

# *Community Consultative Committee Guidelines*

*State  
Significant  
Projects*

*November 2016*



Planning &  
Environment

November 2016

© Crown Copyright 2015 NSW Government

#### Disclaimer

While every reasonable effort has been made to ensure that this document is correct at the time of printing, the State of NSW, its agents and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance or upon the whole or any part of this document.

#### Copyright notice

In keeping with the NSW Government's commitment to encourage the availability of information, you are welcome to reproduce the material that appears in 'Community Consultative Committee Guidelines: State Significant Developments August 2016' for personal, in-house or non-commercial use without formal permission or charge. All other rights are reserved. If you wish to reproduce, alter, store or transmit material appearing in the 'Community Consultative Committee Guidelines: State Significant Developments August 2016' for any other purpose, a request for formal permission should be directed to 'Community Consultative Committee Guidelines: State Significant Developments August 2016', PO box 1148, Gosford NSW 2250.

# Contents

## **Guidelines**

Purpose of the committee	2
Establishment of the committee	3
Members of the committee	4
Committee meetings	9
Responsibilities of the proponent	14
Communication with the broader community	15

## **Toolkit of Resources for Community Consultative Committees**

Sample Advertisement for Community Members	18
Nomination Form – Local Community Representatives	20
Nomination Form – Representatives of Stakeholder Groups	21
Code of Conduct Agreement – Independent Chairperson	22
Code of Conduct Agreement – Members	24
Declaration of Pecuniary and Non-Pecuniary Interests	26

*Guidelines*



The Department of Planning and Environment (the Department) is committed to community engagement in the NSW planning system. It recognises that people should have a say in matters that affect their lives, and that community engagement results in better planning outcomes.

State significant projects are large, complex, and can have major economic, social and environmental impacts over a long time.

The Department encourages proponents to consult widely with the community and stakeholder groups at all stages of these projects.

This is to ensure that the community and stakeholder groups are:

- kept informed of the status of projects, any new initiatives, and the performance of proponents;
- consulted on the development of projects, management plans and proposed changes to approved projects; and
- able to provide feedback to proponents on key issues that may arise during the development or implementation of projects.

Effective community engagement can occur in many ways, and proponents should be innovative when they engage with the community, and use a range of tools and techniques. They should also tailor their engagement to reflect the scale and nature of the project and its potential impacts.

For many years, Community Consultative Committees have played an important role in ensuring proponents engage with the community and stakeholder groups on State significant projects.

The Department has developed these guidelines to clarify the roles and responsibilities of Community Consultative Committees, and to help these committees operate effectively.

The guidelines will apply to the establishment and operation of all new Community Consultative Committees, and to the ongoing operation of existing Committees (to the extent they are relevant).

If there is any doubt about the application of these guidelines, the matter should be referred to the Department for resolution.

These guidelines will be reviewed every 5 years to keep them up to date.

## **1 Purpose of the committee**

The purpose of a Community Consultative Committee is to provide a forum for discussion between a proponent and representatives of the community, stakeholder groups and the local council on issues directly relating to a specific State significant project.

A Community Consultative Committee is not a decision-making or regulatory body: it performs an advisory and consultative role.

Government agencies will remain responsible for ensuring proponents comply with any statutory obligations.

More specifically, the purpose of the committee is to:

1. establish good working relationships and promote information sharing between the proponent, local community, stakeholder groups and councils on individual State significant projects;
2. allow the proponent to keep the community informed about projects, seek community views on projects, and respond to matters raised by the community; and
3. allow community members and local councils to seek information from the proponent and give the proponent feedback on the development and implementation of projects to assist with the delivery of balanced social, environmental and economic outcomes for the community, including:
  - the development of new projects or proposed changes to approved projects;
  - the implementation of any conditions of approval and management plans;
  - the results of any monitoring, annual reviews or independent audits;
  - community concerns about the project;
  - the resolution of community complaints; and
  - any community initiatives

## 2 Establishment of the committee

The Department will decide whether a Community Consultative Committee should be established for a State significant project, considering factors such as:

- the scale and nature of the project and its potential impacts;
- the level of public interest in the project;
- the proponent's community engagement strategy; and
- whether a Community Consultative Committee would complement any other consultation initiatives being undertaken.

