



**Port of Mackay**

Community Reference Group

# Terms of Reference

March 2021



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## 1.0 Background

North Queensland Bulk Ports Corporation (NQBP) has seaport facilities located at Hay Point, Mackay, Abbot Point and Weipa and was established as a Port Authority on 1 July 2009, under the *Transport Infrastructure Act 1994*.

NQBP respects the aspirations and concerns of its port communities and stakeholders, and as a business acknowledges that social performance is a key factor by which its performance and success is measured. NQBP's corporate strategy recognises the importance of engagement with the community as a strategic stakeholder.

The following section outlines the objectives to help guide the implementation of the community engagement process.

## 2.0 Objectives

The following section outlines the objectives to help guide the implementation of the community engagement process.

### 2.1 Key principles to guide community engagement

1. Collaborative process where all participants are committed to working together.
  - NQBP is committed to working in partnership with the community and understands this can lead to better outcomes for all concerned.
2. Community engagement must inform decision-making processes.
  - NQBP will engage with the port communities via the Community Reference Group (CRG). This engagement may include asking for and incorporating community and stakeholder feedback, where possible, into plans, projects, policies, or strategies, before they are finalised.
3. Engagement will be centred on the question: How can our port communities add value and improve outcomes?

### 2.2 Core Values to guide community engagement

NQBP and the CRG will adopt the following Core Values that align with international best practice on community engagement.

Community engagement should:

- Be based on the belief that those who are affected by a decision have a right to be informed and provide input into the decision-making process.
- Ensure that, through the CRG, the community's contribution will be factored into NQBP's decision-making process.
- Promote sustainable decisions by recognising and communicating the needs and interests of the community, stakeholder groups and NQBP.
- Seek out and facilitate the involvement in the CRG of those directly affected, potentially affected or who have an interest in a NQBP's operations.
- Seek input from community and stakeholder groups about the way the CRG operates and its objectives.
- Provide CRG members with the information and support they need to participate in a meaningful way.
- Communicate back to CRG members as a part of the process of consultation and provide information about how their various inputs have been incorporated into the decision-making process.

## **2.3 Community engagement implementation**

The CRG will be the core community engagement mechanism for NQBP.

Delivery of the CRG program for the Port of Mackay will include:

- Objectives and governance processes of the CRG, outlined in this document;
- Providing an opportunity for new members to apply and former members to reapply at the end of each term; and
- Appointment of a Chair who has the knowledge and skills to facilitate CRG meetings in a fair and neutral manner.



### 3.0 Purpose of the CRG

The purpose of the Port of Mackay CRG is to provide a forum for discussion between NQBP and representatives of the local community and stakeholder groups on issues directly relating to the operation, development and planning activities within the port.

The CRG informs the decision-making of NQBP through providing an advisory and consultative role.

The purpose of the CRGs is to:

- Establish good working relationships and promote information sharing between NQBP, local community and stakeholder groups.
- Allow NQBP to keep the local community informed about projects, seek community views on projects, and respond to matters raised by the community.
- Allow local community and stakeholder groups to seek information from NQBP and give NQBP feedback on the development and implementation of:
  - New and emerging trade and proposed changes to approved trade;
  - New and emerging projects or proposed changes to approved projects, and
- Community engagement activities.
- Provide suggestions to NQBP to support in terms of sponsorships and donations for initiatives benefiting the community of Mackay.

Refer to **Appendix A** for outline of the CRG Work Plan and indicative timing for the period of three years.



## 4.0 Group Membership

### 4.1 Membership of the CRG: Port of Mackay

To provide representation of the industry and region, the following CRG membership is provided as an indicative guide only\*:

1. A Chair
2. Two (2) NQBP Representatives (one member of the Executive Leadership Team and one member of Communications Team (can be a rotating representative from each))
3. Stakeholder representatives from (if available):
  - a) One (1) Maritime Safety Queensland representative
  - b) One (1) Mackay Regional Council representative
  - c) One (1) local environment group representative
  - d) Two (2) local business representatives (1 local business owner; 1 Chamber of Commerce representative)
  - e) One (1) Port Advisory Group (PAG) representative
  - f) One (1) representative of the Yuwi Native Title Holders
  - g) Two (2) Port industry representatives (users/tenants)
  - h) Two (2) recreational users (including boating, surfing or fishing)
  - i) One (1) representative from the Mackay Marina community/resident
4. Up to three (3) community representatives (if available):

It is recommended that there is adequate representation of women on the CRG, in accordance with the World Health Organisation's diversity goals (refer to <http://www.who.int/gender-equity-rights/en/>) and that there is at least one (1) youth representative (below the age of 21).

