



INTERMODAL PRECINCT COMMITTEE CHARTER

Adopted: 26 February 2020

TRIM: 286381.2019-005



INTERMODAL PRECINCT COMMITTEE CHARTER

1. NAME

Intermodal Precinct Committee

2. INTERPRETATION

2.1 For the purpose of this charter:

“Council” means Liverpool City Council;

“Member” means a member of the Committee.

3. PURPOSE

3.1 The Intermodal Precinct Committee has been established to respond to the opportunities presented by the approved Intermodal at Moorebank.

4. FUNCTIONS

4.1 The functions of the Intermodal Precinct Committee are:

- a) To ensure, through collaboration with the Intermodal Company, that the negative impacts are minimised and financial mitigation offers are considered and utilised to improve the health and safety of residents in Liverpool.
- b) To provide advice to assist in any Council submissions on development or modification applications relating to the Intermodal development, with emphasis on minimising adverse impacts on the health of the community.
- c) To develop partnerships with relevant stakeholders, environmental groups and key organisations;
- d) To make recommendations to Council regarding achievement of positive and negative outcomes for the residents of Liverpool.

5. OUTCOMES

5.1 The Intermodal Precinct Committee aims to achieve the following outcomes:

- a) Ensure the economic benefits of the Intermodal development are realised for Liverpool, including local jobs;

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- b) Influence decision making on development and modification applications for the Intermodal development
- c) Advocate for positive outcomes for the residents of Liverpool.

6. COMMITTEE DELEGATIONS

- 6.1 The committee shall not have the power to incur expenditure.
- 6.2 The committee does not have the power to bind the Council.
- 6.3 The committee can make recommendations to the Council or another committee of Council on all relevant business presented before it. Recommendations of the committee will generally be presented to the Council in written form, accompanied by a report from relevant Council officers. Recommendations made by the Council committee may or may not be adopted by Council.
- 6.4 Recommendations made by the Committee which are determined by the Chief Executive Officer (the CEO) to be substantially operational in nature will be dealt with by the relevant Director, and any action or decision not to act will be reported to the committee on a regular basis.

7. MEMBERSHIP

The committee shall consist of:

7.1 Councillor representation

Two Councillors

7.2 Council staff representation

The CEO (or delegate) will attend and shall assign relevant staff to this committee, usually from Planning and City Economy departments. .

Staff required to attend the committee will participate equally with others in terms of discussion and debate but will not have any voting rights.

7.3 Community representation

Appoint a Selection Committee to appoint up to 5 voting community members.

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7.4 Support staff

A Council staff member will attend meetings to provide administrative and other support to the Committee. Administrative support is provided for the preparation of the agenda, recording of the minutes and distribution of the agenda and business papers.

7.5 Chairperson

The Chairperson of the Intermodal Precinct Committee is determined by the Council.

The role of the Chairperson is to preside at a meeting of the committee.

If the Chairperson is not able or willing to preside at a meeting of the Committee, the Committee will elect a member of the committee to be Acting Chairperson for that meeting.

If the Chairperson is not present at the time designated for the commencement of a meeting, the first business of the meeting must be election of an Acting Chairperson to preside at the meeting.

The election of the Acting Chairperson must be conducted:

- a) By the CEO or, in their absence, an employee of Council designated by the CEO to conduct such an election; or
- b) If neither of them is present at the meeting – by the person who called the meeting or a person acting on his or her behalf.

The Chairperson may invite external subject matter experts to participate in meetings from time to time as non-voting members.

8. **QUORUM AND DECISION MAKING**

8.1 The quorum to enable business to be transacted at meetings will be half the membership plus one and must include one Councillor and any other Councillor present although not a member of the committee may substitute the missing Councillor to make up the quorum.

8.2 In the absence of a quorum 15 minutes after the advertised start of the meeting, the committee members present may discuss the agenda items although any recommendations made will not become formalised until they have been ratified at the next committee meeting with a quorum present.

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- 8.3 Recommendations of the committee will be made on the basis of a majority consensus. At the discretion of the Chairperson a vote may be called to decide a matter. This may occur when a consensus cannot be reached or in a relation to a matter that is more significant in nature. In such cases, the matter will be resolved by a simple majority of those at the meeting, provided there is a quorum present. In the event of a tied vote, the Chairperson will exercise the deciding vote.
- 8.4 The Chairperson must be called to resolve a matter
- 8.5 Committee recommendations are not binding on Council. To obtain Council endorsement a committee recommendation must be reported to the Council for a decision.

9. GENERAL PUBLIC

- 9.1 The committee will usually not be open to members of the general public. However, the committee can decide to open the meeting to the public, subject to the agreement of the Chairperson in consultation with the CEO (or delegate). Voting does not extend to members of the general public and is restricted to only committee members.
- 9.2 Representatives of organisations or the general community may be invited to address the committee on matters on the agenda.

