



**Hillside Mine Community Consultative Committee  
(HMCCC)**

**Terms Of Reference**

**August 2023**

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# Hillside Mine Community Consultative Committee

## Terms of Reference

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### 1. Purpose

The Hillside Mine Community Consultative Committee (HMCCC) replaces the former Hillside Mine Community Voice (HMCV) and has been established to ensure an effective and ongoing relationship between the Hillside Mine developer Rex Minerals Ltd (Rex) and the Yorke Peninsula community, particularly those residents surrounding the Hillside Mine located 12 kilometres south of Ardrossan.

The HMCCC will support the building of trust between Rex and the community, by entering into a good faith, constructive, mutually obligated partnership.

The HMCCC will consider the common interests of the community and provide feedback and advice to Rex to assist them with their decision-making and operational activities at the mine site that are ultimately of interest or benefit to the wider community.

The main areas of focus for the HMCCC;

- support the building of trust between Rex and the community
- social, community benefit, which includes employment, business opportunities, community investment and sponsorship
- the influence of the Hillside operation to community infrastructure including social, built form and services
- high-level observation of key operational performance indicators as identified in Rex's Program for Environment Protection and Rehabilitation (PEPR) that impact the community. (i.e. dust, noise and transport etc)

The activities of the HMCCC will help to facilitate the timely exchange of information between Rex and the community, assisting Rex to maintain an effective community engagement process with the community and optimise the social and economic opportunities whilst managing the potential impacts of the Hillside site.

### 2. Scope

The HMCCC will support the development of the project such that it results in mutually beneficial outcomes and contributes to the social and economic development of the region. It will work with and advise Rex on matters described in the purpose above and represent community views on matters that affect them by engaging with the community to gather information to inform their advisory role.

Rex will provide information, such as project updates and plans, to the HMCCC as part of regular meeting agendas, and on occasion, seek feedback on specific matters from the HMCCC.

The HMCCC will;

- provide input into, but have no formal role in, decision-making about the operational activities of the project
- represent key community stakeholders including the local Narungga community
- not deal with matters of a commercial or operational nature for which responsibility rests with Rex and/or regulatory authorities
- provide information and seek community views on the opportunities associated with the Hillside Project, and its impacts to community infrastructure including social, built form and services
- provide information and seek community feedback on impacts of the mining operation to community infrastructure, including social, built form and services, and on agreed operational performance indicators that impact the community
- consider information and specific matters sought by the Hillside project, canvas broad community views on them, and represent those views to Rex as required.

### 3. Membership

#### **HMCCC composition**

- an Independent Chair
- no more than seven members appointed in line with the community member selection process
- a representative of the Yorke Peninsula Council (a senior executive nominated by the CEO)
- a representative nominated by Rex.

#### **Membership terms:**

Up to seven members are initially appointed for terms of either two or three years to allow for orderly regeneration. Future appointments will be for a three-year period, for up to three terms. Additional terms beyond three years will be considered on merit by a sub-committee of the HMCCC.

Selection of members will have regard to the main areas of focus for the HMCCC as described in the Purpose and Scope.

#### 3.1 Appointments to the HMCCC

A sub-committee of three (two members nominated by the HMCCC plus the Rex representative) will recruit members as required and consider reappointments as terms end.

Proposed appointments to the HMCCC are to be agreed by a quorum of the HMCCC and by Rex.

Members will be appointed on the basis of their;

- representation of a collective interest of the entire community
- ability to represent these interests, objectively bringing community matters to HMCCC for discussion
- the skills and experience they bring to the key focus areas of the HMCCC.

### 3.2 Sitting Fees and Travel Costs

Sitting fees and travel costs will be consistent with Local Government Association Guidelines for Group 3 and current ATO rates. Note: Yorke Peninsula Council is classified as Group 3 in the remuneration Tribunal Determination No. 6.

## 4. Independent Chair

The position of Chair will be appointed by the HMCCC with the agreement of Rex and be accountable to HMCCC.

The HMCCC and Rex will determine whether the Chair continues for a further appointment, or if a new recruitment process will be undertaken.

The appointment/selection process is to be agreed by the HMCCC and Rex. The selection criteria will be based on the qualities required to effectively deliver on the role and be truly independent of any conflict or vested interest.

The independent Chair is appointed for a three-year term (2 plus 1). Rex is responsible for ensuring that an Independent Chair is in place.

The Chair can be reappointed by resolution of the HMCCC.

An annual review of the Chair's performance will be undertaken by HMCCC. This can be in the form of a discussion at an HMCCC meeting or a more formal process that is agreed between the HMCCC and the Chair.

## 5. Role of the Independent Chair

- to convene and chair HMCCC meetings
- set the HMCCC agenda
- to support and add value to HMCCC in their deliberations through their understanding of community engagement, the mining industry and government process
- take responsibility for communication, engagement and facilitation between HMCCC members and with Rex and the State Government

- to meet with people or groups to discuss their issues as they relate to the role of the HMCCC. This includes both Rex and the State Government
- be the media (agree protocol) spokesperson on behalf of the HMCCC
- to perform any other duty deemed appropriate or directed by the HMCCC.

## 6. Member Resignations or Vacancy

A member's position becomes vacant if they provide their resignation in writing to the chair or if it is determined that they have failed to comply with these Terms of Reference.

A position may be declared vacant if the member;

- fails to attend or partake in more than two consecutive meetings, without prior written agreement from the Chair
- becomes an employee of Rex - with the exception of the Rex member
- has a demonstrated conflict of interest
- no longer represents the areas of focus on which their selection to the HMCCC was based
- breaches the meeting principles or protocols
- breaches confidentiality requirements.