In addition, an NQBP Communications member will attend each meeting to support the Chair in the administration of the CRG.

\*Membership guide is not intended to be prescriptive and therefore positions are pending applications received and assessment.

## **4.2 Chair**

The Chair must:

- Convene, facilitate and advise the CRG meetings;
- Be able to facilitate the meeting in a neutral and impartial manner;
- Oversee the preparation and publication of the minutes of CRG meetings.

This Chair will be a member of the NQBP Executive Leadership Team.

## **4.3 Appointment of representatives**

Community Reference Group representatives will be selected from nominations received from the local community and identified stakeholder groups.

### **4.3.1 Requirements and process**

The following processes will be adopted by NQBP to determine who will be appointed to the CRG on each three-year term.

#### **4.3.1.1 Community representatives**

Local community representatives must:

- Be current residents or landowners within the Mackay Local Government Area (consideration will be given to proximity to the Port);
- Demonstrate involvement in local community groups and/or activities;
- Have knowledge and awareness of NQBP and related issues of concern to the local community;
- Be able to represent and communicate the interests of the affected local community; and
- Adhere to the CRG Code of Conduct and Terms of Reference.

For appointments of community member representatives and community stakeholder groups the following process will be followed:

1. Call of nominations will be made by NQBP. This will involve:
  - a) A minimum of 3-week advertising period in a variety of mediums that may include local online newspapers and radio, letterbox drop, social media posts and the NQBP website update).
  - b) Nomination Forms to be completed which will be available to download from the NQBP website.

#### **4.3.1.2 Group representatives**

Representatives of stakeholder groups must:

- Be a member of a stakeholder group with an interest in NQBP activities;
- Be able to represent and communicate the interest of the group or community; and
- Be willing to adhere to the CRG Code of Conduct and Terms of Reference.

For targeted stakeholder group representatives (where potential groups/organisations/individuals are already known to NQBP) the process of appointment is as follows:

1. Call for nominations will be placed by NQBP to the targeted stakeholder groups. This must involve:
  - a) Direct contact via email or telephone to target stakeholder groups; and
  - b) Minimum of three (3) week period for groups/organisations/individuals to respond with their Nomination Form.

### 4.3.2 Selection process

NQBP Communications Team will review all nomination forms in line with the selection criteria (identified in the Nomination Form) and forward all nominations and a list of recommended candidates to the NQBP Selection Committee.

The NQBP Selection Committee is made up of three members of the Executive Leadership Team, four Senior Managers and the Community Relations team. Where NQBP is unable to resolve a position with equally matched applicants, current CRG members may vote on a preferred nomination.

1. The CRG Code of Conduct (refer to **Appendix B**), Nomination Form (refer to **Appendix C**), and Conflict of Interest Disclosure Form (refer to **Appendix D**) are to be completed and mailed, emailed or submitted directly to the NQBP Communications Team at [communications@nqbp.com.au](mailto:communications@nqbp.com.au).
2. Communications will review all nomination forms in line with the selection criteria and forward all nomination forms and a list of recommended candidates to the NQBP Selection Committee.
3. The NQBP Selection Committee must:
  - a) Review all nominations and recommendations made;
  - b) Formally notify and appoint the chosen candidates to the CRG;
  - c) Formally notify unsuccessful nominees; and
  - d) Formally notify the Chair and NQBP of the appointments made.
4. The Chair may review the appointment of community and stakeholder representatives at any time.

Employees and contractors of NQBP are not eligible to be appointed as community representatives.

NQBP is not required to accept nor consider nominations from applicants who have had prior interactions with NQBP or related parties that would, in NQBP's view, constitute a breach of the CRG Code of Conduct.

### 4.3.3 Appeal of unsuccessful nominations

If an applicant who has completed a Nomination Form wishes to appeal the decision of the NQBP Selection Committee in relation to their application, then they must:

- Apply in writing to the Chair within 10 working days of the date of the decision;
- State the reason/s for their appeal; and
- Provide the Chair with any requested information.

The Chair will review the information and make a decision. The decision of the Chair shall be final and binding.

If the Chair decides to appoint the applicant as a CRG member then an additional membership place will be added to the CRG for one Term of Appointment.

