

# National Water Grid Advisory Body Charter

January 2021

## Delivering the National Water Grid

Australia faces major challenges in ensuring predictable supplies of water across the nation in the face of a changing climate and demand for water to continue growing the agricultural sector. The Australian Government is committed to the development of Australia's water infrastructure to support the growth of agriculture and regional Australia, while also building resilience to natural disasters.

While the Australian Government is already delivering new water infrastructure, more investment is needed to increase the availability and security of water, support the industry target of a \$100 billion agriculture sector and build resilience in the face of a changing climate.

Water infrastructure for agriculture and primary industries is a key priority for the Australian Government. The investment program will enable the creation of a series of water grids that will improve the security of supply across the nation, and deliver on the opportunity to help unlock northern Australia. It will also help the Government identify, plan and deliver projects (in partnership with states and territories) to fulfil these important objectives.

In the long-term it will facilitate the opening up of new regions for agriculture, and help to mitigate the risks posed by long term shifts in weather and rainfall patterns including increased evaporation. To achieve this, all options need to be considered including dams, water reuse, desalination, groundwater and pipelines.

## The National Water Grid Authority

On 1 October 2019, the Australian Government established the National Water Grid Authority (the Authority) to play a key role in shaping national water infrastructure policy and bringing together world best science to identify, plan and deliver the next generation of water infrastructure that will meet the goals outlined above. The NWGA's work will enable Government to invest in the right water infrastructure in the right place by operating across three interconnected functions:

1. **Implement a National Water Infrastructure Investment Framework:** A national framework for investment in water infrastructure, developed in consultation with state and territory governments that will identify a pipeline of priority water infrastructure projects to increase the capacity, connectivity and resilience of Australia's water storage and supply infrastructure.
2. **Commissioning and sharing science and research:** Using world best science to determine where and how Australia's water resources can be sustainably developed to increase security and reliability of supply.
3. **Targeted long-term investment:** Delivering on the Government's 10-year commitment to identify and build new water infrastructure through the National Water Infrastructure Development Fund.

## The National Water Grid Authority Advisory Body: strengthening public awareness and providing independent advice

To help implement its water infrastructure objectives, the Government has established an advisory body, with two key roles:

- The Advisory Body will provide independent expert advice to Government via the Deputy Prime Minister on specific water infrastructure policy, projects and investment priorities, at the request of the Deputy Prime Minister. While it does not have a decision making role, the Advisory Body's advice will inform Government's decisions and policy and in turn help deliver the National Water Grid. An independent advisory body has the potential to provide valuable informed and alternative views on a wide range of water infrastructure issues.
- Good decision making must be informed by well-informed public debate, and be supported by an understanding of the choices that need to be made. Therefore, building public awareness of the opportunities around improved water infrastructure is also an important role. The Advisory Body led by the Chair, will support the Deputy Prime Minister with public engagement to strengthen and support public understanding and awareness of the National Water Grid and the investment choices Government faces in delivering greater water security and resilience.

### Membership of the Advisory Body

The Advisory Body consists of eight members including the Chair and will seek to include expertise in engineering, economics, climate, environmental and water sciences, agriculture, infrastructure investment and stakeholder engagement.

The Minister responsible for the Authority (the Minister), in consultation with the Prime Minister, appoints members in accordance with usual government appointment process. Appointments will be for a three year term and the Minister has discretion to reappoint, limit or expand membership in consultation with the Prime Minister. A Member's appointment may cease at the discretion of the Minister in consultation with the Prime Minister.

A member may resign at any time by giving written notice to the Minister. The resignation will take effect on the day and at the time the notice is received by the Minister, or such time as is stated in the notice and agreed by the Minister.

### The role of the Advisory Body Chair

The Chair's role is to lead public engagement on water infrastructure challenges and provide leadership to the Advisory Body in providing advice to the Australian Government through the Minister. The responsibilities of the Chair are to:

- Convene and chair meetings of the Advisory Body.
- Work collaboratively with, and actively support members to fulfil the role of the Advisory Body.
- Encourage members to liaise with their community of interest on water infrastructure matters.

