

# Southern Sydney Freight Line

## Terms of Reference

December, 2007

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# 1. Introduction

These Terms of Reference (TOR) will outline the process by which the Southern Sydney Freight Line community liaison group (SSFL CLG) will be formed, the procedures by which each will be managed and topics for discussion at meetings.

## 1.1 Southern Sydney Freight Line community liaison groups

A SSFL CLG will be established within each local government area (LGA) affected by the development. This includes:

- Bankstown LGA
- Fairfield LGA
- Campbelltown LGA
- Liverpool LGA.

The groups will be established specifically to ensure the local community are kept informed of the project, in particular how it may impact them and to assist to minimise any identified issues. CLG members are invited to participate in the projects in this way so they can disseminate information to the community and/or members of their organisation and are able to table the community's or their organisation's views during SSFL CLG meetings.

Each of the SSFL CLGs are expected to operate in a consultative capacity to ARTC and although the CLG will input into some decisions, it will not itself have a decision-making role. The agreed outcomes of meetings will be minuted and will form the basis of the consultation process outcomes. Minutes will be provided to the Independent Community Liaison Representative (ICLR), an appointee of the Director General of the Department of Planning in NSW.

Representative members of the SSFL CLGs will be selected in a way to ensure fair and equitable input and will include a cross-section of the community (such as businesses, community, environment groups etc.), based on an open expression of interest and their ability to meet specifically designed selection criteria. Each Council will be invited to put forward a list of suitable names of individuals who may be appropriate to serve on the SSFL CLGs.

From the lists provided, interested applicants will be issued with an information kit. A formal application form will need to be lodged and participants will be selected according to predetermined selection criteria.

As a minimum, it is expected that up to nine (9) meetings of each CLG will be required. These will take place bi-monthly over 18 months. Additional meetings are likely at the commencement of the project to obtain community input into design issues that impact local areas. All meetings will be held at a suitable location within the local Council area of the CLG and at a time to suit the majority of representative members.

The SSFL CLG selection process will be managed by an independent organisation and audited by the ICLR.

An independent and skilled chairperson/facilitator will be engaged to assist in the deliberative process. The ARTC Project Manager and chairperson will work in a collaborative manner to generate documentation to inform members before the CLGs meet.

CLG meetings will be conducted during the start-up period of the project to obtain community input on the finalisation of the Urban Design and Landscape Plan (UDLP), which defines the external appearance of the finished project, and then throughout the construction period of the SSFL. However, the period of meetings will be at the discretion of the independent chairperson, as per Section 21 of the Conditions of Approval.

CLG representative members will need to demonstrate:

- a willingness to accept and contribute constructively within the boundaries of the CLG Charter and Procedures
- an interest in local community amenity and items related to the SSFL
- the appropriate authority to represent community groups and ability in communicating community and/or stakeholder views.

## **1.2 Role**

The role of the SSFL CLGs is to enable stakeholders to be consulted and involved in issues relating to the construction of the SSFL in a constructive and effective manner. The SSFL CLGs will be informed of upcoming construction activities and potential issues. Members of the SSFL CLG will also be required to disseminate information to the broader community and bring community issues to the attention of the CLG for possible resolution or to communicate to the ARTC Construction Manager and ARTC Community Liaison Representative.

The CLG meetings will include input and involvement of the ARTC and Contractors project teams.

## **1.3 Tasks**

The SSFL CLGs will serve the following functions:

- identifying local issues and community preferences for elements of the UDLP to be considered during its finalisation
- identifying local issues to be considered during construction of the SSFL
- assisting in resolving and prioritising issues based on local knowledge
- presenting the views of the broader community
- briefing the community on the development and progress of the SSFL construction in the local area
- tabling at meetings the views of organisations/groups they represent and the broader community.

## 2. Terms of Membership

### 2.1 Membership

A workable size for a CLG is 12 members.

The expressions of interest to become a member of the CLG will be assessed by an external organisation. Responses to the expression of interest will be assessed according to the individuals' ability to represent community interests. Members of the SSFL CLG will be selected based on the following selection criteria:

1. Outline of the desire to be on the CLG.
2. Agreement to the Terms of Reference.
3. Be a confirmed member of a community group and able to represent a community group of no less than 10 members located in south-west Sydney *OR* be a local resident living within the local government area.
4. Demonstrate knowledge of local issues.
5. Demonstrate a history of responsible and positive involvement in the community.
6. Be willing to attend all meetings and disseminate material and information to all members of the community group.
7. Be willing to contribute in a constructive manner to the CLG during the pre-construction and construction phases of the SSFL, with knowledge of community issues.

Appointment to the CLG is at the discretion of the assessment panel.

### 2.2 Length of term

The pre-construction and construction phase of the SSFL is expected to run for 18 months. During this term there will be approximately nine (9) meetings, approximately one every two months. At the end of the term, the CLG may be disbanded.

The ICLR and ARTC may review the membership and/or need for the CLG at any time during the process, however, approval is required from the Director General of the NSW Department of Planning for dissolution of a CLG.

### 2.3 Termination of membership

A position in the CLG may be declared vacant if the representative member fulfils any one of the criteria below:

- resigns the membership in writing to the Chairperson
- fails to attend two (2) of meetings in succession without prior notice
- acts in a way that, in the opinion of the Chairperson, may bring the CLG into disrepute
- declares a conflict of interest.

