

Minutes

Outback Communities Authority

16 June 2016

Meeting No. 60

Members:

C Woolford (Chair)

G Beltchev, J Booth, J Ferguson, J Fort, M Marsland, C Michelmore



Minutes

Outback Communities Authority

Meeting held at Local Government Association, 148 Frome Street, Adelaide
on 16 June 2016 at 3.00 pm

Present:

C Woolford (Chair)

G Beltchev, J Ferguson, J Fort, M Marsland, C Michelmore (OCA Members), A Hart (Manager, Office of Local Government), M Sutton (Director, OCA), B Gough and B Honan (OCA staff).

1. WELCOME/APOLOGIES

The Chair welcomed everyone to the Outback Communities Authority's (OCA) meeting in Adelaide and welcomed Ms Alex Hart, Manager, from the Office for Local Government.

An apology was received from Member Booth.

On behalf of the Chair, Member Beltchev advised the Members that Mr Jim Pollock, Mayor of Whyalla had recently passed away. The OCA acknowledged that Mayor Pollock was a keen supporter of the OCA and the Iron Knob community and extend their condolences to the family

Moved by Member Marsland

Seconded by Member Ferguson

That the OCA extend their condolences to the Pollock family on the recent passing of Mayor Jim Pollock.

Carried.

2. DEPUTATIONS/PRESENTATIONS

The OCA acknowledged three presentations that had taken place earlier in the day, being:

- Mr John Phalen, Director of Engagement, and Mr Geordan Graetz, Research Officer with the Department of Premier and Cabinet regarding nuclear fuel cycle discussion for South Australia;
- Mr Bruce Wilson, Head of Division, Resources, and Mr Michael Sheldrick, General Manager, Uranium, R&E International Branch, Resources Division, both from the Department of Industry, Innovation and Science regarding the proposed medium-low level nuclear waste repository for South Australia;
- Dr Mark Siebentritt, Director, S.E.E.D. Consultancy regarding the SA Far North Regional Climate Change Adaptation Plan.

Moved by Member Michelmore

Seconded by Member Ferguson

That the OCA extend their appreciation to the presenters for taking the time to meet with the Board to discuss matters of importance to the outback region.

Carried.



3. DECLARATION OF CONFLICT OF INTEREST

It is noted that there are no declarations of conflict of interest.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting held on 18 May 2016 were circulated.

Moved by Member Beltchev
Seconded by Member Marsland

That the minutes of the Outback Communities Authority (OCA) meeting held on 18 May 2016, number 59 be adopted.

Carried.

4.2 Business arising from minutes.

4.2.1 Andamooka Town Management Committee (Ref. Agenda item 11.1, Meeting No.54)

The Chair referred discussion to the Governance Manager (Gov M) who advised that this matter has been included in the meeting agenda and therefore can be removed from the Action List.

4.2.2 Oodnadatta Development Project (Ref. Agenda item 3.1, Meeting No. 55 and 4.2.5, Meeting No.57)

The Chair referred discussion to the Director (Dir) who advised that he had attended productive meetings with both the Commonwealth and Complete Personnel who have indicated their support for the OCA to manage the process of filling the Store Manager position in Oodnadatta. The Dir also advised that the OCA's Community Development Officer continues to work closely with the Oodnadatta community and will provide support with the recruitment process. The Dir confirmed that this matter is ongoing, he is pleased with the recent progressive meetings and will provide further reports to the Board.

4.2.3 Isolated Children's and Parents' Association (Ref. N15-02/11, Meeting No.56)

The Chair referred discussion to the Gov M who advised that this matter is being incorporated into the guidelines for the Community Funding Policy which will be finalised soon. This matter can therefore be removed from the Action List.

4.2.4 Director's Report (Ref. Agenda item 12, Meeting No.59)

The Chair referred discussion to the Dir who confirmed that this matter relating to the OCA's duty of care in relation to OCA staff travel has been included in the meeting agenda and can therefore be removed from the Meeting Action List.

5. ADJOURNED MATTERS

Nil.



6. OCA BUSINESS

6.1 Declaration of Community Contribution (Andamooka) for 2016-17 (Ref. N16-01/06)

The Chair referred discussion to the Gov M who confirmed that the consultation undertaken by the OCA regarding the Community Affairs Resourcing and Management (CARM) Agreement including a Community Contribution Scheme (CCS) closed on 31 May 2016. The Gov M confirmed that the CCS is very similar to the previous year and advised that 9 written submissions have been received during the consultation. The submissions were tabled.

