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*for the meeting of*  
**LIGHT REGIONAL COUNCIL**

**TUESDAY, 20 JULY 2010**

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**LIGHT**  
REGIONAL  
COUNCIL

## **VISION & ASPIRATIONS**

*A vibrant and growing community to be supported by quality infrastructure, a sustainable environment and excellent services that meet everybody's needs and maintains our unique lifestyle.*

## **AGENDA PAPERS**

*for the meeting of*

## **LIGHT REGIONAL COUNCIL**

*in the*

**COUNCIL CHAMBER**  
*93 Main Street, Kapunda*

**TUESDAY, 20 JULY 2010 at 4.30pm**

**Principal Office:** 93 Main Street  
Kapunda 5373

Telephone: 8525 3200  
Facsimile: 8566 3262

**Branch Office:** 12 Hanson Street  
Freeling 5372



**LIGHT**  
REGIONAL  
COUNCIL

## NOTICE OF MEETING

Mayor and Councillors,

**Notice** is hereby given pursuant to the provisions of Section 83 (3) of the Local Government Act, 1999, that the next **Ordinary Meeting of Council** will be held in the Council Chamber, 93 Main Street, Kapunda on **Tuesday, 20 July 2010** at 4.30pm

A copy of the Agenda for the above meeting is supplied as prescribed by Section 83 (3) of the said Act.

.....  
Brian Carr  
CHIEF EXECUTIVE OFFICER

14 July 2010

## AGENDA

MONTHLY COUNCIL MEETING HELD ON TUESDAY, 20 JULY 2010,  
IN THE COUNCIL CHAMBER, 93 MAIN STREET, KAPUNDA,  
COMMENCING AT 4.30PM

1. **PRESENT**
2. **OPENING**
3. **APOLOGIES**
4. **MINUTES**
  - 4.1 CONFIRMATION OF COUNCIL MINUTES
  - 4.2 COMMITTEE MEETING MINUTES
5. **COMMUNICATIONS**
  - 5.1 MAYOR'S COMMUNICATIONS
  - 5.2 ELECTED MEMBERS' REPORTS
    - 5.2.1 **Schedule of Meetings Attended**
    - 5.2.2 **Delegate / Representative Reports**
  - 5.3 PRESENTATIONS TO COUNCIL
    - 5.3.1 **Public Forum (At 6:40pm)**
6. **DECLARATION OF INTEREST BY MEMBERS OF COUNCIL**
7. **HEARING OF REPRESENTATIONS**
8. **PETITIONS, DEPUTATIONS**
  - 8.1 PETITIONS
  - 8.2 DEPUTATIONS
9. **BUSINESS ARISING**
10. **REPORTS FOR DECISION**
  - 10.1 CHIEF EXECUTIVE OFFICER
  - 10.2 GENERAL MANAGER, BUSINESS & GOVERNANCE
  - 10.3 GENERAL MANAGER, DEVELOPMENT & REGULATORY SERVICES
  - 10.4 GENERAL MANAGER, STRATEGY, PROJECTS & ENGINEERING
  - 10.5 GENERAL MANAGER, INFRASTRUCTURE & WORKS
11. **REPORTS FOR INFORMATION**
12. **PROCEDURAL MATTERS**
  - 12.1 QUESTIONS WITHOUT NOTICE
  - 12.2 QUESTIONS ON NOTICE
  - 12.3 DEFERRED MOTION
  - 12.4 NOTICE OF MOTION
  - 12.5 MOTIONS WITHOUT NOTICE
13. **CONFIDENTIAL ITEMS**
14. **MEETINGS**

The next ordinary meeting of Light Regional Council will be held on Tuesday, 17 August 2010, commencing at 4.30pm in the Council Chamber, 93 Main Street, Kapunda.
15. **CLOSURE**

## 4. MINUTES

### 4.1 CONFIRMATION OF COUNCIL MINUTES

- 4.1.1 [Minutes of the meeting of Council held Tuesday, 15 June 2010.](#)
- 4.1.2 Confidential minutes of the meeting of Council held Tuesday, 15 June 2010.
- 4.1.3 [Minutes of the special meeting of Council held Tuesday, 22 June 2010.](#)
- 4.1.4 [Minutes of the special meeting of Council held Tuesday, 13 July 2010.](#)

#### ***Recommendation***

- That the minutes and confidential minutes of the meeting of Council held Tuesday, 15 June 2010 be confirmed as a true and correct record of that meeting.
- That the minutes of the special meeting of Council held Tuesday, 22 June 2010 be confirmed as a true and correct record of that meeting.
- That the minutes of the special meeting of Council held Tuesday, 13 July 2010 be confirmed as a true and correct record of that meeting.

### 4.2 COMMITTEE MEETING MINUTES

- 4.2.1 Light Regional Council Audit Committee
- 4.2.2 Light Regional Council Infrastructure & Works Committee
- 4.2.3 Light Regional Council Audit Committee
- 4.2.4 Light Regional Council Rating Policy Advisory Review Committee

#### ***Recommendation***

That the minutes of the meetings of the following Section 41 committees of Council be received:

- [Light Regional Council Audit Committee held Tuesday, 8 June 2010.](#)
- [Light Regional Council Infrastructure & Works Committee held Tuesday, 22 June 2010.](#)
- [Light Regional Council Audit Committee held Tuesday, 6 July 2010.](#)
- [Light Regional Council Rating Policy Advisory Review Committee held Tuesday, 6 July 2010.](#)

## 5. COMMUNICATIONS

### 5.1 MAYOR'S COMMUNICATIONS

### 5.2 ELECTED MEMBERS' REPORTS

#### 5.2.1 **Schedule of Meetings Attended**

#### 5.2.2 **Delegate / Representative Reports**

##### 5.2.2.1 **Sixth Annual Conference on the Future of Local Government (2010)** **- Report by Cr Jane Alcorn**

#### **The future of Local Government journey to date**

The conference was opened by **Geoff Lake** (President of ALGA) and he pointed out that both Climate Change and Peak Oil are already having an effect on Local Government and its operations, despite the apparent surprise to our communities. He suggested that Peak Oil will have an impact on communities before Climate Change, with predictions of \$8/litre petrol by 2018. There will be changes for communities and Local Government will need to assist in these changes.

