



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

MINUTES

Orroroo Lifestyle Units Advisory

Committee Meeting

Monday 22nd July 2019

THE DISTRICT COUNCIL OF ORROROO CARRIETON

MINUTES FOR AN ORDINARY MEETING OF THE ORROROO LIFESTYLE UNITS ADVISORY COMMITTEE HELD ON MONDAY 22nd JULY 2019 COMMENCING AT 10.05AM IN THE COUNCIL CHAMBERS, SECOND STREET ORROROO

1: PRESENT:

Elected Members: Chairman Cr Bowman, Cr Ford and Cr Parkyn

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

Invitees: Mr Malcolm Byerlee (Unit 1) & family member Mr Neil Byerlee

2: APOLOGIES: Nil

3: 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 Elected members declared any conflict of interests with agenda items.

4: CONFIRMATION OF MINUTES

4.1 Confirmation of Previous Committee Meeting Minutes

MOTION (LU001/0719)

That the minutes of the Ordinary Committee Meeting held on 3rd June 2019 be taken as read and confirmed.

Cr Ford / Cr Parkyn CARRIED

5: DEPUTATIONS AND REPRESENTATIONS – Nil

6: RESOLUTION – ACTION STATUS REPORT – Nil

7: COMMITTEE WORK PROGRAM: - Nil

8: ORROROO LIFESTYLE UNITS ADVISORY REPORTS

8.1 PROPOSED EXEMPTION OF ORROROO LIFESTYLE VILLAGE

The Committee reviewed the draft application for exemption to the Minister which was attached to the Agenda.

Mr Strong advised of the informal meeting that he had with tenant, Mr Malcolm Byerlee and son Mr Neil Byerlee regarding the proposed exemption of the Lifestyle Village and the views of Mr Byerlee. Mr Byerlee had advised his disapproval of potential termination of the village under the Act, however was likely to support an application for exemption.

The Tenant of Unit 1, Mr Malcolm Byerlee and his son, Mr Neil Byerlee were present at 10.10am.

Mr Strong explained the situation with the Units at the Village and the options available being either termination of the Village or seek the exemption of the Retirement Villages Act for the vacant units (2, 3 and 4). The Council is currently investigating the exemption option.

Mr Malcolm Byerlee spoke on the history of the Village when he was a Councillor with Council and how he is supportive of the exemption application.

The Chairman confirmed that Council needs to get a return on the investment that Council has made with the establishment of the Village.

Mr Malcolm Byerlee confirmed that he has read, understood and supports the draft exemption to the Minister.

Mr Neil Byerlee asked if all the units were rented out, what would happen when an older person that fits the criteria would like to buy into the Village, does the renter get evicted?

The Chairman confirmed that it is possible short term rental agreements would be undertaken which would allow for a unit to be available for an eligible purchaser. Mr Strong confirmed that should exemption of the units be approved, Council would need to work within the Residential Tenancies Act for all tenancies agreements and that suitable term tenancies would be sought.

Mr Neil Byerlee asked if any consideration has been given to the monetary figure that would be charged as rent as they could be better off financially to terminate their agreement and then rent the unit.

Mr Strong advised that an evaluation from a commercial operator would establish the fee structure and then tenants would be given the opportunity to consider their options.

Mr Strong advised that a review of the marketing scheme for the units would be undertaken as part of the exemption application and possible renting of the units.

Mr Strong asked if Mr Malcolm Byerlee would be able to provide a letter of support to go with Council's exemption application and offered assistance with the provision of a template letter. Mr Malcolm Byerlee confirmed that he would appreciate the template letter for his consideration and signature.

Mr Malcolm Byerlee and Mr Neil Byerlee departed from the Chambers at 10.25am.

MOTION (LU001/0719)

That the Orroroo Lifestyle Advisory Committee recommend to Council that following the confirmed support of tenant, Mr Malcolm Byerlee, that the exemption application as attached to the Agenda be lodged with the Minister and that Council offer assistance to Mr Byerlee to draft a letter of support for his signature.

Cr Ford / Cr Parkyn **CARRIED**

9: **CONFIDENTIAL REPORTS: Nil**

10: **CLOSURE AND NEXT MEETING**

The Meeting was declared closed at 10.28am.

Confirmed

Date:

Chairman:

Cr Bowman