



DEPARTMENT OF PLANNING, INDUSTRY & ENVIRONMENT

Terms of Reference 2022–26

Kangaroo Management Advisory Panel



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Introduction

Context

The Department of Planning, Industry and Environment is responsible for regulating and managing the harvest of kangaroos for commercial purposes in New South Wales, operating in accordance with relevant legislation and department policies and procedures.

Kangaroos are protected in New South Wales by the *Biodiversity Conservation Act 2016* (BC Act), with exemption for commercial harvest activities through the granting of a licence under the Act (Division 3 Section 2.11).

The commercial harvest of kangaroos for export requires an approved wildlife trade management plan under the National *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). In New South Wales this plan is the Commercial Kangaroo Harvest Management Plan (the plan), which is revised and submitted to the Australian Government for approval every 5 years.

The Environment, Energy and Science Group of the Department of Planning, Industry and Environment convenes the Kangaroo Management Advisory Panel (KMAP) to include stakeholder knowledge and perspectives in the development and operation of the plan, and more broadly, the continuous improvement of the Commercial Kangaroo Management Program (KMP).

This document

These terms of reference for the Kangaroo Management Advisory Panel have been developed in accordance with the [NSW Government Boards and Committees Guidelines](#). They are designed to prescribe the purpose of the panel, its role and responsibilities, composition and appointment, as well as governance and operating protocols.

Purpose of the panel

The Kangaroo Management Advisory Panel is a non-statutory, stakeholder-based panel, established to provide advice to the department on the commercial kangaroo management program.

The panel's advice will be consistent with the aims of the Commercial Kangaroo Harvest Management Plan and relevant state and Commonwealth legislation.

Governance

The Kangaroo Management Advisory Panel is established by the Environment, Energy and Science Group of the Department of Planning, Industry and Environment and reports to the Director Compliance and Licensing. Employees of the department are not subject to the direction of KMAP or any members thereof.

The Kangaroo Management Advisory Panel has relationships with the following groups relevant to the business carried out by KMAP:

Business unit	Relationship
Compliance and Licensing Branch	Director Compliance and Licensing may seek advice from KMAP on matters relating to kangaroo management

Roles and responsibilities

Role of the Kangaroo Management Advisory Panel

The role of the Kangaroo Management Advisory Panel is to advise the department on matters pertaining to:

The Commercial Kangaroo Harvesting Management Plan

- the process of developing, implementing and monitoring the plan
- the review and drafting of any new plans
- annual performance reporting against the plan

Maintaining viable populations of kangaroos

- kangaroo population dynamics and factors impacting kangaroo populations
- determining kangaroo populations (surveys)
- determining and managing harvest quotas
- compliance monitoring including inspections and audits

Animal welfare

- ensuring kangaroos are harvested in accordance with the *National code of practice for the humane shooting of kangaroos and wallabies*
- compliance monitoring including inspections and audits
- reporting on animal welfare matters

Program administration

- licence, registration and tag fees
- other funding sources
- licence administration policies and processes
- legislation and policies relating to the plan

Research and development

- research opportunities, priorities and partnerships
- long term strategic planning

Other related matters

- matters raised by their stakeholder group, organisation or department related to the management and harvest of kangaroos
- recognition of other environmental factors (such as land condition and ground cover) that may be more specific to the plan and broader land management practices and issues
- development, public exhibition and implementation of the plan and quota setting and harvest statistics

- knowledge gap between the plan and Aboriginal communities, including spiritual, cultural and economic matters
- compilation of reports, including reviews of relevant literature.

Role of the Chairperson

The Chairperson of KMAP will:

- lead meetings and facilitate the conduct of meetings to allow appropriate discussion and to ensure adherence to the agenda
- ensure members contribute effectively
- facilitate the flow of information between members and the department
- approve meeting agendas
- provide direction to members.

Role of members

KMAP members will:

- consult with their stakeholder group or organisation to identify perceived issues relating to the management of the commercial kangaroo management program
- represent their stakeholder group or organisation at KMAP meetings
- disseminate information from KMAP meetings to stakeholder groups and networks as appropriate and with the approval of the department
- provide advice to support the function of KMAP
- attend meetings and contribute to out-of-session business as required
- review meeting minutes and provide any comments to the Senior Team Leader (KMP).

Obligations of members

In performing their duties, members of KMAP will

- comply with the relevant Code of Conduct
- act honestly and in good faith
- actively participate in the work of KMAP
- conduct the business of KMAP with the care, diligence and skill appropriate to the role
- declare any change in employment status or organisational membership that may impact their role on the panel
- declare changes of residence and contact details.