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Previous conferences in this series have addressed the need to embrace change rather than attempting to avoid it. Specific strategies involving community plans, collaboration, shared services and accountability through measuring performance have all been addressed in recent years.

In 2008 and 2009 there was considerable discussion about the fact that State and Federal governments have lost communication with the community and the problem of "top down" administration of policy (eg installation of insulation by the Federal Government) is less practical than "bottom up" planning that includes community input. While some Councils are becoming better at this there is a need for Local Government to become pro-active in assisting and guiding communities to participate in decision-making. This involves a change for Councils from merely delivering services to place-shaping that reflects the aspirations of the community.

*(I have included some of the comments that I had written on my programme as the conference progressed. These are italicised and bracketted to differentiate these from the speakers information.)*

"Why reform is the name of the game" Ron Ben-David, Chairperson, Victorian Essential Services Commission.

The speaker attempted to tease out the reason for the difficulty in reporting on service delivery. By looking at the history of Councils and their changing responsibilities, it became obvious that the ad hoc setting up of local authorities originally means that the Local Government Act does not give a clear framework for reporting.

*(As I listened to this information, I was reminded that the LGA in SA, to its credit, has taken a pro-active approach to linking strategic plans and reporting, if mainly in the area of financial KPI's and their assessment.)*

This still leaves the difficult issue of how to assess service delivery that is often ambiguous and complex; and how to report the effectiveness of the services from the point of view of the residents. Community satisfaction surveys (relatively stable since 2002) have attempted to do this, though the consistency of these results may be due to the lack of information for residents to make accurate assessments. Orthodox models of service assessment are not useful in such complex situations.

During the questions after this topic, it was suggested that reporting might be more useful when made available to the community, rather than the State Government (which does not need to report its performance either.)

**"The changing role of Local Government" Peter McKinlay (McKinlay Douglas Ltd).**

Mr McKinlay is from NZ, but he is also the representative of NZ on the Research Advisory Group of the Commonwealth Local Government forum.

The lack of inclusion in the constitution and the consequent lack of influence is an issue for Local Government in Australia. *(This issue has been discussed in Local Government meetings in South Australia in the past.)*

However, the actual role of Local Government as an advocate for the community makes community leadership and governance at least as important as the actual service management. The policy decisions made and governance strategies are as important as the actual service management. "Top down" control of services (due to that control being tied to revenue raising ability) often delivers poor outcomes due to lack of community engagement. The speaker referred to a paper entitled "The Public Service Paradox" (available online) published by the Commission on Public Sector Reform in the North East (UK), and while this paper concerned specific issues in the UK, there are some lessons to be learned about the lack of good outcomes that follow from this lack of real community engagement.

Local Government is, by default, a monopoly with respect to some services, and even with the best intentions they can behave like monopolies because it is hard to change the way that things have always been done. There are some creative approaches that might be better. State Governments are becoming de facto governments for the metropolitan areas, more attuned to issues of trade and gross infrastructure. Social services require local knowledge and Local Government agencies are best placed to advocate for local people and manage the governance issues of service delivery.

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*(Some of the examples that were suggested here are already being implemented in South Australia, though there are further opportunities for innovative approach, particularly in areas where community input could be used to advantage).*

**"The Manifesto for Londoners: a better way" Paul Raynes, Programme Director, UK Local Government Association.**

The next speaker, Paul Raynes, was not available in person, having been "sidetracked" by the British elections. However he provided a very good video presentation from the UK LGA office which is situated at Westminster.

In the past, in Britain, decisions have been made at a national level and implemented by local Councils, with services having to be identical for all Council districts.

The new government cannot afford this central control due to its unsustainable debt. The global financial crisis has required changed strategies in service delivery. Policy makers have found that centralisation does not solve problems. Suddenly, local decisions are being allowed and Councils are doing their own social planning. Pilot programmes have shown better outcomes and financial savings due to rationalisation of services and assets and the elimination of many inspectors and middle-men. Earlier intervention in social and community welfare also saves money, and this can only be managed at a local level.

Once again, community engagement is seen to be the key to success in this decentralising of Local Government control.

**"Living in 2030: An experiment in survival". Williamstown High School (Victoria).**

**Steve Cooke** (Principal) spoke about the importance of education to the change in behaviour that is needed for adaptation to climate change and peak oil. The construction of a new school building presented an opportunity to use and innovative design and develop a model school for environmental education, including a marine biology department, a small business opportunity and a wetland. Local Government support was crucial to much of this. Over five years the environmental curriculum has been developed with the idea that young people could be the agents of change in the community; and this change needs to be a cultural change, using less energy in the future that these young people will inhabit.

The implication from the speaker was that not only schools need to become more creative in their operations, but Councils too, need to consider the changes that will be required by a reduction in energy supplies and climate change.

**Community Planning: Listening to the voice of the people has its advantages. Louisa White (Golden Plains Council)**

*(During the morning I had been hearing about "community plans" that had been introduced at previous "Future of Local Government" conferences. Here, the speaker introduced such a plan and its effect on Council.)*

The Council district includes 35 towns in a mainly rural area, though with more urban development in recent times. When the idea of a community plan was introduced there were concerns about whether all towns might benefit. In the first year, only five towns participated. This has grown so that now, ten years later, there are plans for more than 20 communities. These plans are not determined by Council. The community "owns" the plan. There is a need for a community coordinator and an external facilitator (who is not a part of Council.) The facilitator assisted with grant applications, dealing with government departments and linked with other towns and communities.

There is no legal requirement for community plans, but they make sense because the community is able to decide what they need and how to manage long term goals.

This kind of "bottom up" planning and management has advantages for Councils also. These plans are used in Council consultation procedures and provide information that is unique to each community, at less cost and, because more voices are heard, the Council is able to advocate more easily and equitably for the community.

In the case of Golden Plains Council, there have been times when the complexity of this consultative process has been questioned but with a return to "first principles", making use of pre-existing community groups and committees, and the facilitator (contracted and paid for by the Council) is able to report back to Council with useful and relevant information.

The only other point that was noted was that the natural ebb and flow of community energy does change the amount that can be achieved at any particular time.

