



DISTRICT COUNCIL OF  
**ORROROO/CARRIETON**  
Southern Flinders Ranges • Established 1997

# **MINUTES**

**Council Meeting**

**Wednesday 24<sup>th</sup> July 2019**

**Commencing at 9.00am**

DISTRICT COUNCIL OF ORROROO CARRIETON  
MINUTES FOR AN ORDINARY MEETING OF COUNCIL HELD ON  
WEDNESDAY 24<sup>th</sup> JULY 2019 COMMENCING AT 8.59AM  
IN THE COUNCIL CHAMBERS, SECOND STREET ORROROO

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*Opening*

1:     **PRESENT:**     Cr Kathie Bowman (Chairman), Cr Ralph Goehring, Cr Lorna Schmidt,  
                          Cr Colin Parkyn & Cr Joylene Ford

Officers:         Dylan Strong (Chief Executive Officer) &  
                          Ann Frick (Manager of Corporate & Community Services)

2:     **APOLOGIES:**   Cr Grant Chapman

3:     **PUBLIC FORUM:** Nil

4:     **DECLARATION OF CONFLICT OF INTERESTS**

Elected Members are reminded of the requirements for disclosure by Members of a conflict of interest (whether a material conflict of interest under section 73 of the Act or an actual or perceived conflict of interest under section 75 of the Act) in items listed for consideration on the Agenda.

Sections 74 and 75A of the Local Government Act 1999 respectively require that Elected Members declare any material conflict of interest and any actual or perceived conflict of interest and provide details of the nature of the interest to the Council prior to consideration of that item on the Agenda. In relation to an actual or perceived conflict of interest, Elected Members must also explain how they intend to deal with that interest.

Each Member of a Council has a duty to vote at all meetings unless exempted by legislation.

The major exemption being where a Member has a conflict of interest.

No conflicts of interest were declared.

5:     **CONFIRMATION OF MINUTES**

5.1    **Ordinary Council Meeting**

**MOTION: (001/0719)**

That the minutes of the Ordinary Meeting of Council held on 26<sup>th</sup> June 2019 be amended on page 750 'Nicholls' to 'Nicholas' and then be taken as read and confirmed.

Cr Schmidt / Cr Ford     **CARRIED**

6: ADJOURNED ITEMS: Nil

7: PETITIONS: Nil

8: DEPUTATIONS/REPRESENTATIONS: Nil

9: QUESTIONS ON NOTICE/ MOTIONS ON NOTICE

**9.1 APPROACH TO PRESERVATION AND CELEBRATION OF LOCAL HERITAGE**

**MOTION: (002/0719)**

That the CEO investigate options for the protection of Second Street's historic buildings, to preserve and celebrate the significant local heritage retained in the verandas, shop entrances and amenity of our wonderful streetscape.

Cr Ford / Cr Parkyn **CARRIED**

10: ELECTED MEMBERS REPORTS

**10.1 CHAIRMAN'S REPORT**

The Chairman reported that she had attended the following meetings:

- Community Consultation Forums at Carrieton 2<sup>nd</sup> July and Pekina 3<sup>rd</sup> July – both were well attended and certainly worthwhile getting to these communities.
- 'Regions Rising Forum' in Adelaide with CEO on 10<sup>th</sup> July
- CEO Performance Review Committee Meeting on 17<sup>th</sup> July.
- University students will commence placements in community next week – Council will be hosting the first placements.

**10.2 COUNCILLORS/DELEGATES/REPRESENTATIVE REPORTS**

Cr Schmidt reported that she attended the Carrieton Community Forum – she was disappointed with the number of attendees, however there was a number of apologies received.

Cr Ford reported that she attended both Community Forums and was pleased with the turn out at both Forums.

Cr Ford also reported that she attended the Regional Development Strategy forum held in Port Pirie yesterday, hosted by Regional Development Australia. The Forum was part of the consultation on the State Governments draft strategy, and covered a number of issues including youth work experience and career pathways, transport problems, the health system and tourism.

