

**MINUTES OF THE SPECIAL MEETING OF THE FLINDERS RANGES COUNCIL
HELD IN THE QUORN COUNCIL CHAMBERS, QUORN
ON FRIDAY 2 AUGUST 2019 COMMENCING AT 5:01 PM**

1. **PRESENT** Mayor PJ Slattery (in Chair)
Councillors KP Anderson, GD Flint, JIL Hipwell, PM Reynolds (from 5:05pm),
AJ Smith, SW Taylor and KJ Woolford

IN ATTENDANCE Acting CEO DW Whicker
Acting Finance & Admin Manager SR Cheriton

2. **APOLOGIES** Councillor AM Reubenicht

ABSENT Nil

GALLERY 0 persons in gallery

3. **CONFLICT OF INTEREST**

DW Whicker – Item 4.1 – CEO Recruitment – Potential Applicant
SR Cheriton – Item 4.1 – CEO Recruitment – Potential Applicant

Elected Members are reminded of the requirements for disclosure by Elected Members of a conflict of interest (whether a material conflict of interest under Section 73 of the Local Government Act 1999 (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 Act 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 Elected 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. Likewise, Staff are reminded of the requirements of Section 120 of the Act.

4. **BUSINESS ON NOTICE**

4.1 CEO Recruitment

The Acting Chief Executive Officer and the Acting Finance & Administration Manager declared an interest as potential applicants for the position and left the Chambers at 5:02pm

The Mayor provided Members with an outline of the process undertaken, the submission received and the outcome of reference checks thereon. He noted that he had held further discussions with three (3) of the parties regarding undertaking / assisting Council with the Annual CEO Performance Review process for the first two (2) years.

Councillor Reynolds entered the Meeting and assumed her seat at 5:05pm

Moved Councillor Woolford, Seconded Councillor Hipwell

That Council authorise the Mayor to engage McArthur (SA) Pty Ltd to assist Council and the CEO Selection Panel in undertaking the CEO recruitment process consistent with the Request for Quotation dated 17 July 2019 including negotiating the formal CEO Performance Review process for the first two (2) years.

CARRIED (164/2019)

The Acting Chief Executive Officer and the Acting Finance & Administration Manager returned to the Meeting and assumed their seats and left the Chambers at 5:16pm

4.2 2019-2020 Rates & Charges

4.2.1 Adoption of Capital Valuations

Councillor Taylor left the Meeting at 5:20pm

Moved Councillor Woolford, Seconded Councillor Flint

That The Flinders Ranges Council, in accordance with Section 167(2)(a) of the Local Government Act 1999, adopts for rating purposes for the year ending 30 June 2020, the valuations made by the Valuer-General of capital values in relation to all land in the area of the Council, and hereby specifies 2 August 2019 as the day as and from which such valuations shall become and be the valuations of the Council with the total of the valuations being \$266,584,520 comprising \$257,555,280 in respect of rateable land and \$9,029,240 in respect of non-rateable land before alteration .

CARRIED (165/2019)

Councillor Taylor resumed his seat at 5:22pm

4.2.2 Declaration of General Rates

4.2.2.1 Declaration of Differential General Rates

Moved Councillor Reynolds, Seconded Councillor Flint

That having taken into account the general principles of rating contained in Section 150 of the Local Government Act 1999 and the requirements of Section 153(2) of the Local Government Act 1999, The Flinders Ranges Council declares, pursuant to Sections 152(1)(a), 153 (1)(b) and 156 (1)(c) of the Local Government Act 1999, and Regulation 14(1) of the Local Government (General) Regulations 2013, the following differential general rates based on the assessed capital values of all rateable land within the Council area for the year ending 30 June 2020, the said differential general rates to vary by reference to the predominant land use of the rateable land and the locality of the land.

The said differential general rates declared are as follows:

Localities of Quorn Township, Quorn Rural Area, Hawker Township and Hawker Rural Area:

- (1) A differential general rate of 0.7100 cents in the dollar on rateable land in the Council's area of category 1 (residential) land use;
- (2) A differential general rate of 0.7600 cents in the dollar on rateable land in the Council's area of category 2 (commercial – shop) land use;
- (3) A differential general rate of 0.8700 cents in the dollar on rateable land in the Council's area of category 3 (commercial –office) land use;
- (4) A differential general rate of 0.8700 cents in the dollar on rateable land in the Council's area of category 4 (commercial – other) land use;
- (5) A differential general rate of 0.8700 cents in the dollar on rateable land in the Council's area of category 5 (industry – light) land use;
- (6) A differential general rate of 0.9700 cents in the dollar on rateable land in the Council's area of category 6 (industry – other) land use;
- (7) A differential general rate of 0.6530 cents in the dollar on rateable land in the Council's area of category 7 (primary production) land use;
- (8) A differential general rate of 0.7100 cents in the dollar on rateable land in the Council's area of category 8 (vacant land) land use;
- (9) A differential general rate of 0.9700 cents in the dollar on rateable land in the Council's area of category 9 (other) land use.

CARRIED (166/2019)

4.2.2.2 Residential General Rates Cap

Moved Councillor Reynolds, Seconded Councillor Taylor

That pursuant to Section 153(3) of the Local Government Act 1999, The Flinders Ranges Council has determined not to fix a maximum increase in the general rate to be charged on the principal place of residence of a principal ratepayer for the year ending 30 June 2020.

CARRIED (167/2019)

4.2.3 Declaration of Minimum Rate

Moved Councillor Taylor, Seconded Councillor Flint

That pursuant to Section 158(1)(a) of the Local Government Act 1999, The Flinders Ranges Council fixes a minimum amount of \$790.00 payable by way of general rates for the year ending 30 June 2020..

CARRIED (168/2019)

4.2.4 Declaration of Annual Service Charges

4.2.4.1 Garbage Annual Service Charges

Moved Councillor Woolford, Seconded Councillor Smith

That That pursuant to and in accordance with Section 155 of the Local Government Act 1999, The Flinders Ranges Council declare Annual Service Charges for the year ending 30 June 2020 based on the level of usage of the service upon the land to which it provides the prescribed service of the collection and disposal of “wet” and “recyclable” waste as follows:

- (1) \$180.00 for occupied properties in Quorn, Hawker and Cradock for “wet” waste
- (2) \$125.00 for occupied properties in Quorn, Hawker and Cradock for “recyclable” waste

CARRIED (169/2019)

4.2.4.2 Community Wastewater Management Systems Annual Service Charges

Moved Councillor Reynolds, Seconded Councillor Hipwell

That pursuant to and in accordance with Section 155 of the Local Government Act 1999, and in accordance with the Community Wastewater Management Systems Property Unit Code as provided at Regulation 12 of the Local Government (General) Regulations 2013, The Flinders Ranges Council declare an Annual Service Charges for the year ending 30 June 2020 based on the nature of the service and varying according to whether the land is vacant or occupied upon the land to which it provides or makes available the prescribed service of a Community Wastewater Management System, of:

- (a) \$400.00 per unit in respect of each piece of occupied land serviced by the Quorn Community Wastewater Management Systems
- (b) \$390.00 per unit in respect of each piece of vacant land serviced by the Quorn Community Wastewater Management Systems
- (c) \$400.00 per unit in respect of each piece of occupied land serviced by the Hawker Community Wastewater Management Systems
- (d) \$390.00 per unit in respect of each piece of vacant land serviced by the Hawker Community Wastewater Management Systems

CARRIED (170/2019)

4.2.5 Declaration of Separate Rates

4.2.5.1 Separate Rate – Regional NRM Levy

Moved Councillor Flint, Seconded Councillor Taylor

That pursuant to Section 95 of the Natural Resources Management Act 2004, and Section 154 of the Local Government Act 1999, and in order to reimburse the Council for amounts contributed to the Northern and Yorke Natural Resources Management Board, being \$45,611 for the year ending 30 June 2020, The Flinders Ranges Council declare a separate rate of 0.01780 cents in the dollar, based on the capital value of all rateable properties in the area of the Council and of the Northern and Yorke Natural Resources Management Board.

CARRIED (171/2019)

4.2.6 Declaration of Discretionary Rebate (Community Benefit)

4.2.6.1 100% Rebate

Moved Councillor Woolford, Seconded Councillor Flint

That pursuant to Section 166(1)(j) of the Local Government Act 1999, being of the opinion that the following land is being used by an organisation that provides a benefit or service to the local community, The Flinders Ranges Council grant the following organisations a 100% discretionary rebate of general rates and separate rates (excluding NRM separate rate) for the 2019-2020 financial year:

Assess No.	Organisation
48 3016701 9	Wirreanda Cottages Incorporated
48 3010810	Wirreanda Cottages Incorporated
48 3010820	Wirreanda Cottages Incorporated
48 3533300 4	Hawker Community Sports Centre Incorporated
48 3529604 7	Hawker Community Sports Centre Incorporated
74 0017200 6	Scouts Association of Australia
74 0029730 0	Flinders House Home for the Aged
74 0001601 1	Quorn Masonic Lodge No 59

CARRIED (172/2019)

4.2.6.2 100% Rebate

Moved Councillor Reynolds, Seconded Councillor Flint

That pursuant to Section 166(1)(j) of the Local Government Act 1999, being of the opinion that the following land is being used by an organisation that provides a benefit or service to the local community, The Flinders Ranges Council grant the Pichi Richi Railway Preservation Society Inc. a 100% discretionary rebate of general rates and separate rates (excluding NRM separate rate) for the 2019-2020 financial year in respect of the following assessments:

74 0000130 3; 74 0000109 8; 74 0000110 0; 74 0000140 *; 74 0000117 8; 74 0000127 4;
74 0033199 4; 74 0061802 0; 74 0061805 5; 74 0116120 2; 74 0119185 8; 74 0128230 3;
74 0131970 0; 74 0133726 3; 74 0133765 0.

CARRIED (173/2019)

4.2.7 Declaration of Discretionary Rebate (Rate Relief - Cradock)

Moved Councillor Flint, Seconded Councillor Taylor

That pursuant to Section 166(1)(l)(ii) of the Local Government Act 1999, The Flinders Ranges Council will provide relief against a change to the basis on which land is valued for the purpose of rating, rapid changes in valuations, or anomalies in valuations by granting a 70% discretionary rebate of general rates and separate rates (excluding NRM separate rate) for the 2019-2020 financial year to the principal ratepayers in respect of the following assessments in the township of Cradock, with a land use category 8:

48 3515955 2; 48 3516220 9; 48 3517205 2; 48 3517225 5; 48 3517250 3; 48 3518050 3;
48 3518200 7; 48 3519365 4; 48 3520150 3; 48 3520400 *; 48 3520980 4; 48 3521000 4;
48 3518009 5; 48 3518560 3; 48 3518905 7; 483519250 4.

CARRIED (174/2019)

4.2.8 Declaration of Payment of Rates

Moved Councillor Hipwell, Seconded Councillor Flint

That pursuant to Section 181(1) & (2) of the Local Government Act 1999, The Flinders Ranges Council declare that all rates for the year ending 30 June 2020 be payable by four (4) equal or approximately equal instalments, with the:

- first instalment payable on or before 27 September 2019;
- second instalment payable on or before 1 December 2019;
- third instalment payable on or before 1 March 2020; and
- fourth instalment payable on or before 1 June 2020.

CARRIED (175/2019)

4.2.9 Adoption of Rating Policy

Moved Councillor Hipwell, Seconded Councillor Flint

That pursuant to Section 150 of the Local Government Act 1999, The Flinders Ranges Council adopts the Rating Policy dated 2 August 2019 as distributed with the Agenda for the financial year 2019-2020 subject to the removal of wording relating to Rural Agricultural Small Councils page 4 and the inclusion of information regarding the increase in the Solid Waste Levy and potential future changes to the contractual costs for recycling and refuse collection.

CARRIED (176/2019)

4.2.10 Drought Support & Assistance

The Meeting considered a draft outline of materials associated with the Primary Production Drought Rate Relief and the overarching rules & conditions. Following due consideration, Council confirmed the general outline and direction and affirmed that the process needed to be as simple and straight-forward as possible and without the need for a formal Statutory Declaration.

4.3 CEO Resignation Matters

Moved Councillor Flint, Seconded Councillor Taylor

That:

- a. pursuant to Section 90(2) of the Local Government Act 1999, the Council orders that all members of the public with the Exception of the Acting Chief Executive Officer and Acting Finance & Administration Manager be excluded from attendance at the meeting for Agenda Item 4.3 – CEO Resignation Matters;
- b. the Council is satisfied that pursuant to Section 90(3)(a) of the Local Government Act 1999, the information to be received, discussed or considered in relation to the Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and
- c. 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 it is directly related to the contract conditions and entitlements calculation for the Chief Executive Officer.

CARRIED (177/2019)

Council moved into Confidence and all members of the public left the Chambers at 5:50pm



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Meeting moved out of Confidence and was reopened to attendance of the Public at 6:15pm

Moved Councillor Anderson, Seconded Councillor Smith

That having considered Agenda Item 4.3 – CEO Resignation Matters in confidence under Section 90(2) and (3)(a) of the Local Government Act 1999, that Council pursuant to Section 91(7) of the local Government Act 1999 orders that the minutes and discussion be retained in confidence for a period of one (1) year and that Council review this order for formal extension prior to this time.

CARRIED (180/2019)

5. MEETING CLOSED AT 6:16 PM

Confirmed at the Meeting held on 20 August 2019

..... MAYOR

Certified to be a true and accurate record of the Minutes of the Meeting held on 2 August 2019

..... ACTING CHIEF EXECUTIVE OFFICER