## 7. Operational Principles

HMCCC members will agree to the following principles regarding the successful functioning of the group;

- abide by these Terms of Reference
- respect the rights and views of other HMCCC members
- attend meetings and participate in the discussion
- agree to disseminate relevant information from the HMCCC meetings accurately and in good faith to the community
- agree to maintain any reasonable confidentiality requirements as advised by the HMCCC or Rex
- declare and formally record any conflict of interest in relation to a particular issue or item of discussion, by making this clear to the other HMCCC members and the Chair. The Chair may exclude the member from discussion on the issue and may require the member to leave the room.

## 8. The Rex Minerals Representative

- provide full and open follow-up on any unresolved issues, comments or recommendations of the HMCCC within a nominated timeframe
- ensure Rex management is aware of HMCCC discussions and recommendations

- provide minutes and HMCCC recommendations to regulators if requested as part of its community consultation reporting.

## 9. Dispute Resolution

It is not a requirement that consensus be reached among HMCCC members on the issues discussed. Differing views will be noted and taken into consideration. In the event of any dispute between the HMCCC and Rex, the Chair will seek to resolve the issue in consultation with Rex. An independent mediator may be engaged if no resolution can be agreed, at the request of the Chair and/or Rex.

## 10. Privacy

Matters discussed confidentially at the HMCCC must not be discussed with media or any other community member outside the HMCCC.

HMCCC members can speak to the media as individuals about their role on the HMCCC, but not as a spokesperson of the HMCCC or Rex.

## 11. Meeting Protocol

HMCCC members will be invited to nominate topics for discussion at meetings by advising the Chair within 10 days before a scheduled meeting.

The agenda will be finalised and approved by the Chair.

The agenda and any papers for discussion will be sent to all HMCCC members no later than one week before each meeting.

Rex will be responsible for organising and hosting the HMCCC meetings. This will include minutes of meetings, noting attendees and apologies, conflict of interest disclosure and recording register, key issues raised, actions and decisions of the HMCCC. Comments from individuals will not be attributed and a verbatim record of the meeting will not be prepared.

Members will be given meeting notifications, agendas and papers by email.

The HMCCC may form ad hoc sub-committees on specific topics, and such sub-committees may decide whether their meetings will be public or in-camera. Specific criteria will be developed by the HMCCC, in conjunction with Rex, to ensure that all members of such sub-committees have the skills, experience, and specialist advice needed to discuss that specific topic.

HMCCC will select the Chair (to be an HMCCC member) of any sub-committees, and the HMCCC Chair and Rex representative will have ex-officio rights to participate in sub-committee meetings.

Sub-committee Chairs will report back to all subsequent meetings of the HMCCC.

## **Meeting Record**

Minutes of each meeting shall be circulated to all HMCCC members no later than two weeks after each meeting.

Any changes to the meeting record should be discussed (and noted) at the next HMCCC meeting and adopted if agreed to by the HMCCC members.

A summary of the key issues and outcomes of the meeting will be approved by the Chair and made available to the broader community via the HMCCC website, within one month of the meeting.

## **12. Meeting arrangements**

General HMCCC meetings are held every two months at a location determined by the HMCCC. The HMCCC can determine the dates of these meetings in advance.

Ad hoc meetings can be scheduled as required.

The Chair can determine if it is necessary to conduct parts of the meeting in-camera.

A quorum is a majority of Members.

Agreement on observations and recommendations made by the HMCCC to Rex will be by consensus.

Agendas and HMCCC papers are to be distributed no less than seven days before a scheduled meeting (refer to Operational and Protocols sections).

The first meeting in a New Year will appoint a Deputy Chair who will convene and chair meetings in absence of the Chair.

Meetings will be in person, however, members can join a meeting virtually if circumstance prevent attendance in person.

## **13. Breaches of Protocol**

Should members of the HMCCC fail to comply with the HMCCC Operational Principles, continually disrupt meetings or disrespect the rights of other members to participate, the HMCCC member may be asked to resign from the HMCCC or have their membership terminated.

## **14. Conflicts of Interest**

Conflicts of interest (actual, perceived, potential) must be declared and noted in HMCCC minutes and recorded on the register. The Chair will manage conflicts of interest in a manner that does not compromise the trust-based relationship between Rex, the HMCCC and the community.



## 15. Observers and Guests

The HMCCC may invite guests to attend meetings as needed and can determine the degree to which guests participate (particular agenda items or entire meetings).

Observers can attend HMCCC meetings. Observers are asked to advise the Chair of their attendance in advance of a HMCCC meeting, no later than 48 hours prior to the meeting. Observers and guests can ask questions at the discretion of the Chair.

Questions on notice can be received by the Chair no later than two working days before a HMCCC meeting.

## 16. Reporting

The HMCCC will publish the agenda on the website 7 days prior to meetings.

The HMCCC administrative support will provide a meeting summary (minutes) within one month of each meeting via the HMCCC webpage.

The HMCCC Chair will report on behalf of HMCCC within one month of each financial year in writing to Rex Minerals' Chief Operating Officer, South Australia and this report will be made available to the community via the HMCCC webpage and the State Government by the end of August each year.

## 17. Resources

Administrative support for the HMCCC is provided by Rex for the purposes of minute taking, preparing the meeting agenda, and meeting papers, distributing these items, and organising meeting logistics. Other support (if required) will be agreed in advance with Rex.

## 18. Review

These Terms of Reference will be reviewed by the HMCCC every two years or as required. Amendments will be agreed by consensus.

An independent review of the HMCCC will be undertaken every three years or at an earlier stage if agreed by the HMCCC and Rex.