**MOTION: (003/0719)**

That the Elected Members Reports be received and noted.

Cr Goehring / Cr Ford **CARRIED**

11. ENGINEERING AND INFRASTRUCTURE SERVICES REPORTS

11.1 2018/2019 CAPITAL WORKS PROGRESS REPORT

MOTION: (004/0719)

That the capital works progress report for the period ending 30<sup>th</sup> June 2019 be received and noted.

Cr Ford / Cr Goehring CARRIED

11.2 GENERAL WORKS REPORT – 30 JUNE 2019

MOTION: (005/0719)

That the general works report as at 30<sup>th</sup> June 2019 be received and noted.

Cr Schmidt / Cr Parkyn CARRIED

11.3 WORKS REQUEST REPORT – 30<sup>TH</sup> JUNE 2019

Cr Bowman advised of the positive comments she has received from her neighbours on the patrol grading that has occurred in recent weeks in her area, and acknowledge the efforts of staff.

MOTION: (006/0719)

That the works request status report as at 30<sup>th</sup> June 2019 be received and noted.

Cr Goehring / Cr Ford CARRIED

11.4 A-TRIPLE TRUCK PERMIT – SLAUGHTERHOUSE ROAD, ORROROO

MOTION: (007/0719)

That Council approve the A Triple Application from Harold Broad Proprietary Limited (NHVR Permit Id 254657r1v1) to access Slaughterhouse Road, Orroroo with the following conditions:

1. Maximum speed of 40km/h or any posted speed limit, whichever is the lesser.
2. No travel on unsealed roads will be undertaken when greater than 15mm of rain is received in the proceeding 24 hours until authorisation is obtained from Council.
3. This authorisation does not grant approval to the use of the land for any decoupling, transfer of stock, keeping / storage of trailers etc. Any change to the use of the land will require an application and assessment under the Development Act 1993.

Cr Ford / Cr Goehring CARRIED

12. EXECUTIVE/CORPORATE/COMMUNITY SERVICES REPORTS

12.1 RESOLUTION STATUS REPORT

MOTION: (008/0719)

That the update Resolution Status Report be received and noted.

Cr Goehring / Cr Ford CARRIED

12.2 LOCAL GOVERNMENT ASSOCIATION CIRCULARS

REPORT AND LGA CIRCULARS PROVIDED FOR INFORMATION

### 12.3 STARCLUB OFFICER

**MOTION: (009/0719)**

That the StarClub Officer's June 2019 Monthly Report be received and noted.

Cr Schmidt / Cr Goehring **CARRIED**

### 12.4 DROUGHT COMMUNITIES PROGRAMME EXTENSION – FINAL PROJECT REPORT

*Cr Parkyn departed from the Chambers at 10.06am and returned at 10.08am.*

**MOTION: (010/0719)**

That the final report and project outcomes for all projects delivered under the Drought Communities Programme – Extension in the 2018/2019 financial year be received and noted.

That Council authorise the Chief Executive Officer to write a letter of thanks to the Australian Government via the federal Minister for Infrastructure, Transport, Cities and Regional Development recognising the outcomes of the Drought Communities Programme – Extension.

Cr Goehring / Cr Ford **CARRIED**

### 12.5 DRAFT 2019/20 ANNUAL BUSINESS PLAN AND BUDGET – CONSULTATION REPORT

**MOTION: (011/0719)**

That the report on the Draft Annual Business Plan and Budget 2019/2020 - Public Consultation and the submissions be received and noted.

Cr Schmidt / Cr Ford **CARRIED**

### 12.6 2019/20 BUSINESS PLAN & BUDGET – ADOPTION

**MOTION: (012/0719)**

1. That pursuant to and in accordance with Section 123(6) of the Local Government Act 1999 and Regulation 6 of the Local Government (Financial Management) Regulations 2011, having considered all submissions, the Business Plan 2019/2020 as presented in the Attachment be adopted for the 2019/20 financial year.

