

Wild Dog Management Advisory Committee

Terms of Reference

November 2016

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1. Overview

The Victorian Wild Dog Management Advisory Committee (WDMAC) is a non-statutory committee constituted by the Minister for Agriculture to provide advice on matters relating to the management of wild dogs in Victoria, regardless of land tenure.

2. Definitions

In this document -

WDMAC means the Victorian Wild Dog Management Advisory Committee;

Chairperson means the WDMAC member responsible for chairing WDMAC meetings and the delivery of WDMAC milestones;

Department means the Department of Economic Development, Jobs, Transport and Resources;

Departments means the Department of Economic Development, Jobs, Transport and Resources and the Department of Environment, Land, Water and Planning;

Guidelines means the Victorian Government's *Appointment and Remuneration Guidelines 1 July 2016*;

Member means a person appointed to the WDMAC by the Minister. A reference to a member includes a reference to the chairperson unless the contrary intention is expressed;

Minister means the Minister for Agriculture;

Ministers means the Minister for Agriculture and the Minister for Energy, Environment and Climate Change;

Non-member means a person contracted by the Department who is not appointed to the WDMAC, invited to participate in the WDMAC deliberations at the invitation of the Minister, the chairperson or the Department;

Observer means a person who is not appointed to the WDMAC, invited to participate in the WDMAC deliberations at the invitation of the Minister, the chairperson or the Department;

Working group means a group of WDMAC members established to undertake project work in accordance with objectives in a project brief and may include participation by non-members;

Work plan means the plan outlining the work WDMAC will undertake for the forthcoming year, incorporating work priorities required by the Minister or requested by the Minister for Energy, Environment and Climate Change where necessary.

3. Role of the WDMAC

- 3.1 The purpose of the WDMAC is to generate and provide expert and strategic advice to the Minister on matters as specified in the work plan that relate to the management of wild dogs in Victoria, consistent with the role and functions defined in this Terms of Reference.
- 3.2 The WDMAC will represent a cross-section of stakeholders who will provide advice on how to ensure a collaborative approach to the management of wild dogs to allow for its effective and efficient implementation across the State, regardless of land tenure.
- 3.3 Specifically, the role of the WDMAC is to provide advice on:

- a) How Victoria can best align its approaches to wild dog management with best practice.

Wild dog management is a national issue. The approach in Victoria must align with national and state policy documents including the Intergovernmental Agreement on Biosecurity, the National Wild Dog Action Plan and the Action Plan for Managing Wild Dogs in Victoria 2014-2019.

- b) Developing relationships between community, farmers, industry, State Government, and other affected stakeholders and how best to support a collaborative approach to wild dog management.

Recognising the knowledge and experience of Victorian communities in managing wild dogs is central to fostering community participation and leadership.

- c) Reducing the negative impacts of wild dogs and the management of wild dogs on all matters relating to agriculture, the environment and social wellbeing of communities affected by wild dogs.

*The feral and wild populations of wild dogs and dingo-dog hybrids are declared as established pest animals under the Catchment and Land Protection Act 1994 in Victoria. Dingoes (*Canis lupus dingo*) are listed as a threatened species under the Flora and Fauna Guarantee Act 1988 and protected wildlife under the Wildlife Act 1975. The dingo has been unprotected on private land or on public land within 3 km of a private land boundary in certain areas of the state through a Governor-in-Council Order under the Wildlife Act 1975. It is a priority to work with affected communities to reduce the negative impact on social, environmental and economic values.*

- d) Monitoring, evaluation and reporting arrangements to facilitate evidence-based decision-making in wild dog management.

Continuous improvement in the way wild dogs are managed will enhance program success.

- e) Legislative and non-legislative interventions to achieve policy outcomes for wild dog management.

It is important that proposals for interventions are closely examined to ensure they represent the best option available to government to meet the relevant policy objectives.

- f) Advise on research and development knowledge gaps relating to all aspects of wild dog management.

The knowledge that comes from research and development is critical for the implementation of evidence-based management approaches and, in many cases, substantial advances in wild dog management will require development of new techniques and acquisition of greater knowledge.

- g) Any other matters identified in the work plan.

4. Membership

4.1 Composition

4.1.1 The membership of the WDMAC will consist of the following members:

- a) chairperson; and
- b) up to six other members

4.2 Appointment of members

4.2.1 The Minister shall appoint the chairperson and up to six members in accordance with the Guidelines and these terms of reference.