## **4.4 Term of Appointment**

The Term of Appointment for CRG members elected to represent the community or stakeholder groups will be three years from March 2021 with term ending March 2024.

After this term, the selection process (including advertising for nominations) will be restaged every three years.

Past CRG members will be eligible to reapply.

## **4.5 Vacancies**

Where a targeted CRG membership position becomes vacant, NQBP will contact the relevant group for a replacement membership nomination which would be subject to the selection process outlined in this section.

Where a community position, appointed through the publicly advertised process becomes vacant, consideration would be given to the next most suitable applicant that applied or the position would remain vacant until the next term.

In the unique case where multiple community representatives are vacant or NQBP/CRG members believe the community is not represented due the vacancies, the multiple positions would be advertised. To ensure transparency and integrity, NQBP would welcome unsolicited community applications but request these individuals re-apply during the publicly advertised process.

## 5.0 CRG Meetings

### 5.1 Frequency, timing and location of meetings

The CRG will meet a minimum of three (3) times a year at a local venue. The duration of each meeting will normally be two (2) hours. This process is subject to review at the option of the Chair of the CRG.

Members will be notified in writing of the meeting time and place at least four (4) weeks in advance of the meeting.

Any costs associated with attending meetings must be borne by CRG member.

### 5.2 Extraordinary meetings

If there are important or urgent matters requiring consideration, any member of the CRG may ask the Chair to convene an extraordinary meeting.

The Chair will decide whether the extraordinary meeting is warranted, or whether the matters can be addressed in other ways.

Members will be given at least two (2) weeks' notice before an extraordinary meeting.

### 5.3 Meeting proceedings

The Chair, with support from the NQBP Communications Team, will:

- Circulate the agenda for all meetings two (2) weeks prior to the meeting date in consultation with the members of the CRG.
- Convene and run meetings in a fair and neutral manner by:
  - Facilitating discussion to ensure all members have an opportunity to speak and share their views;
  - Supporting constructive dialogue; and
  - Managing conflicts of interest.
- Identify prior to the meetings any items of a confidential nature and assist committee members to understand how this information may, or may not, be used.
- Resolve disagreements or difference of opinion in a fair, transparent and supportive manner.
- Ensure that issues raised by the community representatives or stakeholder representatives on behalf of the community are heard and appropriately considered.

#### 5.3.1 Meeting agenda

CRG meeting agenda items will be decided by the Chair but may include the following:

1. Welcome.
2. Apologies.
3. Declaration of conflicts of interest (refer to **Appendix D**).
4. Actions/items arising from previous minutes.
5. NQBP update of items from previous meeting;
6. NQBP reports and overview of activities:

- a. Progress of Strategic intent and NQBP operations;
  - b. Trade and marine operations update
  - c. Infrastructure and land operations update (new and emerging projects that are of relevance to the community and maintenance and public space update);
  - d. Monitoring and environmental performance;
7. Community update:
- a. Media update;
  - b. Sponsorships;
  - c. Donations;
  - d. Community complaints and response to these complaints;
  - e. Information provided to the community and any feedback; and
  - f. Community events.
8. Other agenda items.
9. General business.
10. Next meeting.

### **5.3.2 Proposed additional agenda items**

Any member of the CRG may propose a matter for inclusion on the agenda. To be included on the agenda the following must occur:

1. Either:
    - a) CRG member must notify the Chair in writing three (3) weeks prior to the meeting;
    - b) If an item is suggested during the meeting, then it will be included on the agenda for the next meeting; or
    - c) If a suggested agenda item requires a guest speaker or technical expert is invited to present to the CRG four (4) weeks' notice will be required (refer to **Section 5.7.3**).
  2. Chair will review the agenda items and have final say on the agenda items for each meeting.
- Late items may be deferred to the following meeting.

## 5.4 Minutes of meetings

The Chair is responsible for overseeing the preparation of the minutes for each CRG meeting.

These minutes must:

- Provide an accurate summary of the matters that were discussed at the meeting, including any community concerns expressed and inquiries made;
- Record the dissenting views of members on a matter; and
- Clearly identify the actions to be undertaken before the next meeting, and who is responsible for taking these actions and by when.

An NQBP Communications member will attend each meeting to support the Chair through administration of the group including minutes. Recording of meetings – by recording device, telephone or any other electronic device – is not permitted.

