

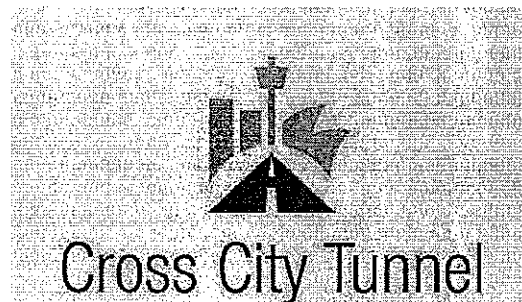
Tabled by Mr Skinner
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CHARTER and PROCEDURES

Cross City Tunnel

Community Liaison Group

February 2003



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1.0 The role of the Community Liaison Groups

Community Liaison Groups have been established by Baulderstone Hornibrook Bilfinger Berger Joint Venture (BHBB JV) in accordance with PlanningNSW Conditions of Approval for the development of the Cross City Tunnel.

The role of the CLGs is advisory, issues and suggestions raised by members will be considered by the project team in making decisions. The ongoing decision process of the project team needs to take into account:

- legislative requirements;
- management objectives; and
- input from the community and stakeholders via the Community Liaison Groups, Government Agency Liaison Group, Service Authority Liaison Group, Traffic and Transport Liaison Group and the Air Quality Community Consultative Committee; and
- input from broadly based community relations activities.

The CLGs are not decision-making bodies and it is not a requirement that consensus be reached amongst members on issues discussed. On occasion, voting may be utilized to ascertain the majority view of the CLG.

If a member believes he or she may have a conflict of interest in relation to a particular issue or item of discussion, the member should immediately make this clear to the Chairman and other CLG members. The group member will not be excluded from discussion on this issue.

The project team will inform the CLG members of developments in the project and request input on specific matters relating to construction activity in the following four locations:

Kings Cross CLG - Kings Cross Tunnel entry and exit point at Rushcutters Bay
South Sydney CLG - Palmer Street / Bourke Street ramps to the Eastern Distributor either side of William St
Darling Harbour CLG -Darling Harbour entry and exit points
Sir John Young Crescent CLG -Sir John Young Crescent tunnel exit point and Riley St construction

1.1 Scope of Consultation

The scope of consultation, as identified in condition 11 of PlanningNSW Conditions of Approval the Cross City Tunnel includes the following:

The proponent shall:

- allow the Groups to make comments and recommendations about the implementation of the development and the environmental management plans, monitor compliance with the conditions of approval and other matters relevant to the operation of the development during the terms of the consent.

- ensure that the Groups have access to the necessary plans and information for such purposes;
- consider the recommendations and comments of the Groups and provide a response to the Groups and the Director-General
- ensure that the Community Liaison Groups and the Air Quality Community Consultative Committee required by the Conditions of Approval shall be appropriately co-coordinated in terms of nominees, issues covered by each Committee and updates from the Air Quality Community Consultative Committee to the Community Liaison Groups

1.2 Parallel Consultation Processes

A comprehensive Community and Stakeholder involvement plan will be implemented during the construction and operation of the Cross City tunnel.

An Air Quality Community Consultative Committee will be formed to give input into air quality monitoring, access to and dissemination of monitoring results and other information on air quality issues and associated potential impacts. Representatives of local residents and business with interests in the ventilation stack and proposed portal emissions will be invited to participate on this Committee.

State Members and their representatives will be engaged in the Cross City Tunnel project through a separate consultative process, and will not be eligible to join the CLGs as the primary focus of the CLG's is to deal directly with members of the affected community.

1.3 Project Team and CLG Values

The following values are fundamental to the relationship between the project team and the CLGs:

- acting in a way that demonstrates respect for each other and each other's needs; interests and responsibilities;
- willing to think laterally and non-traditionally in tackling issues; and
- committing individually and together to openness, trust, cooperation, flexibility and honesty.

1.4 Project Team Values

All members of the Cross City Tunnel consortium aim to deliver a quality project while safeguarding the environment and community interests, maintain proper safety, meeting the budget and meeting time schedules.

2.0 Selection Criteria

One of the main aims of establishing the CLGs is to represent a diversity of viewpoints and community concerns. To best facilitate this representation the following criteria have been developed for the evaluation of applications:

- Willingness to accept the approved status of the project and to contribute constructively within the constraints of the project's conditions of approval.
- Experience and ability to communicate community/stakeholder views.
- Experience and ability to provide feedback to members of the community and/or stakeholder groups.
- Currently residing in the project area and aware of local issues.

