

Andamooka Town Management Committee

Terms of Reference

2013-2016

The Outback Communities Authority established the Andamooka Town Management Committee pursuant to section 11 of the Outback Communities (Administration and Management) Act 2009 to assist the Authority with the performance of its functions and duties, to provide advice and to exercise, perform or discharge delegated powers and function. These are the terms of reference under which the Committee operates.

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Background/Preamble

The Outback Communities (Administration and Management) Act 2009 provides for the establishment of Committees to assist the Outback Communities Authority with the performance of its functions and duties, to provide advice to the Outback Communities Authority and to exercise, perform or discharge delegated powers and function.

The Outback Communities Authority, resolved at its meeting on 12 December 2011, to establish an Andamooka Town Management Committee. The first Andamooka Town Management Committee was established on 1 January 2012 and ceased operations on 30 June 2013 after which a new governance structure would reflect the Andamooka Community's aspirations beyond that date.

The ATMC, in accordance with its first Terms of Reference, undertook an extensive community engagement process during March and April 2013 to ascertain the future governance model post 30 June 2013. The agreed model for the second iteration of the ATMC was approved at the 13 June 2013 meeting of the Outback Communities Authority as outlined in these Terms of Reference.

1. Status of the Committee

- 1.1 The Andamooka Town Management Committee is established under Section 11 of the Outback Communities (Administration and Management) Act 2009, for the purpose described in these Terms of Reference.
- 1.2 The Committee has delegated authority as provided for in Section 13 of the Outback Communities (Administration and Management) Act 2009, to make decisions on behalf of the Outback Communities Authority in accordance with the execution of the Objectives and Functions and Duties of these Terms of Reference. (See Outback Communities Authority resolution no. 12.2 from Meeting No. 35 held on 13 June 2013).
- 1.3 The term of the Andamooka Town Management Committee will be three (3) years and will commence on 1 July 2013 (will cease on 30 June 2016), being subject to a review to be conducted by the Outback Communities Authority prior to the completion of the term.

2. Membership

- 2.1 Membership shall consist of:
 - 2.1.1 One (1) Member nominated annually by the Outback Communities Authority;
 - 2.1.2 Two (2) Members nominated annually by the Andamooka Progress and Opal Miners Association Incorporated;

2.1.3 One (1) Member of the Andamooka Community appointed annually by the Outback Communities Authority after seeking advice from the Andamooka Progress and Opal Miners Association (must be a land-holder subject to the Andamooka Community Contribution Scheme);

and

2.1.4 One (1) Independent Member (not being a Member of the Outback Communities Authority or the Andamooka Progress and Opal Miners Association) appointed by the Outback Communities Authority after seeking advice from the Andamooka Progress and Opal Miners Association.

2.2 Chair

2.2.1 The person nominated under clause 2.1.4 will be appointed by the Outback Communities Authority as Chair of the Andamooka Town Management Committee for the life of that committee (three years).

2.3 Deputy Chair

2.3.1 In the absence of the appointed Chair, an appointed Member may act as Chair, for the purposes of that meeting, upon agreement of those members present.

2.4 Deputies

2.4.1 Both the Andamooka Progress and Opal Miners Association and the Outback Communities Authority may nominate one (1) Deputy to participate in any meeting of the Andamooka Town Management Committee should a Member not be available to attend.

2.5 Interim Arrangements

2.5.1 Until the Chair and the Community member are appointed the Andamooka Town Management Committee can operate on a 'Continuity of Business' basis with the one (1) OCA nominated Member and the two (2) Andamooka Progress and Opal Miners nominated Members. This interim arrangement must be resolved as soon as possible..

2.6 Andamooka Progress and Opal Miners Association

2.6.1 The Chair of the Andamooka Progress and Opal Miners Association (Inc.) will be afforded an open invitation to attend all meetings of the Andamooka Town Management Committee in an 'ex-officio' basis.

3. Objectives

3.1 The Andamooka Town Management Committee is established to provide advice and delegated functions in relation to the effective governance and management of the township of Andamooka. The Andamooka Town Management Committee must act at all times in the best interests of the Andamooka community.

4. Functions and Duties

- 4.1 The Andamooka Town Management Committee may undertake the following tasks:
- Prepare and submit to the Outback Communities Authority a community plan for the period of 3 financial years and thereafter review and submit to the Outback Communities Authority annually by 31 March.
 - By 30 April each year, prepare and submit to the Outback Communities Authority for approval, a business plan and budget for the management of local services and infrastructure in Andamooka, for the period of the next financial year.
 - Budget planning and consultation must take into account the Outback Communities Authority's application of a Community Contribution Scheme in Andamooka.
 - Within the constraints of the approved budget, manage a programme of works necessary to implement the approved Business Plan for the delivery of essential services and management of infrastructure.
 - Manage any human and financial resources provided by the Outback Communities Authority for the purposes of implementing the Business Plan and providing effective governance and management arrangements for service provision to the Andamooka Community.
- 4.2 The Andamooka Town Management Committee are empowered to convene sub-groups in order to broaden engagement with the Andamooka community.
- 4.3 The community plan, financial plan and budget are to be prepared in consultation with the Andamooka community in accordance with the Outback Communities Authority Public Consultation Policy.
- 4.4 The Andamooka Town Management Committee may, with the approval of the Outback Communities Authority, seek additional and external resources to assist in the execution of these functions and objectives.