10. TIMETABLE FOR MEETINGS

- 10.1 Meetings will be held quarterly.
- 10.2 A meeting will be limited to a maximum of one and a half hours duration unless the committee resolves to extend the length of the meeting to a particular time or the completion of business.
- 10.3 Extraordinary meetings may be called by the Chairperson of the committee in consultation with the CEO (or delegate). The location, date and starting time for meetings will be advised on the agenda.
- 10.4 Committee meetings can only be held if five ordinary days' notice has been given to all members.

11. MEETING PRACTICE AND PROCEDURES

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- 11.1 Committee meetings must be conducted in accordance with Council's Code of Meeting Practice.
- 11.2 The Committee must observe the provisions of any other relevant Council policies and procedures.
- 11.3 Minutes of meetings will be kept in accordance with the procedures set out in Council's Code of Meeting Practice.
- 11.4 The minutes of each committee meeting will be submitted to the next available meeting of Council.

12. INSURANCE COVER

- 12.1 Committee members are covered by Council's personal accident insurance only for attendance at meetings and other activities formally endorsed by the Intermodal Committee

13. OBSERVING THE CODE OF CONDUCT AND RELEVANT COUNCIL POLICIES

- 13.1 All members of Council committees are required to observe the provisions of Council's Code of Conduct and any other policy applicable to the proper functioning of the committee. 13.2 Should a member of the Committee breach Council's Code of Conduct or any other relevant Council policy, the matter will be referred to the CEO to be dealt with in accordance with Council's Code of Conduct Procedures.
- 13.2 A breach of the Code of Conduct may result in the particular Committee member concerned being excluded from membership of the Committee.
- 13.3 If a Committee member has a pecuniary interest in any matter with which the Committee is concerned, and is present at a meeting of the Committee at which the matter is being considered, they must disclose the interest to the meeting and must not be present during any discussion or decision making relating to that matter. Leaving the room is necessary because to remain in the presence of the meeting but refrain from voting is taken to be a vote against the motion.
- 13.4 A member of the Committee who has a non-pecuniary conflict of interest in any matter with which the Committee is concerned and is present at a meeting of the Committee at which the matter is being considered must disclose the interest to the meeting as soon as practicable. If a member of the Committee has declared a non-pecuniary conflict of interest, there exists a range of options for managing the conflict of interest. The option

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chosen will depend on an assessment of the circumstances of the matter, the nature of the interest and the significance of the issue being dealt with.

- 13.5 A Committee member will deal with a non-pecuniary conflict of interest in at least one of these ways:
- a) Where the potential for conflict is deemed minimal, take no action. However, the Councillor or Committee member should consider providing an explanation as to why it is considered that only a minimal or non-existent conflict exists.
 - b) Where the potential for conflict is more significant, take no part in the matter by leaving the room in which the meeting is taking place and take no part in any debate or vote on the issue, as if the provisions in section 451(2) of the Act applied
- 13.6 Committee members declaring a conflict of interest, whether pecuniary or non-pecuniary, should complete a Declaration of Interest Form which is to be signed by the CEO and retained by Council in accordance with Council's Code of Conduct and its Ethical Governance: Conflicts of Interest Policy.

14. CONFIDENTIALITY AND MANAGING PRIVACY

- 14.1 Committee Members, through their involvement on the committee, may come in contact with confidential or personal information retained by Council. Committee members are required to maintain the security and confidentiality of any such information and not access, use or remove that information, unless authorised to do so.
- 14.2 The *Privacy and Personal Information Protection Act* 1998 and Council's Privacy Policy deal with the collection, holding, use, correction, disclosure and transfer of personal information.
- 14.3 Should a committee member become aware of any breach of the security, or misuse of Council's confidential or personal information they should inform the CEO immediately.

15 MEDIA PROTOCOL

- 15.1 The Mayor is the only person permitted to speak to the media on behalf of the Committee.
- 15.2 No other member of the Committee is permitted to speak to the media in their capacity as a Committee member.

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16 REVIEW OF THE COMMITTEE AND THIS CHARTER

- 16.1 Council will review the work of the Committee and this charter every two years.

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AUTHORISED BY

Council Resolution

EFFECTIVE FROM

26 February 2020

DEPARTMENT RESPONSIBLE

City Economy & Growth

REVIEW DATE

26 February 2022

VERSION

Version	Amended by	Date	TRIM Number
1	Adopted by Council	28 November 2012	030599.2013
2	Council Resolution	26 June 2013	144191.2013
3	Council Resolution	24 September 2014	262014.2014
4	Council Resolution	16 December 2015	339382.2015
5	Readopted by Council	1 February 2017	025213.2017
6	Amended by Council	26 April 2017	091492.2017
7	New Charter adopted by Council and previous Charter revoked	26 February 2020	286381.2019-005