The panel will seek to achieve a gender balance, an age spread and a blend of social, economic and environmental interests and a range of professional expertise on each CLG.

Applicants do not need to be the official nomination of a community group or other organisation to be considered for membership. Preference will be given to applicants who can represent the concerns of a variety of interest groups.

To avoid potential conflict of interest, current employees of the project team or a significant provider of goods and services to the Cross City Tunnel, are not eligible to join the Community Liaison Groups.

2.1 Selection Process

In the interests of transparency, a panel shall consider applications from representatives of local residents and the business community. The panel will be convened by an independent community relations specialist and shall include an appropriate senior manager from BHBB JV, a representative of the St James Ethics Centre and a representative of the RTA. The panel shall adopt a consensus approach to the evaluation process.

The Sydney Harbour Foreshores Authority will be asked to nominate a representative to participate on the Darling Harbour CLG. The City of Sydney and South Sydney Councils will be asked to nominate a council representative (and alternate) to the CLGs in their local government areas.

If a CLG requires the appointment of a new member mid-term, the Chairperson may choose to seek further nominations to fill this position and membership selection will be at the discretion of the Chairperson.

2.2 CLG Membership

With a view to ensuring that each member of the CLG has adequate opportunity to participate in the proceedings the panel will apply an upper limit of 12 participants, aside from the Independent Chairperson, Independent Community Liaison Representative, RTA and project team representatives on each CLG.

3.0 Terms of Membership

3.1 Length of Term

CLGs will be convened prior to construction commencing and will continue to meet for 12 months after the completion of the tunnel.

In the interest of consulting with a wide a range of community members, membership will be for a set term of one (1) year. Members will be appointed for an additional term provided the member's position is not declared vacant in accordance with clause 3.2.

3.2 Termination of Membership

A member's position on a CLG may be declared vacant if the member:

- completes a one year term and retires;
- resigns from the CLG. This should be in writing and forwarded to the Chairperson;
- fails to attend more than two meetings per year without prior notice;
- performs ongoing and substantial breaches of the CLG meeting protocol in the opinion of the Chairperson; or
- becomes an employee of the project team or a significant provider of goods or services to the Cross City Tunnel.

4.0 Protocol for the Operation of the Community Liaison Groups

The protocol is to assist members of the CLG's to:

- Fulfill their obligations as representatives of the community, Proponent and other interest groups by outlining how members will relate to each other during CLG meetings.
- Outlining the main responsibilities of CLG members to each other and to those they represent,
- Provide a guide to a practical means of identifying and resolving situations that may lead to or involve conflict of interests or improper use of positions.

4.1 Summary of Responsibilities

The project team agrees to:

- take due note and consideration of the CLG advice and pass on recommendations to relevant project team members;
- give CLG members feedback on how their recommendations have been taken into account in the decision making process;
- report on project progress and monitoring and seek feedback from the CLG;

- encourage all CLG members to present their views and respect their right to have different views;
- respond within agreed time frames to requests for information;
- support the smooth operation of the group by engaging and independent Chairperson and CLG Coordinator;
- provide meeting facilities for each CLG
- ensure that the meeting records of CLG meetings, once endorsed by the Chair, are available for public inspection at Councils in the project area within 14 days of the CLG meeting and that they are placed on the Cross City Tunnel internet site within a further 14 days.
- help to promote the CLG's existence and objectives to the community and project team employees;
- consider suggestions made by participants as to how the operation of the CLG may be improved; and
- work within the framework of the Community Liaison Group Charter and Procedures.

CLG community, business and local government participants agree to:

- attend meetings and actively participate in discussions;
- report their views and those of the wider community to the CLG;
- give feedback from the meetings to the wider community;
- respect the right for all CLG members to present their views;
- focus on issues associated with the construction of the Cross City tunnel
- suggest agenda items;
- make suggestions on how the operation of the CLG can be improved;
- work within the framework of the Community Liaison Group Charter and Procedures;
- speak to the media only on their own behalf and not discuss comments or opinions expressed by other CLG members without their foreknowledge and consent. *

*The project team acknowledges CLG members rights to make individual public comment on matters other than confidential material.

4.2 Role of the Independent Chairperson

The Director General of PlanningNSW will approve the appointment of an independent Chairman. The key elements of the Chairperson role are outlined below.

The Chairperson will:

- Chair meetings in a manner that enables agenda items to be limited to those issues within the scope of the committee and dealt with in a timely manner.
- determine agenda items having considered nominations by CLG members
- endorse the meeting record of each CLG meeting before it is distributed
- implement the Meeting Protocol in a fair manner with all members

- appoint new members mid-term, if necessary

4.3 Role of the Independent Community Liaison Representative

The Director General of PlanningNSW will approve the appointment of the Independent Community Liaison Representative.