If a proponent's community engagement strategy accords with best practice and is appropriately tailored to the particular characteristics of a project, there should be no need for a Community Consultative Committee in the early stages of a project.

For some long linear infrastructure projects, such as major road or rail projects, the Department may require several committees to be established, covering different areas of the project.

If the Department decides a Community Consultative Committee is warranted, it will require Proponents to establish these committees either:

- early in the assessment process through the Secretary's environmental assessment requirements (SEARs) for the project; or
- following approval through the conditions of approval for the project.

It may also specify other matters in these requirements or conditions, such as the composition of the committee and frequency of committee meetings.

In cases where Proponents are required to establish Community Consultative Committees in the SEARs, the Department will not exhibit the project application before the proponent has complied with the relevant SEARs.

## **3 Members of the committee**

### **3.1 Membership of the committee**

The committee will comprise:

1. an independent chairperson;
2. up to seven community representatives;
3. a council representative from each of the local government areas concerned; and
4. up to three representatives from the proponent including the person with direct responsibility for environmental management of the project.

The Department will not be a member of any committee, but will attend certain committee meetings.

### **3.2 Independent chairperson**

The independent chairperson must be:

- a convener, facilitator, mediator and advisor for the committee;
- independent and impartial; and
- the key contact between the committee and the Department.

The Department will recruit, appoint and review the performance of all independent chairpersons.

The Department will establish a pool of suitable independent chairpersons for Community Consultative Committees, and update this pool regularly.

Members of this pool will have:

- experience in community relations, facilitation, mediation or public advocacy;
- an understanding of the regulatory requirements for State significant projects, and the issues associated with these projects; and
- a proven track record in convening and managing stakeholder committees with independence.

A list of the members of this pool and a summary of their credentials will be published on the Department's website.

The Secretary of the Department (or a nominated representative) will appoint the independent chairperson for individual projects from the pool, after confirming the person has no conflicts of interest.

Proponents must pay the chairperson’s standard fees, as well as the fees of any note-taker the chairperson may use to take the minutes of any meeting.

The independent chairperson must oversee the preparation and publication of the minutes of committee meetings, and report annually to the Department on the operation of the committee.

A copy of the committee’s annual report will be published on the Department’s website.

The Department may review the performance of the independent chairperson at any time.

If the proponent or more than half the community representatives have concerns about the conduct or performance of the independent chairperson (e.g. there is an ongoing perception of bias, inappropriate control, or a refusal to share information or to adhere to the wishes of the committee), they may refer the matter to the Department. The Department will examine the concerns and determine what, if any, action should be taken.

If the Secretary of the Department (or a nominated representative) decides to replace the independent chairperson or the independent chairperson resigns from the committee, the Secretary of the Department (or a nominated representative) will appoint a new chairperson from the pool.

This appointment will be made within two weeks of the Secretary’s decision or the Department being notified of the resignation.

**3.3 Selection process for the independent chairperson**



**3.4 Community representatives**

Community representatives will be selected from the local community or stakeholder groups.

Employees or contractors of the proponent are not eligible to be appointed as community representatives.

Local community representatives must:

- be current residents or landowners within the affected local government area/s;
- demonstrate involvement in local community groups and/or activities;

- have knowledge and awareness of the project and related issues of concern to the local community;
- be able to represent and communicate the interests of the affected local community; and
- be willing to adhere to the committee's code of conduct.

Representatives of stakeholder groups must:

- be a member of a stakeholder group with an interest in the project, including an industry, community, environmental or Aboriginal group;
- have knowledge and awareness of the project and related issues of concern;
- be able to represent and communicate the interests of the group or community; and
- be willing to adhere to the committee's code of conduct.

### **3.5 Appointing community representatives**

The independent chairperson is to oversee the selection process for the community representatives of the Community Consultative Committee.

After consulting with the independent chairperson, the proponent is to seek expressions of interest for the committee by placing at least two advertisements in local or regional media publications (i.e. newspapers) (refer to the Toolkit of Resources) and advertising through one or more of the following avenues:

- local businesses;
- community or sporting centres; and
- local council websites.

The advertising period must give community members sufficient time to apply, and should be no less than 28 days.