### 5.4.1 Circulation and publication of minutes

#### **Within 2-3 Weeks of the meeting:**

Chair must ensure distribution of the draft minutes to all CRG members through the NQBP Communications Team.

CRG members must provide their feedback to the NQBP Communications Team.

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

#### **Within 4 weeks of the meeting:**

Chair must ensure finalisation of the minutes in consultation with the NQBP Communications Team and members (in a web accessible format).

#### **Within 5 weeks of the meeting:**

NQBP Communications Team will publish the minutes on the company's website.



## 5.5 Decision-making process during CRG meetings

The aim of the CRG is to represent a cross-section of viewpoints and community and stakeholder concerns in achieving a balanced approach to issues associated with NQBP operations. It is not a requirement that consensus be reached among members on the issues discussed.

While, the CRG is not a decision-making body the group may be required to make decisions as a group related to selected matters. These decisions will not be in relation to NQBP operations or projects but may be related to the operation of the CRG including membership, CRG processes, community events, sponsorship or donation. Where decisions are to be made by the CRG the following process will be used:

1. Item will be appropriately discussed by the CRG, with all members being given the opportunity to voice their views;
2. Decisions will be reached wherever possible through consensus.
3. Where consensus is not possible, a vote will be taken by the Chair requiring a majority decision for resolutions to be passed; and
4. There is only one vote per CRG member however in case of a tied vote the Chair shall have a casting vote.

### 5.5.1 Dispute resolution

The CRG is encouraged to discuss and seek agreement on all matters that may be the subject of substantial disagreement between its members. In the event of a dispute between CRG members:

1. The Chair is responsible for facilitating the dispute resolution process; and
2. If a dispute between the CRG and NQBP cannot be resolved by the Chair, the Chair should seek the advice of a relevant third party.

## 5.6 Conduct of CRG members

All members, including the Chair must sign and return the CRG Code of Conduct Agreement (refer to **Appendix B**) before they join the Port of Mackay CRG and comply with this Code while they are members of the relevant CRG.

As part of the CRG Code of Conduct, CRG members agree to:

- Attend committee meetings, at dates and times set by the Chair;
- Advise the Chair in advance if a member is unable to attend meetings;
- Work collaboratively with other members of the CRG towards achieving the Objectives in Part 2 above;
- Contribute to an atmosphere of open and constructive participation;
- Openly communicate relevant concerns, interests and ideas and make reasons for any disagreement clear in a constructive and thoughtful manner;
- To have input into recommendations prepared for the CRG to consider;
- Actively work with the other members of the CRG to try and resolve any disputes that may arise during the CRG's activities;
- Ensure confidential matters handled by the CRG are kept confidential, and refrain from discussing these matters with other parties outside meetings;
- Not interrupt when another member is speaking;
- Not speak publicly on behalf of the CRG;
- Only speak publicly about CRG matters that have been approved by NQBP;
- Not misrepresent the views of other members of the CRG outside meetings; and
- Abide by the directions of the Chair.

### **5.6.1 Breaches to the CRG Code of Conduct**

The Chair must bring any breach of the CRG Code of Conduct to the attention of the persons concerned using the following process:

1. If any CRG member has a complaint about other members conduct they must notify the Chair in writing.
2. The Chair must then decide if the complaint is valid and if it is, provide a written warning to the individual.

If a breach of the Code occurs during the meeting the Chair must:

1. Provide a verbal warning during a meeting, which is formally recorded in the meeting's minutes; and
2. Provide a written warning within one week of the meeting.

Following three written warnings, the Chair, may replace a member.

Similarly, the Chair may request the replacement of any member who fails to attend three (3) consecutive CRG meetings.

## **5.7 Meeting attendance**

### **5.7.1 Quorum**

The quorum of meetings is the Chair, one NQBP representative (either from the Executive Leadership Team or NQBP Communications Team) and six (6) of the Community or stakeholder representatives.

### **5.7.2 Attendance by an alternative CRG member**

NQBP representatives or representatives of stakeholder groups (not community member representatives) may appoint an alternate CRG member who may exercise all powers of the CRG member when attending in their place.

The CRG member must notify the Chair in writing two (2) weeks prior to the meeting if they are appointing an alternate CRG member and who that will be.

An alternate CRG member cannot attend more than one meeting in a row.

This alternate CRG member must:

- Be part of the same organisation or community group;
- Be willing and able to represent the interests of the organisation or community group; and
- Be approved by the Chair one (1) week prior to the meeting.

