



**KIMBERLEY  
PORTS**  
AUTHORITY



**COMMUNITY  
CONSULTATION  
COMMITTEE –  
PORT OF DERBY  
AND YAMPI  
SOUND**





# COMMUNITY CONSULTATION COMMITTEE – PORT OF DERBY AND YAMPI SOUND

Current version number: 1.0    File reference: CRE236/92822    Maintained by: Governance Manager

Original issue date: November 2021    Last review date: n/a    Next review date: November 2023

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## VARIATION RECORD:

Version No.	Version Date	Brief Description of Change
1.0	November 2021	Initial Charter

## 1. BACKGROUND

- 1.1 Section 14A of the *Port Authorities Act 1999 (PAA)* requires Kimberley Ports Authority (**KPA**) to establish a consultation committee for the Ports of Derby and Yampi Sound (**Committee**).
- 1.2 The purposes of the Committee are to promote and facilitate:
  - a) two-way communication;
  - b) information sharing; and
  - c) consultation,

between KPA and members of the public who are, or may be affected by operations at the Port of Derby or Yampi Sound (**Purpose**).

- 1.3 This charter establishes the authority and responsibilities of the Committee.

## 2. TERMS OF REFERENCE

- 2.1 The Committee will:
  - a) provide advice on effective mechanisms for communication and consultation with groups interested in Port of Derby and Yampi Sound operations including business, government, local residents and special interest groups;
  - b) liaise on the development of the Port of Derby and Yampi Sound's management plans;
  - c) identify potential positive and negative social, economic and environmental impacts associated with the operation and development of the Port of Derby and Yampi Sound and provide recommendations on appropriate monitoring, mitigation and management strategies;
  - d) provide regular feedback and advice to KPA; and
  - e) consider other matters of interest as determined by the CEO of KPA.

## 3. COMMITTEE MAKEUP & APPOINTMENT

- 3.1 The Committee will have a maximum of up to ten members plus an independent Chairperson.
- 3.2 The independent Chairperson will be appointed to the Committee by the Board of KPA on a biennial basis.
- 3.3 If the Committee Chair is unavailable to attend a meeting then the Committee can appoint a temporary Chairperson to conduct that meeting.
- 3.4 KPA will invite representatives from local organisations with expertise, responsibilities or interest in port related matters to be part of the Committee with interests and skills in:
  - a) Commerce;
  - b) Tourism;
  - c) Local Government;
  - d) Environment and Heritage; and
  - e) Community.

- 3.5 In accordance with section 14A (3) of the PAA, one seat on the Committee is reserved for local government representation who are also port managers.
- 3.6 Two seats on the Committee are reserved for members of the local community. KPA will publicly advertise seeking nominations for the seats.
- 3.7 Two seats will be reserved for representation of Yampi Sound.
- 3.8 New members will be chosen by a selection panel determined by KPA which includes the CEO.
- 3.9 Membership candidates will be assessed to ensure no conflict of interest with KPA or the Shire of Derby West Kimberley and the contribution that they would make to the committee.
- 3.10 A call for nominations for positions made vacant by expiry of Committee members terms on the Committee will be issued in November each year.
- 3.11 Existing members interested in remaining on the Committee will be eligible to re-nominate.
- 3.12 Committee members will be elected for terms of two years.
- 3.13 Membership of the Committee will be subject to endorsement by the Board of KPA.
- 3.14 Non-attendance at three consecutive meetings without notice causes that position to be declared vacant. Proxy members are not permitted.

#### **4. DISMISSAL OF COMMITTEE MEMBERS**

- 4.1 The Chairperson of the Committee with concurrence of the CEO of KPA have discretion to dismiss a Committee member by giving written notice.
- 4.2 The CEO of KPA can dismiss the Chairperson of the Committee by giving written notice.

#### **5. COMMITTEE MINUTES AND MEETINGS**

- 5.1 The Committee will propose their meeting procedures, meeting times and dates and must obtain the approval of the KPA CEO to those proposed procedures and meetings.
- 5.2 A quorum for the Committee is four members.
- 5.3 Meetings shall be held twice a year and KPA will be responsible for organising the meeting venue.
- 5.4 Where an issue of importance arises out-of-session and that cannot be dealt with at a meeting, but does not require calling an additional meeting the chair may approve circulation of material out-of-session.
- 5.5 Attendance by non-members of the Committee (other than KPA Board members, the office of the Minister for Ports and KPA staff) is by invitation only.