4.3 Selection of members

4.3.1 Members are selected in accordance with the protocol established in **Appendix 1**.

Approximately six to nine months prior to the expiry of the term of appointment of a member, the Minister shall call for an expression of interest in accordance with **Appendix 1**

4.4 Probity checks for prospective members

4.4.1 Prospective members are subject to probity checks to include:

- a) a Declaration of Private Interests;

- b) a Diversity Information and Privacy Consent form (nominees consenting to have their details collected by the Victorian Government for appointment purposes);
- c) a National Police Record check; and
- d) an Australian Securities & Investment Commission (ASIC) check; and
- e) an Australian Financial Security Authority (AFSA) check; and
- f) a current Curriculum Vitae.

4.5 *Term of appointment*

- 4.5.1 The term of office of the chairperson and members will be three years, or less if determined by the Minister subject to clause 4.6. Where there is a replacement office appointed, the term of office for that member shall be the balance of the term of office of the replaced member.
- 4.5.2 A member is eligible for reappointment to the WDMAC subject to an assessment of performance by the chairperson and as determined by the Minister.

4.6 *Vacancies*

- 4.6.1 A member of the WDMAC may resign in writing, addressed to the Minister.
- 4.6.2 The Minister can remove a member from office if:
 - a) the member becomes incapable of performing his or her duties;
 - b) the member is negligent in the performance of duties;
 - c) the member engages in improper conduct;
 - d) the member breaches confidentiality;
 - e) the member or chairperson fails to disclose a pecuniary interest as required; or
 - f) for any other reason determined by the Minister.
- 4.6.3 If the office of the chairperson or a member becomes vacant, the Minister may fill the vacancy in accordance with the protocol established in **Appendix 1**, or elect to not fill the vacancy.
- 4.6.4 The member appointed to fill a vacancy will be appointed for the balance of the term of office for that member being replaced, unless otherwise determined by the Minister.
- 4.6.5 The Minister may at any time disband the membership and/or abolish the WDMAC.

4.7 *Absence*

- 4.7.1 In the case of absence of the chairperson at any meeting of the WDMAC, the members present may elect a member to preside at that meeting as chairperson.
- 4.7.2 A member who is absent may not nominate another person to attend a meeting in their absence.

4.8 Observers

- 4.8.1 Upon invitation of the chairperson, an observer may attend a meeting. Officers of the Departments or Parks Victoria may attend, with the agreement of the chairperson, to provide policy context or other information deemed important by the Department to support the WDMAC deliberations.
- 4.8.2 An observer may participate in discussions at the invitation of the chairperson.
- 4.8.3 An observer does not have voting rights.
- 4.8.4 Observers are bound by the confidentiality and codes of conduct that apply to members of the WDMAC.

5. Remuneration and expenses

- 5.1 Subject to clause 5.2 and 5.5, members are entitled to be paid sessional rates fixed by the Minister in accordance with the Guidelines for a Group C Band 2 body.
- 5.2 A member, including a member who is appointed as chairperson, is not entitled to remuneration (sessional rates) if he or she is a member of the Legislative Assembly of Victoria or the Legislative Council of Victoria.
- 5.3 A member, including a member who is appointed as chairperson, is not entitled to remuneration if they are Victorian public sector employee and the role is a requirement of their substantive position.
- 5.4 Public sector employees are only eligible for remuneration if the appointment is on a personal basis, and the work required will be undertaken in the employee's own time or during periods of approved leave. The public sector employee's substantive employer must confirm in writing that the work involved in the appointment can and will be performed in the employee's own time.
- 5.5 If the public sector employee is an executive officer or equivalent, departments must seek the written approval of the Secretary of the Department of the Premier and Cabinet, for the remuneration of the proposed appointee ahead of seeking approval for the appointment itself.
- 5.6 As fixed by the Minister in the Instrument of Appointment, a member's 'out of pocket' expenses will be paid in accordance with paragraph 7.27 of the Guidelines being the policy and rates that apply to employees of the Departments.
- 5.7 A member, including if the member is a Member of Parliament, can only be reimbursed for 'out of pocket' expenses reasonably incurred in fulfilling duties required as a member.

6. Roles and responsibilities of chairperson

- 6.1 The chairperson will facilitate an orderly and constructive discussion between members to ensure delivery of the responsibilities of the WDMAC set out in these Terms of Reference.

