



**Australian Government**  
**Department of Industry,  
Innovation and Science**

# **National Radioactive Waste Management Facility**

**Kimba Economic Working Group  
Guidelines and Terms of Reference**

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## Contents

1	Economic Working Group – Terms of Reference.....	3
1.1	Introduction.....	3
1.2	Period of Operation of the Working Group.....	3
1.3	Membership and Composition of the EWG.....	3
1.4	Timing and Location of Meetings.....	4
1.5	Meeting Proceedings.....	4
1.6	Minutes of Meetings.....	4
1.7	Code of Conduct of Working Group Members.....	4
1.8	Conflicts of Interest.....	5
1.9	Disclosure of Conflict of Interest by Working Group Members.....	5
1.10	Attendance by Non-Working Group members.....	6
1.11	Funding and Remuneration.....	6
1.12	Dispute Resolution.....	6
1.13	Communication with the Broader Community.....	6
1.14	Secretariat Support.....	6
2	Working Group Role Descriptions and Nomination Guidelines.....	8
2.1	Chairperson.....	8
	Role of the Chairperson.....	8
	Appointment of a Chairperson.....	8
2.2	Working Group Members.....	8
	Role of a Working Group Member.....	8
	Appointment of Working Group Members.....	8
	Selection criteria for EWG Members.....	9
3	Attachment A.....	10
4	Attachment B.....	11
	a. Accepted Behaviour.....	11
	b. Signed Declaration.....	11
5	Attachment C.....	12
5.1	Conflict of Interest Declaration.....	12

# 1 Economic Working Group – Terms of Reference

## 1.1 Introduction

The Government, through the Department of Industry, Innovation and Science (department), is currently undertaking a process to establish a National Radioactive Waste Management Facility (facility) to manage Australia's low level and intermediate level radioactive waste. This process is referred to as 'the project'.

The Department is dedicated to ensuring opportunity for significant economic benefits to whichever community hosts the Facility. The department will establish an Economic Working Group (EWG) to ensure that if a Facility is sited, the neighbouring communities can be best prepared to fill any economic development opportunities that may include but are not limited to:

- Site characterisation work
- Contracting work in the construction of the facility
- Employment at the facility
- Ongoing contracting work required in the operation of the facility

These terms of reference and guidelines have been developed to assist in the establishment of the EWG.

The Kimba Consultative Committee (KCC) will oversee the work of the EWG from a broader community perspective and may review the outputs of the EWG and provide recommendations for the EWG. The EWG has no obligation to act on the recommendations or advice provided by the KCC. The EWG will:

- Understand capabilities of the local industries that may benefit from involvement in the project
- Work with regional bodies (including Regional Development Australia) to canvas local business capabilities
- Understand the best structure for local entities to access opportunities, through grant advice or advice to local entities on structuring their businesses to access government opportunities
- Consider the progress of engagement with businesses in the communities in close vicinity to Napandee and Lyndhurst
- Produce an economic development report to the department that outlines the capacity of local businesses to participate in the project at varying stages of the project lifecycle
- Provide advice to the department that may be used in the Detailed Business Case
- Consider business accreditations that may assist local businesses to access opportunities and provide advice to the department and/or local businesses on what further accreditations they should obtain to access opportunities
- Conduct a SWOT (strengths, weaknesses, opportunities and threats) analysis to understand the economic cycles of local industries

Meetings of the EWG will give members the opportunity to work through, discuss and advise the department in the areas outlined in their agenda. It is anticipated that materials will be issued in advance of the meeting for pre-reading by EWG members and that EWG members will allocate sufficient time prior to the meeting to prepare for discussions.

Responsibility for oversight of the project's compliance with the conditions of any government approvals remains with the Department.

## 1.2 Period of Operation of the Working Group

The Working Group will remain active for the duration of the Phase Two activities, which is expected to be complete by the end of December 2018 or pending decision by the Minister. The department may ask the group to either disband or continue beyond this time as required.

