

IMPLEMENTATION ADVISORY GROUP – TERMS OF REFERENCE PILBARA ENVIRONMENTAL OFFSETS FUND

1 Role of the Implementation Advisory Group

The *Pilbara Environmental Governance Framework 2019* (Governance Framework) outlines how the Pilbara Environmental Offsets Fund (the Fund) shall be managed and the roles and responsibilities of the Implementation Advisory Group (IAG). In accordance with section 2.3 of the Governance Framework the role of the IAG is to provide advice on:

- Strategies, plans, reports and projects that exist to conserve biodiversity in the Pilbara.
- Leveraging opportunities.
- The 5-year Implementation Plan.
- The scope of each call for project applications.
- The Monitoring, Evaluation, Reporting and Improvement framework for the Fund.

The IAG liaises with the Project Recommendation Group (PRG) as required to clarify the Implementation Plan and selection criteria for projects.

These Terms of Reference (ToR) are to be read in conjunction with the Governance Framework.

2 Duties of members

2.1 Code of conduct

Members of the IAG will adhere to the following code of conduct:

1. Provide advice and recommendations fairly and impartially, and act in good faith, ethically and with integrity.
2. Be accountable and transparent.
3. Advise on the use of the resources of the State only for the purposes of the Fund.
4. Not make improper use of information obtained during duties, or use for direct or indirect personal or commercial gain, or to do harm to other people or the Fund.
5. Not use public resources for personal gain, financial or otherwise.
6. Attend at least three of the quarterly IAG meetings.

2.2 Conflict of Interest

DWER recognises that members of the IAG may have a conflict of interest when they are making decisions or recommendations on matters regarding the Fund. While members of the IAG may not be members of the Western Australian (WA) Public Sector, members are expected to manage any potential conflicts in accordance with the [Conflicts of Interests Guidelines for the WA Public Sector](#).

Members of the IAG will:

1. Disclose all actual and perceived conflicts of interests at the commencement of their term on the IAG, and where these conflicts change, disclose new or revised conflicts of interest as soon as practicable.
2. Where there is a matter that is before a meeting of the IAG where a conflict of interest may exist, the member should disclose the potential interest prior to any discussion occurring. The Chair may require the member to not participate in any discussions based on the nature of the

conflict. The Chair will nominate another member to Chair if they have a potential conflict of interest with a matter being discussed.

3 Committee composition and nomination

3.1 Membership

The membership of the IAG is as follows:

1. DWER Director General or authorised officer (Chair).
2. Two members from the mining industry.
3. Two members from state government agencies.
4. Two members from natural resource management (NRM), land management or conservation non-Government organisations.
5. Two members from Pilbara Traditional Owners or other appropriate representatives.
6. One member from the Western Australian Biodiversity Science Institute.

The composition of members as described above, and appointment of individuals will be approved by the Minister. All appointments should reflect the diversity of the community and support the Western Australian government's target of 50 per cent representation of women.

3.2 Qualifications

Members of the IAG will have Pilbara relevant technical and/or operational biodiversity capability to contribute to the development and evaluation of the Implementation Plan. This experience may include knowledge, skills or experience in science and biodiversity, Aboriginal cultural and traditional ecological knowledge, native title and/or environmental management and evaluation.

3.3 Term of membership

1. The term of the membership for the IAG will be staggered to ensure continuity of process, knowledge and skills as it relates to the Fund. For the first appointment, half of the IAG will maintain membership for 1.5 years with the other half maintaining membership for three years. All subsequent terms will be for three years.
2. If members can no longer fulfil the duties expected of IAG members, attend meetings and/or wish to resign their appointment, they must provide the Chair with a written resignation.
3. If a member resigns, then the Minister will appoint a new member from within the relevant sector.
4. Members should only send proxies to IAG meetings in extenuating circumstances or emergencies. Proxies will have full voting rights as it is assumed that they will be acting in the interest of the sector they represent.
5. The Chair may terminate the appointment of an IAG member if a member does not act in accordance with the code of conduct.

3.4 Reimbursement

The IAG is a non-statutory advisory group and members will not be paid a salary for participating. However, DWER may approve, on request, sitting fees or reimbursement of costs associated with attending meetings where substantial travel and personal financial cost is required to attend.

4 Meetings

The IAG will meet quarterly at a minimum. A special meeting of the IAG may be convened by the Chair at any time.

4.1 Decisions

1. A quorum is six deliberative votes.
2. Each member present at the meeting has a deliberative vote unless the code of conduct determined by the Panel prevents the member from voting.

4.2 Minutes

1. DWER will provide a secretariat for the group, and in addition to facilitating other tasks, will prepare an agenda for each meeting and circulate it at least two weeks prior to an ordinary meeting.
2. The secretariat will circulate minutes to members within one week after an ordinary meeting. Members have one week to make comments on the minutes and provide them to the secretariat.
3. The secretariat will finalise the minutes and publish them together with the agenda on the DWER website at most two weeks after any ordinary meeting.

5 Communications

1. Members may not make public comment on behalf of the IAG, the Fund or the WA Government to the media or outside organisations, unless authorised to do so by the Chair.

6 Review cycle

1. DWER, with input from the PRG and IAG, will review the efficacy of these Terms of Reference each time the Governance Framework is reviewed.