

Port Stakeholder Working Group

Terms of Reference

The Port Stakeholder Working Group has been established to provide an open forum for discussion about air quality between a broad range of stakeholders and assist in the improvement of communication and understanding between all stakeholders regarding air quality, dust deposition and environmental management practices at the Port of Townsville.

27 April 2015

Port Stakeholder Working Group Draft Terms of Reference

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DRAFT FOR ADOPTION

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1 Purpose

The Port Stakeholder Working Group (PSWG) has been established to provide a forum for ongoing engagement between Port of Townsville Limited (POTL) and Port operators and key stakeholders including community representatives, North Queensland Conservation Council (NQCC), relevant Government agencies and Townsville City Council (TCC) on issues relating to air quality, dust deposition and environmental management practices at the Port of Townsville.

The PSWG will seek advice and input from experts as necessary and provide advice or recommendations for the consideration of POTL, Port Operators and statutory agencies.

2 Objectives

The PSWG aims to:

1. Maintain good working relationships between the port community, key stakeholders and the community, fostering open, transparent and constructive dialogue;
2. Provide a forum to discuss potential issues and concerns relating to air quality, dust deposition and environmental management activities at the Port of Townsville;
3. Ensure that the Townsville community receives comprehensive, accurate, appropriate and timely information on air quality, dust deposition and environmental management at the Port of Townsville;
4. Improve knowledge and understanding of air quality, dust deposition and environmental management related to port operations and broader ambient air quality in Townsville;
5. Provide a forum for continuous improvement suggestions to be raised and discussed; and
6. Consider and identify cumulative impacts or local pressures related to air quality, dust deposition and environmental management at the Port of Townsville.

3 Membership

The PSWG members will have an interest in air quality and management activities within the Port of Townsville.

The PSWG is not intended to implement the responsibilities of State agencies and attendance is voluntary. Further it is recognised that some parties may sit on the PSWG but also have an assessment function. For clarity the assessment under the legislative process is separate to any advice, engagement or review process undertaken by the PSWG.

Membership of the PSWG has been extended to relevant state and local government and non-government organisations with expertise, responsibilities or interest in air quality at Port of Townsville.

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Initial membership of the PSWG was based on invitations from POTL to Port Operators and statutory agencies as listed below. This core group invited NQCC to join, and the broader group then accepted nominations for community representatives.

Stakeholders making up the PSWG include:

1. North Queensland Conservation Council (NQCC)
2. Community Representatives x 4
3. Townsville City Council (TCC)
4. Department of Environment and Heritage Protection (DEHP)
5. Department of Science, Information Technology and Innovation (DSITI)
6. Queensland Health (QH)
7. Key Port operators (South32 - Cannington, Glencore, NSS, TBSH, QN, Sun Metals)
8. Port of Townsville Limited

3.1 Membership Review

Membership may be changed from time to time as required, either for specific in-port projects, or identified gaps in stakeholder representation. Any request will be considered by the PSWG.

Organisations will be responsible for selection of their representatives on the PSWG and will generally be limited to two representatives from any single organisation. It is encouraged that the same representative/s attends the meetings where possible for continuity reasons, however it is recognised that this is challenging for organisations.

Where alternate representatives attend it is the responsibility of the organisation to ensure that they are suitably briefed and have authority to fully participate in PSWG activities.

3.2 Member Responsibilities

The representatives from the stakeholder organisations will be responsible for:

1. Providing a single primary point of contact with their organisation;
2. Circulating material within their respective organisation;
3. Providing consolidated feedback as required;
4. Nominating a second; and
5. Keeping contact details up to date.

Each individual member organisation shall be responsible for costs associated with meeting attendance, provision of reports and general input required to meet the aims of the PSWG.

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Each individual member organisation is responsible for providing relevant information to assist with the functions of the PSWG to the extent that this information is able to be provided into the public domain.

3.3 Member Commitments

There is an expectation that PSWG members will:

1. Have read, understood and agreed to be bound by these Terms of Reference.
2. Behave ethically and with honesty and integrity at all times.
3. Act with care and diligence, in line with the PSWG purpose and objectives.
4. Treat fellow members, staff and stakeholders of the PSWG with respect and courtesy, and without harassment.
5. Disclose any relevant interests, and take reasonable steps to avoid, any conflict of interest (real or perceived).
6. Maintain appropriate confidentiality on matters raised in the course of meetings or other PSWG business, other than any PSWG-agreed position when engaging with stakeholders and not seek to take unfair advantage of knowledge so gained.
7. Review the composition of the PSWG and assist in the identification of any gaps or omissions.
8. Attend all PSWG meetings (or nominate and brief a suitable alternate to attend).
9. Actively contribute to the discussion and consideration at PSWG meetings.
10. Assist in making timely decisions and providing timely feedback to support PSWG timelines.
11. Review and comment on minutes.
12. Present an organisational position where possible.
13. Understand and agree that only the PSWG Chair has authority to speak, represent, or go on the public record on behalf of the PSWG.

4 Tenure

The effectiveness of the PSWG and the appropriateness of its structure, membership and operation will be reviewed 12 months from its first full meeting (May 2015) and periodically thereafter.

Following such review or in the case of irrevocable breakdown of the PSWG, a decision may be made to disband the group. This ultimate decision would rest with POTL in consultation with appropriate stakeholders.

5 Meetings

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The PSWG will meet monthly, on the last Wednesday of each month unless otherwise determined by the group.

POTL will provide secretariat services and meeting facilities.

Approved minutes of all meetings will be publicly available. The PSWG may elect to deal with some matters “in camera” in which case these matters will be considered confidential and not be further minuted.

Presentations made to the PSWG will be circulated to all members.

5.1 Attendance

Attendance of any meeting may be in-person or via suitable electronic means, however face-to-face attendance at meetings is preferred where possible.

Meeting attendance, including apologies, will be noted in the minutes of each meeting. A proxy member may also be nominated to attend on behalf of a member to maintain representation.

In situations where member organisations are not represented at meetings, their acceptance of the business of the meeting will be assumed unless they advise otherwise in advance. Items will not be revisited due to a lack of representation.

5.2 Independent Chair

The business of the PSWG will be managed by an Independent Chair appointed by the group.

The Independent Chair will be engaged through POTL but will operate at arms-length to POTL in support of the PSWG.

5.3 Agenda and Minutes

The Chair (or their delegate) will notify members of the next meeting and call for agenda items no less than 10 working days before the proposed meeting date. This notification will advise of the proposed meeting date, time and location.

The Chair will collate agenda items and circulate an agenda to the principal contact no less than five working days before the meeting date.

Where an agenda item requires presentation material at the meeting, the Chair will make all reasonable attempts to source this material and provide to stakeholders attending the meeting via electronic means at least five working days prior to the meeting.

Draft minutes of each meeting will be distributed to members for comment no more than 10 working days after each meeting. Comments or corrections should be directed to the Chair who will distribute final minutes to members with the notification of meeting and agenda for the next meeting.

Minutes of the previous meeting will be approved as an agenda item at the next meeting and then published.

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Approved minutes from each meeting will be made public on the website of POTL. Other member organisations may choose to also publish these minutes.

5.4 Decision Making

The PSWG will strive to make decisions by consensus of those members present – all members including statutory agencies have a role in these discussions.

If consensus is not possible after negotiation, the Chair will propose a resolution reflective of the views of bulk of the membership (balancing all interests and viewpoints) and note any counter views. This resolution (including notation of counter views) will become the formal decision of the PSWG.

Decisions will not be made through a simple vote to ensure that all viewpoints have equal weight.

6 Communications

Individual PSWG members are encouraged to communicate directly with each other to enhance their understanding of issues and progress PSWG business.

Individual PSWG members have a right and are expected to communicate with their own constituents both to gather input to the PSWG and to disseminate public information. Members are reminded of their commitments outlined above and are expected to represent the best interests of the PSWG at all times in these communications.

Group communication (ie sending information or requests to all members) should be coordinated by the Chair to ensure consistency, efficiency and accuracy. Members seeking to send information out to the broader membership should email their request to the Chair for action.

Members seeking to provide information to the public should seek support from the Chair to ensure consistency, efficiency and accuracy.

The primary mode of communication between members and the Chair will be via email.

To aid in disseminating large files and to act as a repository for PSWG documents, a DropBox will be established and made available to all members.

7 Media

All comment to the media will be confined to content approved by the PSWG.

The PSWG Chair will be the only media spokesperson for the group.

PSWG members are not precluded from making public comments pertaining to their or their organisation's role on the PSWG. Members are reminded of their commitments outlined above and are expected to represent the best interests of the PSWG at all times in these comments.