Applications must be mailed directly to the independent chairperson.

Within two weeks of the end of the advertising period, the independent chairperson must:

- review the applications against the relevant selection criteria;
- send a copy of all the applications to the Department; and
- make a recommendation to the Department on who should be appointed to the committee, including any alternate representatives for local community members, and provide reasons why they should be appointed.

Within two weeks of receiving these recommendations, the Secretary of the Department (or a nominated representative) will appoint the community representatives to the committee and any alternate representatives, and formally notify the successful and unsuccessful applicants, the independent chairperson and the proponent of the decision.

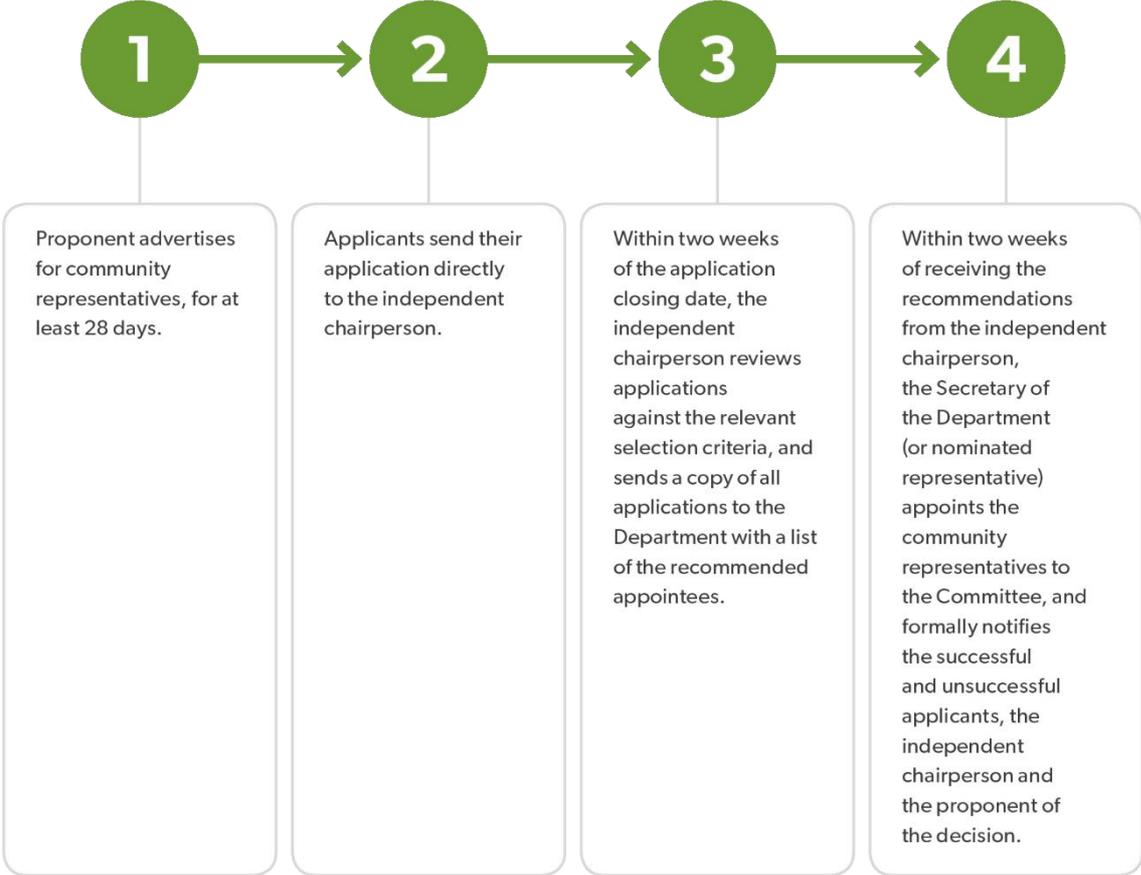
The Department may review the performance of community representatives at any time.

If the independent chairperson has concerns about the conduct of a member of the committee, they may refer the matter to the Department. The Department will examine these concerns and determine what, if any, action should be taken.

If the Department decides to replace a community representative on the committee or a community representative resigns from the committee, the Secretary of the Department (or a nominated representative) will appoint a new representative to the committee in consultation with the independent chairperson.