## 1.3 Membership and Composition of the EWG

The EWG will consist of a maximum of 10 members, including a Chairperson and 2-3 KCC members. The EWG will be selected by the department from members of the local community being considered for the facility. At the discretion of the department a Chairperson may be selected that does not live in or is not part of a community

being considered for the Project, for the purposes of independence.

The EWG will be supported by officials from the department, including through the provision of secretariat assistance. The EWG, through the Chairperson, may request other experts to participate or provide advice as required, or may be asked to participate in other forums related to the purpose of the EWG.

#### **1.4 Timing and Location of Meetings**

The EWG will meet regularly to discuss key economic aspects of the project through 'meetings' that will be chaired independently from the Department by the appointed Chairperson.

It is expected that most meetings will be held in Kimba, SA although meetings at other locations are possible if the EWG, in consultation with the department, considers this to be desirable.

There may be the requirement to travel interstate for various meetings and site visits. Any interstate travel will be discussed in consultation with the EWG and the department.

Dates, times and venue of meetings will be agreed at the first EWG meeting, and will be subject to the availability and requirements of EWG members.

Any member of the EWG may ask the Chairperson to convene an extraordinary meeting of the EWG at any time to discuss important and urgent topics. The Chairperson in consultation with the department shall determine whether an extraordinary meeting is warranted.

#### **1.5 Meeting Proceedings**

The Chairperson will chair all meetings and liaise with the department to develop agenda items for each meeting. Agenda items may be added by Working Group Members at the discretion of the Chairperson, and department.

The department may at its discretion and in consultation with the Chairperson appoint an EWG facilitator.

The EWG meetings will include input and involvement from relevant experts/advisers when required.

To the extent possible, the Chairperson should ensure that issues of concern are properly considered by the EWG.

As the EWG is not a decision making body, it is not a requirement that consensus be reached on issues discussed at meetings. The EWG may wish to put forward an endorsement on a particular issue where there is unanimous agreement.

#### **1.6 Minutes of Meetings**

Summary minutes of each meeting will be made available to the EWG after the meeting and will also be put up on the National Radioactive Waste Management Facility's website for public access. It is intended that discussions during the EWG will be 'closed-door'. EWG Members are free to discuss the meetings without reference to individuals or sensitivities.

The minutes will be drafted by the department at the end of each EWG meeting in collaboration with the Chairperson. The minutes will not be a verbatim record of discussion but will record issues raised, actions to be undertaken, who is responsible for carrying out those actions, and by when.

The minutes will be reviewed by the Chairperson prior to distribution to EWG Members.

The EWG will look to report to the KCC on a regular basis. The timing of this will be decided upon by the EWG in conjunction with the department.

#### **1.7 Code of Conduct of Working Group Members**

Meetings of the EWG may adopt any particular set of standard meeting practices they wish. However, as a minimum, Working Group Members are expected to:

- Regularly attend meetings
- Advise the Chairperson in advance if they are unable to attend meetings
- Contribute to an atmosphere of open and constructive participation
- Abide by the directions of the Chairperson
- Immediately advise the Chairperson of any potential or actual conflicts of interest relating to matters

under discussion

- Perform their functions impartially
- Communicate concerns, interests and ideas openly and make reasons for any disagreement clear in a constructive and thoughtful manner
- Engage with other members of the EWG respectfully
- Maintain confidentiality where a request has been made and agreed to by the Chairperson.

EWG members are expected to sign the Code of Conduct Agreement provided at Attachment B of these guidelines prior to joining the EWG. This Code of Conduct Agreement identifies the accepted behaviours of EWG members.

The Chairperson must bring any breach of the above requirements or of the Code of Conduct Agreement to the attention of the person concerned. This may be via verbal warnings given during the meeting (and formally recorded in the meeting Minutes) or a written warning following the meeting.

Following three warnings, either verbal or written, the Chairperson may seek the department's approval to replace the member.

The Chairperson may similarly request the replacement of any member who fails to attend working group meetings regularly.

