

## RESOURCES ADVISORY FORUM TERMS OF REFERENCE

---

### Introduction

Every day, the Department of Planning and Environment (the Department) deals with the complex issues facing a growing New South Wales.

The Department's role in planning for and assessing resources proposals in accordance with the *Environmental Planning and Assessment Act 1979* will be enhanced through appropriate community and stakeholder engagement to set clear policy at the strategic level and work through issues in the assessment and ongoing operation of resource projects.

The Resources Advisory Forum (the Forum) has been established to help facilitate multi-stakeholder dialogue on policy and practices related to mining and resources development in NSW. It will provide a platform for sharing some of the wide range of viewpoints on this topic and help the Department to better understand and balance the often complex considerations when devising policy and practices for this key sector.

### Objectives

The Forum will provide advice to the Department on policy directions, planning processes and operations by:

- contributing an informed perspective to the evolution of policy development and the resolution of complex planning issues relating to the resources sector;
- identifying cross-cutting policy, process and operational issues for the sector and providing advice on those issues for consideration by the Department and Government;
- providing advice to the Department on issues referred to the Forum;
- engaging with Senior Executives from the Department to provide an effective conduit for communication between the Department and diverse communities of interest on key issues and directions; and
- advising on issues referred to the Forum by Community Consultative Committees and other engagement forums.

The Forum's role is advisory only and the Forum will not have a decision-making capacity.

### Membership

- The Forum is cross-sectoral and will include members from industry, local government, academia, and the community and environment sectors.
- Membership of the Forum is voluntary and expected to comprise the Chair and 15 core members, including:
  - five industry members;
  - five community/environment members;
  - four local government members; and
  - one academic member.

- Membership may change including the appointment of additional representatives based on skills or experience (including relevant government agencies and other interest groups).
- As well as nominated Forum members, meetings will be attended by Senior Executive representatives of the Department and relevant Departmental officers. Specialist advisors or consultants may be invited to attend meetings as required, at the request of the Chair on behalf of the Forum members or at the request of the Department. Consideration will also be given to involvement of other relevant government agencies.
- Members may also be asked to participate in smaller, location-based forums set up around significant projects, or clusters of projects, in which the Department plays an assessment and/or compliance role.
- From time to time, individual members of the Forum may be called upon to provide advice and comment on particular issues as they arise between scheduled meetings.

#### *Appointment and payment of members*

- Prospective members will be invited to participate by the Department. The organisation invited retains the right to delegate to the most appropriate representative.
- Alternate delegates from the same organisation are permissible, but attendance should be notified in advance to the Department or the Chair.
- Members will be appointed for an initial period of 12 months, with the potential for extension beyond this time as determined by the Department.
- Travel costs for representatives from regional areas will be covered by the Department.

#### **Experience required**

All members will be familiar with the resources policy landscape in New South Wales (e.g. trends, interests and overarching issues), able to understand the tensions and complexities that may surround resources projects and motivated to explore options and scenarios to find solutions in this context.

Members will be expected to contribute their own perspectives while being willing to engage in solutions-oriented dialogue and must:

- be an active participant in industry, local government, academic or community/environment interests related to resources (if one of the members of these interest groups);
- occupy a senior position within their organisation or be recognised by peers as an authority on a particular area of expertise (if not a nominated member of one of the interest groups);
- be able to participate in the majority of Forum meetings convened per year;
- contribute an informed perspective to the evolution of policy development or the resolution of complex planning issues;
- constructively participate in a solutions-focused process;
- demonstrate a capacity to act as a conduit to and from the organisations they represent; and

- engage with the Department to provide an effective conduit for communication between the Department and diverse communities of interest on issues and directions.

## Operation

- The Forum will meet three times a year, or as otherwise required by the Chair, to discuss a pre-planned agenda.
- Meetings will be facilitated by the Chair and attended by representatives of the Department, as well as relevant government agencies, specialist advisors or consultants invited to attend.
- Meetings will not be open to the general public or the media. However, the Department may issue media releases or statements to communicate about particular Forum issues or outcomes, with advanced notice provided to members. Other members of the Forum are not authorised to make any public statements on the deliberations of the Forum.
- Members are not permitted to record the Forum using electronic devices.

## Duties

*The Department will:*

- appoint a Chair, drawing from the Department's Senior Executive team;
- nominate representatives to attend all meetings and provide specialist advisors or consultants as required;
- refer matters for discussion and deliberation to the group;
- provide open, accurate and timely information about discussion items;
- ensure all members are provided with sufficient information to allow constructive and informed participation and discussion;
- follow up on actions agreed during meetings;
- adhere to privacy agreed to in meetings;
- provide secretariat services to support the meetings;
- notify members of meeting dates at least four weeks in advance;
- ensure agendas are issued at least two weeks before each meeting;
- provide written meeting summaries to members within four weeks of each meeting and publish final versions on the Department's website;
- provide a Forward Work Program at each meeting, following the inaugural meeting; and
- seek community feedback on proposed activities, decisions and outcomes arising from meetings where necessary.

*The Chair will:*

- help formulate meeting agendas;
- convene and run meetings in a fair manner;
- facilitate discussion to ensure all members are provided with equal opportunity to speak and share their views;
- identify any items of a confidential nature so that Forum members understand how this information may or may not be used;
- support constructive, solutions-focused dialogue;
- serve as a confidential point of communication for members who do not feel comfortable addressing the whole group;
- resolve disagreement or differences in opinion in a fair, transparent and mutually-supportive manner; and
- report annually on the conduct and effectiveness of the Forum and make recommendations as to process and membership.

*Members will:*

- regularly attend and participate in meetings;
- advise the Department in advance if they are unable to attend meetings;
- review meeting summaries, technical information and other documentation as required in order to fully contribute to each meeting;
- contribute to an atmosphere of open and constructive participation and engage with each other respectfully;
- represent their communities, organisation or sector by bringing forward issues and ideas at meetings while remaining committed to open dialogue and seeking consensus-based solutions to matters referred to the Forum;
- communicate concerns, interests and ideas openly and make reasons for any disagreement clear in a constructive and thoughtful manner;
- respect and maintain confidentiality of discussions and material presented at meetings, as identified by the Chair, and make no media commentary either on or off the record about matters discussed at meetings;
- abide by the directions of the Chair; and
- immediately advise the Chair of any potential or actual conflict of interest relating to matters for discussion.