**"Transition communities and Energy Descent Action Plans", Andrew Lucas**

In a similar vein to Community Plans, some communities are developing Energy Descent Action Plans as a response to more expensive and scarce fuel and climate change. An increase in resilience is seen as a way of mitigating the effects of peak oil, reducing the reliance on the amount of goods and services that are imported and transported over great distances, causing a disconnect from the means of support that we need to sustain our communities. It has been estimated that the "bigger, better" houses, cars and gadgets have allowed us to live as if we had 150 slaves working for each of us, making us "energy gluttons" and leaving our communities in a precarious, unsustainable position as cheap energy declines.

Andrew Lucas (from Transition Town Bell, near Geelong) discussed a few of the initiatives that have been introduced, with the help and support of the Council. These include appropriate technology and bulk purchase of some items from solar technology to fruit trees and backyard wood ovens, permablitz and backyard chickens, backyard food production and links to small local businesses.

There are now 20 Councils in Victoria which have EDAPs and there are 20 more in the process of developing such a plan. It is anticipated that all Victorian Councils will have EDAPs.

**"Planning for Peak Oil", Grace Girardi, Maribyrnong City Council**

Maribyrnong Council has had a Peak Oil Policy for a couple of years now. They have also developed an Action Plan and a Risk Assessment for all Council operations.

Initially, there was a lot of scepticism. However, there is now a general acceptance that Peak Oil will have an impact on transport, sustainability and energy use. Lloyds of London are now predicting energy shortages by 2013 to 2015 and this has a number of severe implications. A number of Council services are expected to be effected. These include the IT department as people work from home, waste management, cottage industries and urban agriculture beginning in neighbourhoods might change waste management and other services such as "meals on wheels" might be effected. It is hard to get people to change their behaviour quickly, and so there were some preparations for the policy changes. A speaker from ASPO (Association for the Study of Peak Oil) provided a workshop and Councillors attended a conference concerned with Peak Oil. It was decided that there is an obligation to address any oil shock as if it was a catastrophic risk in order to avoid accusations of negligence.

A decision was made to reduce energy consumption by 3% per year. A plan was developed, using the "Portland, Oregon" plan as a base and focussing on the perceived risks. Contingency plans were adopted and specific action plans were developed. Budget implications were taken into account as the plan was developed.

The 3% goal is achievable and Council and the community are both stakeholders in this policy planning.

During the question time, other issues were canvassed. Despite purchasing "green energy", the energy embedded in so much of the inventory and activities of Council are considerable.

There is now considerable support from the Maribyrnong community though many are not well engaged except as the cost of energy effects food security and transport.

**"What is a Better Place?" Guy Pross, Better Place Pty Ltd**

"Better Place" is a company that plans to introduce the infrastructure for electric vehicles to refuel their batteries in several countries, including Australia. The plan is to introduce "charging spots" in Brisbane, Sydney and Melbourne. The company sees the batteries in the cars as an energy storage facility that could moderate the peak demand through a computerised system that would recognise each vehicle and their varying requirements for commuting and the option of remaining connected to the grid while parked.

**"Navigating in a fast changing world", Mike McCallum, Chairman and CEO, Global Foresight Network.**

*(Reading the precise of this talk made it seem less relevant to my small corner of the community, but as the speaker explained his thesis, this turned out to be one of the most interesting talks of the meeting.)*

In the past, energy has been cheap, economic growth was able to continue with constantly increasing consumption each year and organisations were based on the efficient machine model. This includes Councils.

"These, along with many of the models that support it, are past their use by date."

It will be necessary to reduce consumption (for everyone to live as we do, we would need four planets to provide sufficient resources!) Cheap energy is over, we need to use less, there is only 10% of the fish population remaining (compared with what used to be there before our more efficient fishing methods) and the gas from plasma television sets is now found in the atmosphere at latitude 40S.

*(By this time I was feeling a little demoralised!)*

The good news is that Councils are in a better position to change their operations than some other entities. Organisations need to be more integrated, operating more as a network than as a hierarchy and making use of innovation and optimisation rather than efficient in the old sense of the word. Councils can no longer respond to the "I want" instant needs, but will need to use fewer resources to create higher value and more integrated communities.

*(This reminded me of our new means of dealing with the Roseworthy development using the Gibaran Institute.)*

Until now, everything has served the finance sector; in the future, everything must serve the environment. The rate of change is increasing, and will continue to do so. Change over the next 10-15 years will be great, but we don't require change from the community. In fact, politicians compete to soften the effects of change because this is more comfortable.

This presents challenges, but it is also an opportunity.

There needs to be a new view of the future and the sooner that change is accepted and embraced, the easier it will be for communities and Councils.

**"Future scenarios: How communities can adapt to Peak Oil and Climate Change" David Holmgren, internationally known as the co-originator of the permaculture movement and leading sustainability innovator.**

David Holmgren has written at length about peak oil and the effect that this will have on our communities. When looked at over the long term (10,000 years) the use of energy and resources has so far increased exponentially. Any exponential increase is not sustainable in the long term. This has caused what has been called "post-modern cultural chaos".

We are at or past "peak oil" and energy use will decline. The question is whether this decline is managed or chaotic.

Permaculture (which includes more than just gardening and food production) is the creative response to the energy descent pathway.

**"Sunshine Coast's Energy Descent Action Plan". Sonya Wallace, project co-founder and co-ordinator.**

Many towns are developing community plans in cooperation with Councils. Many of these communities are aware that these need to include an EDAP. The Sunshine Coast Energy Action Centre (SEAC, a community group) developed Australia's first EDAP, and in 2007, joined the Transition Network. The group now assists other communities and Councils through the same process.

The communities have used many permaculture design principles and, without arguing the merits of climate change or peak oil, the communities have made use of a positive action agenda. The communities and groups have worked with Council. Local government is the area of government that takes the brunt of any problems or emergencies because they are the closest to the community. (*Many of us heard about this from the Mayor whose Council had to manage the services to the community after the Victorian bushfires.*) Local government can't actually do all that is needed, but needs support from individuals.

Sunshine Coast Council has passed a climate change strategy and plan that includes the issue of peak oil. A climate change strategy is required by the Queensland State Government as a part of a risk management strategy that has three stages. 1. Identify the risk. 2. Assess the implications. 3. Mitigate the effects and adaptation to change.