Meetings will not be recorded by video or audio devices except with the agreement of the department, the Chairperson and all members of the EWG.

## **1.8 Conflicts of Interest**

For EWG Members, a conflict of interest can exist if there is a conflict between:

- Their roles and responsibilities on the EWG
- Their private interests (where these interests could inappropriately influence their activities on the EWG)

Private interests include an individual's own personal, professional or business interests or the interests of individuals or groups with whom they are closely associated. This includes relatives, friends or other affiliations.

A conflict of interest can be:

- Real (or actual)
- Apparent (or perceived)
- Potential

A real (or actual) conflict of interest exists when a person's private interests could improperly influence how they perform their duties on the EWG.

An apparent (or perceived) conflict of interest exists where it appears or is perceived by a third party that someone's private interests could improperly influence how they perform their duties on the EWG, even if a real or actual conflict has not, or cannot, be established.

A potential conflict of interest exists when someone has a private interest and an actual conflict of interest could arise if they make any decisions related to the EWG.

If you are involved in a business in any way this does not preclude you from becoming a member but you do have an obligation to declare this at Attachment C.

## **1.9 Disclosure of Conflict of Interest by Working Group Members**

Working Group Members and other officials must declare any conflicts of interest. There is a Conflict of Interest Declaration form at Attachment C of these guidelines.

The Chairperson receives and retains all declarations. The Chairperson assesses all declarations to determine whether a conflict of interest exists and whether it is significant. The Chairperson will report any conflict of interest on their part to the department.

In the event that a conflict of interest is identified, that individual will be advised what they must do to manage the conflict. For example, that official may be required to not take part in particular discussions of the EWG.

## **1.10 Attendance by Non-Working Group members**

Invitations for non-Working Group members to attend EWG meetings may be made by the Chairperson in consultation with the department. Such invitations may be issued to:

- Company representatives providing specific economic related advice
- Economic experts, consultants and Economic Working Group members
- State / Territory or other Federal Government agencies

## **1.11 Funding and Remuneration**

The Chairperson and Working Group Members will receive payment of sitting fees and reasonable travel expenses from the department. Sitting fees and travel expenses will be paid in accordance with the Remuneration Tribunal 'Determination 2016/18: Remuneration and Allowances for Holders of Part-Time Public Office'. This determination outlines the hourly rates and reasonable expenses that can be reimbursed.

All fees for service and reasonable travel costs will need to be pre-approved in writing by the department.

Any other payment received by the Chairperson or working group members (in relation to their role) should be declared as a pecuniary interest. The declaration (but not the actual amount) will be recorded in the minutes of the meeting.

## **1.12 Dispute Resolution**

The aim of the EWG is to represent a diversity of viewpoints, and consensus may not always be reached among members. Where members hold a range of perspectives on a particular issue, the differing viewpoints will be noted in the Minutes.

The Chairperson carries a particular responsibility in dispute resolution, in respect of disputes between members of the EWG.

If a dispute between members of the EWG cannot be resolved by the Chairperson, the Chairperson should seek the advice of the department.

## **1.13 Communication with the Broader Community**

Working Group Members are encouraged to discuss issues and disseminate information about the project to the wider community. If appropriate, the Chairperson of the EWG may require Working Group Members to travel with the department's project team to give briefings to community organisations.

In consultation with the department the EWG may agree to release statements or other information to the media, or to adopt other approaches to publicly disseminate information. However, only the Chairperson may speak publicly on behalf of the EWG. Individual working group members may make comments to the media or in public forums on behalf of themselves or the stakeholders which they represent, but may not speak on behalf of the EWG.

## **1.14 Secretariat Support**

The department provides the following Secretariat support to the EWG for official meetings:

- Working with the Chairperson to set the agenda for upcoming meetings.
- Distributing meeting documents and papers to working group members.
- Recording and distributing minutes.
- Coordinating official meetings, including invitations, venue, flights, and reimbursements.
- Coordinating appointments to the EWG.
- Preparing and distributing induction materials to new working group members.

