Batemans Bay Bridge replacement
Foreshore Advisory Committee –
Terms of reference

**Purpose of Committee**
The Batemans Bay Bridge replacement Foreshore Advisory Committee’s (FAC) purpose is to involve the participants, who are diverse representatives of the Batemans Bay community, in the development of the Batemans Bay foreshore design, as part of the Batemans Bay Bridge replacement project (BBBR).
The Committee is an opportunity for these representatives to communicate their aspirations and concerns for the foreshore to NSW Roads and Maritime and the Contractor, John Holland.
This FAC will be involved in the project through the detailed foreshore design and foreshore construction phases.

**RMS and JH’s Commitment to the Committee**
Roads and Maritime (RMS) and John Holland (JH) will work to ensure that the feedback from the Committee is reflected in the foreshore design (within JH’s scope of work) and seek the Committee’s advice on how and what to consult with the broader community in relation to the foreshore design.

**Goals**
The goals of the FAC are to:

- Develop a draft vision for the part of the foreshore that is within JH’s scope of work for the BBBR, taking into consideration the differing needs of the various stakeholders and the considerations provided to them from JH, RMS and Council
- Provide a channel for community members and other key stakeholders to receive information about the development of the foreshore design’s development and provide feedback to members of the FAC on various elements, as suggested by RMS/JH
- Provide ideas on foreshore design (landscaping; shelters and other park amenities; safety and other accessibility provisions/furniture/signage of T-Wharf; look and finishes of hard structures e.g. fishing/viewing platforms; location and type of public artwork in the foreshore)
- Assist in selecting local artists to develop an artwork for the foreshore
- Advise on how and what to consult about or present to the broader community about the foreshore design elements
- Advise on other specific elements and issues, including some elements not related to the foreshore eg interpretative signage about the existing bridge, how we can best pay respect to the foreshore’s cultural heritage and history, feature lighting on the new bridge.
Reporting
The FAC reports to RMS. The FAC is facilitated, organised and funded by JH as part of their contract. The agenda and minutes are prepared by JH and any interim or final report will be prepared and considered by the FAC prior to release to the wider community.

Decision Making
Members of the FAC will not have decision making powers but will have the opportunity through the FAC process to present their views and opinions for consideration.
FAC recommendations to RMS and JH will only be made by FAC members and not include the views or preferences of the technical advisers.
RMS and JH accept that FAC members may hold a range of perspectives on an issue and at times opposing views. Where possible, the facilitator will aim to have the group reach a consensus on the recommendations being put forward by the FAC to RMS.

Key to the deliberation of the FAC and the development of their recommendations are the following points:

- John Holland’s scope of work as per their contract covers only a part of the foreshore on the northern and southern side of the existing and new bridge location
- The design process must consider the needs of future maintenance, safety and other requirements of the land owners of the foreshore.

Conflict of interest
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 make this position clear to the Facilitator and other members. The FAC will together determine an appropriate course of action based on the conflict.

Confidentiality
Committee members and other participants will be provided information that is confidential. All members and other representatives are required to sign the NSW Government’s Confidentiality Deed Poll. Documents that are confidential will be marked accordingly.

Members
Membership of the FAC will include:

- Eurobodalla Shire Council - Mayor or her nominated representative and two Chamber of Commerce representatives
- President of Eurobodalla Fishing Association or their rep
- President of Regional Fishing Advisory Council of their rep
- President of Batemans Bay Boaters Association or their rep
- President of Batemans Bay Sailing Club or their rep
- Three Community representatives
- Accessibility representative
- Aboriginal Community –
  - CEO of BBLALC or their representative
  - Representative from Elders Group.
Responsibility of FAC Members

FAC members are expected to:

- Attend meetings and participate in discussions
- Work within the framework of this FAC terms of reference
- Work collaboratively and understand that the FAC’s overall objectives are of greater value than individual interests or concerns
- Take issues offline that are outside of the framework of the FAC terms of reference
- Sign up to a confidentiality deed and respect the confidentiality of information being provided
- Discuss and/or distribute relevant non-confidential project information within the community and/or your networks
- Present the views and issues of the organisation or community you represent
- Allow open discussion to occur and encourage a number of views to be presented
- Respect the right of all members to make comments and have different opinions
- Refer all media enquiries to the FAC Facilitator and or RMS
- Not miss more than three consecutive meetings
- Notify the facilitator if you are not able to attend
- Not send other people to attend the meeting on your behalf
- Allow Roads and Maritime Services to promote your organisation’s participation in the FAC.