- 6.2 The chairperson is responsible for engaging with the Department on the development of the work plan, meeting agendas and the progress of actions arising from meetings.
- 6.3 Subject to confidentiality requirements, the chairperson is the spokesperson for the WDMAC and may represent the WDMAC where deemed appropriate by the Minister.
- 6.4 The chairperson is responsible for monitoring the performance of the WDMAC, including drawing a member's attention to non-adherence to the Terms of Reference.
- 6.5 The chairperson is responsible for monitoring the consistency and quality of the work carried out by the WDMAC.
- 6.6 The chairperson is responsible for allocating actions in the work plan to a responsible WDMAC member or working group.
- 6.7 The chairperson is responsible for meeting or facilitating all reporting requirements outlined in clause 14 (Reporting) of this Terms of Reference.
- 6.8 In accordance with clause 5.16 of the Guidelines, input from the chairperson should be sought when developing position descriptions for vacancies.

7. Roles and responsibilities of members

- 7.1 The primary role of members is to provide sound advice on matters as specified in the work plan based on collective experience and knowledge.
- 7.2 Members should ensure they can provide input into matters under consideration by the WDMAC and to participate in decisions relating to those matters.
- 7.3 Members should participate in, and equitably share, the workload of the WDMAC where possible.
- 7.4 Members must adhere to the confidentiality provisions.
- 7.5 Members should:
 - a) share information and knowledge with other members;
 - b) undertake actions allocated to them by the chairperson;
 - c) bring current issues relating to the management of wild dogs to the WDMAC to inform the development of the work plan;
 - d) commit to the majority view of the WDMAC;
 - e) adhere to Victorian Public Sector codes of conduct in relation to governance;
 - f) act in the best interests of the WDMAC; and
 - g) withdraw from the WDMAC if the member cannot perform the role they have voluntarily assumed.

8. Confidentiality

- 8.1 While recognising an intent of openness and transparency, members shall maintain confidentiality of the following information in order to provide a basis for independent advice and debate:
- a) Deliberations of the WDMAC;
 - b) Correspondence between the Ministers or Departments, Parks Victoria and the WDMAC;
 - c) Papers by the Departments and Parks Victoria supplying information in relation to business matters before the WDMAC; and
 - d) Any other documents or materials provided to members marked confidential unless otherwise stated by the Ministers.
- 8.2 Members shall only use and copy information for the purposes set out in the Terms of Reference and the duties of the WDMAC.
- 8.3 Members may explain and provide general feedback on the work of the WDMAC and consult closely with their representatives, stakeholders and networks, including via social media and other online and regional forums and events, on a needs to know basis for the purpose of carrying out the Terms of Reference and subject to confidentiality requirements.
- 8.4 A member resigning or retiring from the WDMAC shall not, without the express approval of the Minister, disclose any information accruing from the membership.
- 8.5 Invited attendees at WDMAC meetings may be requested to sign a Confidentiality Deed.

9. Freedom of Information

- 9.1 Members should be aware that all documents relating to the WDMAC (for example meeting papers, correspondence, expense claims) will be placed on file by the Department and will be subject to the *Freedom of Information Act 1982*.
- 9.2 Members should also be aware that electronic documents could be the subject of a request for production under the *Freedom of Information Act 1982*.

10. Conflicts of interest

- 10.1 Conflicts of interest include real, potential or perceived conflicts, with direct (held by the member) or indirect (held by a relative or close associate of the member) private interests, or duty to another organisation, which may be either pecuniary or non-pecuniary.
- 10.2 At the start of each WDMAC or working group meeting, a member, non-member or observer shall declare if he or she has an interest in respect to any item on the agenda. If a member, non-member or observer has an interest, he or she will declare it, including the nature of the interest and the conflict that results, or may result, from it. An interest

must be declared even if it is already recorded in the member's Declaration of Private Interest.

- 10.3 A member or observer who becomes aware during the meeting that he or she has an undeclared interest will declare it immediately.
- 10.4 A member who believes that another member or observer may have an undeclared interest will raise this as a query, so as to enable the other member to declare the interest, if it exists.
- 10.5 When a chairperson, member or observer makes a declaration of conflict of interest, the chairperson, or in the case of a declaration by the chairperson, the members as a collective may:
 - a) refuse the member the right to speak to the business;
 - b) refuse the member the right to vote on that business;
 - c) require the member to withdraw from a meeting for the period of discussion and resolution of that business.
- 10.6 Where a member or observer declares a conflict of interest, this will be recorded in the minutes of the meeting.

11. Working groups

11.1 *Role of working group*

- 11.1.1 Where required, the WDMAC may establish working groups that include participation by non-members, or seek wider consultation to assist the WDMAC in carrying out its functions.
- 11.1.2 Working groups are to fulfil the objectives of the WDMAC and consequently, must follow the priorities established in the work plan.