The "Energy Transition Project Group" (a part of the SEAC) is assisting Council with the third step that is required by the state government.

The Council is also developing an "in house" plan for its own operations and plans to be carbon neutral by 2020.

The next things to be done: "time for an oil change", EDAP workshops for Council staff, roll out of EDAP for the community and Council, assisting other Councils with EDAPs and community engagement and local EDAPs in separate towns.

For information contact Sally Wright (Sunshine Coast Council.)

#### **"Telework: rethinking transport and work choices". Bevis England, New Zealand**

One of the responses to peak oil that has been suggested more than once is working from home. Using modern technology and a number of changes in thinking, "teleworking" is becoming more feasible and more popular. The speaker is a consultant on this subject and more information can be found at [www.teleworkaustralia.com.au](http://www.teleworkaustralia.com.au)

#### **Visioning the future for local government: Identifying "Golden Age" and "Doomsday" scenarios**

After all that we had heard over two days, there was an opportunity to consider a vision for the future of local government. Would this be a "golden age" or "doomsday"?

Discussions were held in smaller groups and the group that I was a part of consisted of a cross-section of Councillors and staff and management that had assembled from an assortment of different kinds of Councils... rural and metropolitan, small and large. While many problems were different for the different sorts of Councils, there was a general consensus that Local Government is in a position to make some significant contributions to the lives of the people in our communities.

The final report, including the discussions from other groups, will be sent to participants in the next few weeks.

### **5.3 PRESENTATIONS TO COUNCIL**

#### **5.3.1 Public Forum (at 6:40pm)**

##### Public Forum Protocol

- *Members of the public wishing to participate in the public forum shall register in writing for the right to do so with Council's Chief Executive Officer by 5.00pm of the day prior to the Council meeting.*
- *The Mayor has control over the public forum and has the discretion to accept (or not) and terminate both question and response.*
- *The statement or question, if allowed, will be recorded in the minutes of the Council meeting.*
- *The session shall commence at 6.40pm – a maximum of five (5) representations will be heard at the meeting.*

### **6. DECLARATION OF INTEREST BY MEMBERS OF COUNCIL**

7. **HEARING OF REPRESENTATIONS**8. **PETITIONS, DEPUTATIONS**8.1 **PETITIONS**8.2 **DEPUTATIONS**9. **BUSINESS ARISING****Arising from Meeting of 17 June 2008**

Item No.	Minute	Page No.	Current Status of Matter
10	<b>REPORTS FOR DECISION</b>		
10.2	<b>Deputy Chief Executive Officer</b>		
10.2.4	Gawler River Primary School House	162	Project Team established and met (early March 2010) to prioritise and assign tasks and to liaise with state government and community representatives. State Government being contacted. <i>Ongoing</i>

**Arising from Meeting of 20 January 2009**

Item No.	Minute	Page No	Current Status of matter
10.3	<b>Corporate Manager, Community Development</b>		
10.3.1	Freeling BMX Track / Youth and Community Park	4	Draft Freeling Community Recreation Survey developed, being circulated amongst S,P&E reps before community circulation. Results to be collated prior to further Council consideration in 2010. <i>Ongoing</i>

**Arising from Meeting of 18 August 2009**

Item No.	Minute	Page No	Current Status of matter
10.2	<b>General Manager, Business &amp; Governance</b>		
10.2.4	Gawler River Floodplain Management Authority, Proposal to Purchase Closed Road	205	Memorandum of Transfer executed to transfer land contained within the closed road to the Gawler River Floodplain Authority who will then progress the merger of the closed road with their property. Further documentation to follow in due course. No further update at this time. <i>Ongoing</i>

**Arising from Meeting of 15 September 2009**

Item No.	Minute	Page No	Current Status of matter
12.5	<b>Notice of Motion</b>		
12.5.1	Sturt Road/Roehr Road Bridge – Notice of Motion from Cr Ron Kubisch	252	No immediate action required. Matter for consideration of I&AMP Project Team. Bridge assessment for Sturt Road Bridge included in Draft Budget 2010-2011 Financial Year. <i>Ongoing</i>

<b><u>Arising from Meeting of 20 October 2009</u></b>			
<b>Item No.</b>	<b>Minute</b>	<b>Page No</b>	<b>Current Status of matter</b>
10.1	<b>Chief Executive Officer</b>		
10.1.1	Kapunda Recreation Grounds (Kapunda Harness Racing Club)	258	Meeting held 6 July 2010 and further meeting to be held Thursday, 15 July 2010 to discuss detailed work and to clarify previous meeting discussions. <i>Ongoing</i>
10.5	<b>General Manager, Infrastructure and Works</b>		
10.5.2	Davidson Reserve Pontoon – Budget Considerations \$45,000 – work to be done in house	311	Works ongoing, pontoon work completed, landscaping and planting nearing completion. Minor works and basin on amenities block to be completed. <i>Ongoing</i>
12.5	<b>Confidential Motion Without Notice</b>		
12.5.1	Waste Collection and Disposal	314	(B&G) Legal opinion requested from Norman Waterhouse. <i>Ongoing</i>
<b><u>Arising from Meeting of 17 November 2009</u></b>			
<b>Item No.</b>	<b>Minute</b>	<b>Page No</b>	<b>Current Status of matter</b>
10.4	<b>General Manager, Strategy, Projects &amp; Engineering</b>		
10.4.2	Wasleys Institute, Small Hall and Public Amenities Block.	320	Additional down pipes fitted for improved storm water control. Contractor to be engaged by D&RS for further works. <i>Ongoing</i>
13	<b>Confidential Items</b>		
<b><u>Arising from Meeting of Wednesday, 20 January 2010</u></b>			
<b>Item No.</b>	<b>Minute</b>	<b>Page No</b>	<b>Current Status of matter</b>
10.1	<b>Chief Executive Officer</b>		
10.1.1	Organisational Study – Progress Report.	3	<i>Completed</i>
10.4	<b>General Manager, Strategy, Projects &amp; Engineering</b>		
10.4.3	Kapunda Tourism & Urban Design Sunset Working Party.	7	Purchase order raised for seats (& table). Plaques ordered. Installation to occur upon receipt of items. <i>Ongoing</i>
12.5	<b>Motions without Notice</b>		
12.5.3	Plush Street, Greenock	12	Works commenced on site in line with revised project schedule. <i>Ongoing</i>
<b><u>Arising from Meeting of Tuesday, 16 February 2010</u></b>			
10.2	<b>General Manager, Business &amp; Governance</b>		
10.2.1	Road Reserve Permit – Ronan Road, Hamley Bridge	18	Road Rental Invoice raised <i>Completed</i>
10.2.2	Sections 884, 885 and 886, Hundred of Mudla Wirra, Gawler River	19	Community Land Management Plan yet to be drafted and lease renewal document yet to be advertised. <i>Ongoing</i>