2. That pursuant to Section 123(7) and 122(1a)(a) of the Act and Regulation 7 of the Regulations, that Council adopts the 2019-2020 Budget as contained in the Attachment, comprising:

- Budgeted Statement of Comprehensive Income
- Budgeted Statement of Financial Position
- Budgeted Statement of Changes in Equity
- Budgeted Statement of Cash Flows
- Uniform Presentation of Finances
- Statement Financial Indicators,

having considered the Budget in conjunction with, and having determined it to be consistent with, the Business Plan 2019-2020.

Cr Ford / Cr Parkyn **CARRIED**

**12.7 ADOPTION OF VALUATIONS OF LAND FOR THE PURPOSE OF RATING FOR THE 2019/2020 YEAR**

**MOTION: (013/0719)**

That pursuant to Section 167(2)(a) of the Local Government Act 1999, the Council hereby adopts, for the financial year ending 30 June 2020, the capital valuations made by the Valuer General in respect to land within the Council's area totalling \$249,657,760 of which \$242,345,660 is in respect to the valuation of rateable land.

Cr Goehring / Cr Ford **CARRIED**

**12.8 DECLARATION OF GENERAL RATE, FIXED CHARGE AND MAXIMUM INCREASE IN GENERAL RATES FOR 2019/2020 YEAR**

**MOTION: (014/0719)**

**GENERAL RATE**

That Council, having taken into account the general principles of rating in accordance with Section 150 of the Local Government Act 1999, and the requirements of Section 153 (2) the Local Government Act 1999 and pursuant to Section 152 (1)(c) of the Local Government Act 1999, declares that the general rate in respect of rateable land within the council area for the financial year ending 30 June 2020 will be a rate consisting of two components:

- (a) one being the value of the rateable land
- (b) the other being a fixed charge

That pursuant to Section 153 (1)(a) of Local Government Act 1999, the Council determines that for the financial year ending 30 June 2020, a General Rate be declared on all rateable land within its area, based on the capital value of the land of 0.004131 cents in the dollar.

**FIXED CHARGE**

That pursuant to Section 152(1)(c)(ii) of the Local Government Act 1999 declare a Fixed Charge of \$252.00 component on each separate piece of rateable land within the Council area for the financial year ending 30 June 2020.

**MAXIMUM INCREASE IN GENERAL RATES**

That pursuant to section 153(3) of the Local Government Act 1999 the Council resolves to fix a maximum increase of 2% in the general rate to be charged on any rateable land within its area.

Cr Goehring / Cr Parkyn **CARRIED**

**12.9 DECLARATION OF ANNUAL SERVICE CHARGE – WASTE MANAGEMENT COLLECTION 2019/2020 YEAR**

**MOTION: (015/0719)**

That pursuant to and in accordance with Section 155 of the Local Government Act 1999, the Council imposes an annual Service Charge of \$378.00 based upon the nature and level of usage of the service for the financial year ending 30 June 2020 for the collection of waste and recycling from all properties to which the service is provided or is made available, consisting of a weekly waste collection of 140 litre bin and a fortnightly recycling collection of 240 litre bin.

That consistent with the basis of the annual Service Charge of \$378.00 an additional Service Charge of \$86.00 be imposed for each additional bin collected from the property for which the Waste Management Collection service is provided or is made available for the financial year ending 30 June 2020.

Cr Schmidt / Cr Ford CARRIED

**12.10 DECLARATION OF SEPARATE RATE – NATURAL RESOURCES MANAGEMENT LEVY 2019/2020 YEAR**

**MOTION: (016/0719)**

That Council, pursuant to and in accordance with Section 154 of the Local Government Act 1999 and Section 95 of the Natural Resources Management Act 2004, declares a separate rate of 0.0148 cents in the dollar to be based on the capital value of rateable land within the Council area for the financial year ending 30 June 2020, to recover the amount payable to the Northern and Yorke Natural Resource Management Board.

Cr Parkyn / Cr Ford CARRIED

**12.11 DECLARATION OF PAYMENT OF RATES 2019/2020 YEAR**

**MOTION: (017/0719)**

That pursuant to Section 181 of the Local Government Act 1999, all rates payable for the financial year ending 30<sup>th</sup> June 2020, be payable by four equal or approximately equal instalments due for payment on 15<sup>th</sup> September 2019, 15<sup>th</sup> December 2019, 15<sup>th</sup> March 2020 and 15<sup>th</sup> June 2020.

Cr Schmidt / Cr Goehring CARRIED

**12.12 REVIEW OF FEES & CHARGES FOR 2019/2020**

**MOTION: (018/0719)**

That the Fees and Charges Policy for 2019/2020 as enclosed with the report be adopted.

Cr Ford / Cr Schmidt CARRIED

**ADJOURNMENT OF MEETING**

**MOTION: (019/0719)**

That the Council meeting be adjourned from 10.39am and to be reconvened at 10.50am for the purpose of a morning tea break.

Cr Schmidt / Cr Ford CARRIED

**RECOMMENCEMENT OF MEETING**

The meeting reconvened at 10.58am.

**12.13 CARRIETON WATER SUPPLY – REQUEST FOR SERVICE**

**MOTION: (020/0719)**

That the application of Armando Ruggiero on behalf of Cassandra, Peter & Adrianna Ruggiero to connect to the Carrieton Water Supply be refused.

Cr Schmidt / Cr Parkyn CARRIED

## 12.14 ANNUAL LEAVE – CHIEF EXECUTIVE OFFICER

### MOTION: (021/0719)

That the annual leave for the Chief Executive Officer for the period commencing Monday 2<sup>nd</sup> September 2019 to Friday 6<sup>th</sup> September 2019 be approved and the Manager of Corporate and Community Services Ann Frick be appointed as Acting Chief Executive Officer for the period of the annual leave of the Chief Executive Officer.

Cr Ford / Cr Goehring CARRIED

## 13. FINANCIAL SERVICES REPORTS

### 13.1 FINANCIAL REPORT – 30<sup>TH</sup> JUNE 2019

#### MOTION: (022/0719)

That the financial report as at 30<sup>th</sup> June 2019 be received and noted.

Cr Ford / Cr Goehring CARRIED

## 14: PLANNING AND ENVIRONMENTAL SERVICES REPORTS: Nil

## 15: CORRESPONDENCE

### 15.1 GENERAL CORRESPONDENCE:

The following general correspondence were received:

Name	Company / Organisation	Description
Hon Justin Hanson	Member for the Legislative Council	Sharing position on the Marshall Governments plans on the Solid Waste Levy
Emma Bradbury, CEO	Murray Darling Association	Inviting Council to join the Murray Darling Association
Kelly-Anne Saffin, CEO	Regional Development Australia Yorke and Mid North	Yorke and Mid North Infrastructure Audit
Michael Lennon, Chair	State Planning Commission	Update on the first iteration of South Australia's new planning and development system in the outback
Dan van Holst Pellekaan, MP	Member for Stuart	Copies of correspondence in relation to the Orroroo Viterra site

#### MOTION: (023/0719)

That Council accept the invite of the Murray Darling Association for membership for the 2019/2020 year at a cost of \$300.28 inc GST.

Cr Goehring / Cr Ford CARRIED



## GENERAL BUSINESS:

The Chief Executive Officer advised that a request had been received from the Local Government Association, c/o – Stephen Smith, Director Policy LGA, regarding the outcomes delivered the Drought Communities Programme. A response had been submitted on the 23<sup>rd</sup> July 2019.