11.2 *Working group membership*

- 11.2.1 The WDMAC shall nominate a member to convene a working group.
- 11.2.2 Working group convenors may use their discretion to seek input from other people, who have specialist knowledge, or an interest in the working group's roles, responsibilities and tasks.
- 11.2.3 Working groups may meet with representatives, seek information from or visit relevant locations or communities, outside of the WDMAC.

11.3 *Working group establishment*

- 11.3.1 During the development of the work plan, the need to form working groups is to be considered.
- 11.3.2 Working groups can be established for specific purposes and for limited periods.

- 11.3.3 Prior to being established, working groups will require a formal written project brief, clearly outlining the work to be undertaken by the working group, reporting requirements and associated deliverables and timeframes for the work's completion.
- 11.3.4 The working group's project brief is to be endorsed by the WDMAC, and approved by the Department .
- 11.3.5 The working group convenor will report to the WDMAC.

12. Business operations

12.1 *General meeting procedures*

- 12.1.1 The WDMAC will meet quarterly or as required, to ensure the delivery of the work plan and approved by the Department.
- 12.1.2 Members are expected to attend all meetings in person. A minimum attendance of 75 per cent is required unless otherwise approved by the chairperson or in the case of the chairperson, approved by the Minister.
- 12.1.3 The Minister may request that members participate in additional meetings in person or by teleconference or consider out-of-session papers, if required. Teleconference attendance will need to be granted by the chairperson and should not be expected to occur on a regular basis.

12.2 *Meeting agenda and papers*

- 12.2.1 The chairperson should circulate, if possible, not less than fourteen days prior to a meeting, an agenda setting out standing business before the WDMAC.
- 12.2.2 Standing agenda items can include, but are not limited to:
 - a) progress of delivery of the work plan;
 - b) progress of delivery of tasks assigned to a working group.

12.3 *Meeting minutes and correspondence*

- 12.3.1 Meeting minutes should accurately reflect decisions or recommendations made by the WDMAC, specify each item of business discussed and briefly summarise essential items of discussion.
- 12.3.2 As soon as practical after the draft minutes are approved by the chairperson they will be circulated for review by members and formally adopted at the next meeting.
- 12.3.3 Following review by the chairperson and members, correspondence conveying advice from the WDMAC to the Minister and where relevant to the Minister for Energy, Environment and Climate Change shall be completed as soon as practicable after the meeting at which that advice was discussed.

- 12.3.4 If of an urgent nature, correspondence from and to the WDMAC between meetings shall be circulated to all members when received, otherwise correspondence will be tabled at meetings.

12.4 *Executive support*

12.4.1 The Department shall provide administrative support services to the WDMAC. Support from the Department of Environment, Land, Water and Planning may be requested as required to facilitate deliberations by the WDMAC,

12.4.2 The Department may:

- a) organise meetings in consultation with the chairperson;
- b) prepare the meeting agenda under the supervision of the chairperson;
- c) circulate any background, discussion or options papers following consultation with the chairperson;
- d) prepare the minutes and briefings to the Minister;
- e) assist the chairperson in preparing correspondence, reports, or any other document of relevance to WDMAC business;
- f) maintain files and records of meetings; and
- g) arrange for payment of remuneration and 'out of pocket' expenses reasonably incurred by members in accordance with clause 5.

12.5 *Quorum*

12.5.1 A quorum of the WDMAC is constituted by a majority of the members of the WDMAC holding office at that time.

12.5.2 No meeting of the WDMAC shall commence or continue unless a quorum is present.

12.5.3 Any duly convened meeting at which a quorum is present shall be competent to consider and resolve any business of the WDMAC and may exercise all the functions of the WDMAC.

12.6 *Decisions*

12.6.1 A decision of the WDMAC should, where possible, be reached by consensus. In the absence of consensus, a decision will be on the basis of the majority view. Dissenting views will be noted.

12.6.2 An absolute majority will constitute half the voting members present plus one. Members will have a single vote.

12.7 *Effect of vacancy or defect*

12.7.1 An act or decision of the WDMAC is not invalid only because:

- a) of a vacancy in its membership; or
- b) of a defect or irregularity in the appointment of any of its members.