This appointment will be made within two weeks if a suitable replacement is available, or following the standard selection process.

**3.6 Selection process for community representatives**



**3.7 Proponent and council representatives**

The proponent and local council will appoint their representatives directly to the committee.

**3.8 Alternate representatives**

If the independent chair is unable to attend a committee meeting, the Department will appoint another person from the pool to chair the meeting.

If a representative from a stakeholder group, local council, or the proponent is unable to attend a meeting they must notify the independent chairperson as soon as possible, and nominate an alternative representative from their organisation or group to attend the meeting.

If a local community representative is unable to attend a meeting they must notify the independent chairperson as soon as possible so the chairperson can select an alternate representative to attend the meeting.

The use of alternate representatives should be kept to a minimum.

The independent chairperson may request the replacement of any member who fails to attend three consecutive committee meetings.

## 4 Committee meetings

### 4.1 Frequency, timing and location of meetings

The committee should determine the frequency of committee meetings, after considering factors such as the:

- size and complexity of the project;
- stage of the project;
- level of public interest; and
- sensitivity of the site and surrounds.

In some cases, however, the Department will determine the frequency of the meetings in consultation with the independent chairperson.

The frequency of meetings may vary over time as a project moves through different stages. For instance, a committee may meet at least four times a year during construction, but only once or twice a year during operations.

If there are important and urgent matters requiring consideration, any member of the committee may ask the independent chairperson to convene an extraordinary meeting of the committee.

The independent chairperson must decide whether the extraordinary meeting is warranted, or whether the matters can be addressed in other ways.

Members should be given at least four weeks' notice before a regular committee meeting, and two weeks' notice before an extraordinary meeting.

The proponent must provide suitable facilities for committee meetings, and the meetings should be held at a time and place generally convenient to all committee members.



In areas with a high concentration of State significant projects, consideration should be given to holding joint Community Consultative Committee meetings from time to time.

These meetings should focus on matters that are of common interest to these committees, such as the cumulative impacts of the projects.

## **4.2 Meeting proceedings**

Committees should follow good meeting practice, and adopt standard procedures for their meetings.

The independent chairperson must:

- formulate the agenda for all meetings in consultation with the members of the committee;
- convene and run meetings in a fair and independent manner;
- facilitate discussion to ensure all members have an opportunity to speak and share their views;
- identify any items of a confidential nature and assist committee members to understand how this information may, or may not, be used;
- support constructive dialogue; and
- resolve disagreements or differences of opinion in a fair, transparent and supportive manner.

Any member may propose a matter for inclusion on the agenda, either before or during a meeting, providing the matter is within the purpose of the committee. This may include inviting a technical expert to present to the committee.

The independent chairperson must ensure that issues raised by community representatives on behalf of the community are properly considered.

If agenda items are supported by detailed reports, then these reports must be distributed to members at least one week before the meeting.

Late items may be deferred to a following meeting.

The committee may decide to undertake regular site visits of the project in conjunction with its meetings, or at other convenient times.

Committee meeting agenda items would normally be expected to include:

1. Apologies.
2. Declaration of pecuniary or other interests.
3. Business arising from previous minutes - response to issues raised or provision of additional information requested.
4. Correspondence.
5. Proponent reports and overview of activities:
  - progress of the project;
  - issues arising from site visits;
  - monitoring and environmental performance;
  - community complaints and response to these complaints; and
  - information provided to the community and any feedback.
6. Other agenda items.
7. General business.
8. Next meeting.

### **4.3 Minutes of meetings**

The independent chairperson must prepare minutes for each committee meeting.

These minutes must:

- provide an accurate summary of the matters that were discussed at the meeting, including any community concerns expressed and inquiries made;
- record the dissenting views of members on a matter; and
- clearly identify the actions to be undertaken before the next meeting, and who is responsible for taking these actions and by when.

The independent chairperson may employ a note taker to assist with this task, and recover any associated costs from the proponent.

Within one week of a meeting, the independent chairperson must distribute the draft minutes to all committee members.

Committee members have one week to provide their feedback to the independent chairperson.