- 5.6 KPA will arrange for a staff member to take minutes of the meeting which will be kept and published in accordance with section 14A (4) of the PAA.
- 5.7 The Committee may not make public statements by way of interview, media releases or otherwise without first obtaining the prior approval of the CEO of KPA. The CEO may approve or decline the Committee's request at the CEO's discretion.

## **6. AUTHORITY**

### 6.1 The Committee:

- a) is an advisory body only;
- b) has no legal status and is not a statutory committee established under the PAA or otherwise;
- c) has no legal status or powers to direct the Board, and Management of KPA or SDWK;
- d) is not an agent for KPA;
- e) has no legal status under the PAA or otherwise; and
- f) is not, and is not to become an incorporated body.

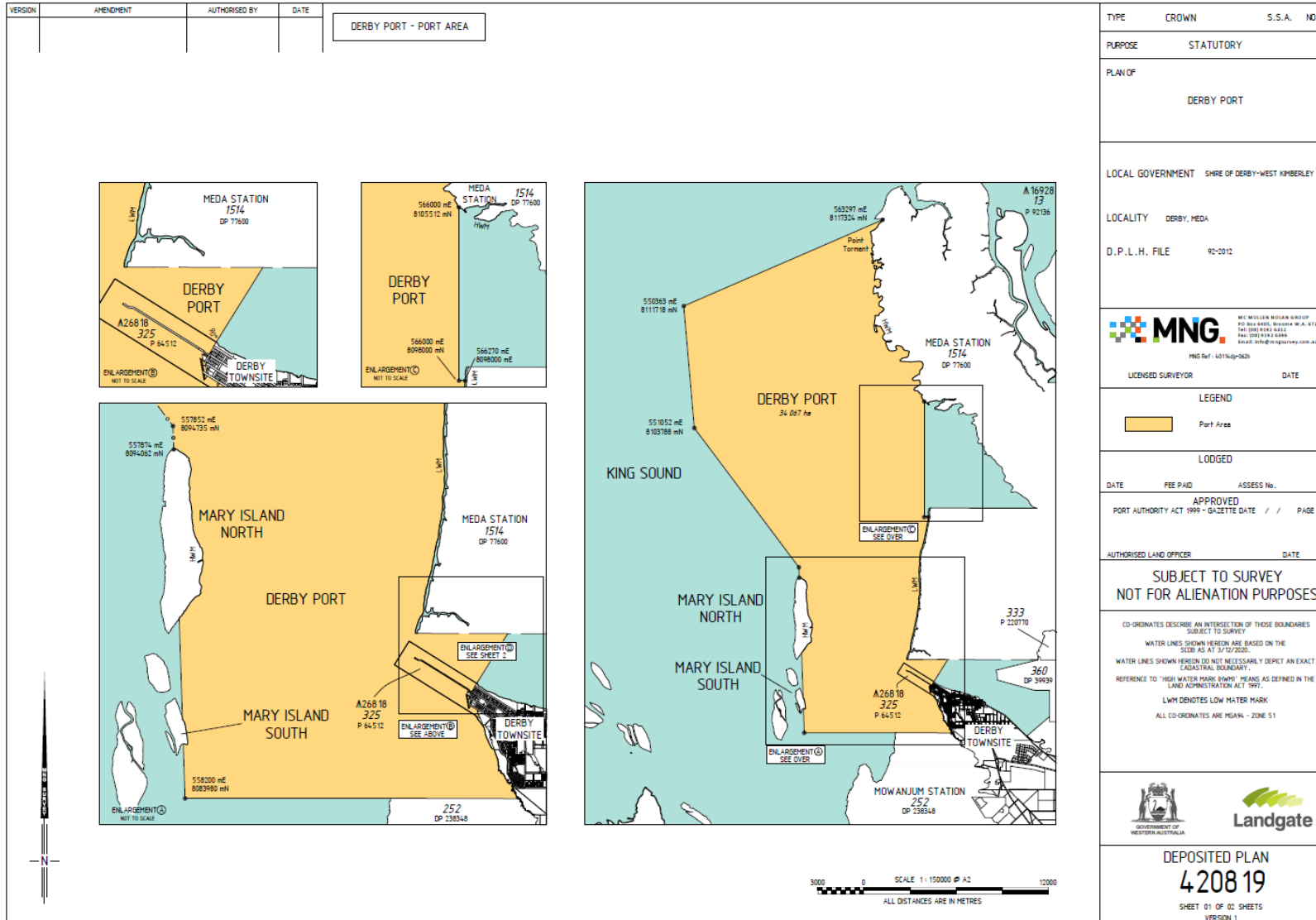
## **7. EXPENSES**

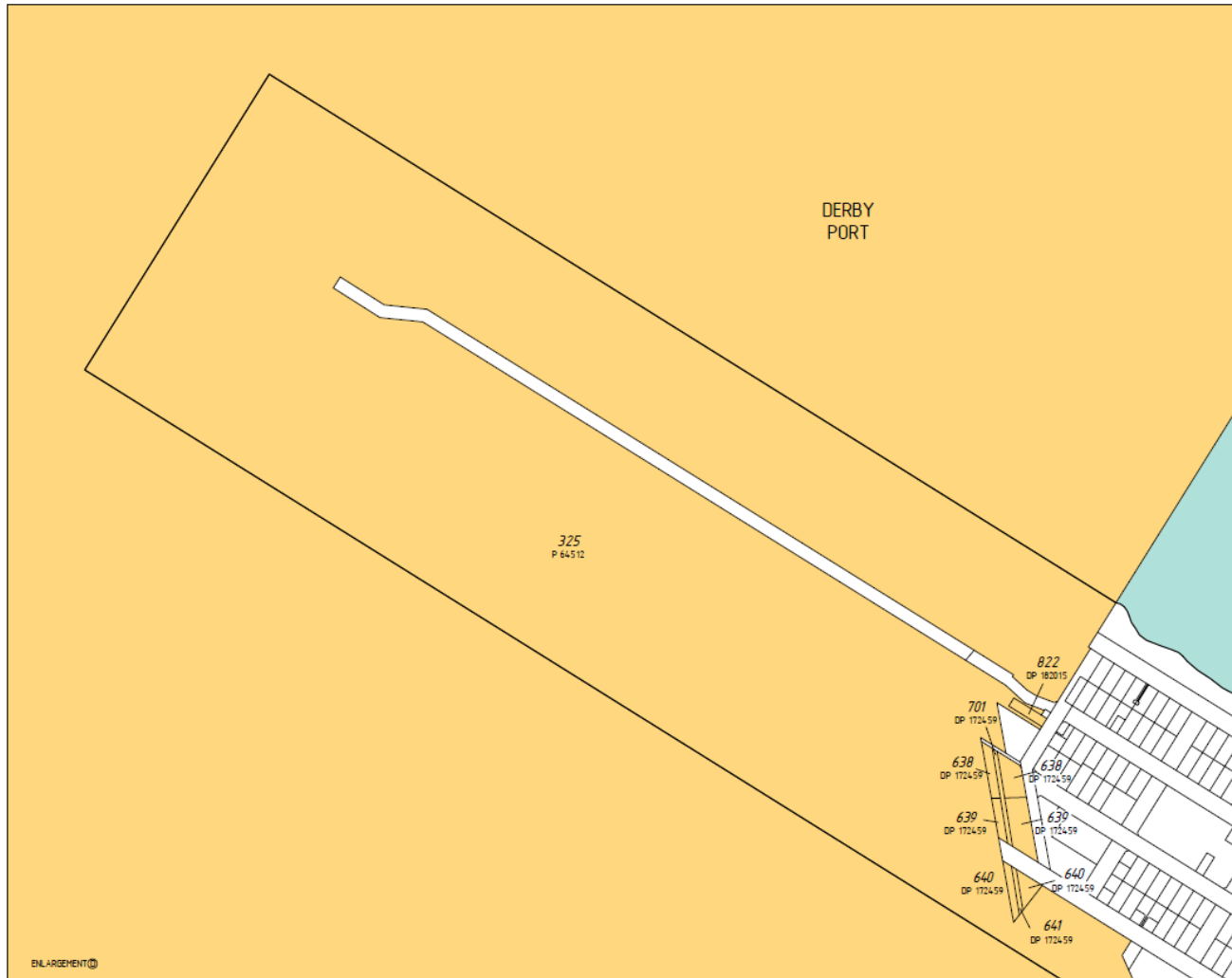
- 7.1 No Committee member will receive payment for membership of the Committee or attending meetings.
- 7.2 KPA will pay the reasonable costs associated with hosting Committee meetings, taking and publishing minutes and other costs which the CEO of KPA, in their discretion determines to be relevant.




## **8. VARIATIONS TO CHARTER**

- 8.1 This Charter can only be amended with the agreement of the KPA Board.

**APPENDIX A – PORT OF DERBY PLAN**





 MNG Ref - 40114dp-062h	
LICENSED SURVEYOR	DATE
 	
DEPOSITED PLAN <b>420819</b> SHEET 02 OF 02 SHEETS VERSION 1	

**APPENDIX B – PORT OF YAMPI SOUND**

