

Terms of Reference

PREAMBLE

A Committee of Council may be established by resolution of the Council. A Committee can be established to assist the Council in the performance of its functions, to inquire into and report to the Council on matters, provide advice to the Council and to exercise, perform or discharge delegated powers, functions or duties.

Pursuant to Section 41(10) of the *Local Government Act 1999* the establishment of a committee does not derogate from the power of the Council to act in a matter.

1. Establishment of the Port Augusta Alinta Advisory Committee

Pursuant to Section 41 of the *Local Government Act 1999* the Council establishes a Committee to be known as the Port Augusta Alinta Advisory Committee (referred to in these Terms of Reference as 'the Committee').

2. Committee Objectives

To advise Council in respect to the identification of matters of importance and questions to be put to Government, Alinta Energy and other parties relating to the announced closure of the Port Augusta Power Stations.

3. Committee Activities

To advise Council in keeping with the Committees Objectives with particular reference to:

- The impact of the Alinta Power Stations Closure on the economy of Port Augusta.
- The remediation & repurposing of the Alinta Power Stations site.
- The support and opportunities available to those directly employed or impacted by the closure of the Alinta Energy Power Stations.
- Rail and transport implications.

4. Membership:

Membership of the Committee shall comprise the following:

1. Mayor Sam Johnson, Port Augusta City Council
2. Elected Member - Cr Colleen Hutchison, Port Augusta City Council
3. State Government Representative (Ministerial)
4. State Government Representative
5. Alinta Energy Representative
6. Member for Grey
7. Member for Stuart
8. Chair - Regional Development Australia Far North

9. 10.	<p>Chair - Business Port Augusta</p> <p>Chief Executive Officer - Port Augusta City Council</p> <p>The Mayor will be the Presiding Member of this Committee.</p>
6.	<p>Term of Office</p> <p>12 Months</p>
7.	<p>Reporting Arrangements</p> <p>The Committee reports and makes recommendations to the Council on any item on the Committee agenda.</p> <p>Reporting Officers of Council as designated by the Chief Executive Officer, shall provide written reports on specific issues that arise from the Alinta Advisory Committee.</p> <p>Council Officers to provide reports to the Advisory Committee with recommendations that they require comment on (frequency of these to be determined and finalised when standing agenda items are finalised).</p> <p>Alinta Advisory Committee minutes, which will also include recommendations, will be forwarded to Council for approval.</p>
8.	<p>Confidentiality</p> <p>The confidential provisions of the <i>Local Government Act 1999</i> shall apply to ALL members of the Committee. This in short means that those matters that are deemed to be ‘confidential’ (which includes the report discussions and any resulting decision) <u>must remain confidential</u>, and is not to be discussed outside the forum of the Committee Meeting, until the matter is discussed and determined by the Council. There are substantial penalties for breaches of confidentiality.</p>
9.	<p>Delegated Authority</p> <p>Not applicable.</p>
10.	<p>Conduct and Conflict of Interest of Committee Members</p> <p>Elected Members of the Committee must comply with the Code of Conduct for Elected Members as published by the Minister for Planning for the purposes of Section 63 (1) of the <i>Local Government Act 1999</i> and Chapter 5 Part 4 of the <i>Local Government Act 1999</i> relating to Conduct and Disclosure of Interests.</p> <p>As a member of the Committee, you must not make improper use of your position to gain (directly or indirectly) an advantage for yourself or for another person closely associated with you. You must make sure there is no conflict between your private interests and your role as a public decision maker.</p>

	As a Committee Member you will have to declare what your interest is in any matter before the Committee.
<p>11. Meeting Times & Place</p> <p>As determined.</p>	
<p>12. Quorum & Voting by Members</p> <p>At all meetings of the Committee, a quorum shall be 50% of the number of members, plus one.</p> <p>Each member of the Committee present at a relevant meeting, <u>must</u> vote on any motion put at that meetings.</p> <p>The Presiding Members shall have a deliberative vote but does not in the event of an equality of votes have a casting vote.</p>	
<p>13. Meeting Procedures</p> <p>Meetings of the Port Augusta Alinta Advisory Committee will be held in accordance with:</p> <ul style="list-style-type: none"> i) <i>Local Government Act 1999</i> ii) <i>Local Government (Procedures at Meetings) Regulations 2013</i> iii) <i>Council's Code of Practice – Meeting Procedures 1.1.15</i> iv) <i>Council's Code of Practice – Access to Council and Committee Meetings and Documents 1.1.06</i> 	
<p>14. Access and Documents</p> <p>Pursuant to Section 87 of the <i>Local Government Act 1999</i> a minimum of three clear days' notice of the meeting, accompanied by the agenda, will be provided to Members of the Committee and the public.</p> <p>Minutes will be available within five clear days after a meeting in accordance with Section 91 of the <i>Local Government Act 1999</i> and will be provided to all Members of the Committee and placed on Council's Website www.portaugusta.sa.gov.au and a hardcopy placed in the Council Office, Civic Centre, 4 Mackay Street, Port Augusta.</p> <p>Members of the public are able to attend all meetings of the Committee, unless excluded from the meeting by the confidentiality provision of Section 90 of the <i>Local Government Act 1999</i>.</p> <p><i>NOTE: For the purposes of the calculation of clear days in relation to the giving of notice before a meeting, the day on which the notice is given, and the day on which the meeting occurs, will not be taken into account; and Saturdays, Sundays and public holidays will be taken into account. However, if a notice is given after 5pm on a day, the notice will be taken to have been given on the next day.</i></p>	

15.	Responsible Officer Chief Executive Officer
16.	Liability and Insurance Pursuant to Section 80 of the <i>Local Government Act 1999</i> Council must take out a policy of insurance insuring every member of the Council, and a spouse, domestic partner or another person who may be accompanying a member of the Council, against risks associated with the performance or discharge of official functions or duties by members. Further, pursuant to Section 41(12) of the <i>Local Government Act 1999</i> no civil liability attaches to a member of a committee for an honest act or omission in the exercise, performance or discharge, or purported exercise, performance or discharge, of the member's or committee's powers, functions or duties.
17.	Administrative Support To be provided by Port Augusta City Council Executive Services.
18.	Sitting Fee Not applicable.