Within two weeks of receiving this feedback, the independent chairperson must finalise the minutes in consultation with the members, and ensure the proponent publishes them on its website (in a web accessible format).

If there are any disagreements between members on the minutes, the independent chairperson will have the final say on the matter.

Recording of meetings - by recording device, telephone or any other electronic device - is not permitted without the prior agreement of the independent chairperson and the committee.

#### **4.4 Conduct of committee members**

All members, including the independent chairperson and alternative representatives, must sign a code of conduct agreement before they join a Community Consultative Committee (refer to the Toolkit of Resources), and comply with this code while they are members of the committee.

The independent chairperson must bring any breach of the code to the attention of the persons concerned.

This may take the form of a verbal warning during a meeting, which is formally recorded in the meeting's minutes, or a written warning following the meeting.

Following three warnings, the independent chairperson may ask the Department to replace the member, if it is a community representative, or the proponent or local council to replace their member.

Similarly, the independent chairperson may request the replacement of any member who fails to attend three consecutive committee meetings.

#### **4.5 Attendance by non-committee members**

Members may ask the independent chairperson to invite non-committee members to attend meetings, either as observers or to provide advice to the committee.

This may include:

- representatives of the Department or other State government agencies;
- technical experts or consultants; and/or
- members of the general public.

The independent chairperson is to consult with the other members of the committee before issuing the invitation; and if there is any disagreement between the members about the invitation, then the independent chairperson will have the final say on the matter.

Non-committee members cannot participate in the business of a meeting unless they are invited to do so by the independent chairperson.

#### **4.6 Pecuniary and other interests**

All members must sign a declaration of pecuniary and non-pecuniary interest before they join the Community Consultative Committee (refer to the Toolkit of Resources), and keep this declaration up to date while they are members of the committee.

These declarations should include any pecuniary or other interest (including any payment, gift or benefit) intended or likely to influence - or that could be reasonably perceived by an impartial observer as intended or likely to influence - the member to:

- act in a particular way (including making a particular decision);
- fail to act in a particular circumstance; and/or
- otherwise deviate from the proper exercise of their duty as a member.

Examples of pecuniary or other interests include holding shares in an entity carrying out the project, holding a private contract with the proponent, holding voluntary acquisition or mitigation rights under the proponent's consent, or receiving sitting fees or payments of personal expenses from the proponent; and if the member represents a stakeholder group, if the stakeholder group has received funding or a grant from the proponent.

These guidelines establish no requirement in respect of personal interests other than declaration. However, the committee may determine that a personal interest is sufficient that a member should withdraw from discussion on a particular issue.

#### **4.7 Committee training**

The independent chairperson should ensure new members are given suitable induction training to equip them for their role on the committee.

The committee may seek funding or other assistance from the proponent for training members or developing the skills of the committee.

This may include training in:

- communications and conflict resolution; and
- best practice environmental management and community relations.

The proponent should support any reasonable requests from the committee for such training.

#### **4.8 Committee funding and remuneration**

The committee may seek annual or one-off funding from the proponent to help it perform its functions effectively. It is up to the proponent whether or not it agrees to such requests.

Community representatives are not eligible to receive sitting fees from the proponent, but may seek reimbursement of personal out of pocket expenses associated with attending meetings. It is up to the proponent whether or not it agrees to these expenses being paid.

If fees or expenses are paid to members for meetings, then the fact that a payment is being made (and not the actual amount) should be declared as a pecuniary interest and recorded in the minutes of the meeting.

#### **4.9 Review of a committee's effectiveness**

If the independent chairperson has concerns about the effectiveness of the committee they may refer the matter to the Department.

The Department will examine these concerns and determine what, if any, action should be taken.

If the committee is found to be ineffective, the Department may decide to dissolve or reconstitute the committee.

#### **4.10 Dispute resolution**

Although the committee is not a decision-making or regulatory body, and consensus is not required on all matters, it should discuss and try to resolve any disagreements between members.

The independent chairperson is responsible for trying to resolve any disputes that arise, either between members of the committee or between the members of the committee and the proponent.

If the independent chairperson is unable to resolve the dispute then they may refer the matter the Department for resolution or advice.

The Department's decision on the matter will be final.