5. Reporting Responsibilities

- 5.1 The Andamooka Town Management Committee may provide reports and make whatever recommendations to the Outback Communities Authority it deems appropriate on any matter relevant to good governance and quality of life in Andamooka.
- 5.2 The reporting and accountability requirements of the Committee (for the purpose of Section 11 of the Act) are satisfied by the provision, directly to the Outback Communities Authority, of the minutes of Committee meetings along with any other report or explanation deemed necessary by the committee or the Outback Communities Authority.

6. Meetings – Operational Matters

- 6.1 The Outback Communities Authority has delegated to the Andamooka Town Management Committee all of the relevant powers and functions of the Outback Communities Authority necessary for the Andamooka Town Management Committee to perform its functions as set out in these Terms of Reference.

- 6.2 Meetings shall be held bi-monthly unless extenuating circumstances exist.
- 6.3 A minimum of three clear day's notice of an ordinary meeting will be provided to members of the Committee.
- 6.4 All meetings shall be conducted in accordance with the meeting procedures of the Outback Communities Authority policy (G-04) and the Member Code of Conduct Policy (G-01).
- 6.5 All meetings of the Andamooka Town Management Committee shall be open to the public unless the meeting resolves, in accordance with the meeting procedures of the Outback Communities Authority policy (G-04), specific grounds for meeting in camera.
- 6.6 In so far as the Outback Communities (Administration and Management) Act 2009 and these Terms of Reference do not prescribe the procedure to be observed in relation to the conduct of a meeting of the Andamooka Town Management Committee, the Andamooka Town Management Committee may determine its own procedure.

7. Voting

- 7.1 All members have equal voting rights.
- 7.2 A question arising for a decision will be decided by a majority of votes cast by all members present.
- 7.3 Each member must vote on a question arising for a decision.
- 7.4 The Chair must vote at the same time as the rest of the members but does not have a casting vote.
- 7.5 In the event of a tied vote or unresolved matter the Chair of the Andamooka Town Management Committee will determine whether:
 - 7.5.1 The matter be referred to the next Outback Communities Authority meeting for a decision; or
 - 7.5.2 The matter is placed on the Agenda of the next meeting of the Andamooka Town Management Committee; or
 - 7.5.3 The matter lapses.

8. Quorum

- 8.1 A quorum shall be three (3) members provided both the Outback Communities Authority and the Andamooka Progress and Opal Miners Association are represented by Members present.

9. Conduct and Disclosure of Interests

- 9.1 Members of the Andamooka Town Management Committee must comply with the Outback Communities Authority Member Code of Conduct policy (G-01).

9.2 A Member of the Andamooka Town Management Committee will not be taken to have a direct or indirect interest in a matter for the purposes of the Public Sector (Honesty and Accountability) Act 1995 by reason of the fact that the member has an interest in a matter that is shared in common with members of the Andamooka community or a substantial section of the members of the Andamooka community.

10. Delegations

10.1 The Outback Communities Authority may delegate additional matters that are within the scope of these Terms of Reference to the Andamooka Town Management Committee in accordance with Section 11 of the Outback Communities (Administration and Management) Act 2009.

11. Meeting Minutes

11.1 Minutes of the Andamooka Town Management Committee meetings will be presented to the next meeting of the Andamooka Town Management Committee for adoption.

12. Review

12.1 No decision will be made regarding the continuing status of the Andamooka Town Management Committee until such time as a review process has been completed and presented to the Outback Communities Authority for decision.

Membership of the ATMC

Date Of Appointment	Position	Member	Term	Comment
	Chair	Vacant	3 years	Inaugural status
1 July 2013	APOMA representative	Robert Hancock*	12 months	Inaugural status
1 July 2013	APOMA representative	Brenton Musolino*	12 months	Inaugural status
	Community Representative	Vacant	12 months	Inaugural status
1 July 2013	Outback Communities Authority Representative	Mark Sutton	12 months	Inaugural status
21 November 2013	Community Representative	Emma McFarlane*	12 months	Fills vacant position
7 August 2014	Chair	Lyn Breuer	To 30 June 2016	Fills vacant position
7 August 2014	Outback Communities Authority Representative	Byron Gough	12 months	Replaced Mark Sutton on expiry of term

*position to be confirmed at ATMC March 2015 meeting

Annexure A

Last updated 20 February 2015