The Gov M confirmed that the submissions received have not given rise to any change in the proposal and that the CCS for 2016-17 includes:

- the township of Andamooka and those portions of Section 1500 Out of Hundreds (Andamooka) occupied under Crown licence (known as White Dam), with the addition of those sites immediately adjacent the town of Andamooka not within the Andamooka Precious Stones Field or excluded from the operation of the *Opal Mining Act 1995* held in Fee Simple, occupied under Crown Lease or Crown Licence be declared as the area for the Andamooka Community Contribution Scheme (CCS).
- property units be adopted as the calculation basis for determining the contributions attributable to a particular property under the Andamooka CCS.
- one contribution per allotment be the basis for assessment under the Andamooka CCS, subject to the Concessions Policy.

Section 170 of the *Local Government Act 1999* – *Notice of declaration of rates* states:

Notice of the declaration of a rate or service charge must be published in the Gazette and in a newspaper circulating in the area within 21 days after the date of the declaration.

The Gov M confirmed that the community contributions collected by the OCA for the Andamooka community will be used to assist with the municipal costs identified in the Andamooka Progress and Opal Miner's Association's (APOMA) 2016-17 CARM Agreement. The Gov M advised that the CCS dollar value and terms and conditions remain the same as the previous year.

The Board acknowledged that the CCS at Andamooka and Iron Knob are a heavy draw on OCA resources and agreed that a review should be undertaken in the future. The Board also acknowledged that both CCS's continue to be managed well by the Gov M.

Moved by Member Marsland
Seconded by Member Michelmore

That the OCA:

- *Seeks the approval of the Minister to a fixed charge of \$400 per annum per property unit for community contributions in Andamooka.*



- Subject to the Minister consenting to the fixed charge for Andamooka execute the 2016-17 CARM Agreement with the APOMA and

Declares:

A community contribution for the rateable land over:

- the township of Andamooka, and
- those sites immediately adjacent the town of Andamooka not within the Andamooka Precious Stones Field or excluded from the operation of the Opal Mining Act 1995 held in Fee Simple, occupied under Crown Lease or Crown Licence, and
- those portions of Section 1500 Out of Hundreds (Andamooka) occupied under Crown licence (known as White Dam).
- fixes a charge of \$400 pa per property unit on rateable land for the purposes of raising revenue for the provision of services and support to the community of Andamooka.
- pursuant to Section 181(2) of the Local Government Act 1999, the community contribution be payable in four equal or approximately equal instalments as follows:
 - first instalment, payable in September 2016;
 - second instalment, payable in December 2016;
 - third instalment, payable in March 2017; and
 - fourth instalment, payable in June 2017.

Carried.

6.2 Declaration of Community Contribution (Iron Knob) for 2016-2017 (Ref. N16-02/06)

The Chair referred discussion to the Gov M who confirmed that the consultation undertaken by the OCA regarding the 2016-2017 CARM Agreement including a community contribution closed on 7 June 2016. The Gov M confirmed that 2 written submissions have been received which were tabled.

The Gov M explained that the consultation end date differs from the Andamooka consultation end date due to the deferment of the scheduled community meeting. The Gov M advised that the submissions received have not given rise to any change in the proposal.

The Gov M confirmed that the community contribution for 2016-2017 is intended to be similar to the previous year's levy in that;

- The township of Iron Knob be declared as the area for the Iron Knob Community Contribution Scheme (CCS).
- Property units be adopted as the calculation basis for determining the contributions attributable to a particular property under the Iron Knob CCS.
- One contribution per allotment be the basis for assessment under the Iron Knob CCS, subject to the Concessions Policy.
- The community contribution per property unit on rateable land in Iron Knob will remain at \$240.00.

The Gov M confirmed that the dollar value and terms and conditions remain the same as the previous year.



Moved by Member Beltchev
Seconded by Member Michelmore

That the OCA:

- Seeks the approval of the Minister to a fixed charge of \$240 per annum per property unit for community contributions in Iron Knob.
- Subject to the Minister consenting to the fixed charge for Iron Knob execute the 2016-2017 CARM Agreement with the Iron Knob Progress Association.
- Declares a community contribution for the rateable land over the township of Iron Knob.
- Fixes a charge of \$240 pa per property unit on rateable land for the purposes of raising revenue for the provision of services and support to the community of Iron Knob.
- Pursuant to Section 181(2) of the Local Government Act 1999, the community contribution be payable in four equal or approximately equal instalments as follows:
 - first instalment, payable in September 2016;
 - second instalment, payable in December 2016;
 - third instalment, payable in March 2017; and
 - fourth instalment, payable in June 2017.

Carried.

6.3 Andamooka Town Management Committee 2016-17 (Ref. N16-03/06)

The Chair referred discussion to the Gov M who advised that the Andamooka Town Management Committee (ATMC) was established on 1 January 2012 and since then has continued to provide advice in relation to the effective governance and management of the Andamooka township with the current terms of reference which are due to expire on 30 June 2016. The Gov M tabled proposed ATMC terms of reference for 2016-17 and advised that the recent consultation on the 2016-2017 CARM Agreement included a reference to the continued existence of the ATMC.