## **5 Responsibilities of the proponent**

The proponent must provide the committee with timely, accurate and comprehensive reports on the project, including the status of the project, existing operations, environmental performance and community relations. This does not include matters of a financial or commercial nature.

The proponent must also provide the committee with copies of:

- the project's consent and other relevant documents, including management plans;
- results of environmental monitoring;
- annual review reports;
- audit reports;
- reports on community concerns or complaints and the proponent's response to these matters; and
- any other information specified by the Department.

These documents may be provided electronically, but hard copies of the documents should be provided to individual committee members upon request.

The proponent should consult with the committee before it lodges any applications with the Department, and notify committee members when these applications are lodged.

The proponent must respond to any questions asked or advice given by the committee about the proponent's environmental performance or community relations. These responses must be given to members within 28 days of a committee meeting, unless the meeting's minutes specify otherwise.

Finally, the proponent must organise site visits for the committee if requested by the independent chairperson.

## **6 Communication with the broader community**

Committee members are encouraged to discuss concerns and disseminate information about the project with the wider community, including stakeholder groups.

Where appropriate, the independent chairperson may also give briefings to stakeholder groups. In these cases, the independent chairperson must report back to the committee on the outcomes of these briefings.

With the agreement of the whole committee, the committee may agree to release statements or other information to the media or to adopt other approaches to public dissemination of information. However, only the independent chairperson may speak publicly on behalf of the committee.

Individual committee members may make comments to the media or in public forums on behalf of themselves or their stakeholder groups, but not on behalf of the committee.

There is a presumption that documents and other information provided to the committee can be made generally available to the community.

However, committee members may ask for certain information (e.g. a declaration of interest, site visit photos, or information which the proponent considers to be commercial-in-confidence) to be kept confidential by the committee.

If there is any disagreement between members of the committee on whether such information should be kept confidential, the independent chairperson will have the final say on the matter.

If the committee or independent chairperson decides that a matter discussed at a meeting is to be kept confidential, members must respect this confidentiality and refrain from discussing the matter with other parties outside the meeting.

The name, credentials and (if the member agrees) contact details of all members of the Community Consultative Committee must be published in a prominent position on the proponent's website.

Requests from the public for items to be included on the committee's agenda may be directed to individual members or the independent chairperson.

## Glossary of Terms

Community – A group of people living in a specific geographical area or with mutual interests that could be affected by a State significant project

Environment – includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings

Proponent – The person or entity seeking approval for a State significant project, or acting on an approval for a State significant project.

Stakeholder group – a group or organisation — including an industry, community, environmental or Aboriginal group — that represents several people with a particular interest in a State significant project

State significant project – a project that is defined as State significant development or State significant infrastructure under the Environmental Planning & Assessment Act 1979

*Toolkit of  
Resources for  
Community  
Consultative  
Committees*

## Sample Advertisement for Community Members

Proponents must advertise for the community representatives of Community Consultative Committees. This advertising should be placed in local or regional media publications, on websites, and at local councils, businesses, or prominent community or sporting centres. Members of the local community or stakeholder groups with a particular interest in the project should also be notified.

Community members should be given at least 28 days to apply. All applications must be sent to the independent chairperson of the committee.

The independent chairperson is to review the applications against the relevant selection criteria (see page 5 of the guideline), and recommend the community representatives for the committee to the Department. The Secretary of the Department (or nominated representative) will consider the recommendation, and appoint the community representatives to the committee. A sample advertisement for community representatives is provided below.

This advertisement should be tailored to the specific circumstances of the project, and include information on the:

- State significant project; and
- current stage of the project (approval is being sought or the project is approved and construction is scheduled to start shortly).

It should also clearly identify the selection criteria for local community representatives and representatives of stakeholder groups.

NOMINATIONS ARE OPEN FOR APPOINTMENT OF COMMUNITY MEMBERS TO THE [INSERT DEVELOPMENT NAME] COMMUNITY CONSULTATIVE COMMITTEE

### **Want to contribute to your community?**

Many State significant projects in NSW have Community Consultative Committees.

These committees provide a forum for open dialogue between the proponent and representatives of the local community, stakeholder groups and local councils on issues directly relating to the project.

