over and above the interests of WIMAG.

Contact with the media on any issue relating to WIMAG should be via the chairperson, or Department of Water. It is inappropriate for any member to make comment in the media on matters in relation to the operation or promotion of WIMAG unless authorised by the chairperson.

Independence

WIMAG is an independent group, and is able to provide advice on any item, or request information on any matter considered relevant by its members. It can provide correspondence in its name, signed by the chairperson, where this is considered essential.

Actions by the group do not bind or commit individual members to such actions, and WIMAG needs to be mindful of all its members wishes, particularly when providing formal advice to another party.

Funding arrangements

WIMAG has no financial accounts or individual allocation of funds. However, there is an expectation WIMAG will be able to propose projects and works through negotiation with agencies and the Wilson Inlet Catchment Committee (that has received funding to implement the Wilson Inlet Nutrient Reduction Plan).



Government of **Western Australia**
Department of **Water**



looking after all our water needs

Your ref:

Our ref: WRD 136599

Enquiries: Chris Gunby 9841 0107

To Dale Stewart
CEO
Shire of Denmark
PO Box 183
DENMARK WA 6333

Shire of Denmark	
15 SEP 2011	
ORG. 41	
FILE REF	
COUNCILLORS	
CEO	<input checked="" type="checkbox"/>
FINANCE	
DIR of COMMUNITY	
OTHER	

Dear Dale

Re: Future servicing of WIMAG

I am writing to seek the Shire of Denmark's consideration towards the future of the Wilson Inlet Management Advisory Group (WIMAG).

WIMAG meets to promote the integrated management of Wilson Inlet and its specific roles are outlined in an endorsed terms of reference. Key aspects of these roles include providing advice on development that may impact on the inlet, as well as encouraging the preparation and implementation of plans and policies aimed at protecting the inlet.

In recent years there has been few developments referred to WIMAG, and plans or policies are already in place for the foreshores, inlet and for specific activities such as the sandbar opening, aquaculture and jetties. Agencies have specific roles for these activities and continue to consult with the Shire of Denmark when seeking community input.

In the absence of new research, development or proposed new plans appropriate for management by WIMAG, it is considered the justification for the group's existence is limited. Recent agendas and meetings have confirmed there is limited business and instead the meetings have regularly discussed items for which direction has already been set through policies or plans.

The Department of Water presently services WIMAG, but the meetings also require considerable contribution from other agencies, community members and the Shire of Denmark. Consultation with these other agencies confirms ongoing agency support is likely to be limited given other priorities and it has been suggested a broader estuary inter-agency group may provide greater benefit for the resources provided.

South Coast Region
5 Bevan Street Albany Western Australia 6330
PO Box 525 Albany Western Australia 6331
Telephone (08) 9842 5760 Facsimile (08) 9842 1204
www.water.wa.gov.au
wa.gov.au



Government of **Western Australia**
Department of **Water**



looking after all our water needs

In light of these comments the Department of Water proposes that agreement is reached by all agencies that WIMAG's role should end by December 2011. The Department is seeking the Shire's support for this suggestion, and will be requesting support from other contributing agencies and WIMAG itself.

I would stress that the Department's involvement in Wilson Inlet is proposed to continue, and that advice will be provided to the Shire of Denmark on matters of concern. The Department will continue to liaise with other agencies to ensure integrated management is fostered and that co-ordination of approvals occurs. The Department of Water will contribute to the review of the existing plans and policies, should they be required. The establishment of a broader interagency estuary management group will also be considered.

WIMAG has previously achieved considerable success and I would like to emphasise that it's proposed ending is not a reflection of its members or past achievements, more a reflection that the management of the inlet needs to progress. With the existing extensive collection of policies and plans, and limited referral of development proposals, the resourcing of a group focused purely on Wilson Inlet is not considered viable. Should a new management plan for Wilson inlet or a major policy be required then the formation of a temporary project specific group should be considered as an appropriate alternative.

Your council's support for this proposal is sought by the end of September 2011.

Yours sincerely

Chris Gunby
A/Regional Manager
14 September 2011

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5 Bevan Street Albany Western Australia 6330
PO Box 525 Albany Western Australia 6331
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www.water.wa.gov.au
wa.gov.au