Technical advisers

The following technical advisers will also be invited to attend the FAC meetings, where relevant.

<table>
<thead>
<tr>
<th>Roads and Maritime representatives</th>
<th>Other representatives</th>
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<tbody>
<tr>
<td>Project Sponsor</td>
<td>Representative/s from Fisheries</td>
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<tr>
<td>Project Manager</td>
<td>Representative/s from Batemans Marine Park</td>
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<tr>
<td>Other technical representatives as required</td>
<td>Representative/s from Maritime</td>
</tr>
<tr>
<td>Roads &amp; Maritime Stakeholder Manager</td>
<td>Representative/s from EPA</td>
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<tr>
<td>Project Verifier representative</td>
<td>Representative/s from Eurobodalla Shire</td>
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<tr>
<td>John Holland representatives</td>
<td>Council Representative/s from Crown Land</td>
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<tr>
<td>Project Manager</td>
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<td>Design Manager</td>
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<tr>
<td>Other technical representatives as required</td>
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<tr>
<td>John Holland Stakeholder Manager</td>
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</tbody>
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Code of conduct of members and technical advisers

- All FAC members have equal rights to express their opinion and to suggest issues for discussion
- FAC members and advisers commit to openness and transparency and adhering to the terms of reference
- The facilitator will ensure that no individual member(s) or technical advisers monopolise discussion
- Members will strive to bring and relay community and/or their respective organisations’ issues, ideas and expectations to the meeting
- Members and invited technical experts will agree to communicate constructively and respectfully in sessions
- All FAC members and invitees must come prepared to meetings, having read and/or actioned materials provided prior to meetings so that they can effectively participate in meeting discussions
- All FAC members and invitees must respect the ideas and beliefs of all and participate in the consensus building process for development of recommendations to RMS
- All FAC members and invitees must contribute to an atmosphere where all members feel comfortable to participate
- All FAC members and invitees must notify the FAC Facilitator of any potential conflict of interest relating to the FAC discussions and formulating of recommendations
• All FAC members and invitees must sign the RMS confidentiality agreement and not circulate outside of the FAC committee any documents marked as confidential
• All FAC members and invitees must not make any media comment on behalf of the FAC relating to the project or the FAC, unless first receiving approval from RMS.

**Meeting logistics**

JH will aim to:

• Hold FAC meetings at least every month as a minimum over the detailed design phase from October 2018 to March 2019, and less frequent after that time..
• Provide an agenda and pre-reading material two to three days before the meeting
• Hold meetings that are under four hours
• Accommodate the availability of the FAC members and ensure at least one third of the members can be present, when identifying meeting times
• Take minutes at the meetings that capture the key outputs of discussions, agreements and/or actions
• Park issues or questions for follow up at the next meeting or subsequent meetings, if more appropriate.

**Facilitation**

The facilitator will chair meetings. The role of the FAC facilitator is to:

• Conduct the FAC meetings according to the Agenda items and times or renegotiate items and times with the members
• Take questions on notice and carry out relevant research on behalf of the FAC
• Be available as the contact for the FAC members
• Make sure any enquiries or complaints are passed directly to the relevant project team personnel/technical advisers
• Make sure JH responds to all issues and reasonable requests raised by FAC members in a professional manner
• Respond to any matters raised as potential conflict of interest, and together with the FAC members determine a course of action
• Carry out dispute resolution as required.

**Term of involvement**

This FAC will be involved in the project through the foreshore detailed design and construction phases. Members will need to commit to at least five meetings to be held between September 2018 and March 2019. Meetings will be less frequent during the foreshore construction phase.

**Remuneration**

Membership of the FAC is voluntary. No remuneration or sitting fees will apply.

**Privacy**

• The name of organisations represented on the FAC will be made available on the RMS website and other appropriate forums
• All personal information held by RMS and JH about the participants is used strictly in accordance with the Privacy and Personal Information Protection Act 1998 (PPIP Act)
• Names of FAC members will be released only upon the agreement of the member, otherwise they will be referred to by the group of stakeholders that they represent.

**Review**

These terms of reference have been reviewed by FAC members, JH and RMS representatives and will be reviewed again if necessary, if they are found to hinder the goals of the FAC.