The Independent Community Liaison Representative shall attend meetings of the CLGs at his/her discretion.

Disputes within the CLG that are not resolved through the proposed dispute resolution process will be referred to the Independent Community Liaison Representative who will report on the matter to PlanningNSW.

4.4 Breaches of the Protocol

Where, in the opinion of the Chair, the protocol has been breached, the Chair shall raise the matter with the member and every attempt shall be made by both parties to rectify the breach.

For ongoing and subsequent breaches the Chair may ask the member to:

- Refrain from attending meetings for a specified period of time; or
- No longer attend meetings.

Where a member is asked to refrain from attending, either on a temporary or permanent basis, the Chair shall ask for an alternative representative of the RTA, project team, community, business or local government organization to attend the CLG meetings.

5.0 Procedures of Community Liaison Committee

5.1 Nature of Issues to be Considered

The Community Liaison Committee's primary concern is with matters relating to the construction and operation of the Cross City Tunnel, an approved project.

Issues for discussion at each CLG will be nominated by the project team and individual members of the CLG at the preceding meeting or through the Chairperson or CLG Coordinator.

The Chairperson will determine the agenda. The number of items placed on the agenda will be limited to a number that will allow for appropriate levels of discussion and restricted to items of relevance to the project within the constraints of the project's conditions of approval.

5.2 Length of Meetings

CLG meetings are to be no longer than two and a half hours. Meetings will be extended in 15 minute blocks only with the unanimous support of all participants.

5.3 Meeting Record

A meeting record will be kept of meeting attendees, key issues raised and actions recommended or agreed upon only. Comments from individual members will not generally be attributed and a verbatim record of the meeting will not be prepared.

The previous meeting record minutes and a meeting agenda should be forwarded to members of the CLG at least one week before the meeting. Any changes to the meeting record of minutes of past meetings sought by members shall be in writing and forwarded to the Chairperson prior to the next meeting for tabling.

No external material, that is material other than that provided by the project team and their representatives, will be added to the meeting record for distribution to CLG members.

5.4 Feedback & Follow-up

The project team is aware of the importance of giving CLG members clear feedback on their input. While major decisions regarding the Cross City Tunnel will have been determined prior to its approval to proceed subject to conditions, some decisions will require community input. When appropriate, time will be set aside at meetings to outline the scope for community involvement in these decisions and at a later date, to outline how community input has been taken into account in the decision-making process and if not, why not.

5.5 Links with the Wider Community

CLG members are encouraged to discuss issues and disseminate information about the project with the wider community including their specific interest groups where relevant.

5.6 Dispute Resolution Procedure

The aim of the CLG is to represent a diversity of viewpoints and stakeholder concerns. It is not a requirement that consensus be reached among members on the issues discussed. Where Group members hold a range of perspectives on a particular issue, the differing viewpoints will be noted and taken into consideration.

When disagreement on an issue exists, the following procedure should in general be adopted:

- 1) Establish a working party to review issue and propose resolution,
- 2) Bring the issue back to CLG for further consideration,
- 3) If disagreement continues to exist, record a clear understanding of the nature of the disagreement and refer it to the Independent Community Liaison Representative who will report on the matter to PlanningNSW.
- 4) Independent Community Liaison Representative will report back to the Community Liaison Group.

5.7 Closed Meetings

Meetings of the CLG will not be open to any observers, except with the unanimous agreement of the CLG.

5.8 Complaints Handling Procedure

CLG meetings focus on issues of local and regional significance. Group members who have issues of mainly personal interest are asked to raise these with the Community Relations Manager outside the meeting forum. Complaints will be dealt with through an established, standardised process that is subject to stringent quality controls.

5.9 Frequency of Meetings

It is anticipated that each CLG will meet on an evening during the week from Monday to Thursday from approximately 6.00pm to 8.30pm. Apart from the start-up phase where more frequent meetings will be required it is expected that each CLG will meet monthly. CLGs may elect to meet less frequently as the project proceeds.

6.0 Resourcing the Committees

6.1 CLG Coordinator

A Coordinator has been appointed. Members may contact this person for assistance regarding any CLG matter. The Coordinator shall ensure that minutes of CLG meetings, once endorsed by the Chair, shall be available for public inspection at Council within 14 days of the CLG meeting and that they are placed on the project internet site within a further 14 days.

The project team will provide meeting facilities for each CLG.