Composition and appointment

Panel composition

KMAP will consist of:

- Chairperson (to be elected at the first meeting)

- Senior Team Leader, Kangaroo Management Program, Department of Planning, Industry and Environment
- one to two representatives from animal welfare groups
- one to two representatives from NSW landholder groups
- one to two representatives from the scientific community (NRM/kangaroo ecology)
- one to two representatives from NSW Aboriginal communities
- one to two licensed NSW professional kangaroo harvesters
- one representative from the commercial kangaroo industry
- one representative from Department of Regional NSW

Selection and appointment

The department will undertake an Expressions of Interest process to fill panel positions (in year 5 of the plan).

Current stakeholder organisations will be notified to nominate their preferred representative through this process (Appendix 1).

All Panel positions, including the Chairperson, are appointed by the Executive Director Biodiversity and Conservation (or equivalent role). The department will form a selection committee that will include at least one independent person. The expression of interest will include key selection criteria.

Membership term

Members are appointed for the term of the Commercial Kangaroo Harvesting Management Plan, which is 5 years.

The department and stakeholder organisations may seek to rotate membership after 2 years, in consultation with the Executive Director Biodiversity and Conservation (or equivalent role).

The department may at any time revoke membership or disband the KMAP should circumstances arise where the KMAP is no longer required.

Vacancies

A member of KMAP shall be deemed to have vacated the member's office if the member:

- dies
- resigns, by notice in writing to the KMAP Chairperson or the Director Compliance and Licensing
- misses 2 consecutive meetings without permission from the Chairperson or without a proxy attending on their behalf.

Where a mid-term vacancy arises, the position will be filled by the following process:

1. The Senior Team Leader will report this matter to the next KMAP meeting.
2. The Senior Team Leader will provide a report to the Executive Director Biodiversity and Conservation (or equivalent role) regarding the replacement, that will consider the following options:
 - a. If there is sufficient time to recruit and fill the vacancy, the vacancy is filled in a similar manner to the original recruitment process. If the position is nominated by an

- organisation and a deputy member is appointed to KMAP, the organisation may opt to nominate the deputy member for appointment as the member.
- b. Where a vacancy occurs within 9-months of the end of the term of the current KMAP, the vacancy does not have to be filled within that term.
3. Once appointed by the Executive Director Biodiversity and Conservation (or equivalent role), a KMAP member that fills a casual vacancy will hold office for the remainder of the KMAP term.

Proxies and observers

A member, other than the Chairperson, may nominate a proxy to attend meetings on their behalf, but should not exceed 2 consecutive meetings.

Nominations of proxies or observers must be sent to the Senior Team Leader KMP before the meeting is convened.

It is important that KMAP members brief proxies about stakeholder and KMAP issues prior to meetings so that the KMAP can effectively perform its functions at the meeting.

Requests for external observers to attend or present at the meeting will be considered by the Chairperson, in consultation with the Senior Team Leader KMP.

In the absence of the Chairperson, the Senior Team Leader KMP shall chair the meeting. All members will be notified of this change ahead of the relevant meeting.

Operating protocols

Meeting protocols

Information to be provided to members

The department will provide members with a copy of the Commercial Kangaroo Harvest Management Plan, the KMAP Terms of Reference and the KMAP Code of Conduct upon appointment to the panel.

The department provides KMAP with monthly updates on kangaroo populations, quotas, tag allocations and harvest throughout the life of the plan. The department provides other relevant information as required or as requested throughout the life of the plan.

Standard meeting procedures

- KMAP will meet at least twice per year (usually February and November).
- The business of the February meeting of any year will include review of the previous year's Annual Report prior to submission to the Commonwealth Government.
- The business of the November meeting will include review of the next year's Quota Report prior to submission to the Commonwealth Government.
- Special meetings may be called as required. Requests for special meetings may be made by members or the department. Discretion to call special meetings remains with the Chairperson.
- All members will receive notice of both regular and special meetings.
- One meeting each year will be face to face where possible with the other being face to face or online.