The Chief Executive Officer provided a verbal update on the Orroroo Community Wastewater System where works to address defects identified in the practical completion walk through will occur prior to September 2019.

### 16: CONFIDENTIAL REPORTS:

#### 16.1 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW

##### MOTION: (024/0719)

That Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all Council Officers and members of the public be excluded from attendance at the meeting for Agenda Item 16.1 Chief Executive Officer Performance Review.

The Council is satisfied that, pursuant to section 90(3)(e) and 90 (3)(j)(ii) of the Act, the information to be received, discussed or considered in relation to this Agenda Item relates to:

- matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person;
- information the disclosure of which would, on balance, be contrary to the public interest.

##### Substantiation

To allow confidential discussion and consideration of the performance review and report of the Chief Executive Officer.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because to maintain the confidentiality of the discussion and reports provided on the need to review the Chief Executive Officers Performance.

Cr Ford / Cr Parkyn CARRIED

*Mr Dylan Strong and Ms Ann Frick departed from the Chambers at 11.21am.*

**16: CONFIDENTIAL REPORTS:**

**16.1 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW**

**MOTION: (026/0719)**

That having considered Agenda Item 16.1 – Chief Executive Officer Performance Review in confidence under section 90(2) and 90(3)(e) and 90 (3)(j)(ii) of the Local Government Act 1999, the Council, pursuant to section 91(7) of that Act orders that the report, discussion, and minutes of the agenda item 16.1 – Chief Executive Officer Performance Review be retained in confidence for a period of 12 months.

Cr Goehring / Cr Parkyn **CARRIED**

*Mr Dylan Strong and Ms Ann Frick returned to the Chambers at 11.48am.*

The Chairman advised Mr Strong of the outcome of the review. She congratulated him on his exemplary professional leadership shown during the past 6 months and looked forward to working with him for the remaining of his contract.

Mr Strong thanked Councillors for their support and looked forward to the next 12 months.

**16: CONFIDENTIAL REPORTS:**

**\*LATE ITEM\***

**16.2 LEGAL ACTION – DESTRUCTION OF PROPERTY**

**MOTION: (027/0719)**

That Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except the Chief Executive Officer and Manager of Corporate & Community Services be excluded from attendance at the meeting for Agenda Item 16.2 – Legal Action – Destruction of Property.

The Council is satisfied that, pursuant to section 90 (3)(g) of the Act, the information to be received, discussed or considered in relation to this Agenda Item relates to:

- Matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty

**Substantiation**

To allow confidential discussion and consideration of the 16.2 – Legal Action – Destruction of Property agenda item.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because to maintain the confidentiality of the discussion and reports provided on the need to discuss the destruction of Council property.

Cr Ford / Cr Schmidt **CARRIED**

The time being 11.58am.

16: CONFIDENTIAL REPORTS:

\*LATE ITEM\*

16.2 LEGAL ACTION – DESTRUCTION OF PROPERTY

**16: CONFIDENTIAL REPORTS:**

**\*LATE ITEM\***

**16.2 LEGAL ACTION – DESTRUCTION OF PROPERTY**

**MOTION: (028/0719)**

That having considered Agenda Item 16.2 – Legal Action – Destruction of Property in confidence under section 90(2) and 90(3)(g) of the Local Government Act 1999, the Council, pursuant to section 91(7) of that Act orders that the report, discussion, and minutes of the agenda item 16.2 – Legal Action – Destruction of Property be retained in confidence until legal proceedings are concluded.

Cr Schmidt / Cr Parkyn **CARRIED**

The Time being 12.10am .

The Chairman advised of her intention to include in the Chairman’s Chatter for the next Goyder’s Line Gazette an article on the classifications of Council Roads and how D class roads are treated.

**17: CLOSURE:**

The meeting was declared closed at 12.15pm.

**Confirmed:**

**DATE: 28<sup>th</sup> August 2019**

**Chairman: .....**  
Cr Bowman