10.2.3	Community Wastewater Management Scheme, Application for Separate Charge Rebate, Greenock	19	Council agreed, at the 18 May 2010 Council meeting, subject to various provisos to a partial rebate of the CWMS annual maintenance charge on Kentia Development Pty Ltd land subdivision. Included in Draft 2010-2011 Budget Proposals. <i>Completed</i>
10.4	<b>General Manager, Strategy, Projects &amp; Engineering</b>		
10.4.1	Kapunda Closed Circuit Television Memorandum of Understanding – MOU	21	Waiting for original MOU document to be received from SAPOL for signing. <i>Ongoing</i>
<b><u>Arising from Meeting of Tuesday, 16 March 2010</u></b>			
10.2	<b>General Manager, Business &amp; Governance</b>		
10.2.2	Sections 884, 885 and 886, Hundred of Mudla Wirra, Gawler River	34	Refer Item 10.2.2 of 16 February 2010 and to 10.2.4 Council meeting dated 20 April 2010. <i>Ongoing</i>
10.4	<b>General Manager, Strategy, Projects &amp; Engineering</b>		
10.4.2	Kapunda Community Shed	39	Advice being sourced from Golders & Associates on appropriate use for the former Depot site. Positive verbal advice received. Awaiting confirmation in writing prior to 'change of use' Development Application. <i>Ongoing</i>
10.4.3	Demolition of the Freeling Railway Station Building	40	Development application lodged for demolition approval. I&W to then undertake the delivery. I&W also aiding RSL members to move items from the Freeling Railway Station Building. <i>Ongoing</i>
10.5	<b>General Manager, Infrastructure &amp; Works</b>		
10.5.1	Major Plant – Infrastructure & Works Department	42	All plant has been received, the issue of disposing of the Vibrating roller is the only item that is outstanding. <i>Ongoing</i>
12.5	<b>Motions without Notice</b>		
12.5.1	Bike/Hiking Track, Kapunda	45	Awaiting feedback from DTEI to determine whether their view on shared use opportunities in rail corridor has changed from previous discussions around the Kapunda corridor. Pending response, project will undergo consideration in line with long term strategic and financial plans. <i>Ongoing</i>
<b><u>Arising from Meeting of Tuesday, 20 April 2010</u></b>			
10.2	<b>General Manager, Business &amp; Governance</b>		
10.2.4	Sections 884, 885 and 886, Hundred of Mudla Wirra, Gawler River	57	A Community Land Management Plan yet to be drafted, Advertisements for lease renewal to be placed. <i>Ongoing</i>
10.5	<b>General Manager, Infrastructure &amp; Works</b>		
10.5.1	Freeling Institute	75	Institute now has props supporting the wall and protective fencing around it. Septice repairs have also been completed. <i>Ongoing</i>

10.5.2	Capital Roadworks Program – 2009/2010	76	<i>Completed</i>
12.5	<b>Motions without Notice</b>		
12.5.1	Victor Road, Greenock – Traffic Counters	78	S,P&E undertook Traffic Counts in May 2010. Results formed part of considerations for 2010/2011 capital works program. <i>Completed</i>
13	<b>Confidential Items</b>		
13.1	Waste Management Strategy – Post Kapunda Landfill site closure (30 June 2010)	78	S,P& E and I&W. <i>Ongoing</i>
<b><u>Arising from Meeting of Tuesday, 18 May 2010</u></b>			
8.1.1	Inclusion of Road networks within Marananga and Seppeltsfield townships into Council Roadworks Program	87	(SP&E) Traffic counts to be undertaken on various roads in locality. Information/ results to be considered in line with IAMP and LTFP discussions. Report to be returned to Council. <i>Ongoing</i>
10.4	<b>General Manager, Strategy, Projects &amp; Engineering</b>		
10.4.2	Dutton Park Native Animal Enclosure	89	Community survey on hold pending resolution of future use of area by local sporting clubs (Bowling). <i>Ongoing</i>
11	<b>Reports For Information</b>		
11.4	Information Folders	90	AIM has sent a draft folder design which has been vetted by the General Managers. AIM has been advised to proceed with the production of the folders. <i>Completed</i>
12.5	<b>Motions without Notice</b>		
12.5.2	'Caution Children' Signage	91	I&W have written to Member for Light as directed. <i>Ongoing</i>
12.5.3	40kmph Speed Limit Signage – Hill Street	92	Traffic counts have been undertaken, Council officers considering traffic calming options. Further report to be provided once all options have been considered by S,P&E and costed by I&W. <i>Ongoing</i>
<b><u>Arising from Meeting of Tuesday, 8 June 2010</u></b>			
<b>General Manager, Business &amp; Governance</b>			
5.1	Light Regional Council Rating Advisory Committee, Membership Resignation	94	Resolved to admit two new members to the Committee Mr Kennelly & Ms Walsh, Rating Committee held 6 July 2010. <i>Completed</i>
<b>Manager, Libraries</b>			
5.2	LINK Regional Library Project, Legal Document Execution	94	Ratified by Council to execute document. Currently waiting on other LINK Councils to ratify same. <i>Ongoing</i>
<b>Finance Manager</b>			
5.3	3rd Quarter Budget Review (31 March 2010)	95	<i>Completed</i>