### **5.7.3 Attendance by non-CRG members**

Members may ask the Chair to invite non-CRG members/expert advisors to attend meetings, either as observers or to provide advice to the CRG.

This may include:

- Representatives of any State government agency;
- Technical experts or consultants;
- Community Project/Program Partners; and /or
- Members of the general public.

The process for inviting a non-CRG member involves:

1. Four (4) weeks prior to the meeting, the CRG member will provide the Chair with:
  - a) Name and contact details of the invitee/s
  - b) Reason for inviting them
  - c) Overview of presentation including content, length and purpose.
2. Three (3) weeks prior to meeting the Chair is to:
  - a) Circulate the proposed invitation to other members of the CRG before issuing the invitation; and
  - b) If there is any disagreement between the members about the invitation, then the Chair will have final say on the matter.

Non-CRG members cannot participate in the business of a meeting unless they are invited to do so by the Chair.

#### 5.7.4 Attendance by the general public

CRG meetings are closed meetings. However, the CRG may wish to put forward an open invitation to the general public to observe a CRG meeting. For this to occur, the following process must be followed:

1. During a meeting the CRG will discuss the invitation to allow the general public to observe the subsequent CRG meeting;
2. A vote will be called by the Chair and a majority vote will decide the matter (see **Section 5.5**);
3. The Chair, NQBP secretariat and the NQBP Communication Team Representatives will advertise the open invitation a minimum of three (3) weeks prior to the meeting date via the following methods:
  - a. Local online newspaper;
  - b. Social media;
  - c. NQBP website; or
  - d. Any other relevant medium.
4. Community and stakeholder representatives should share this invitation with their group, organisation or community.

## 6.0 Sponsorship and Donations

### 6.1 Allocation

The CRG will receive a minimum donation and sponsorship budget of \$5,000 annually. The use of the budget will follow the following process:

1. Members of the CRG will suggest sponsorship or donation opportunities to support.
2. The opportunities will be discussed by the CRG where all members are given a chance to have their say with the following criteria used to assess sponsorship and donation opportunities:
  - a. Will the opportunity have an environmental, social or cultural benefit to the community affected by and surrounding the Port of Mackay?
  - b. What is the level of benefit (how necessary is the opportunity; how many people will benefit, etc.)?
  - c. What is the ability of the group or organisation to implement the initiative?
  - d. The ineligible activities set out below in 6.1.2.
3. The CRG will vote on the initiative (see **Section 5.5**).

### 6.2 Ineligible activities

NQBP is unable to support the following types of activities because they do not meet the criteria set for NQBP's "Port Communities Program":

- Requests from an individual or family that benefit only that individual or family
- Local events in areas where NQBP does not operate or impact
- Religious activities, in whole or in part, for the purpose of furthering religious doctrine
- General operating expenses
- Political candidates or political parties
- Commercial documentation such as feasibility studies or business plans
- Gambling, smoking or alcohol linked organisations
- Sponsorships that may be viewed as violent or hazardous
- Sponsorships that may be viewed as racially prejudiced or discriminatory to any group
- Recipients whose business, initiative or event may present a conflict of interest.

## **7.0 Review of Effectiveness of CRG**

If the Chair has concerns about the effectiveness of the committee:

1. The Chair must notify the NQBP Executive Committee Representative in writing.
2. Within four (4) weeks of receiving the notification the NQBP Executive Committee Representative will examine and investigate these concerns and respond. Possible outcomes include:
  - a) Review CRG membership, including the Chair;
  - b) Review Terms of Reference; or
  - c) Dissolve CRG.

### **7.1 Annual review of CRG**

In addition, an annual review of the CRG will be conducted where members will be asked to anonymously review the current status of the CRG, evaluate its effectiveness and provide recommendations for the future. The annual review will be coordinated by NQBP.

The annual review will address:

- Role of Chair
- Purpose of the Group
- Meeting processes
- Membership
- Terms of Reference

NQBP Communications Team will collate the information and present the findings back to the CRG via email before the next meeting.

At the next meeting the CRG members will discuss the findings and determine if the CRG requires reconstituting. An external consultant may be required for this scope of work.

## 8.0 Communication with the Broader Community

### 8.1 Non-confidential information

CRG members are encouraged to discuss non-confidential issues and disseminate information about the projects and operations of NQBP with the wider community, including special interest groups.

Individual CRG members may make comments to the media or in public forums on behalf of themselves or their stakeholder groups, but not on behalf of the CRG.

