

## New M5 Air Quality Community Consultative Committee Terms of Reference Sept 2017

### Background

The New M5 will provide twin underground motorway tunnels, nine kilometres long, from Kingsgrove to a new St Peters Interchange at the site of the old Alexandria landfill facility. The St Peters Interchange will provide motorists with connections to Alexandria and Mascot. It also includes connections to the future Sydney Gateway and M4-M5 Link. The New M5 tunnels also include underground connection points for the M4-M5 Link and the proposed Southern Connector.

In accordance with B9 of the Conditions of Approval, the New M5 Asset Trustee must establish an Air Quality Community Consultative Committee (AQCCC) prior to finalising the detailed design of WestConnex Stage 2, New M5.

### Purpose

1. The purpose of the New M5 AQCCC is to:
  - a. Review and provide advice on the location of the air quality monitoring stations required under condition of approval E10
  - b. Review and provide advice on operation environmental management plans and other operation stage documents, compliance tracking reporting, audit reports, or complaints as they relate to air quality
  - c. Provide advice on the dissemination of monitoring results and other information on air quality issues.
2. The AQCCC is not a decision-making body; it performs an advisory and consultative role.

### Timing and duration

3. The AQCCC is to be established in 2017.
4. The AQCCC will meet at least four times a year, or as otherwise agreed by the Secretary of the Department of Planning (the Secretary) and the Independent Chair (IC).
5. Community representatives are only required to attend the AQCCC when considering matters relevant to their respective areas.
6. The duration of meetings is two hours. If there is an exceptional need to extend the meeting duration on occasion, the IC will raise the extension with the AQCCC prior to any extension being approved.
7. The AQCCC will operate for up to two years after the commencement of operation (scheduled to be early 2020), or as otherwise approved or directed by the Secretary, in consultation with the IC.

### The Independent Chair

8. An IC will be appointed to facilitate the AQCCC.
9. A chair that is independent and not associated with any advocacy groups associated with the project will be identified.
10. The IC will be put forward by Roads and Maritime Services (RMS) and approved by the Secretary.

11. The IC will have experience in:

- d. Convening and managing stakeholder reference groups in an independent manner
- e. Managing and representing the concerns of a variety of interest groups equally
- f. Community relations, facilitation, mediation or public advocacy
- g. Community engagement regarding air quality issues. (preferred but not essential)

### Membership of the AQCCC

12. The AQCCC will comprise of:

- a. An IC put forward by RMS and approved by the Secretary
- b. Two representatives from the New M5 Asset Trustee and two representatives from RMS
- c. One representative from each of the relevant councils whose attendance is only required when considering matters relevant to their respective local government area
- d. Three representatives from the local community adjacent to the St Peters ventilation facility and three representatives from the local community adjacent to the Kingsgrove ventilation facility and three representatives adjacent to the Arncliffe ventilation facility
- e. Community representative attendance is only required when considering matters relevant to their respective local area.

### Appointing community representatives

13. Community representatives are sought by expression of interest process conducted by the New M5 Asset Trustee in consultation with RMS and the Secretary.

14. The community representatives must:

- a. Live in or own a business in the community surrounding one of the ventilation facilities at St Peters, Arncliffe or Kingsgrove
- b. Be willing to contribute constructively
- c. Be active in the community, with strong community networks
- d. Have a sound understanding and awareness of the project and related environmental issues of concern to the broader community
- e. Be willing to adhere to the Committee's code of conduct.

15. Community representatives will need to demonstrate their ability to meet these criteria in their application.

16. The IC will choose the community representatives in consultation with the Secretary from those who express interest.

### Agenda and Reporting

17. Notes will be taken at all meetings of the AQCCC.

18. The notes will record the issues raised, the actions to be undertaken, who is responsible for taking those actions and by when.