5.4	2009/2010 Financial Year, Anticipated Commitments Listing	104	<i>Completed</i>
<b>General Manager, Business &amp; Governance</b>			
5.5 and 5.6	2010/2011 Draft Annual Business Plan and Budget; and Draft Long Term Financial Plan	104	Deferred to June 15 meeting. Public Consultation commenced concluding on 13 July 2010 at which time a Special Meeting at Council was held to hear submissions from the public concerning Councils Draft Annual Business Plan, Budget and Long Term Financial Plan documents. <i>Ongoing</i>
<b><u>Arising from Meeting of Tuesday, 15 June 2010</u></b>			
10.1	<b>Chief Executive Officer</b>		
10.1.1	Gibaran Learning Group	109 & 125	Program Initiated. <i>Completed</i>
10.2	<b>General Manager, Business &amp; Governance</b>		
10.2.1	Caretaker Policy	109	Policy adopted. <i>Completed</i>
10.2.2	Wasleys Recreation Ground, Outstanding Loan Commitment	120	Debt written off. <i>Completed</i>
10.2.3	2010/2011 Draft Annual Business Plan and Budget; and Draft Long Term Financial Plan	120 & 122	Public Consultation commenced concluding on 13 July 2010 at which time a Special Meeting at Council was held to hear submissions from the public concerning Councils Draft Annual Business Plan, Budget and Long Term Financial Plan documents. <i>Agenda</i>
10.3	<b>General Manager, Development &amp; Regulatory Services</b>		
10.3.1	Entertainment Consent, Ridley Arms Hotel, Wasleys (34-36 Annie Terrace, Wasleys)	120	The General Manager – Development and Regulatory Services has advised the Office of the Liquor and Gambling Commissioner that Council does not support the granting of an entertainment licence but does not object to the request to operate the beer garden at limited times. <i>Completed</i>
10.4	<b>General Manager, Strategy, Projects &amp; Engineering</b>		
10.4.1	Roseworthy Township Working Party	121	Expression of interest period now open. Report and recommended candidates to be returned to Council in coming months. <i>Ongoing</i>
10.4.2	Park Range Estate – Community Land Revocation	121	Public exhibition process commenced as directed. <i>Completed</i>
10.5	<b>General Manager, Infrastructure &amp; Works</b>		
10.5.1	Infrastructure & Works Draft Budget 2010/2011	122	<i>Agenda</i>
12.5	<b>Motions without Notice</b>		
12.5.1	School Bus Routes	124	Council (I&W) is contacting local schools requesting current designated bus routes to enter into its GIS database. This information will assist in determining priorities as part of the I & AMP. <i>Ongoing</i>

13.	<b>Confidential Items</b>		
13.1	Kapunda Institute Toilets Project	126	(SP&E) <i>Ongoing</i>
<b><u>Arising from Meeting of Tuesday, 22 June 2010</u></b>			
5.1	<b>Chief Executive Officer</b>		
5.1.1	Peter Beare Briefing – Council Lawyers	129	
5.1.2	Roseworthy Memorandums of Understanding – (a) Urban Design/ Planning Process, (b) Stakeholder/ Consultation.	129 & 130	MoU Execution to occur in presence of Minister on 23 July 2010. Follow-up actions including 'Initial Meeting' with interested stakeholders to follow. <i>Ongoing</i>
5.1.3	Roseworthy – Sustainability Discussion Paper	131	CEO – Information only. <i>Completed</i>
5.2	<b>General Manager, Business &amp; Governance</b>		
5.2.1	Light Regional Council Rating Policy Review Advisory Committee – Community Representative Nominations	131	Community Representatives appointed. <i>Completed</i>
7.6	<b>Motions Without Notice</b>		
7.6.1	2010/2011 Capital Works Programs	132	<i>Agenda</i>

## 10 **REPORTS FOR DECISION**

### 10.1 **CHIEF EXECUTIVE OFFICER**

NIL REPORTS

### 10.2 **GENERAL MANAGER, BUSINESS & GOVERNANCE**

NIL REPORTS

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## 10.3 GENERAL MANAGER, DEVELOPMENT & REGULATORY SERVICES

### 10.3.1 **Development Assessment Timeframes and Statistics – Residential Code**

**File:** 205-1-27

**Appendix:** [10.3A – Spreadsheet of Complying Development Applications](#)

**Author:** James Miller, General Manager – Development and Regulatory Services

**Report Presenter:** James Miller, General Manager – Development and Regulatory Services

#### **Executive Summary**

##### ***Report highlights***

- Significant planning reforms came into effect in early 2009 through the introduction of the Residential Development Code. The reforms sought to provide a more effective and streamlined planning system whereby development assessment timeframes were significantly reduced for a majority of residential related developments.
- The reforms clearly direct the relevant planning authority to undertake their assessments within prescribed timeframes however it is important to reiterate that timeframes and legislative requirements under the Residential Code do not apply to Flood Zones, Hills Face Zones or designated Heritage Zones and Policy Areas.
- Council's Development and Regulatory Services department, ahead of the introduction of the Residential Code, reviewed its systems and procedures to ensure that it was able to withstand pressures imposed upon it by the development fraternity such that legislative timeframes may be met. The appointment of additional administrative staff, coupled with a restructure of the planning assessment unit, has enabled Light Regional Council to interface with the Residential Code to ensure development assessment timeframes are expedited.
- A review of the department's development assessment statistics since 1 January 2010 reveals extremely pleasing results. For Residential Code Complying Development the average timeframe for assessment is five (5) days. The average timeframe for assessment of Building Rules Consent Only is four (4) days while the average timeframes for assessment of Development Plan Consent Complying is 0.2 days.
- As General Manager of the department, these statistics are extremely pleasing and are a reflection of the dedication and commitment of both the professional and administrative staff who are responsible for ensuring compliance with legislation is achieved. With the recent release of the State Government 30 Year Plan for Greater Adelaide, it is vital that Light Regional Council continues to review and refine systems and processes such that we expedite our development assessment process.
- The Local Government Association has appointed Heynen Planning Consultants to review the initial implementation of the Residential Code whereby Garth Heynen has recently undertaken an audit of a number of Councils and reviewed their processes. Mr Heynen, when reviewing Light Regional Council, has concluded that our processes and systems to accommodate and comply with legislative requirements are of the highest order and should be replicated elsewhere; a pleasing accolade indeed.

***Recommendation***

That the report entitled *Development Assessment Timeframes and Statistics – Residential Code* be received and the contents contained herein be noted.

***Reasons for the decision***

To provide the elected membership with a statistical overview of development assessment timeframes for Residential Code developments lodged with Council since January 2010.