### 8.2 Confidential information

In the case of confidential information being presented to the CRG:

- Owner of the confidential information must:
  - Notify the Chair before the dissemination of information that it is confidential.
- Chair must:
  - Notify CRG members of the confidential information and the terms of the confidentiality;
  - Ensure that CRG members sign a Confidentiality Agreement before the information is disseminated.

In addition, any CRG member may request that particular information (e.g. a declaration of a personal interest, site visit photos, or information which NQBP considers to be commercial-in-confidence) be kept confidential by the CRG.

In the absence of full consensus amongst the CRG members over whether such information should be kept confidential, the decision of the Chair shall be final and binding on all members.

### 8.3 Media releases

The CRG may agree to release statements or information to the media or adopt other approaches to disseminate information more broadly to the community.

The Chair can disseminate information that has been previously approved by NQBP. In these situations:

1. The Chair will develop a draft of the information and send to:
  - The CRG members for their feedback; and
  - The NQBP Communications Team for their approval.
2. Within two (2) weeks of receiving the draft from the Chair the NQBP Communications Team must respond (through their representative) that the media release is:
  - Approved;
  - Approved with changes; or
  - Not approved.
3. If approved or approved with changes, the NQBP Communications Team will release the statement or information to the media.



## 9.0 Responsibilities of CRG Members

**Table 9.1 Roles and responsibilities of CRG members**

Participant	Role	Responsibilities
NQBP	<b>Meeting conduct</b>	Sign and abide by the CRG Code of Conduct and Terms of Reference.
		Attend CRG meetings and contribute constructively to CRG discussions.
		Advise the Chair in advance if unable to attend the meeting and provide a suitable replacement.
	<b>Membership recruitment</b>	Complete necessary tasks, including advertising and administration of applications, for membership recruitment of CRG members.
	<b>Provide meeting venue</b>	Provide and book venue for CRG meetings. If a suitable NQBP venue is not found, then NQBP will book a suitable alternative within Mackay.
	<b>Information provision</b>	Provide CRG with timely, accurate and comprehensive reports on the state of NQBP activities and relevant projects including the development of projects, any operations, environmental performance and community relations.
		Provide the CRG with copies of: <ul style="list-style-type: none"> <li>• The project's conditions of approval, and other relevant documentation including management plans;</li> <li>• Monitoring results;</li> <li>• Annual review reports;</li> <li>• Audit reports (including audits required as a condition of consent);</li> <li>• Reports on community concerns and complaints and Company responses; and</li> <li>• Any other information specified by Chair.</li> </ul> At the same time, they are submitted to Agencies.
		If any of the information provided by NQBP requires further explanation or clarification, NQBP must give a presentation to the CRG in an accessible format where questions can be raised by members.
		Publish any media releases from the CRG.
		Publish CRG minutes on NQBP website.
	<b>Consult with CRG prior to approvals</b>	Consult with the CRG prior to seeking approval for modifications to its conditions of consent, to change operational requirements or to expand its operations.

Participant	Role	Responsibilities
	<b>Respond to questions and advice</b>	<p>Within 4 weeks of the meeting, NQBP must forward each CRG members:</p> <ul style="list-style-type: none"> <li>• NQBP's response to any questions or advice by the CRG; and</li> <li>• Any information requested at the meeting by the Chair.</li> </ul>
	<b>Organise site visits</b>	Organise at least one site visit per year of key operations and projects for the CRG.
		Accommodate any reasonable request by the Chair for the CRG to undertake additional inspections or site visits provided at least 48 hours' notice has been given to NQBP by the Chair.
	<b>Performance Management</b>	Ensure effective performance of the CRG through reviewing the CRG at any time. And by examining, investigating and responding to any concerns made by the Chair or a CRG member regarding the group's performance or the performance of an individual CRG member including the Chair.
		Coordination of annual review of the CRG.
	<b>Sponsorship</b>	Provide sponsorship and donation budget to the CRG.
		Ensure the capacity of the CRG and recipient community groups to implement sponsorship projects.
	<b>Confidential material</b>	Notify the Chair if any information provided or discussed is of a confidential nature and the terms of the confidentiality.
<b>Chair</b>	<b>Meeting conduct</b>	Attend all CRG meetings.
		Sign and abide by the CRG Code of Conduct and Terms of Reference.
		<p>Convene and run meetings in a fair and neutral manner by:</p> <ul style="list-style-type: none"> <li>• Facilitating discussion to ensure all members have an opportunity to speak and share their views;</li> <li>• Supporting constructive dialogue; and</li> <li>• Managing conflict of interest.</li> </ul>
		Ensure that issues raised by the community representatives or stakeholder representatives on behalf of the community are heard and appropriately considered.
	<b>Meeting organisation</b>	Prepare agenda for each meeting in consultation with NQBP and the CRG members.
		Circulate agenda and any other relevant materials, two (2) weeks prior to the meeting.
		Notify CRG members in writing of the meeting date, time and place at least four (4) weeks in advance for a regular CRG meetings, and two (2) weeks in advance for extraordinary meeting.
	<b>Meeting minutes</b>	Oversee the preparation of the minutes.