The Gov M advised that the appointments to the ATMC are made by the OCA in consultation with APOMA and that the current ATMC Chair has expressed her willingness to continue in this role.

Moved by Member Beltchev
Seconded by Member Ferguson

That the OCA:

- Approves the continuance of the Andamooka Town Management Committee under the ATMC Terms of Reference 2016-17.
- Appoints Ms Lyn Breuer as the Independent member and Chair of the ATMC.
- Nominates Byron Gough, Governance Manager as the OCA nominee.
- Notes the position of community member on the ATMC will be called.

Carried.



6.4 Work Health and Safety Obligations of the Outback Communities Authority in Relation to Staff Travel (Ref. N16-04/06)

The Chair referred discussion to the Gov M who advised that he had sought advice from the Policy and Liaison Team, SafeWork SA and also from the Department of Planning Transport and Infrastructure (DPTI) Work Health and Safety Unit regarding a question raised by Member Michelmore regarding the OCA Work Health and Safety responsibilities for staff when travelling.

The Gov M confirmed that the OCA is a person conducting a business or undertaking a business (PCBU) under the *Work Health and Safety (WHS) Act 2012* and owes a duty of care to ensure so far as is reasonably practicable the health and safety of its workers. The Gov M noted that DPTI is also a PCBU with the same duty of care as the OCA with regard to the safety of its workers, therefore both DPTI and the OCA are responsible for OCA staff while they are working for the OCA.

The Gov M tabled DPTI's policies relating to staff travel, confirming DPTI's strong commitment to work health and safety.

The Gov M advised that:

- it is likely that the OCA Board members would be classified as officers under the WHS Act and therefore due diligence to ensure that duties under the WHS Act are met, is required.
- the OCA Board Members need to be satisfied that the OCA has appropriate systems in place to ensure the safety of workers and to also monitor those systems.

The Gov M confirmed that under Section 16 of the WHS Act it is stated that where there is more than one duty holder, each must discharge its duty to the extent to which it has the capacity to influence and control the matter.

The Gov M advised that it is reasonable to expect that the OCA's duty of care can be satisfied so far as is reasonably practicable by ensuring that OCA staff are aware of and compliant with DPTI's Travel and Work Health and Safety policies and procedures.

Moved by Member Michelmore
Seconded by Member Marsland

That the OCA acknowledge that the DPTI policy meets all of the OCA requirements on the provision that if policy changes occur in the future, that this matter is brought back to the board.

Carried.

6.5 Tier 2 Australian Accounting Standard Financial Reporting (Ref. N16-05/06)

The Chair referred discussion to the Gov M who advised that the Auditor General had forwarded correspondence to the OCA in preparation for the 2015-2016 financial statements and advised that the Department of Treasury and Finance had recently amended Accounting Policy Framework II to provide certain public authorities, including the OCA with the option of Tier 2 Australian Accounting



Standard reporting. The Gov M confirmed that by adopting Tier 2 reporting, the OCA's financial statements will reduce the number of note disclosures by 5 thereby reducing the time taken in the preparation of the financial statements and associated supporting working papers.

Moved by Member Ferguson
Seconded by Member Michelmore

That the OCA noted the adoption of Tier 2 Australian Standards reporting criteria regarding the OCA's financial statements for 2015-2016.

Carried.

6.6 2015-2016 Budget Monitoring Report – June 2016 (Ref. N16-06/06)

The Chair referred discussion to the Dir who advised that the Business Services Manager has been working closely with Mr John Wright monitoring the 2015-2016 budget.

The Dir confirmed that although the OCA has submitted grant applications confirmation of successful applications has not been received and therefore expenditure relating to those projects has not been included in this report.

Moved by Member Ferguson
Seconded by Member Fort

That the OCA:

- *Note the updated 2015-16 Budget Monitoring Report for June 2016.*
- *Note that the revised net deficit for 2015-2016 is \$124,000 and that it represents an underlying Budget improvement.*
- *Authorise the Chair to approve any adjustments required to the draft 2016-2017 budget stemming from successful grant applications, or any other reason, before the final draft is submitted to the Minister for approval.*

Carried.

6.7 Board Meeting Schedule 2016-2017 (Ref N16-07/06)

The Chair referred discussion to the Dir who tabled proposed meeting dates for 2016-2017 noting the importance of an annual meeting schedule which will assist with forward planning.

Moved by Member Fort
Seconded by Member Marsland

That the OCA resolve to meet on the following dates, at the recommended locations, noting that if the meeting schedule is to change, notification will appear on the OCA website immediately.