- Face to face meetings will normally be held in a regional location relevant to commercial kangaroo management. Meetings may be held in other locations as required.
- KMAP members who wish to propose items for inclusion in the agenda for meetings should forward these to the Senior Team Leader KMP at least 2-weeks in advance of the scheduled meeting date.
- The agenda will be approved by the Chairperson.
- The final agenda and papers will be distributed to the KMAP one week before meeting.
- The department will review and disseminate draft minutes of the most recent past meeting to members, within one month of the meeting. KMAP members can share relevant information with their organisations in accordance with the Code of Conduct.
- The department will publish ratified minutes on the department's kangaroo management webpage.

Documents may be endorsed out-of-session. If one or more members request discussion of an out-of-session paper, however, communication will be deferred until the next scheduled meeting, or a special meeting may be called.

Forming consensus

Resolutions of the KMAP are by consensus. In cases where a consensus is not possible, all views will be recorded and reported

The quorum for a meeting to proceed is 60% of members. Deputy members will be counted as members for the purposes of a quorum

The Chairperson may appoint working groups to investigate specific matters and report back to the KMAP. Working groups will generally consist of existing KMAP members only, but where appropriate, the Chairperson may invite specialists to the group. Working groups will not have a decision-making role

Absence of the Chair

In the absence of the Chairperson, the Senior Team Leader KMP shall chair the meeting.

Communication outside of the Kangaroo Management Advisory Panel

The department will represent KMAP as a whole in dealings with other organisations or individuals, including all contact with the media, unless otherwise agreed in writing by the Director Compliance and Licensing.

Members can and are expected to consult with their stakeholder organisation on matters agreed at KMAP meetings, unless otherwise advised. Members are to do so in accordance with the Code of Conduct.

Confidentiality

KMAP must treat the records of any meetings, including agendas and minutes as confidential. Release of any information by KMAP can only be made with the written approval of the department. All documents developed or used by KMAP are to be kept secure to ensure that confidentiality is maintained.

Conflicts of interest

KMAP members should perform their functions in good faith, honestly and impartially and avoid situations that may compromise their integrity or lead to conflicts of interest.

Disclosures of any perceived conflict of interest, particularly pecuniary interests, need to be made by KMAP members to the Chairperson as soon as they become aware of them and recorded in the minutes of the next meeting.

A conflict of interest is defined as a situation in which a panel member is involved in interests that could involve working against the purpose of KMAP. A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of financial gain (or loss) to a matter or person to whom they are associated with.

A Member's Pecuniary Interest Declaration Form should be used to disclose relevant interests.

Kangaroo Management Advisory Panel Secretariat and support

The Commercial Kangaroo Management Program (KMP) will provide secretariat and administrative support to KMAP. The following department staff members ordinarily attend KMAP meetings as observers/support staff:

- Project Officer KMP (responsible for minutes and secretarial support)
- Department of Planning, Industry and Environment Senior executive staff

Remuneration and expenses

Non-government members are eligible to receive sitting fees for attendance at meetings of:

- Chair is \$350 per whole day, or \$175 per half day
- member is \$220 per whole day, or \$110 per half day

Non-government members are entitled to be reimbursed legitimate travel, accommodation and meal expenses, as defined by circular [C2021-03 Meal, Travelling and Other Allowances for 2020-21](#) or any document superseding it.

Review of terms of reference

The terms of reference will be reviewed for each term of KMAP.

In addition, a variation to the terms of reference may be sought by KMAP or initiated by the Director Compliance and Licensing.

Variations to the terms of reference require approval from the Executive Director Biodiversity and Conservation (or equivalent role).

Appendix 1 – Stakeholder organisations represented on Kangaroo Management Advisory Panel 2016-21

- Aboriginal community (NSW)
- Australasian Wildlife Management Society
- Australian Game Meat Producers Association
- Australian Veterinary Association
- Department of Primary Industries and Local Land Services
- Kangaroo Industry Association of Australia KIAA
- NSW Farmers
- NSW RSPCA

Agreement to follow Terms of Reference and Code of Conduct as a Representative on the Kangaroo Management Advisory Panel

I understand that my membership on the Department of Planning, Industry and Environment's Kangaroo Management Advisory Panel is contingent upon my agreeing to be bound by the Terms of Reference, including the Code of Conduct, provided to me by the department. I also understand that my role on the Kangaroo Management Advisory Panel is to advise the Department of Planning, Industry and Environment on matters relevant to the Commercial Kangaroo Harvest Management Plan from the perspective of the organisation I represent, the:

Insert organisation or stakeholder group name

In the event I breach this agreement, I understand that the Department of Planning, Industry and Environment may retract my membership on the Department of Planning, Industry and Environment Kangaroo Management Advisory Panel.

Full name	
Signature	
Date	