Participant	Role	Responsibilities
		Circulate draft minutes to CRG members for feedback and provide NQBP finalised minutes for publication on the company's website.
	<b>Information sharing</b>	Be the key contact between the CRG and NQBP.
		Ensure all CRG members are provided with relevant information and reports.
	<b>Annual Report</b>	Prepare an annual report for the CRG and provide it to NQBP.
	<b>Confidential material</b>	Identify prior to the meetings any items of a confidential nature and assist CRG members to understand how this information may, or may not, be used.
		Where required, ensure that all CRG members sign a confidentiality agreement.
<b>CRG community and stakeholder representatives</b>	<b>Meeting conduct</b>	Sign and abide by the CRG Code of Conduct and Terms of Reference.
		Attend CRG meetings and contribute constructively to CRG discussions.
		Advise the Chair in advance if unable to attend the meeting.
		Provide suggestions for sponsorship and donation programs.
	<b>Key contact between NQBP and the community/stakeholder groups</b>	Communicate information approved by NQBP to the broader community and/or your interest group relating to the operation, development and planning activities within the Port of Mackay.
	<b>Confidential material</b>	Only disseminate information discussed and provided to the CRG that has been approved by NQBP.
		Notify the Chair if any information provided or discussed is of a confidential nature and the terms of the confidentiality.

## APPENDIX A

### Work Program

The following work program outlines items in addition to the proposed agenda items previously outlined.

### CRG Work Program

CRG Meeting / Proposed Date	Topic	Priority and focus
Meeting 1	Strategic Directions	NQBP to provide an overview of operation, activities and projects.
		NQBP to provide an overview of Strategic Directions of company
	Work plan	Establish priorities for the CRG and work plan moving forward.
Meeting 2	Investment Funding	Community representatives to suggest funding options.
Meeting 3	Investment Funding	Community representatives to vote on funding options.
Meeting 4	Investment Funding	Annual review of CRG performance.

## APPENDIX B

### CRG Code of Conduct



Port of Mackay  
Community Reference Group



# Code of Conduct

Privacy statement: North Queensland Bulk Ports Corporation (NQBP) adheres to the requirements established by the Privacy Act 1988 (Cth) and the Information Privacy Act 2019 (Qld). By providing your personal information, you are consenting to NQBP's use of that information for the purposes of selection of representatives for the Port of Mackay Community Reference Group. NQBP will not disclose your personal information to third parties without your consent, subject to legal requirements.

As a condition of engagement, all members of the Port of Mackay Community Reference Groups (CRG) must agree to adhere to the following Code of Conduct.

## Accepted behaviour

I agree that as a member of the Port of Mackay CRG, I understand I am expected to:

- Attend committee meetings, at dates and times set by the Chair;
- Advise the Chair in advance if I am unable to attend meetings;
- Work collaboratively with other members of the CRG towards achieving focus area objectives;
- Contribute to an atmosphere of open and constructive participation;
- To have input into recommendations prepared for the CRG to consider;
- Openly communicate relevant concerns, interests and ideas and make reasons for any disagreement clear in a constructive and thoughtful manner;
- Actively work with the members of the CRG to try and resolve any disputes that may arise during the Group's activities;
- Ensure confidential matters handled by the CRG are kept confidential, and refrain from discussing these matters with other parties outside meetings;
- Not interrupt when another member is speaking;
- Not speak publicly on behalf of the CRG;
- Only speak publicly about CRG matters that have been approved by NQBP;
- Not misrepresent the views of other members of the CRG outside meetings; and
- Abide by the directions of the Chair.

I understand that if I miss three consecutive meetings I may be replaced on the CRG.