The department will also:

- Provide details on upcoming project events and milestones, outlining how that will affect the project and more specifically the EWG.

- Seek the views of the EWG on a range of issues economic development in the communities around the proposed site.
- Provide the EWG with feedback regarding issues raised or the progress of comments put forward for Departmental consideration within agreed timeframes.
- Promote the EWG within the community.
- Consider suggestions made by working group members on the processes and functioning of the EWG.

## **2 Working Group Role Descriptions and Nomination Guidelines**

### **2.1 Chairperson**

The department will appoint a Chairperson after considering potential candidates selected by the department. The department may cancel the appointment of the Chairperson at any time.

#### **Role of the Chairperson**

The Chairperson will be engaged to assist in the deliberative process of the EWG. They will:

- Be appointed by, but independent of, the department
- Act impartially with respect to any individual or representative
- Attend and chair meetings in a fair and independent manner
- Support constructive dialogue
- Identify any items of a confidential nature so that EWG members understand how this information may, or may not, be used
- Discuss prospective agenda items with the department and the Facilitator for inclusion in the next EWG meeting
- Collate any materials that need to be disseminated to the Working Group Members and distributed within a reasonable timeframe
- When required, draw on own professional networks to support the purpose of the EWG and its Terms of Reference
- Uphold the Code of Conduct and sign the Code of Conduct Agreement (Attachment B)

Should a Chairperson be unavailable for individual meetings they may nominate another Working Group Member to act in their position for the meeting. If a Chairperson becomes unavailable for an extended period, it is expected that they will notify the department.

#### **Appointment of a Chairperson**

The Department appoints the Chairperson for the EWG.

If the office of a Chairperson falls vacant, the department may appoint a temporary Chairperson.

Where the majority of Working Group Members are concerned about the manner in which a Chairperson is fulfilling the role (e.g. there is an ongoing perception of bias, inappropriate control, a refusal to share information or to adhere to the wishes of the Working Group), they may request the Department review a Chairperson's appointment, with a view to deciding whether to replace a Chairperson.

### **2.2 Working Group Members**

#### **Role of a Working Group Member**

The roles of Working Group Members are to:

- Attend meetings, actively participate in discussions, and advise any issues of concern.
- Participate in direct engagement with the communities
- Declare any potential conflicts of interest
- Uphold the Code of Conduct, detailed in Attachment B
- When required, draw on own networks to support the purpose of the EWG and its Terms of Reference

#### **Appointment of Working Group Members**

The EWG will consist of a maximum of 10 members, including a Chairperson and 2-3 KCC members. The EWG will be selected by the department from members of the local community being considered for the facility. At the discretion of the department a Chairperson may be selected that does not live in or is not part of a community being considered for the Project, for the purposes of independence.



The Kimba Consultative Committee will be eligible to nominate 2-3 members for the EWG. The department has the option to select between 2-4 members for the EWG. All appointments will be at the final discretion of the department.

Nominations will be made following an approach by the department to the communities involved in the process.

The department will review nominations and develop a shortlist for consideration.

The nomination period will be open for a minimum of 10 days from the date of requesting a nomination, to allow interested members the opportunity to make a nomination.

All nominations are to be sent directly to the department (via email or post), which will review the nominations and shortlist recommended candidates.

The department will review the shortlist, appoint the EWG Members and formally notify in writing the successful appointees.

The department may appoint, review or replace EWG Members at any time.

### **Selection criteria for EWG Members**

Candidates will be selected to ensure that the working group will comprise of a broad membership to represent the varying issues to be discussed. It would be preferable if members had an understanding of local businesses, work contracts and/or a financial background.

EWG Members will be selected according to the following criteria:

- Be able to detail in their nomination, why they are an ideal candidate for the position
- Be willing to attend meetings and disseminate relevant material and information to the EWG
- Be willing to remain a participating member of the EWG until further notice (except in exceptional circumstances)
- Have good communication and interpersonal skills
- Be willing to adhere to the EWG code of conduct and to sign a Code of Conduct Agreement (included at Attachment B)

### 3 Attachment A

#### 3.1 Community Representative Nomination Form

I would like to nominate for the position of community representative for the National Radioactive Waste Management Facility Project Economic Working Group (EWG). If you are a Kimba Consultative Committee nominee please detail this in organisation or role.