13. Work plan

- 13.1.1 WDMAC must establish a planning framework for its business, incorporating strategic elements and produce an annual work plan.
- 13.1.2 WDMAC will conduct an annual work plan meeting, convened by the chairperson.
- 13.1.3 A work plan (see template at Appendix 2) will outline the work WDMAC will undertake for the forthcoming year, incorporating work priorities required by the Minister or requested by the Minister for Energy, Environment and Climate Change where necessary.
- 13.1.4 WDMAC must present the work plan to the Minister for consideration and endorsement:
 - a) In its first year of operation, three months following the inaugural meeting;
 - b) In subsequent years by 30 September or three months from the appointment of the membership.
- 13.1.5 The work plan may be updated as required and resubmitted to the Minister for consideration and endorsement.

14. Reporting

14.1 *Quality advice*

- 14.1.1 The WDMAC, through the chairperson, is responsible for providing timely, high quality advice in a form that satisfies the Minister, and where relevant the Minister for Energy, Environment and Climate Change.

14.2 *Annual report*

- 14.2.1 WDMAC will provide an annual report in writing, from the chairperson to the Minister, outlining an evaluation of delivery of the work plan, by 31 March each year or as close as practical to the completion of the annual cycle, in accordance with the annual report template (Appendix 3).

15. Review of the WDMAC

- 15.1 In accordance with the *Premier's Circular No. 2013/02 – Creation and Review of Non-Departmental Entities* which provides that within three years, and at least every six years thereafter, a review of the WDMAC will be undertaken. This review may coincide with the conclusion of the Action Plan for Managing Wild Dogs in Victoria 2014 – 2019.
- 15.2 Further, the WDMAC will sunset no later than 2026, or earlier if the Minister no longer requires advice on matters relating to the management of wild dogs in Victoria.
- 15.3 The performance of the chairperson and the WDMAC will be reviewed regularly.

16. Amendment of Terms of Reference

- 16.1 The Terms of Reference may be amended by the Minister at his/her discretion in consultation with the chairperson. It is expected that the Terms of Reference will be reviewed at least every three years.

17. Consultation

- 17.1 The Minister shall consult with the Minister for Energy, Environment and Climate Change on matters that relate to the:
- a) selection and appointment of members recommended by the Minister for Energy, Environment and Climate Change;
 - b) term of WDMAC; and
 - c) establishment of a work plan for the WDMAC.

Appendices

Appendix 1

Selection criteria for chairperson and members

Chairperson

The chairperson of the WDMAC will be sought through an expression of interest process based on criteria set by the Minister or as determined by the Minister. In recommending the chairperson to Cabinet, the Minister must take into account government diversity objectives and be satisfied that the person has the skills and knowledge needed to fulfil the duties required of a chairperson.

Members

An open and competitive process will be conducted to seek expressions of interest to become a member of WDMAC. Appointment of members will be based on the recommendations of a joint selection panel consisting of the WDMAC chairperson, senior officers of the Departments, provided to the Minister.

The Minister for Energy, Environment and Climate Change will recommend the appointment of up to two members having skills or expertise in Dingo conservation ecology, biodiversity conservation and threatened species management more generally.

Selection of members will take into account the expertise of the person, government diversity objectives and that the membership of the WDMAC will adequately balance the criteria described below. There will also be due consideration of the skills and knowledge needed by members to fulfil the duties of the WDMAC required by the Terms of Reference and the Guidelines. The Minister may seek advice from the chairperson on proposed candidates for membership.

Members must have knowledge and expertise in at least one or more of the following categories:

- a) demonstrated experience and knowledge of wild dog problems and management in the north east region of Victoria;
- b) demonstrated experience and knowledge of wild dog problems and management in the Gippsland region of Victoria;
- c) demonstrated experience and knowledge of wild dog problems and management in the north west region of Victoria;
- d) demonstrated experience and knowledge of social welfare and response issues in wild dog affected regions of Victoria;
- e) demonstrated experience and knowledge of dingo conservation and ecology, biodiversity protection and threatened species management in Victoria;
- f) demonstrated experience and knowledge of catchment management;
- g) demonstrated experience and knowledge of the science of wild dog management in Victoria; or
- h) any other area that the Minister considers relevant to the role of the WDMAC.

Appendix 2

Wild Dog Management Advisory Committee – Annual Work Plan

Start Date	DD/MM/YYYY	End Date	DD/MM/YYYY
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WDMAC, during this time will focus on:

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Work Plan				
Action	Responsibility	Deliverable / outcome	Task involved / Milestone(s)	Timeframe

Appendix 3

Wild Dog Management Advisory Committee – Annual Report

Start Date	DD/MM/YYYY	End Date	DD/MM/YYYY
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Action	Responsibility	Deliverable / outcome achieved over period	Future milestone(s)/outstanding	Status

Justification for non-delivery of actions:

Variations:

Evaluation: