

UPL WATER USE LICENCE FORUM

TERMS OF REFERENCE

1. NAME

1.1. The name of the Forum shall be the UPL Water Use Licence Forum (Hereafter referred to as “UPL WUL Forum”).

2. PURPOSE AND FUNCTION

2.1. The primary purpose shall be as per paragraph 2.3 of the WUL 11/U30B/CFGIG/15435 dated 20 September 2024 *“The licensee must set up a Water Use Authorisation forum within 3 months of the issuance of this license. This forum must monitor the compliance of the license issued.”*; and

2.2 The forum recognises that it will function to assist UPL in carrying out its legal mandate to report on its licence and ensure compliance.

2.3 The secondary purposes of the Forum are:

2.3.1. to receive reports on and provide comment to both UPL and DWS on WUL conditions;

2.3.2. informing the public through the Forum of progress in the implementation of the WUL licenced activities;

2.3.3. taking a collective approach in assisting UPL to meet and improve its WUL compliance actions; and

2.3.4. to promote transparency and better-informed decision-making for the implementation of the WUL based on meaningful involvement of key parties.

3. MEMBERSHIP

Membership of the Forum (I&APs) shall be open to the following:

3.1. Land Owners and Local residents (including but not limited to ratepayers’ associations)

3.2. Local relevant community representative organisations.

3.3. Authorities relevant to the WUL authorisation

3.4. Consultants appointed by UPL, or any other Forum member;

3.5. Secretariat: Independent facilitator appointed by UPL; currently Phelamanga.

4. MEETINGS AND REPORTING

4.1. At the first meeting of I&APs a membership list will be compiled and will be utilised for notification of future meetings and circulation of relevant documents.

4.2. Meetings held quarterly or as per reporting schedule.

4.3. Agenda to reflect the reporting schedule;

- 4.4. Reports are to be made available to the forum as per the reporting schedule in the WUL.
- 4.5. Meeting venues will be accessible to members and may include an online option.
- 4.6. Meetings shall be conducted in good faith and with full disclosure by all parties of all relevant information.
- 4.7. Members undertake to:
 - 4.7.1. request only such information that could reasonably be regarded as relevant to the Forum's purpose and functions;
 - 4.7.2. observe timeframes agreed upon on a case-by-case basis; and
 - 4.7.3. respond as quickly as possible to requests for information or comment and provide feedback.
- 4.8. Members undertake to treat each other with respect.
- 4.9. No participant shall call into question the bona fides, impair the dignity, or malign any other participant. However, this must not be seen as a constraint on robust but respectful debate.
- 4.10. All "on the record" discussion shall be recorded by way of minutes. Minority opinions will be equally respected and reported during each meeting.
- 4.11. Any confidential information supplied by any Member that is declared by the person delivering it as being confidential and recognised by the meeting as confidential shall be respected and confidentiality maintained.

5. COSTS

- 5.1. UPL will appoint a suitably qualified and experienced independent consultant to provide facilitation and secretariat functions for the Forum and will meet the associated costs.
- 5.2. Individual members will be responsible for the costs associated with their own attendance and participation in the Forum.

6. DURATION OF THE FORUM

- 6.1. The Forum shall endure for the life of the operations authorised under the Water Use Licence and may be extended thereafter by mutual consent of all the members.

7. CHANGES TO TERMS OF REFERENCE:

- 7.1. Any changes to these Terms of Reference must be adopted at a meeting of the Forum and be approved in writing by UPL and DWS.
- 7.2. All proposed changes to the Terms of Reference must be circulated to all members of the Forum for comment at least two weeks prior to the meeting at which they are intended to be considered for adoption.