I accept that selection and appointment as the community representative for the EWG will be subject to my:

- current residency of the local area and ability to represent the local community in a constructive manner, with an interest in the project
- understanding and interest in the capabilities of the local industries that may benefit from involvement in the project
- ability to work with various bodies to canvas local business capabilities
- demonstrated involvement in the local community
- ability to attend meetings of the Committee and disseminate relevant material and information to the community
- willingness to remain a participating member of the Committee until further notice (except in exceptional circumstances)
- good communication and interpersonal skills; and
- willingness to adhere to the Committee's code of conduct

**Please attach a supporting letter that clearly demonstrates how you meet the above criteria and if you would be open to acting as Chair of the EWG.**

#### 3.2 Signed declaration

If appointed to the Project Committee, I accept that I will be asked to declare any conflict of interest in accordance with the conflict of interest policy set out in section 1.9 of these guidelines, including any potential or perceived conflicts of interest. I also understand that by completing this nomination:

- I have demonstrated that I meet the above criteria for selection to the EWG.
- I agree to signing a Code of Conduct Agreement and displaying the accepted behaviours.
- I agree to and understand the responsibilities of being Committee representative of the EWG.

Name \_\_\_\_\_

Address \_\_\_\_\_

Email \_\_\_\_\_

Phone \_\_\_\_\_

Organisation/role (if you are applying as a representative of an organisation)  
\_\_\_\_\_

Signature and date \_\_\_\_\_

**Attachments A, B, and C along with the supporting letter must be completed, signed and sent directly to the Department by email or post to the following addresses:**

**Email:** [radioactivewaste@industry.gov.au](mailto:radioactivewaste@industry.gov.au)

**Postal address:**

National Radioactive Waste Management Project  
Department Industry, Innovation and Science  
GPO Box 2013  
Canberra ACT 2601

FOR OFFICIAL USE ONLY

## 4 Attachment B

### 4.1 Code of Conduct Agreement for EWG Members

This form must be signed and returned to the department before your appointment can be activated.

All appointed members have a responsibility to understand their duties and responsibilities and execute the EWG's purpose without exceeding the authority of their position.

As a condition of engagement, EWG Members must agree to the principles of accepted behaviour outlined below.

#### a. Accepted Behaviour

As an EWG Member, I understand I will be expected to:

- Regularly attend EWG meetings, at dates and times set by Chairperson.
- Advise a Chairperson in advance if I am unable to attend meetings.
- Contribute to an atmosphere of open and constructive participation.
- Abide by the directions of a Chairperson.
- Immediately advise a Chairperson during meetings of any potential or actual conflict of interest relating to matters under discussion.
- Communicate concerns, interests and ideas openly and make reasons for any disagreement clear in a constructive and thoughtful manner.
- Engage with other EWG Members respectfully.
- Maintain confidentiality where a specific request has been made and agreed to by a Chairperson, the Department or Facilitator.

#### b. Signed Declaration

If appointed to the EWG, I agree to abide by the standards set out in this Code of Conduct Agreement.

Name \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

## 5 Attachment C

### 5.1 Conflict of Interest Declaration

As a member of the National Radioactive Waste Management Facility Project Economic Working Group (EWG) I declare (Tick as appropriate):

I have a conflict of interest.

Please provide details:

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I have no conflict of interest.

As well as declaring the above, in the course of meetings or activities of the EWG, including site visits, I will disclose any interests in a transaction or decision where there is a real, apparent or potential conflict of interest.

I understand I may be asked by a Chairperson(s) or Facilitator of the EWG to withdraw from discussion about a particular issue.

Any such disclosure and the subsequent actions taken will be noted in the meeting Minutes.

Name \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_