



**Southern
Waste
Solutions**

Copping Landfill

Community Reference Group

TERMS OF REFERENCE

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1. Title

The name of the Group will be the Copping Landfill Community Reference Group or CRG.

2. Establishment of the CRG

Southern Waste Solutions (SWS) wishes to continue interacting with community representatives as key partners who are interested in SWS' landfill and operations and who can provide valuable input on a range of sustainability and corporate citizenship topics. To this end SWS has committed to establishing a CRG for its landfill.

The primary purpose of the CRG is to function as a reference body for SWS, its stakeholders and the broader community. The CRG is an advisory group only and not a decision-making body and operates as a regular consultative forum where representatives of SWS, the community, individual residents and other interested parties can discuss the operations of the landfill. The landfill includes the B cells and the C cell.

SWS will consider comments and suggestions made by the CRG and provide responses where warranted. The CRG will be asked to provide advice on a range of issues raised by SWS and members of the CRG. The CRG may make recommendations to SWS, including communication of a negotiated position that reflects community members' views, for SWS to consider and respond to as part of the CRG process. However, the CRG is not required to reach consensus or express unified views on matters discussed.

As SWS is accountable for its own actions, final decisions regarding the landfill will always rest with SWS and the relevant government regulators. However, the CRG process will ensure that SWS' decisions in relation to its landfill are robust.

3. Objectives of the CRG

The objectives of the CRG are to:

- Facilitate community awareness of the operations, environmental performance and any short, medium and long term development of the landfill;
- Provide community members with the opportunity to engage in dialogue with SWS regarding any issues of concern related to the landfill;
- Provide community members with an opportunity, wherever practicable, to provide input into SWS' decision making process regarding the landfill; and
- Foster understanding and cooperation between community members and SWS staff in minimising the impact of the landfill on the local community.

4. Activities of the CRG

The activities of the CRG may include, but are not limited to:

- Contributing to the discussion of various issues surrounding environmental monitoring, safety, operational issues or future plans of the landfill;
- Identifying varying viewpoints that need to be presented to the broader community;
- Contributing to the plan for engaging with the broader community;
- Contributing to any community engagement events or activities as agreed by the CRG;
- Representing CRG and the broader community at relevant industry, government or community hosted events; and
- Commenting on options for future usage of the site.

5. Membership

Participation in the CRG is on a strictly voluntary basis and open to any person who lives or works in the vicinity of, or has an interest in, the landfill. The CRG will comprise of up to ten (10) people, including:

- Chairperson (appointed by SWS);
- SWS administrative support officer; and
- up to eight (8) community members representing a balance of social, environmental and economic perspectives.

The SWS Chief Executive Officer (CEO) or delegate will attend each meeting, and other SWS staff and/or contractors may attend meetings to provide presentations and reports as required.

Representatives of Federal, State and local governments, government departments, agents and authorities may be invited to attend meetings to provide presentations and reports as required.

5.1 Appointment and term

Expressions of Interest in membership of the CRG will be called through advertisements placed in local newspapers and online. Letterbox drop campaigns may also be conducted within the local community.

A Chairperson will be appointed by SWS.

Up to twelve CRG members equitably representing environmental, social and economic perspectives will be selected by a panel including representatives of SWS and the independent Chairperson. The panel will review responses to selection criteria.

The term of appointment for membership of the CRG is twenty-four (24) months. It may be necessary to reduce or extend this appointment period and any such variation will be reasonably determined by SWS.

5.2 Attendance

CRG members are required to attend at least 75% of organised meetings during the period of appointment, measured annually on the anniversary of the relevant CRG member's membership. Attendance by any CRG member's alternate will count as attendance by that CRG member.

6. Responsibilities and Protocol

6.1 Responsibility of Chairperson

The role of the Chairperson is to facilitate CRG meetings, with the outcome being a fair, inclusive and professional forum for community representatives and SWS to come together to discuss issues of mutual interest or concern as outlined in Clause 3.2 of these Terms of Reference.

The Chairperson agrees and is empowered to:

- Facilitate CRG meetings in a fair, unbiased manner conducive to open, frank and outcomes-focussed discussion;
- Provide all members with a reasonable opportunity to make comments, ask questions and raise issues;
- Set an annual meeting agenda plan that is relevant to the CRG's objectives and considers the interests of all members;
- Manage each meeting so that all agenda items are discussed within a reasonable timeframe and that meetings start and finish at the agreed time;
- Ensure the Terms of Reference are met by all members; and
- Address issues and facilitate the resolution of conflicts that might arise.

6.2 Responsibility of SWS

SWS is responsible for operating a best practice waste management facility. It operates the landfill in accordance with the requirements of the *Environmental Management and Pollution Control Act 1994*, and with conditions outlined in SWS' Environment Protection Notices.