**Budget Impact**

Will there be an impact to the Budget? **NO**

## **Detailed Report**

### ***Purpose***

The purpose of this report is to provide the elected membership with an overview of development assessment timeframes for those forms of development which fall under the Residential Code.

### ***Background***

In 2008 the State Government announced it would soon be introducing the largest reforms ever to the State's planning system designed to streamline development assessment processes. These reforms were ultimately legislated through Parliament when the "Development (Planning and Development Review) Amendment Act 2009 was proclaimed.

The reforms provide certainty and clarity in an assessment timeframe sense for the development fraternity seeking approval for developments that fall under the Residential Code. The Residential Code largely applies to all residential forms of development that do not fall within Flood, Hills Face or Heritage Zones and Policy Areas.

### ***History***

15 September 2009 – Item No 10.3.5 - Residential Code – Statistics

### ***Discussion/Analysis***

The three key areas of the Residential Code are:-

- Residential Code Complying;
- Building Rules Consent Only; and
- Development Plan Consent Complying.

Examples of development which are encapsulated within the above categories are new residential development, additions and extensions to existing residential development, carports and garages to a maximum threshold requirement, decks, shade sails and water tanks to a maximum threshold requirement as well as other sundry developments including demolition, fences and pools (all Building Rules Consent Only).

Provided for in [Appendix 10.3A](#) is a computer generated spreadsheet which highlights all relevant details associated with respective development applications. Importantly it indicates the number of working days taken to undertake and finalise an assessment for each application.

#### **Residential Code Complying**

The average number of days taken to assess Residential Code Complying development applications is five (5). This figure is slightly skewed given two of the 23 applications required further information and took a combined total of 62 days to assess. Eleven (11) of the applications assessed took one (1) working day to assess and complete.

#### **Building Rules Consent Only**

57 development applications have been lodged since 1 January 2010 for developments requiring Building Rules Consent Only. Of the applications assessed, 19 took just the one working day to assess and approve where the average timeframe taken for assessment was four (4) days.

### Development Plan Consent Complying

Five applications were determined to be Development Plan Consent Complying during the reporting period where the average time taken to finalise the assessment was 0.2 days.

### **Conclusion**

The development assessment timeframes evidenced within this report are certainly pleasing for management, and I am sure the elected membership, to observe. The results the Development and Regulatory Services department are achieving is testament to the dedication, commitment and professionalism of all staff involved in the process.

### **References**

#### ***Legislation***

Development Act 1993 and Development Regulations 2008

#### ***Council Policies***

N/A

#### ***Strategic Plan***

9 Resourcing – 9.1 Growth and Sustainability

## 10.3.2 Order Making Policy and Enforcement Policy

**File:** 80-5-4

**Appendix:** [10.3B – Order Making Policy and Enforcement Policy](#)

**Author:** James Miller, General Manager – Development and Regulatory Services

**Report Presenter:** James Miller, General Manager – Development and Regulatory Services

### **Executive Summary**

#### ***Report highlights***

- The Local Government Association has, in recent times, developed draft model policy frameworks for local government to adopt in key areas of Regulatory Services in the fields of Order Making and Enforcement. The model policies have been drafted to assist Councils in developing and reviewing their own policies.
- Section 259 of the Local Government Act 1999 requires all Councils to develop an Order Making Policy and following a suite of amendments to legislation in April 2010, the Local Government Association (LGA) devised a standard Order Making Policy template reflecting the amendments for Councils to utilise. While Council has an Order Making Policy, it is somewhat outdated following legislation amendments and has not been reviewed for some time.
- Councils need to be aware of the inter-relationship between order making powers and by-laws. Rather than using by-laws to regulate activity on private land, the Act provides Council with the power to make specified orders to target and resolve particular cases of local nuisance when they arise. Such order making provisions can be found in Part 2 of Chapter 12 of the Act and include unsightly condition of land, hazards on lands adjoining a public place, animals that may cause a nuisance or hazard as well as inappropriate use of vehicles.
- Once adopted, the Order Making Policy will be a document that is read in conjunction with Council's suite of by-law regulations and controls.
- While the draft model Order Making Policy was created by the LGA as a result of amendments to legislation, the draft Model Enforcement Policy was initiated by the LGA as a result of concerns raised by the SA Ombudsman with the Economic and Finance Committee of Parliament in 2008 regarding certain practices and protocols of local government.
- Concerns largely centred on the level of Councils' understanding of their responsibilities and legislative requirements, the need to inject additional training into Authorised Officers and better co-operation in assisting the Ombudsman's Office with requested information during an investigation.
- As part of the LGA's support program for Regulatory Services, a model Enforcement Policy has been developed for adoption (or adaptation) by Councils. An Enforcement Policy of this nature was highly recommended by the Ombudsman and provides policy guidance for Councils on taking enforcement action in relation to general inspectorial compliance objectives.
- The purpose of the Enforcement Policy is to provide consistency in enforcement action in matters of non-compliance, ensure transparency, procedural fairness and natural justice principles are applied and finally, to ensure any enforcement action is proportionate to the alleged offence in each case.
- Both policies require public notification pursuant to Section 259 (2) (b) of the Local Government Act 1999 and as such, following endorsement of the below-mentioned recommendation, staff will duly undertake the necessary advertisements and notifications prior to returning the matter to Council for decision.

***Recommendation***

That Council authorises the Chief Executive Officer to delegate authority to the General Manager – Development and Regulatory Services to seek public comment and written representations on the draft Order Making Policy and draft Enforcement Policy appended to Agenda Item 10.3.2 of the meeting of Council held on 20 July 2010.

***Reasons for the decision***

To ensure Regulatory Services officers are provided with the appropriate policy framework in key areas of enforcement and compliance.

**Budget Impact**

Will there be an impact to the Budget? YES

Budget Impact Amount: \$1,000

Is this included in the current year budget? YES

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## **Detailed Report**

### ***Purpose***

The purpose of this report is to advise the elected membership that the LGA has recently developed a suite of model policy documents and guidelines for local government to adopt/adapt in key areas of Regulatory Services; namely in enforcement and order making. This report seeks to furnish Council with the respective policy documentation and seek endorsement for the policy documentation to go out for public consultation.

