

STAKEHOLDER CONSULTATION COMMITTEE TERMS OF REFERENCE REVIEW 2023

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1 Setting the Scene

Mid West Ports Authority (**MWPA**) operates as a Western Australian Government Trading Enterprise and has been overseeing safe, secure and efficient port operations and marine services in the Mid West region for 50 years. Managing one of WA's most diverse operations in Geraldton Port, we cater for exports of grain, minerals and livestock, and imports of fertiliser, fuel and general cargo, while also welcoming cruise ships, oil rig tenders and many different exhibition craft.

We also support the region's large fishing industry, providing berthing facilities, maintenance, waste disposal and security to the commercial Fishing Boat Harbour. Our team of committed and dedicated workers work together to ensure the smooth running of our operations by encompassing our core values.

2 Intent and Purpose

Our Annual Performance Statement and annual reporting requirements recognises MWPA plays an important role in supporting our community, the region, and the state economy. We respect the aspirations and concerns of our Port communities and stakeholders and understand that social performance is a key factor by which our performance and success is measured. The Community Consultation Committee supports the importance of effective, two-way engagement with the community as a strategic stakeholder.

To achieve effective consultation as required under Section 14A of the *Port Authorities Act (WA) 1999*, this document sets out MWPA's intent to establish Community Consultation Committees (**CCC**) for the Port of Geraldton in the City of Greater Geraldton LGA area and the Oakajee Port in the Shire of Chapman Valley.

The purpose of the Community Consultation Committee is to provide a forum for discussion between MWPA and representatives of the community and stakeholder groups on issues directly relating to the planning, operation and development activities of MWPA. The Committee will inform the decision-making of MWPA through providing an advisory and consultative role, however, it is not a decision-making committee. The Objectives of the Community Consultation Committee are as follows.

- Establish good working relationships and promote and facilitate two-way communication and information sharing between MWPA, local community and stakeholder groups.
- For MWPA to keep the community informed about and consult and seek their views on projects and respond to matters raised by the community.
- Allow local community and stakeholders groups to seek information from MWPA and provide feedback to MWPA on the development and implementation of:
 - strategic plans;
 - new and emerging projects;
 - conditions of approval and management plans;
 - the results of any monitoring, annual reviews or independent audits;
 - community concerns;
 - the resolution of community complaints; and
 - any community initiatives or events.

3 Community Engagement Implementation

The Community Consultation Committee will be implemented in line with MWPA's Stakeholder Engagement Strategy and will be a core mechanism for consultation for MWPA. The Terms of Reference outlines the following:

- Objectives and governance processes of the Committees;
- Committee Membership;
- Committee Code of Conduct;
- Appointment of Chair;
- Meeting Arrangements; and
- Publishing of Minutes.

4 Committee Membership

Each Community Consultation Committee will comprise of:

- Chairperson
- Two MWPA representatives.
- Stakeholder representatives.
 - One Local Council representative from each relevant local government area (City of Greater Geraldton and Chapman Valley Council).
 - One local environment group representative.
 - Two local business representatives:
 - One local business owner; and
 - One Chamber of Commerce representative.
 - One representative from the indigenous community.
 - Two Port industry representatives (users/tenants).
 - One Fishing Boat Harbour representative (as relevant).
 - Two recreational users.
 - Up to three community representatives¹.

¹ It is recommended that there is adequate representation of women on the SCC in accordance with the World Health Organisation's diversity goals. (Refer to <http://www.who.int/gender-equity-rights/en/>) and that there is at least one youth representative (below the age of 21.)

5 Committee Appointments

5.1 CHAIR

The Chair will be appointed by the Committee and must:

- be a community representative;
- convene, facilitate and advise the Community Consultation Committee; and
- facilitate the meeting in a neutral and impartial manner.

5.1.1 Appointment of the Chair

The Chair will be a community member appointed by the Committee, who has the capacity, ability and experience to chair the Committee and is willing to accept the roles and responsibilities of the role.

The appointment of the Chair will be reviewed every two years.

5.2 STAKEHOLDER AND COMMUNITY REPRESENTATIVES

Stakeholder and Community representatives will be selected from the local community and identified stakeholder groups. Workers of MWPA are not eligible to be appointed as community representatives.

Local community representatives must:

- be current residents or landowners within the relevant Local Government Area;
- demonstrate involvement in local community groups and/or activities;
- have knowledge and awareness of MWPA and related issues of concern to the local community;
- be able to represent and communicate the interests of the affected local community;
- be willing to adhere to the Group's Code of Conduct and Terms of Reference; and
- be willing to bear any costs associated with being a committee member.

Representatives of stakeholder groups must be:

- a member of a stakeholder group with an interest in MWPA activities;
- able to represent and communicate the interest of the group or community;
- willing to adhere to the Group's Code of Conduct and Terms of Reference; and
- willing to bear any costs associated with being a committee member.

5.2.1 Appointment of Community and Stakeholder Representatives

Community and Stakeholder representatives will be appointed through the following process.

- Call for nominations will be placed by MWPA. This will involve:
 - advertising for nominations in relevant publications and media;
 - direct contact to target stakeholder groups;
 - minimum of three week advertising period;

- nomination forms will be available to download from the MWPA website; and
- a minimum of three week period for groups/organisations/individuals to respond with their nomination form.
- Nominations are to be mailed or emailed directly to the General Manager Sustainability, Culture and People.
- MWPA Executive will review all nominations in line with the selection criteria and forward a list of recommend candidates to CEO.
- The CEO must:
 - review recommendations;
 - appoint the representatives; and
 - formally notify successful and unsuccessful nominees.
- The CEO may review the appointment of community and stakeholder representatives at any time.