19. The meeting notes will not be recorded in verbatim. Comments from individual members will not generally be attributed.
20. IC can appoint a delegate to take meeting notes, prepare agendas and supporting papers and carry out other administrative tasks associated with the AQCCC.
21. The IC will determine the agenda items in accordance with the Terms of Reference.
22. The IC will email the agenda to the members one week prior to meeting.
23. Members will RSVP their attendance at least two working days before the meeting.
24. Any member may propose a matter for inclusion on the agenda, either before or during a meeting, providing the matter meets the purpose of the committee described in the Terms of Reference.
25. The IC will ensure that issues raised by community representatives on behalf of the community that meet the purpose of the committee described in the Terms of Reference are properly considered. Late items may be deferred to a following meeting.
26. Agendas and meetings notes will be emailed to committee members and published on the WestConnex website [www.westconnex.com.au](http://www.westconnex.com.au)

### Protocols for Member Behaviour and Representation

27. All members of the AQCCC, including the New M5 Asset Trustee, RMS and any invited guests attending the meeting, will follow the Protocols for Member Behaviour and Representation.
28. The purpose of the Protocols for Member Behaviour and Representation is to establish roles and responsibilities of members and standards of behavior for meetings of the AQCCC.
29. The IC will chair and facilitate all AQCCC meetings. The IC is responsible for ensuring that the Protocols for Member Behaviour and Representation are met and that the committee is meeting its purpose in accordance with the Terms of Reference.

### Responsibilities of Committee Members

30. Members will respect other member opinions and will accept the committee's purpose.
31. Members will behave in accordance with the following standards of behavior:
  - a. Accept direction and advice from the IC
  - b. Treat members and project staff with respect and courtesy
  - c. Enable all members to be equally heard, not speak over each other and listen to all other members points of view
  - d. Make points succinctly
  - e. Take all relevant information into consideration
  - f. Act with honesty and in good faith
  - g. Act reasonably
  - h. Refrain from any form of conduct that may cause a reasonable person unwarranted offence or embarrassment
  - i. Not speak to the media on behalf of the committee and not discuss specific comments or opinions expressed by other members, including the New M5 Asset Trustee and RMS with the media.

- j. Audio and video recordings can only be made with the agreement of the IC and the committee.
  - k. Accept that the committee is not a decision-making body, it is not a requirement that consensus be reached on issues discussed.
32. Members may develop and distribute their own information materials to the public but under no circumstances should New M5 Asset Trustee, RMS, Sydney Motorway Corporation or WestConnex project logos or branding be used on these materials.
  33. Discussion of information presented at the meetings must not be discussed with the media. Any member comments to the media must be limited to member's own comments and, as a courtesy, the IC must be informed prior to publication or broadcast to ensure full transparency for all AQCCC members. It is a breach of the Protocols for Member Behavior and Representation to discuss with the media any comments made by another member.
  34. All members of the AQCCC are required to regularly attend the meetings (more than 50% per annum). Members are required to respond to each meeting invitation and advise the IC if they are able to attend.
  35. Community representatives cannot nominate alternatives to attend meetings in their place.
  36. Members may resign from the AQCCC and must do so by advising the IC in writing.
  37. Members may be asked to resign under the following circumstances:
    - a. Failure to attend 50% meetings per year (following review by the Independent Chair)
    - b. Failure to disclose a conflict of interest and/or developing a conflict of interest during the project
    - c. Perform ongoing and substantial breaches of the AQCCC Protocols for Member Behaviour and Representation
    - d. Become an employee of the SMC or a significant provider of goods or services to WestConnex.
  38. Community representative members who resign may be replaced from a reserve list of community representatives who completed an expression of interest to join the committee. A new expression of interest process may be carried out to if appropriate reserve list members are available.

### Responsibilities of the Independent Chair

39. The IC will conduct meeting in accordance with the Terms of Reference and the Protocols for Member Behaviour and Representation.
40. The IC will determine the agenda items in accordance with the Terms of Reference.
41. The IC will ensure that issues of concern raised by community representatives on behalf of the community that meet the purpose of the committee are properly considered.
42. The IC will ensure that any matters members propose for inclusion on the agenda is within the purpose of the AQCCC.
43. The IC will monitor the committee performance against its purpose and protocols for member behaviour and representation.
44. The IC will report annually to the New M5 Asset Trustee and RMS on the operation of the committee.