- Ensure the continuation of business between meetings.
- Disseminate information regarding the role of the Advisory Body, its priorities and directions and how it fits with the broader work of the Australian Government.
- Respond to media requests relating to the Advisory Body and communicate and support the work and interests of the Authority.
- Be the formal representative of the Advisory Body including in dealings with state and territory governments, at public forums or other senior stakeholder meetings.
- Provide updates to the Minister on the work of the Advisory Body.
- Work collaboratively with the Authority and be the link between the Advisory Body and Authority.

## The role of Advisory Body members

Advisory Body members are required to:

- Attend scheduled Advisory Body meetings and participate in discussion on matters before the Advisory Body. If members are unable to attend more than two consecutive meetings in a row their membership may be reviewed by the Minister in consultation with the Chair.
- Liaise as required on matters to be brought to the Advisory Body.
- Communicate the work of the Advisory Body and the Authority.
- Report back to the Advisory Body on the work of any Sub-Committees.

## Secretariat support

The Secretariat role will be undertaken by the Authority. The Authority is not a member of the Advisory Body. The Secretariat will:

- Prepare and distribute meeting agenda, papers and outcomes.
- Provide executive and administrative support including meeting and travel organisation, payment of remuneration and travel allowance and administrative support to the Chair.
- Work with the Chair to prepare the material required to fulfil Advisory Body requirements including relating to the review of operations as set out in this Charter.
- Maintain an up to date record of private interest declarations.

## Probity

Members of the Advisory Body must:

- Act honestly and impartially, exercising care, skill and diligence.
- Not use their position on the Advisory Body to lobby members of the government or external parties in the pursuit of particular outcomes.

- Treat all material and information which is provided in the course of their duties with appropriate confidentiality and strictly in accordance with any conditions or restrictions specified by the Authority or the provider of that material.
- Avoid placing themselves in a position which will potentially result in a conflict of interest.
- Make full and complete disclosure at the earliest opportunity of any existing/future personal involvement which might result in a conflict, pecuniary or otherwise.
- If the occasion should arise where a conflict of interest exists either:
  - absent themselves from discussions; or
  - refrain from any participation in the ensuing discussion.

A Conflict of Interest Protocol is at **Attachment A**. Members are asked to adhere to the Protocol in declaring and managing conflicts of interest.

## Advisory Body meetings

Meetings will be held approximately four times a year in person where possible. The Advisory Body or any Sub-Committees may choose to hold additional meetings to progress their work. Meeting dates and locations will be determined by the Chair in consultation with the CEO of the Authority (the CEO). As members serve on the Advisory Body in a personal capacity, no alternatives or proxies are permitted.

### Guest speakers, non-members and observers

The Chair may invite non-members, guest speakers or observers to meetings, noting that they may be required to absent themselves during certain agenda items deemed in-confidence. The CEO is an observer to Advisory Body meetings to enable the provision of government policy advice.

### Meeting agenda and papers

Meeting agenda will be determined out-of-session by the Chair in consultation with members and the CEO. The agenda and meeting papers will be circulated by the Secretariat in advance of meetings. The Secretariat will record meeting outcomes and actions. Draft outcomes will be distributed to members and provided for acceptance at the following Advisory Body meeting.

### Rules of conduct of meetings

The Advisory Body shall adhere to normal meeting procedures with the Chair responsible for meeting conduct. Should the Chair be unable to attend a meeting, a temporary Chair can be appointed from within the group for that meeting.

### Reporting and advice to the Minister

The Advisory Body will provide advice to the Minister through the Chair. Advice will be provided based on a majority of the Advisory Body supporting it. Where there are a range of views, the Chair should reflect those views in the advice to the Minister. A copy of any written advice provided to the Minister should also be provided to the CEO.

The Advisory Body can pass advice to the Minister when a quorum of members is present and/or as agreed by the Chair. A quorum shall comprise half of the number of members plus one. In all cases when considering any matter the Advisory Body shall use its best endeavours to achieve a consensus.

## Mode of Operation

### Forward Work Program

The Advisory Body will develop a Forward Work Program that reflects the expertise of the Advisory Body, Australian Government priorities for water infrastructure and the work of the Authority.

### Establishment of Sub-Committees

The Advisory Body may establish Sub-Committees to assist with the conduct of its work program. Sub-Committees would progress work on an area of responsibility before bringing matters back to the wider body for discussion.