We are looking for a mix of people who live locally or are members of a stakeholder group (community, environment, Aboriginal or industry) to join our new [INSERT DEVELOPMENT NAME] Community Consultative Committee.

Your role as a committee member is voluntary.

Selection criteria: You will be expected to contribute constructively to committee discussions, attend around (four) meetings a year, and communicate information about [INSERT DEVELOPMENT NAME] between the committee and the broader community.

If you would like to apply, download a copy of the relevant nomination form at [INSERT DPE DETAILS]. Contact [INSERT DETAILS] at [INSERT CONTACT DETAILS] for more information.

**Applications must be lodged by [INSERT DATE] and sent to the independent chairperson of the Community Consultative Committee [INSERT NAME AND CONTACT DETAILS OF INDEPENDENT CHAIRPERSON]**

# Nomination Form – Local Community Representatives

## Nomination details

I would like to be a local community representative on the [INSERT DEVELOPMENT NAME] Community Consultative Committee.

I accept that selection and appointment to the committee will be subject to my:

- being a current resident or landowner in the affected local government area/s;
- being able to demonstrate my involvement in local community groups or activities;
- having knowledge and awareness of the project and related issues of concern to the local community;
- being able to represent and communicate the interests of the affected local community;
- being willing to adhere to the committee’s code of conduct.

I have attached a supporting letter demonstrating how I meet the criteria for membership.

## Signed declaration

If appointed to the committee, I:

- confirm that I am aware of my responsibilities as a local community representative on the [INSERT DEVELOPMENT NAME] Community Consultative Committee;
- accept that the position is voluntary with no entitlement to remuneration;
- agree to sign and comply with the committee’s code of conduct agreement; and
- agree to sign a declaration of pecuniary and non-pecuniary interests, and keep this declaration up to date.

Name .....

Contact details .....

Address .....

Stakeholder group (if relevant) .....

Signature and date .....

This signed nomination form and supporting letter must be sent directly to the independent chairperson of the Community Consultative Committee and not to the Department of Planning and Environment. The independent chairperson’s details can be found on the advertisement calling for nominations.

# Nomination Form – Representatives of Stakeholder Groups

## Nomination details

I would like to be a community representative on the [INSERT DEVELOPMENT NAME] Community Consultative Committee.

I accept that selection and appointment to the committee will be subject to my:

- being a member of a stakeholder group with an interest in the project, including an industry, community, environmental or Aboriginal group;
- having knowledge and awareness of the project and related issues of concern;
- being able to represent and communicate the interests of the group or community;
- being willing to adhere to the committee’s code of conduct.

I have attached a supporting letter demonstrating how I meet the criteria for membership.

## Signed declaration

If appointed to the Committee, I:

- confirm that I am aware of my responsibilities as a community representative on the [INSERT DEVELOPMENT NAME] Community Consultative Committee;
- accept that the position is voluntary with no entitlement to remuneration;
- agree to sign and comply with the committee’s code of conduct agreement; and
- agree to sign a declaration of pecuniary and non-pecuniary interests, and keep this declaration up to date.

Name .....

Contact details .....

Address .....

Stakeholder group .....

Signature and date .....

This signed nomination form and supporting letter must be sent directly to the Community Consultative Committee Independent Chairperson and not to the Department of Planning and Environment. The Independent Chairperson’s details can be found on the advertisement calling for nominations.

# Code of Conduct Agreement – Independent Chairperson

As a condition of engagement, the independent chairperson of a Community Consultative Committee must agree to adhere to the following code of conduct.

### Accepted behaviour

**As the independent chairperson of the [INSERT DEVELOPMENT NAME] Community Consultative Committee, I understand I am expected to:**

- personally chair all committee meetings, or if I can't be present get the Secretary of the Department to appoint an alternate chairperson for the meeting from its pool of independent chairpersons;
- oversee the appointment of community representatives to the committee;
- ensure that all matters dealt with by the committee fit within the purpose of the committee;
- act as a convener, facilitator, mediator and advisor for the committee to ensure that members can put forward views and that they are not interrupted;
- be independent and impartial with respect to all members of the committee;
- create an atmosphere of open and constructive participation by the members of the committee where they can communicate relevant concerns, interests and ideas and express their reasons for any disagreement;
- actively work with the members of the committee to try and resolve any disputes that may arise during the committee's activities;
- ensure confidential matters handled by the committee are kept confidential;
- be the key contact between the committee and the Department and other external parties;
- advise the Department as soon as possible of any potential or actual conflict of interest that may affect my ability to fulfil my role on the committee;
- ensure members of the committee comply with the code of conduct, and issue warnings to members who do not comply with this code; and
- review the performance of the committee from time to time, and refer any matters of concern to the Department.