## **2.4 In-term selection process**

If, during the term of the CLG, a replacement representative member is required, that member will be selected by the Chairperson and the ICLR.

If a vacancy arises during the term of the CLG because of a representative member's inability to continue for any reason, including those in Section 2.3 above, a replacement representative member may be recommended by that representative member's group.

If the vacancy arises due to the withdrawal of the representative group, a replacement representative member will be selected by a panel that will include the Chairperson and the ICLR.

## **3. Summary of responsibilities**

### **3.1 ARTC responsibilities**

ARTC, in relation to the construction of the SSFL, will:

- provide meeting facilities for each CLG and resources to take notes at each meeting
- provide the meeting notes to CLG members within 14 days of the meeting
- seek the views of the CLGs on a range of issues regarding the UDLP finalisation and construction of the SSFL
- provide detail on construction progress and upcoming events outlining how that will affect the local community
- make available construction progress reports to CLG members at least 14 days before the meetings via the Independent Chairman.
- provide the CLGs with feedback regarding previous issues raised or the progress of comments was considered
- respond within agreed timeframes to requests for information relevant to the operation of the CLGs
- promote the CLGs and their objectives within the community
- consider suggestions made by members of the CLG on the processes and functioning of the CLG
- prepare and provide reasonable responses to requests for information (such as relevant background information) the CLG before scheduled meetings.

### **3.2 CLG member's responsibilities**

As a member of the CLG, representative members agree to:

- attend all meetings and actively participate in discussions
- work within the framework of the CLG Terms of Reference
- provide constructive feedback from the group(s) each members represents
- support comment with research/data where available
- advise the ICLR and ARTC on issues of community concern regarding the construction of the SSFL
- provide avenues of information to assist in with the construction process in the local area
- provide information to the community about the construction process, upcoming works or proposed changes to transport arrangements
- declare any potential conflicts of interest.

### **3.3 Independent community liaison representative responsibilities**

The role of the ICLR is to:

- to attend and facilitate each CLG meeting

- take questions on notice and conduct relevant research on behalf of the CLG
- be available as the independent community contact for the CLG within reasonable hours
- ensure any community complaints and/or issues that are brought to their attention are passed directly to the ARTC Community Liaison Manager and the relevant team personnel
- ensure all issues/requests raised by CLG members are responded to in a timely manner
- conduct mediation and dispute resolution as required, particularly when the issue cannot be resolved between ARTC and the community
- provide reports to the Director General of the NSW Department of Planning on the performance of the CLGs and moreover how well the project is meeting its obligations to liaise with the local community.

### **3.4 Chair's responsibilities**

The Chair of the CLG will:

- be independent of the CLG and ARTC
- attend and chair each meeting of the CLG
- discuss agenda items from the CLG with the ICLR for inclusion in the next CLG meeting,
- collate any materials that need to be disseminated to the CLG members and distribute at least 14 days before the meeting
- endorse meeting minutes, provide to the ICLR and distribute to the CLG within 14 days of the meeting.

## **4. Procedures**

### **4.1 Chairing**

An independent chairperson will chair the meetings.

### **4.2 Agenda items**

The Chairperson will liaise with the ICLR, ARTC Community Liaison Manager and Construction Project Manager to develop the agenda items for the CLG meetings.

Agenda items may be added by members of the CLG through the Chair. Items for discussion are to be forwarded to the Chairperson, for inclusion in the agenda, no later than 21 days prior to the next meeting. This will be at the Chairpersons and ICLRs discretion.

The number of issues placed on the agenda for each meeting will be limited by the Chairperson to allow for appropriate levels of discussion within the designated timeframe. If insufficient time is available, then an additional meeting may be scheduled with the agreement of the ICLR, ARTC Community Liaison Manager and CLG members.

### **4.3 Information tools**

Previous minutes, agenda and supporting material will be forwarded to the CLG members at least 14 days prior to the next meeting.

The supporting material will include a summary of issues and presentations to allow time for consideration by representative members prior to the meeting, and for members to consult with and inform their constituencies. ARTC and the ICLR will provide information as necessary, other than confidential or privileged information, to allow the CLG to operate effectively.

## **5. Dispute resolution procedure**

The aim of the CLG is to represent a diversity of viewpoints within the community. It is acknowledged that consensus will not always be reached among representative members on the items discussed. Where representative members hold a range of perspectives on a particular issue, the differing viewpoints will be noted and taken into consideration.

### **5.1 Conflict of interest**

If a representative member believes they have a conflict of interest in relation to a particular issue or item of discussion, the representative member should make this position clear to the Chairperson, ICLR and other representative members. The group will consider and advise an appropriate course of action. The final determination on any potential conflict of interest will rest with the ICLR.

The decision of the ICLR on any matter relating to a potential conflict of interest is final.

### **5.2 Frequency and venue of meetings**

Meetings will be held bi-monthly with dates and time to be agreed at the first CLG meeting.

Meetings will be held at a venue convenient to the majority of representative members of the CLG.

### **5.3 Closed meetings**

Meetings will not be open to any observers, and will not be recorded by video or audio devices except with the agreement of ARTC, the Chairperson and all representative members of the CLG.

### **5.4 Meeting outcomes**

The agreed outcomes of meetings will be minuted and will form the basis of the consultation process outcomes documented and provided to the Director-General of the Department of Planning, if requested. Outcomes will be developed in agreement with the CLG representative members.