5.3 TERM OF APPOINTMENT

The Term of Appointment for Committee members elected to represent the community or stakeholder groups is for two years.

6 Community Consultation Committee Meetings

6.1 FREQUENCY, TIMING, AND LOCATION OF MEETINGS

The Committee will meet a minimum of four times a year, for a duration of one and a half hours at a location relevant to the meeting.

6.2 MEETING PROCEEDINGS

MWPA, with support from Communications will:

- advise of the date, time and location of the meeting and call for agenda items four weeks in advance of the meeting date;
- circulate the agenda for all meetings one week prior to the meeting date in consultation with the members of the committee;
- convene and run meetings in a fair and neutral manner;
- identify prior to the meetings any items of a confidential nature and assist committee members to understand how this information may, or may not, be used;
- resolve disagreements or difference of opinion in a fair, transparent and supportive manner; and
- ensure that issues raised by the community representatives or stakeholder representatives on behalf of the community are heard and appropriately considered.

6.3 MEETING AGENDA

Community Consultation Committee meeting agenda items will be decided by the Chair but will include the following Standing agenda items.

1. Welcome.
2. Apologies.
3. Declaration of Conflicts of Interest.
4. Actions/Items Arising from Previous Minutes.
5. MWPA Update of Items from Previous Meeting.
6. MWPA Reports and Overview of Activities.
7. Questions on Notice.
8. Community Update.
9. Other Agenda Items.
10. General Business.
11. Next Meeting.

7 Meeting Minutes

The Chair is responsible for overseeing the preparation of the Minutes for each Committee meeting. These minutes must:

- provide an accurate summary of the matters that were discussed at the meeting, including any community concerns expressed and inquiries made;
- record the dissenting views of members on a matter; and
- clearly identify the actions to be undertaken before the next meeting, and who is responsible for taking these actions, and by when.

An MWPA Communications workers will attend each meeting to support the Committee through administration of the group including minutes.

7.1 CIRCULATION AND PUBLICATION OF MINUTES

Minutes will be taken on behalf of the Chairperson and circulated to all stakeholders within seven days of a meeting occurrence. MWPA will be responsible for retaining Meeting Minutes and circulating copies of the Minutes to CCC members and stakeholders along with publishing on MWPA's website.

7.2 QUORUM

The quorum of meetings is the Chair; one MWPA representative (either the Executive Communications representative); four of the Community or Stakeholder representatives.

Committee representatives or representatives of stakeholder groups (not community member representatives) may appoint an alternate or proxy member who may exercise all powers of the Committee member when attending in their place.

This alternate Committee member may be:

- part of the same organisation or community group;
- willing and able to represent the interests of the organisation or community group; and
- approved by the Chair one week prior to the meeting.

7.3 ATTENDANCE

Attendance of a meeting may be in person or via suitable electronic means. Meeting attendance, including apologies, will be noted in the Minutes of each meeting. A proxy member may also be nominated to attend on behalf of a Member to maintain representation.

It is expected that members (not their proxy) should attend at least one meeting per calendar year. Members who fail to attend at least one meeting in a calendar year may have their membership revoked.

7.4 ATTENDANCE BY NON-COMMITTEE MEMBERS

Members may ask the Chair to invite non-Committee members/expert advisors to attend meetings, either as observers or to provide advice to the Committee.

This may include:

- representatives of any State Government agency;
- technical experts or consultants;
- community project/program partners; and/or
- members of the general public.

7.5 ATTENDANCE BY THE GENERAL PUBLIC

Committee meetings are closed meetings, however, the Committee may wish to put forward an open invitation to the general public to observe a meeting. For this to occur, the following process must be followed.

- During the meeting the Committee will discuss the invitation to allow the general public to observe the subsequent CCC meeting.
- A vote will be called by the Chair and a majority vote will decide.
- The Chair, and the Communications Representatives will advertise the open invitation a minimum of three weeks prior to the meeting date via the appropriate methods.
- Community and Stakeholder representatives should share this invitation with their group, organisation or community.

8 Code of Conduct

A responsibility of being a member of the MWPA Community Consultation Committee is to comply with the MWPA CCC Code of Conduct.

Members must sign the Code of Conduct upon their appointment to the Committee and agree to:

- attend committee meetings, at dates and times set by the Chair;
- advise the Chair in advance if a member is unable to attend meetings;

- work collaboratively with other members of the CCC towards achieving objectives;
- contribute to an atmosphere of open and constructive participation;
- openly communicate relevant concerns, interests and ideas and make reasons for any disagreement clear in a constructive and thoughtful manner;
- to have input into recommendations prepared for the CCC to consider;
- actively work with the members of the CCC to try and resolve any disputes that may arise during the CCC activities;
- ensure confidential matters handled by the CCC are kept confidential, and refrain from discussing these matters with other parties outside meetings;
- not interrupt when another member is speaking;
- not speak publicly on behalf of the CCC;
- only speak publicly about CCC matters that have been approved by MWPA;
- not misrepresent the views of other members of the CCC outside meetings; and
- abide by the directions of the Chair.