## Review of Advisory Body operations

The Advisory Body should have regard to its performance on a regular basis, with the Chair to provide advice to the Minister on the Advisory Body's work. The Minister may also choose to review the operations of the Advisory Body from time to time.

## Media contact

The Chair is the only member who should act as a formal representative of the Advisory Body, except where the Chair, in consultation with the CEO, has approved another member to do so. The Chair (or member where relevant) must notify the Minister's Office of media interactions on behalf of the Advisory Body within 24 hours and preferably before publication of occurs. The Chair must also inform the CEO and Advisory Body members as soon as possible after media comment has been made.

The Authority will support the Chair as required in public messaging regarding the work of the Authority and the Advisory Body.

In their role, members are encouraged to participate in the public debate on water matters and to help grow community understanding of the decisions governments face in regard to water infrastructure investment. Where appropriate, Members should identify themselves as a member of the Advisory Body and note that their comments are provided in a personal capacity.

Should members speak at events or to the media, any comments should be provided in the member's own capacity and attributed to the member not the Advisory Body or the Government unless previously discussed with the Chair and CEO.

## Remuneration, travel expenses for the Chairperson and members

The Remuneration Tribunal has determined remuneration and travel arrangements. The Remuneration Tribunal (Remuneration and Allowances for Holders of Part-time Public Office) Determination and the Remuneration Tribunal (Official Travel) Determination can be found at <https://www.remtribunal.gov.au/offices/part-time-offices>.



# National Water Grid Advisory Body – Conflicts of Interest Protocol

January 2021

## Declaration of Personal Interests

Confidence in the integrity of public officials, including members of secondary bodies such as the National Water Grid Advisory Body (Advisory Body) is critical.

Members of the Advisory Body, as an independent body providing advice to government, are required to act honestly and impartially, exercising care, skill and diligence.

While the Advisory Body does not have a governance role, nor take decisions on project investment, any conflicts of interest, real or apparent, may undermine the integrity of advice and must be declared.

## Real and Apparent Conflicts

A conflict of interest is any personal interest which influences, or could be seen to influence, a person's actions and decisions. To be 'material', a personal interest needs to be of a type that can give rise to a real or apparent conflict of interest.

A **real** conflict of interest occurs where there is a conflict between the public duty and personal interests of a member of the Advisory Body that improperly influences the member in the performance of their duties.

An *apparent* conflict of interest occurs where it appears that a member's personal interests could improperly influence the performance of their duties but this is not in fact the case.

## Managing Conflicts of Interest

A conflict of interest cannot always be avoided. The National Water Grid Advisory Body Charter outlines the expectations on Advisory Body members. This includes, if the occasion should arise where a conflict of interest exists, the member should declare a conflict and either:

- absent themselves from discussions; or
- refrain from any participation in the ensuing discussion.

If required, the Chair in consultation with the National Water Grid Authority (the Authority) CEO will agree with the relevant member the approach that should be taken. If in doubt about whether an issue is a real or apparent conflict, members should raise the matter with the Chair who will agree an approach in consultation with the CEO of the Authority.

## When should a declaration occur?

As part of their appointment processes, Advisory Body members made a Private Interests Declaration and advised of any potential conflicts of interest prior to their appointment to the National Water Grid Advisory Body.

At the beginning of each meeting of the Advisory Body, the Chair asks members to declare any potential or foreseeable conflicts of interest that may have arisen since the previous meeting, or that they anticipate may arise in the current meeting. Members are able to make declarations prior to meetings, and out of session as required.

Should an unforeseen conflict arise during a meeting, members must declare the conflict and manage it as outlined above.

The Authority keeps a record of all member declarations.

The Authority will avoid providing project specific information to a particular member, if in the opinion of a Senior Executive, the member's interests will create a conflict.

Not declaring a conflict of interest may jeopardise the reputation of the Advisory Body and should be brought to the attention of the Minister for consideration as to the appropriate action.

Irrespective of the updates provided at the start of each meeting, Members will be asked to annually review and update their Private Interests Declaration / conflict of interest declarations. The expected timing is July of each year, on the basis that the Advisory Body commenced in August 2020.

A record of declarations will be kept by the Authority.