### Signed declaration

**As the independent chairperson of the committee, I agree to abide by this code of conduct.**

**I further declare that I have no conflicts of interest in relation to appointment to this committee.**

Name .....

Contact details .....

Address .....

Signature and date .....

# Code of Conduct Agreement – Members

As a condition of engagement, all members of Community Consultative Committee must agree to adhere to the following code of conduct.

### Accepted behaviour

As a member of the [INSERT DEVELOPMENT NAME] Community Consultative Committee, I understand I am expected to:

- attend committee meetings, at dates and times set by the committee’s independent chairperson
- advise the independent chairperson in advance if I am unable to attend meetings;
- respectfully engage with other members of the Committee;
- contribute to an atmosphere of open and constructive participation;
- openly communicate relevant concerns, interests and ideas and make reasons for any disagreement clear in a constructive and thoughtful manner;
- put forward views but also remain committed to open and shared dialogue;
- actively work with the members of the committee to try and resolve any disputes that may arise during the committee’s activities;
- ensure confidential matters handled by the committee are kept confidential, and refrain from discussing these matters with other parties outside meetings;
- not interrupt when another member is speaking;
- not speak publicly on behalf of the committee;
- not misrepresent the views of other members of the committee outside meetings;
- immediately advise the independent chairperson during meetings of any potential or actual conflict of interest relating to matters under discussion; and
- abide by the directions of the independent chairperson.

I understand that if I miss three consecutive meetings I may be replaced on the Committee.

### Signed declaration

As a member of the committee, I agree to abide by this code of conduct.

Name .....

Contact details .....

Address .....

Stakeholder group (if you relevant) .....

Signature and date .....

# Declaration of Pecuniary and Non-Pecuniary Interests

All members of Community Consultative Committees must sign a declaration of pecuniary and non-pecuniary interests before they join the committee, and keep this declaration up to date while they are members on the committee.

This declaration is designed to protect the integrity of the committee and the reputation of its members.

Examples of pecuniary interest may include but are not limited to:

- holding shares in an entity proposing or carrying out all or part of a State significant project;
- holding a private contract with the proponent;
- holding voluntary acquisition or mitigation rights under the proponent’s consent;
- receiving sitting fees or payments of personal expenses from the proponent; and
- if the member represents a stakeholder group, if the stakeholder group has received funding or grants from the proponent.

A pecuniary interest is an interest a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. Money does not have to change hands for there to be a pecuniary interest.

A non-pecuniary interest is a private or personal interest a person has that does not amount to a pecuniary interest but that may arise from family or personal relationships, or involvement in community, social or other cultural groups that may include an interest of a financial nature.

### **A No pecuniary or non-pecuniary interest to declare**

As a member of the [INSERT DEVELOPMENT NAME] Community Consultative Committee I declare that I have no pecuniary or non-pecuniary interest to prevent me from carrying out my role on the [INSERT DEVELOPMENT NAME] Community Consultative Committee impartially and in the best interests of the local and broader community.

Should this change, I agree to update this declaration and advise the committee accordingly.

Name .....

Signature .....

Date .....

### **B Pecuniary or non-pecuniary interest to declare**

As a member of the [INSERT DEVELOPMENT NAME] Community Consultative Committee, I declare that I have the following interests (tick as appropriate) that are relevant to the operation of the committee:

Pecuniary interest. Please provide details:

.....

.....  
.....

Non-pecuniary interest. Please provide details:

.....  
.....  
.....

Should this change, I agree to update this declaration and advise the committee accordingly.

I understand this declaration, and any subsequent actions that flow from this declaration, will be noted the committee's meeting notes, and that the independent chairperson of the committee may ask me to withdraw from discussion on particular issues.

Name .....

Signature .....

Date .....