

## DEPARTMENT OF WATER AND ENVIRONMENTAL REGULATION PILBARA ENVIRONMENTAL OFFSETS FUND STEERING GROUP TERMS OF REFERENCE

### Membership

Name	Job title
Emily Briggs (Chair)	Deputy Director General, Climate and Sustainability, Department of Water and Environmental Regulation (DWER)
Carrie Sunderland	Executive Director, Nature, DWER
Melissa Lamb	Director, EPA Services, DWER
Ruth Dowd	Executive Director, Assurance, DWER
Liam O'Connell	Executive Director, Statewide Delivery, DWER
Fran Stanley	Acting Executive Director, Biodiversity and Conservation Science, Department of Biodiversity, Conservation and Attractions (DBCA)
Simon Taylor	Chief Executive Officer, Pilbara Development Commission

#### By invitation

The Department of Climate Change, Energy, the Environment and Water (DCCEEW).

### Role of the DWER Pilbara Environmental Offsets Fund Steering group

The role of the DWER Pilbara Environmental Offsets Fund (PEOF) Steering Group is to govern the:

- conditioning, compliance and enforcement, and invoicing of offset money owed to PEOF as a requirement under Part IV of the *Environmental Protection Act* (EP Act) and in alignment with the *Financial Management Act 1997* (FM Act)
- process to enable receipt of money from Parts 9 and 10 of the *Environment Protection and Biodiversity Conservation Act* (EPBC Act) (e.g. establishment of MoU and terms of engagement with DCCEEW).
- expenditure from PEOF in alignment with the EP Act and EPBC Act, FM Act, WA Offsets Framework, and if established, the MoU between the state and commonwealth government.

The Steering Group holds the decision-making power regarding which projects are recommended to the Minister for funding. It will champion and respond to risks and issues associated with the program and projects and will identify opportunities to better connect internal process and other government and external initiatives to deliver PEOF.

Steering group member roles and responsibilities are to:

1. Provide governance, risk management, strategic decision, guidance, advice, and resourcing on delivery of PEOF.
2. Provide recommendations to the Minister as to which projects should receive funding.
3. Manage risks and resolve program and project issues where possible.
4. Oversee and quality assure their directorate's reporting on action progress and status, including identifying risks and issues.
5. Identify opportunities, synergies with existing work (both within DWER and DBCA, across government and with external stakeholders), potential duplication of effort and gaps.
6. Act as Pilbara Environmental Offsets Fund champions within their directorate, the department, across government and with external stakeholders.
7. Prepare for and attend quarterly meetings when a decision is required. Out of session updates will be sent to steering group members in months where the steering group does not need to meet.

## Background

The Pilbara Environmental Offsets Fund implementation plan and first grant round was launched on 19 November 2019 by the Minister for Environment.

The Pilbara Environmental Offsets Fund (PEOF) was created to help manage the cumulative impacts of mining development on biodiversity. In the past, mining companies have found it difficult to access land to implement their on-ground offsets because of the complexities of working on crown land with overlapping pastoral, mining and native title rights. As a result, offset projects have not always been connected or delivered where needed most. PEOF was set up to overcome these challenges by enabling government to work with the mining industry, pastoralists and Traditional Owners to broker land access and deliver enduring outcomes across the landscape.

The success of PEOF will be measured by the extent to which it achieves enduring benefits for the vegetation and species habitat (environmental matters) required to be offset, in collaboration with Traditional Owners and other regional land managers.

## Nomination/appointment

1. The term of the membership for the project steering group is until end of 2025- or earlier if the steering group is discontinued.
2. If members can no longer fulfil the duties expected of steering group members and attend meetings, they inform the steering group chair and nominate a suitable replacement
3. Members can nominate a proxy to attend a steering group meeting in extenuating circumstances or emergencies.

## Operating Principles

All members of the project steering group agree to the following operating principles:

1. Attend all project steering group meetings, wherever possible in person, representing their directorate to provide governance and oversight for implementation of PEOF. Steering group members are to nominate a proxy attendee if unable to attend.
2. Provide advice and guide the implementation of actions fairly and impartially, and act in good faith, ethically and with integrity, accountability, and transparency.
3. Not use public resources for personal gain, financial or otherwise. Any member of the project steering group who has an actual, perceived, or potential conflict of interest on any item (e.g. in relation to hiring third party contractors) should advise the chair as soon as practical. Conflicts of interest are to be recorded. The chair can then determine the best action to address the conflict.

## Meetings

1. The steering group will meet every 12 weeks. Additional steering group meetings may be convened, as necessary.
2. Steering group meetings will be cancelled and an out of session update sent in its place if no steering group decisions are required.
3. DWER will fulfil the secretariat function, circulating an agenda and papers at least five days prior to an ordinary meeting and minutes within one week post.

## Communications

Members may not make public comment on behalf of the steering group to the media or outside organisations, unless authorised to do so by the Director General of DWER.

## Review cycle

These terms of reference are to be reviewed as determined by the steering group if any changes occur.