

# Princes Highway Upgrade

## Burrill Lake Co-Design Committee

### Terms of Reference

#### The Program

The Princes Highway is a critical road link in NSW. Since 2011 the Australian and NSW governments have invested \$2.5 billion upgrading the Princes Highway in NSW to create safer and more efficient journeys. A further \$1.9 billion has been committed to upgrade the Princes Highway between Nowra and the Victorian border as part of the 20 year plan, Roadmap to 2040.

Five priority projects have progressed to the design phase including the Jervis Bay Road and Princes Highway intersection, Jervis Bay to Sussex Inlet Road upgrade, Milton Ulladulla bypass, Burrill Lake to Batemans Bay upgrade and Moruya bypass.

The Princes Highway Upgrade Program will progressively deliver a range of new and improved infrastructure and service projects as sections receive approval and further funding is allocated. A detailed list of the priorities of the 20 year roadmap can be found at <https://princeshighway.nsw.gov.au/tfnsw/phu/roadmap2040>

In Burrill Lake, the Princes Highway Upgrade will include widening the highway to two lanes each way as part of the Burrill Lake to Batemans Bay project, however, timing of this is dependent on future transport demand and will be balanced against broader customer needs.

Transport for NSW is establishing the Burrill Lake Co-Design Committee (the Committee) to work collaboratively with Transport for NSW and provide input to the strategic design through Burrill Lake. The recommendations from the Committee will provide one input to the decision-making process for the NSW Government, with further community and stakeholder consultation following the co-design process.

#### Purpose of the Burrill Lake Co-Design Committee

The purpose of the Co-Design Committee is to provide a formal process for consideration by the NSW Government of the views of the Burrill Lake, Dolphin Point and Kings Point communities during the strategic design development phase of the Burrill Lake section of the Princes Highway Upgrade.

The objectives of the committee are to:

- Provide a formal process for representatives of the communities of Burrill Lake, Dolphin Point and Kings Point, working collaboratively with Transport for NSW, to provide input to the potential route options through Burrill Lake for the Princes Highway Upgrade Program.
- The Committee will assess design options from a community perspective with a view to endorse a preferred design and/or recommendations on a range of design treatments.

- While the Committee is not a decision-making or regulatory body, the advice and recommendations of the Co-Design Committee will be incorporated into the strategic planning for the Burrill Lake upgrade made by the NSW Government to the maximum extent possible.

The Committee is being formed solely for the purpose of refining the strategic design of the Princes Highway upgrade through Burrill Lake as part of the Princes Highway Upgrade Program. The Committee will be disbanded following the development of the consultation outcomes report that details the recommendations of this Committee.

## **Strategic design**

In the context of the Princes Highway Upgrade through Burrill Lake, strategic design refers to high level design principles that will inform a strategy for the future highway in the area. For example this may include: preferred treatments for intersections; highway accessibility for local vehicles, pedestrians and cyclists; access to recreational locations and activities; and preferred bridge treatment.

## **Membership of the Committee**

There will be three types of permanent Committee Members. Project members represent the Proponent and comprise TfNSW employees that lead the development of the Burrill Lake to Batemans Bay project.

Stakeholder group members will be drawn from local stakeholder groups that are relevant to the project and geographic area. They will be appointed to the Committee through a nomination and recruitment process, with the exception of Shoalhaven Council. There will be up to five positions available to stakeholder groups available on the Committee.

Community representatives will comprise local residents or business owners and will represent a diversity of views within the geographic location. They will be appointed to the Committee through a nomination and recruitment process, and there will be up to four positions available on the Committee.

Only stakeholder group and community representatives will be invited to assess strategic design and provide recommendations to NSW Government on behalf of the Co-Design Committee.

Professional engagement consultants will provide facilitation and secretariat services. They will be non-members that provide supporting services to the Committee.

At times subject matter experts will be invited to attend and/or present at meetings of the Committee. They will not be committee members.

## **Eligibility**

### **Stakeholder Group Representative**

- Demonstrated connection to the local community of Burrill Lake, Dolphin Point or Kings Point. Preference will generally be given to local residents or business owners where appropriate

### **Community Representative**

- Has a primary residence or business within Burrill Lake, Dolphin Point or Kings Point
- Willing to sign a pecuniary and non-pecuniary interest declaration

- Willing to sign a pecuniary and non-pecuniary interest declaration
- Willing to adhere to the Committee's code of conduct
- Being neither an elected official nor seeking election to either local, state or federal government
- Is able to demonstrate they represent an organised local group that is relevant to the Princes Highway Upgrade through Burrill Lake
- **Willing to adhere to the Committee's code of conduct**
- Being neither an elected official nor seeking election to either local, state or federal government

## **Conduct of Committee members**

All members must sign a code of conduct before participating in any committee meeting for the Program, and must comply with this code whilst a member of the Committee.