- *20, 21 July 2016 at Adelaide.*
- *18 August 2016, a teleconference, to be confirmed.*
- *13, 14, 15 September 2016 at Yunta.*
- *20 October 2016, a teleconference, to be confirmed.*
- *16, 17 November 2016 at Adelaide.*



- 15 December 2016, a teleconference, to be confirmed.
- 18, 19 January 2017, at Port Augusta.
- 16 February 2017, a teleconference, to be confirmed.
- 15, 16 March 2017, in Northern Flinders Ranges region.
- 20 April 2017, a teleconference, to be confirmed.
- 17, 18 May 2017 at Port Augusta.
- 15 June 2017, a teleconference, to be confirmed.

Carried.

- 6.8 The Board openly discussed the Leigh Creek Futures (request for information) report developed by Dr Jane Lomax-Smith AM, noting that negotiations will be ongoing for some time between the SA Government and Alinta Energy regarding the OCA taking over management of Leigh Creek in January 2017.

7. URGENT BUSINESS

Nil.

8. BUSINESS PLAN PROGRESS REPORT

The Chair introduced the Business Plan Progress Report and referred the matter to the Dir who advised that the *oneOutback* Prospectus will not be achieved this financial year and confirmed that SC Lennon and Associates are continuing to make progress on this project.

The Dir advised that the collection of data from outback communities is ongoing and that the internal consultation regarding the Asset Sustainability Levy has commenced with initial discussions with the Minister. Further meetings with the DPTI, Department of Treasury and Finance and the Local Government Grants Commission will be organised in the very near future.

The Members noted the OCA 2015-16 Business Plan progress report.

9. SECTION 11 COMMITTEES REPORTS

9.1 Andamooka Town Management Committee

The Chair advised that the Andamooka Town Management Committee (ATMC) met on 5 April 2016 and tabled the confirmed meeting minutes.

The Gov M advised that it has been pleasing to note the progress with the solar light streetlights, new signage and ongoing road maintenance.

The OCA noted the ATMC meeting minutes from 5 April 2016.

10. PRESIDING MEMBERS REPORT

The Chair thanked the Members for their engagement during the OCA's regional trip in May visiting the communities of William Creek, Oodnadatta, Marla and Glendambo. The Chair advised that the photographer that accompanied them on the regional trip has made



the photographs available which will become a very useful resource for future OCA material. The Chair confirmed that letters of thanks have been forwarded to the communities that were visited.

The Chair confirmed that the majority of her time has been spent in conversations and meetings regarding the future of the Northern Flinders region.

The Chair confirmed that there has not been an update received regarding the current Board appointments.

Member Michelmore raised concerns regarding the lateness of Board appointments.

The Chair advised that the OCA received a request to present a notice at an OCA meeting which the Chair has considered. The Chair confirmed that the notice asserts:

- that the Andamooka Progress and Opal Miners Association (APOMA) does not represent the Andamooka community;
- whether the OCA can enter into a CARM Agreement with APOMA.

The Chair advised that these matters have very clearly been considered by Magistrate Milazzo in May 2015 and that Magistrate Milazzo found the management of APOMA was a matter for the community. The Chair advised that there are no reasonable grounds or evidence that suggests that APOMA are not representing the Andamooka community and having said that, the OCA Board is not required to consider the second point, thereby declined to present the notice.

The Gov M confirmed that the Chair, through policy will decide whether information that is submitted is tabled at a formal meeting and confirmed that all information submitted for tabling receives a response.

11. DIRECTOR'S REPORT

The Dir tabled his report and referred to the announcement by Minister Maher that the State Government is continuing negotiations with Alinta Energy for the OCA to take over operational management of Leigh Creek from 1 January 2017. The Dir advised that the transition process has commenced.

The Dir provided an overview of staff activities that have occurred since the OCA's May meeting which included community consultations, finalisation of the consultation regarding the draft 2016-17 OCA Business Plan, review of the Asset Sustainability Levy modelling, finalisation of the Pimba park project, commencement of the outback Community Parks project and the completion of the Whale Watching Platform project at Fowlers Bay. The Dir advised that the OCA's Facebook page which has been in development is now live, noting that the theme of the page is not formal, but more in line with a sense of the outback.

12. MEMBER'S REPORT

Member Ferguson reported that she attended the Leigh Creek meeting which was well attended although it was unfortunate that communication regarding invitations to the meeting had not been clear. On behalf of the Beltana Sport and Social Progress Association, Member Ferguson advised that their 10-year strategic plan has been completed and will be provided to the OCA.



13.CONFIDENTIAL ORDERS

Nil.

14. DATE OF NEXT MEETING

The next OCA meeting has been scheduled for 20 and 21 July 16, to be held in Adelaide, with the venue to be confirmed at a later date.

The meeting closed at 4.40pm.

A handwritten signature in black ink, located in the bottom right corner of the page. The signature is stylized and appears to be a cursive name.