SWS agrees to:

- Proactively inform CRG members of relevant developments or issues related to the landfill through a standing agenda item;
- Encourage community comment on documents relevant to the CRG;
- Consider recommendations made by CRG members;
- Respond as promptly as practicable to requests for information from the CRG;

- Endeavour to ensure attendance of appropriate SWS staff members at CRG meetings, enabling informative discussion, progression of issues and achievement of outcomes;
- Engage at its cost a Chairperson and an administrative support officer and provide other resources with the aim that the CRG should function professionally and effectively;
- Help promote the profile of the CRG within the local community and relevant government agencies; and
- Provide timely reporting of information and outcomes as outlined in the Environment Protection Notices.

6.3 Responsibility of members

CRG members agree to:

- Use their best endeavour to cooperate and collaborate in improving communication and consultation on matters relevant to the Copping landfill;
- Attend CRG meetings and present the view of their representative community organisation and / or personal view;
- Willingly communicate accurate and timely information regarding CRG activities and information, reports, plans and outcomes provided by SWS to their representative community organisation and / or the broader community;
- Review briefing documents and papers as required prior to CRG meetings;
- Undertake agreed actions within the specified timeframes;
- Recommend relevant agenda items whenever possible;
- Provide referral of individuals or groups to SWS where the CRG members believes further information or consultation is required;
- Provide opportunities for communication channels which may be easily accessed by the community;
- Be willing to introduce or consider new and innovative ideas to assist SWS to develop and grow in a sustainable manner, with due regard to the environment, the community and the economy;
- Treat all other CRG members and their views respectfully, enabling all members to be heard equally, to not speak over each other and to listen to all points of view;
- Refrain from any form of conduct during meetings that may cause a reasonable person unwarranted offence or embarrassment;
- Not to use confidential information gained by virtue of membership of the CRG for the purposes of private benefit for themselves or any other person or organisation unless that information is in the public domain by any reason other than a breach of these Terms of Reference;
- Enable their contact details to be shared and circulated amongst CRG members, SWS and any relevant statutory authority or its agents and representatives; and
- Abide by these Terms of Reference.

6.4 Technical presentations

Where information of a more technical nature, such as environmental issues or legislative requirements, needs to be presented to the CRG, relevant experts may be invited to present at a meeting. This may also include representatives from relevant government agencies and specialist consultancies.

6.5 Documents

If community or business members distribute their own materials to other group members or to the wider public, this information must clearly indicate that it is not official SWS or CRG documentation issued by SWS or the CRG. It cannot include any SWS logos or branding unless SWS consents in writing to the use of its logo or branding in relation to each specific document.

6.6 Differing views and consensus

The aim of the CRG is to represent a diversity of viewpoints and stakeholder issues and concerns. Therefore:

- It is not a requirement, nor it is anticipated, that consensus will always 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; and
- If a member believes he or she may have a conflict of interest in relation to a particular issue or item of discussion at any time, the member should make this position clear to the Chairperson, who will then make a determination on an appropriate code of conduct for the member during that particular item of discussion.

6.7 Media protocol

If a CRG member receives an enquiry from the media regarding the operations of SWS or a SWS strategic policy matter, they should direct the enquiry to the SWS CEO who can be contacted on 0408 253 770. SWS will not publicly identify any CRG members in media releases without their knowledge and consent.

If the CRG believes a media statement would be helpful to the engagement process at any point, the CRG will endeavour to agree the content of the statement and delegate the drafting of it in the first instance to SWS. The Chairperson will act as the coordinator for media inquiries in relation to these media statements.

CRG Members are not permitted to speak individually as spokespersons for the CRG or circulate information acquired at CRG meetings unless specifically agreed to by the CRG. Nor may members discuss views expressed by another member without their knowledge and consent.

6.8 Resignation

CRG members may resign from the CRG and are requested to submit their intent in writing to no longer participate in the CRG to the Chairperson. If a representative of an organisation opts to resign membership of the CRG, the organisation may nominate a

new representative or nominate their alternative representative as their primary representative. If an organisation opts to resign membership of the CRG, they must submit their intent in writing on organisation letter head signed by the organisation committee member who originally signed the letter attached to the organisation's Expression of Interest in membership of the CRG.

6.9 Workplace Laws

SWS is subject to the provisions of the *Workplace Health and Safety Act 1995* which imposes a duty on SWS to provide and maintain as far as is practicable, a working environment which is safe and does not increase risks to staff and/or visitors.

All members of the CRG must comply with all applicable workplace relations, occupational health and safety, and workers compensation laws and SWS policies and procedures relating to occupational health and safety whether notified to the CRG member by SWS or reasonably inferred in the circumstances.

6.10 Privacy

All personal information provided by CRG members to the CRG and/or SWS will be made available to SWS, the Chairperson, the administrative support officer and other CRG members in order that CRG members are contactable. SWS and the CRG will only use the personal information members have chosen to provide us for the purpose for which they provided it and will comply with their obligations under the *Privacy Act 1988* (Cth) and all other relevant legislation in relation to privacy.

6.11 Amendment

SWS may change or alter the content or scope of these Terms of Reference at any time; including (without limitation) if at any time SWS no longer considers that the operation of the CRG is in its interests, SWS may, by giving three (3) month's notice in writing to the CRG Chairperson terminate the operation of the CRG.