The Chair 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 minutes, or a written warning following the meeting.

After one warning the Chair may seek a replacement of this member on the Committee. Similarly, the Chair may seek to replace of any member who fails to attend two consecutive committee meetings.

Recording of meetings by telephone, film or any electronic device is strictly prohibited. Recordings of the meetings and site tour will be made solely to enable accuracy of minutes and notes by the third part facilitator. These will not be made available to any other parties and all recordings shall be deleted following acceptance and publication of the relevant meeting minutes.

## **Pecuniary and other interests**

All members must sign a declaration of pecuniary and non-pecuniary interest before joining the Burrill Lake Co-Design Committee and keep this declaration up to date while they are a member.

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

- Act in a particular way
- Fail to act in a particular circumstance
- 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 which has received funding or a grant from the proponent.

There is no requirement in respect of personal interests other than the declaration. However, the Chair may determine that a personal interest is sufficient for a member to be required to withdraw from discussion on a particular issue.

## **Committee remuneration**

Community representatives are not eligible to receive sitting fees or reimbursement of any out of pocket expenses associated with attending meetings.

## **Frequency, timing and location**

Three meetings are to be held in or as close as possible to Burrill Lake on a weeknight from 6:00-9:00pm. A site tour is also to be held during a weekend to enable the Committee to view and inspect specific locations to assist in understanding information presented.

Up to two additional meetings can be held if deemed by the Committee as required to view and discuss all relevant information pertaining to the route options through Burrill Lake. It is likely the meetings will be held approximately once a month for a duration of three hours.

If there are important and urgent matters requiring consideration, any member of the Committee may ask the Chair to convene an extraordinary meeting of the Committee. The Chair must decide whether the extraordinary meeting is warranted, or whether the matters can be addressed in other ways.

Members will be given four weeks' notice of regular committee meetings and two weeks' notice of an extraordinary meeting.

## **Facilitator and Secretariat**

KJA, professional facilitators with experience in community co-design and engagement, have been appointed by Transport for NSW to provide professional third-party facilitation and secretariat services for the Committee.

The facilitator will engage the whole committee in discussion and workshops to create shared understanding, agree and deliver outcomes, and identify options to resolve disputes.

KJA will record and agree decisions and actions by the Committee which will be agreed by the Committee at the end of each meeting.

The secretariat, in coordination with the Chair and facilitator, is responsible for requesting agenda item material, preparing and distributing agendas and associated papers, taking and distributing minutes and maintaining and monitoring a log of actions arising.

## **Meeting proceedings**

This Committee will follow good meeting practice and adopt standard procedures. The Chair and Facilitator will:

- Formulate the agenda for all meetings in consultation with committee members
- Convene and run meetings in a fair and independent manner
- Support constructive dialogue.
- Facilitate discussion to ensure all members have an opportunity to speak and share their views.

- Resolve disagreements or differences of opinion in a fair, transparent and supportive manner.

## **Meeting agendas**

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 subject matter experts to present to the Committee.

A final agenda and associated papers are provided to all committee members one week prior to each meeting.

## **Meeting minutes**

The minutes must:

- Provide an accurate summary of the matters that were discussed at the meeting, including any concerns expressed and inquiries made
- Record all views of members on a matter
- Clearly identify the actions to be taken before the next meeting, who is responsible for these actions and a timeline for completion.

Within one week of a meeting, the Secretariat must distribute the draft minutes to all committee members. Committee members have one week to provide their feedback. Within two weeks of receiving this feedback, the Secretariat 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 Chair will have the final say on the matter.

## **Dispute resolution**

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

## **Glossary of Terms**

**Program** – the Princes Highway Upgrade Program as it pertains to Burrill Lake.

**Co-Design** – Co design (Co-operative design) is an approach to design that attempts to actively involve relevant stakeholders and end users in the design process to help ensure that as far as is practicable, the result meets their needs and is usable.

**Community** – A group of people living in a specific geographical area or with mutual interests that could be affected by the Program.

**Environment** – includes all aspects of the surrounding of humans, whether affecting any human as an individual or in their social groupings.

**Proponent** – Transport for NSW.

**Stakeholder group** – a group or organisation – including an industry, community or environmental – that represents several people with an interest in the Program.