## Signed declaration

As a member of the Port of Mackay CRG, I agree to abide by this Code of Conduct.

Name:

Phone:

Email:

Address:

Stakeholder group (if relevant):



Signature

Date

## APPENDIX C

### Nomination form Community Member/Stakeholder Group

# Nomination form community member/stakeholder group

**Port of Mackay**  
Community Reference Group

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#### About North Queensland Bulk Ports

North Queensland Bulk Ports Corporation (NQBP) has seaport facilities located at Hay Point, Mackay, Abbot Point and Weipa, and was established as a Port Authority on 1 July 2009, under the *Transport Infrastructure Act 1994*. NQBP respects the aspirations and concerns of its port communities and stakeholders and acknowledges that social performance is a key factor by which its performance and success is measured.

#### Purpose of Community Reference Groups

The purpose of the Port of Mackay Community Reference Group (CRG) is to provide a forum for discussion between NQBP and representatives of the community, stakeholder groups and the local council on issues directly relating to the operation, development and planning activities within the Port of Mackay.

#### CRG member responsibilities

As a CRG member you will be expected to:

- contribute constructively to CRG discussions;
- attend meetings a minimum of three times a year; and
- communicate information to the broader community and/or your interest group.

#### Are you eligible to join the CRG?

We are looking for local residents or people who are members of a stakeholder group (community, environment or industry), to join the Port of Mackay CRG.

Local community/stakeholder group representatives eligibility criteria:

- Be current residents or landowners within the Mackay Local Government Area;
- Have knowledge and awareness of the NQBP and Port Mackay;
- Have awareness of funding opportunities of interest to the local community;
- Be able to represent and communicate the interests of the local community;
- Be willing to follow up actions, as relevant; and
- Be willing to abide by the CRG Code of Conduct, and have had no prior interactions with NQBP or related parties that would, in NQBP's view, constitute a breach of the CRG Code of Conduct.


Employees or contractors of NQBP are not eligible to be appointed as community/stakeholder group representatives.






Have you read and understand eligibility criteria? Yes ☐ No ☐

Do you meet the eligibility criteria? Yes ☐ No ☐

#### Applicant nomination form

First Name:	Last Name:		
Primary Phone Number:	Primary Email Address:		
Stakeholder group represented and position within the group (if relevant):			
Address:			
Suburb:		State:	Postcode:
Postal Address (if different from above):			
Suburb:		State:	Postcode:
Length of Residence in the Mackay/Hay Point area? <input type="text"/> years			

**For more information:**  
P 1300 129 255 | E [communications@nqbp.com.au](mailto:communications@nqbp.com.au)

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[nqbp.com.au](http://nqbp.com.au)     

Reason for nomination addressing eligibility criteria (250 words)

### Signed declaration

If appointed to the committee, I

- Confirm that I am aware of my responsibilities as a community representative on the NQBP Port of Mackay CRG;
- Accept that the position is voluntary with no entitlement to remuneration; and
- Agree to sign and comply with the CRG Terms of Reference

Name:

Signature:

Date:

Thank you for submitting your nomination form to join the NQBP Port of Mackay CRG.

### Nominations close: 5pm Friday 29 January 2021.

NQBP will contact you within two weeks of the closing date to advise you of the status of your application.

### For further information

For further information please contact  
NQBP Community Relations on email  
[communications@nqbp.com.au](mailto:communications@nqbp.com.au)



For more information:

P 1300 129 255 | E [communications@nqbp.com.au](mailto:communications@nqbp.com.au)

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## APPENDIX D

### Conflict of Interest Disclosure Form

# Conflict of Interest Disclosure Form



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#### Community Reference Group Member Details

Name:

Members of the CRG must disclose if they:

- Are a member, partner or, employee of NQBP;
- Have some other specified interest relating to NQBP or their operations;
- Have a financial or vested interest in a matter being considered by the CRG.

Describe the conflict of interest:

#### CRG Member Declaration

I declare that the above details of my private interests are correct to the best of my knowledge and am aware of my responsibilities to take reasonable steps to avoid any real or apparent conflict of

interest in connection with my role on the Community Reference Group and to advise the Chair of any relevant changes in my personal circumstances.

Signature

Date

#### Action by Chair

Describe the action proposed to mitigate the real or perceived conflict which has been disclosed and the reasons for the decisions:

The above action has been discussed with the CRG member and is appropriate to resolve the real or apparent conflict of interest disclosed above.

Signature

Date