

Terms of reference

The Maxwell Community Consultative Committee Terms of Reference is in accordance with the NSW Department of Planning and Environment's *Community consultative committee guideline: State Significant Projects 2023*.

Purpose of the community consultative committee

The committee has been established to provide a forum for open discussion between Malabar Resources representatives of the community, stakeholder groups and Muswellbrook Shire Council Council on issues directly relating to the Maxwell project.

Purpose and scope

The purpose of this committee is to serve as a forum for ongoing communication about the project and its environmental performance. It is not a decision-making body but performs an advisory and consultative role.

The scope of this committee includes:

- ❖ discussing the resolution of community concerns and complaints
- ❖ discussing the implementation of any conditions of approval or consent and management plans
- ❖ consulting on any proposed amendments or modifications to projects
- ❖ reviewing the results of any monitoring, annual reviews or independent audits
- ❖ consulting on any community initiatives
- ❖ conducting site visits to view the project.

Committee membership

Independent Chairperson

The appointed chairperson is Lisa Andrews.

Committee members

The committee members are:

1. Peter Horder, community member
2. Robert Halloran, community member
3. Mark Bowditch, community members
4. Susan Pickersgill, community member
5. Stephen Ward, community member
6. Brian Atfield, community member
7. Theresa Folpp, Muswellbrook Shire Council representative
8. De Anne Douglas, Wanaruah LALC (Stakeholder group delegate)
9. Michael White, Godolphin/Coolmore (Stakeholder group delegate)
- 10 James Johnson, on behalf of Malabar Resources (the proponent)
- 11 Donna McLaughlin, on behalf of Malabar Resources (the proponent)
- 12 Alex Newton, on behalf of Malabar Resources (the proponent)
- 13 Teagan Rutter, on behalf of Malabar Resources (the proponent)

Meeting frequency, location and timing

Meeting frequency

The committee will meet four times each year. The meeting frequency is to be a minimum of once a year unless otherwise specified by the conditions of consent or approval.

The chairperson will give members at least two weeks' notice before a regular committee meeting.

Extraordinary meetings

Any committee member may ask the chairperson to convene an extraordinary committee meeting if there are important and urgent matters requiring consideration.

The chairperson will decide if the extraordinary meeting is called for, or if the matters can be addressed in other ways.

The chairperson will give members two weeks' notice before an extraordinary meeting.

Site visits

Site visits may be organised, as needed, including as part of the regular meeting, or as the committee determines Malabar Resources is responsible for ensuring that work health and safety measures are in place for all who attend the site visit. Committee members must follow any requirements of the proponent, including work health and safety requirements, while on site.

Meeting venue and format

Committee meetings will normally be held, on site, in person and where available/required – online.

Meeting time

The normal meeting time will be 10.30am, unless the chairperson proposes an alternative, in consultation with the committee.

Meeting procedures

Meeting agenda

Any committee member can request an agenda item, preferably at least a week before the scheduled meeting. The Chairperson will distribute the agenda and any supporting documents to committee members at least one week before the meeting.

The chairperson may decide if the committee will consider late items at the meeting or defer them to a following one. This includes:

- late agenda items raised after the agenda has been circulated
- late supporting documents provided within a week of the meeting
- late agenda items proposed by a committee member during the meeting.

The chairperson should consider how much time the committee members will need to review and consider the matters adequately, if enough information has been provided to discuss the matter, as well as its urgency and importance.

Standard agenda items

Declarations of interest will be included as a standard agenda item at the start of each meeting. It is the responsibility of each member to keep their declaration of interests up to date.

Annual agenda items

A discussion and approval of these terms of reference must be included as an annual agenda item.

Meeting minutes

The identified note-taker will take minutes for each committee meeting.

These minutes must accurately summarise the matters that were discussed at the meeting, including:

- any community feedback expressed, and enquiries made
- any opposing views of members on a matter (recorded on request)
- any actions to be taken before the next meeting, who is responsible for them, and by when.

The Independent Chairperson will distribute the draft minutes to all committee members within one week of the meeting. Committee members have one week to provide feedback.

The minutes will be finalised and published within one week of receiving this feedback.

If there are any disagreements between members on the minutes, the chairperson will have the final say on the matter.

Recording of meeting

Recording of meetings by recording device, telephone or any other electronic device is not permitted unless with agreement beforehand of the chairperson and the committee.

Meeting recordings are only for the benefit of members/chairperson and cannot be published.

Publishing of meeting recordings can only occur with permission of the chairperson.

Attendance and conduct

Attendance

Committee members must confirm their ability to attend the CCC. The chairperson should be notified as soon as possible if a community or stakeholder group member cannot attend an upcoming meeting so that an appointed alternate member, if appropriate, may be invited.

Stakeholder members should advise the chairperson in advance of the meeting if an alternate representative is attending on the stakeholder group's behalf. Any alternate representatives must sign the committee members' code of conduct and declaration of interest form before attending their first meeting.

The chairperson may reconvene the meeting if not enough members (including at least one proponent member) can attend.

Observers, advisers and subject matter experts

Observers may attend a meeting, at the invitation of the chairperson. The chairperson may invite the observer to give input into the discussions of the committee.

The committee may call upon advisers or subject matter experts, including specialist environmental consultants or construction contractors, to attend meetings to provide information as needed. The proponent will engage and facilitate the attendance of independent advisers or specialists for meetings, at the request of the chairperson.

The agenda will advise if non-committee members are attending.

Conduct

Everyone in attendance at the meeting must act in accordance with the committee's code of conduct. Each committee member is to verbally re-confirm their commitment to abide by the code of conduct on an annual basis. This should be recorded in the meeting minutes.

Changes to membership

The chairperson will inform the committee of any newly appointed members or other changes to membership.

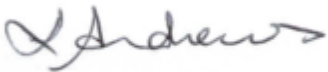
Review

The chairperson will annually review a committee's performance and effectiveness over the previous 12 months. The committee may update the terms of reference following the review.

Agreement

The Maxwell Community Consultative Committee agrees to these terms of reference as at 15 November 2023 and they will remain in force until otherwise changed, replaced or voided.

Independent Chairperson: Lisa Andrews



Signature:

Date: 15 November 2023