SWS will notify the CRG in writing of any change or alteration to the Terms of Reference and allow a period of five (5) working days for comment from CRG members before the change or alteration to the Terms of Reference comes into operation.

7. CRG Meeting Procedures

7.1 Venue

CRG meetings will be conducted at a reasonable venue decided by the Group, or at a venue nominated and funded by SWS and located within the local community.

7.2 Meeting frequency, timing and length

It is expected that the CRG will meet at least once per annum.

Meetings will be arranged to provide information and obtain community feedback on any major developments, or developments that may be of interest to the community. Meetings may be open to members of the public as well as members of the Group.

To ensure broad representation of the community, CRG meetings will be conducted on week days only and will commence no earlier than 1500hrs (3:00pm) and no later than 1800hrs (6:00pm) unless Group members decided otherwise.

SWS acknowledges that CRG members are attending the CRG in their own time. In order to allow sufficient time for discussion of agenda items in a productive environment, it is recommended that meetings be not less than two (2) hours duration and no more than three (3) hours duration, including a fifteen (15) minute refreshment break if required.

Sub-committees may be formed with interested CRG members, appropriate SWS staff, government agency representatives and / specialist consultants, to develop / discuss / comment on specific issues relevant to the landfill which may require detailed consideration. Any recommendations generated by these sub-committees must, in the first instance, be presented to all CRG members.

7.3 Meeting agenda

The administrative support officer, under the direction of the Chairperson, will prepare and distribute an agenda to CRG members at least seven (7) days prior to each CRG meeting. The agenda will be prepared with consideration of:

- Regular agenda items including agreement on previous minutes, report back on actions, site and environmental reports, exception reporting, Environment Protection Notice reports, etc.
- Items proposed by SWS regarding developments at the site, issues and events; and
- Items proposed by CRG members.

7.4 Minutes of meetings

The administrative support officer will take minutes of each meeting. The minutes will summarise the discussion that occurred, agreements made and actions to be undertaken.

Minutes will not be a verbatim record of discussion. Attribution of comments to individuals will be recorded unless CRG members agreed that they do not want comments attributed to individuals.

Draft minutes, together with copies of any technical presentations, will be distributed to all CRG members within fourteen (14) days of the meeting. The minutes will be agreed upon at the next meeting and any changes required will be noted in the minutes of the next meeting.

Minutes of meetings will be made publicly available, including on the SWS web site, once confirmed by CRG members.

7.5 Actions and timeframes

Actions agreed to be undertaken by the Chairperson, CRG members and SWS staff will be captured in the minutes, together with agreed timing for delivery and / or implementation. All parties are generally required to undertake those actions to which they have agreed within the timing specified unless a reasonable explanation for the delay is given.

A report back on actions will be a standing agenda item at CRG meetings. All parties will be required to report back on the actions assigned to them. If unable to attend a CRG meeting, the member should provide the report for presentation to the CRG by their alternate representative or, in the case of an individual, provide the report to the Chairperson prior to the meeting.

Outstanding actions will be noted in the minutes and a written response shall be included in the minutes or the action item will be carried over to the following meeting. All actions and time frames will be available on the SWS web site.

7.6 Resourcing of CRG

SWS will fund the conduct of CRG meetings, including venue hire (where applicable) and provision of refreshments.

SWS will appoint the Chairperson of the CRG and provide reasonable remuneration in recognition of the time involved.

SWS will provide and fund an Administrative Support Officer to prepare and distribute meeting agendas, attend and take minutes of meetings, prepare and distribute draft minutes of meetings and provide other administrative services as required.

SWS will reimburse CRG members for travel expenses relevant to participation in CRG activities for use of private vehicles at rates consistent with the Australian Tax Office rulings, as issued from time to time provided the request for reimbursement is made within 12 months of travel and can be substantiated by the CRG Member to the satisfaction of SWS.

SWS may consider reimbursement of other reasonable expenses to the extent that such expenses are likely to prevent members from participating in CRG activities outside regular CRG meetings if they are not reimbursed provided that:

- They are directly required by CRG activities; and
- The request for reimbursement is made prior to the expenses being incurred; and
- The expense can be substantiated by the CRG Member to the satisfaction of SWS.

8. Evaluation

CRG members will be requested to evaluate the value and effectiveness of the SWS community engagement process, the CRG and the Chairperson on an annual basis. The evaluation will include, but not be limited to, review and recommended changes to CRG supporting documentation such as Terms of Reference and comment on the role of the Chairperson.

The results of the evaluation will be made available to the CRG with recommendations agreed to address issues raised.

The final report, including evaluation results, recommendations and actions, will be made available to the EPA. CRG members will also be encouraged to provide a final report to their organisation.

9. Breach of these Terms of Reference

If a CRG member breaches these Terms of Reference, particularly in regard to communication with the wider community, SWS or the Chairperson may, by exercising reasonable discretion, revoke the membership of the CRG member.