### ***Background***

Legislative amendments to the Local Government Act 1999, namely in the area of Order Making, has lead to the LGA devising a standard model Order Making template for Council's to adopt/adapt. Legislation now requires all Councils state wide to develop and adopt an Order Making Policy which largely seeks to regulate activity on private land whereby Council may make specified orders to target and resolve particular cases of local nuisance when they arise. Such order making provisions can be found in Part 2 of Chapter 12 of the Act and include unsightly condition of land, hazards on lands adjoining a public place, animals that may cause a nuisance or hazard as well as inappropriate use of vehicles.

While the development of a model Order Making Template came as a result of legislation amendments in April 2010, the development of a model Enforcement Policy came as a result of an Ombudsman report to the Economic and Finance Committee of Parliament in 2008 regarding certain practices and protocols of local government. Concerns were raised on a number of fronts and pertained largely to key areas of Regulatory Services. As a means of addressing such concerns the LGA developed up a model Enforcement Policy template for Councils to adopt/adapt.

### ***Discussion/Analysis***

Key elements of the Order Making Policy include a suite of guiding principles which staff will consider when seeking to resolve local nuisances on private land, process and procedural fairness endeavours and well as expectations regarding non-compliance with an Order. The document largely must be read in conjunction with Council's adopted by-laws however largely seeks to allow Council to make an Order on a person to refrain from undertaking specific activities on private land; namely to regulate unsightly conditions of land, to identify and address hazards on land adjoining a public place, address and resolve concerns relating to animals that may cause a nuisance or hazard as well as seeking to regulate the inappropriate use of a vehicle.

In terms of the Enforcement Policy, key elements include defining firstly the term "enforcement," understanding and acknowledging principles of proportionality, consistency and transparency and, when instances of non-compliance is discovered, a set of fundamental options are available to the Council to seek or promote compliance prior to the issuing of enforcement action. Where the appropriate steps have been made by Council and natural justice has been afforded to an individual with no resolution to the alleged breach, the Policy document "walks" staff through subsequent stages of available actions and procedural requirements culminating in what is a last resort, prosecution.

Copies of the two draft policies are provided for as [Appendix 10.3B](#) to this report.

### **Conclusion**

Should the elected membership concur with the general thrust of the respective policy documents and believe that they are in a format suitable for public consultation, then adoption of the recommendation will allow that process to unfold whereby a subsequent report can be presented to the elected membership following the conclusion of the consultation period.

## **References**

### ***Legislation***

- Local Government Act, 1999

### ***Council Policies***

By-Laws – inter-relationship with Order Making Policy

### ***Strategic Plan***

N/A

### 10.3.3 Mantina Aggregate Project – Mining Lease Application – Mantina Investments Pty Ltd

**File:** VG 3155301557

**Appendix:** [10.3C - Mantina Mining Lease Application](#)  
[10.3D - Internal Referral Comments](#)

**Author:** James Miller, General Manager – Development and Regulatory Services

**Report Presenter:** James Miller, General Manager – Development and Regulatory Services

#### **Executive Summary**

##### ***Report highlights***

- Primary Industries and Resources SA has recently notified Council of a proposed mining lease application by Mantina Investments Pty Ltd over land identified as Section 1425, Hundred of Kapunda.
- Since operations commenced at the existing Mantina quarry in 1990, an estimated 2.7 million tonnes of aggregate have been produced to December 2008 from a large open cut in blue-grey meta-siltstone marketed as dolomite aggregate and this application largely seeks approval to extend mining operations to the north and east of the current mine faces.
- In terms of management of the site, operations will be managed by Rino Obbiettivo as has been the case for the existing operating open cut since 2004. Hours of operation are proposed to be 6am to midnight Monday through Saturday for production of aggregate and Sunday, “if required.” Sales hours are proposed to be 6am to 6pm Monday through Friday with “occasional work on Saturday.”
- In terms of access to the site, it is proposed that the existing sealed entrance from East Terrace will continue to be used.
- The sequencing of operations is proposed to be staged over four (4) phases whereby quarried stone will be stockpiled temporarily on the quarry floor before being transferred to the crusher on the existing operating site. Crushed material will be stockpiled at the current locations to a maximum height of 12-14 metres.
- An environmental impact assessment has been undertaken by Olliver Geological Services Pty Ltd on behalf of the proponent which examines key elements of the proposal such as destruction of native vegetation, heritage impacts, public safety, impact on amenity such as dust and noise generation, as well as environmental impacts such as groundwater contamination.
- Interestingly the report concludes that all abovementioned impacts are listed as “low” with the exception of road impacts; this is listed as medium in terms of wear and tear on the unsealed part of East Terrace. Whilst an application such as this usually provides the trigger for Council to negotiate with the proponent to contribute towards both an upgrade of existing carriageways (particularly East Terrace) as well as ongoing maintenance, in this instance, Council’s General Manager Infrastructure and Works concludes that given the proponent does not envisage increasing production beyond the 300, 000 tonnes annually, there is not likely to be any additional impacts on road carriageways over and above that currently occurring and thus Council would be unable to entertain the thought of seeking monetary contributions from the proponent to inject into upkeep of adjacent road networks.

- Upon completion of mining operations, the proponent is required to undertake a rehabilitation and closure whereby the application discloses a plan by which such methodology is outlined.
- Internal referrals were undertaken to key Council administration whereby concerns existed with respect to traffic management, stormwater management and environmental offset/benefit philosophies.

### ***Recommendation***

That in relation to Mantina Investments Pty Ltd's Mining Lease Application over land described as Section 125, Hundred of Kapunda and as identified in Certificate of Title Volume 5670 Folio 723, Council advises Primary Industries and Resources SA that it has no fundamental objection to the proposal however requests for the following items to be noted and addressed to Council's satisfaction:-

1. More detail is needed in relation to stormwater management, particularly with respect to the provision of hydrological calculations and documentation which assesses the runoff from the proposed development, illustrating overland flow paths for the runoff into the proposed silt basins and plans depicting the sizes of the basins to adequately retain runoff; such data will provide adequate assurances that silt does not enter the nearby River Light.
2. The application proposes two (2) additional rows of Eucalyptus Cladocalyx will be planted as part of the environmental benefit for the project. As this species is not endemic to the area Council recommends that this species be replaced with either Eucalyptus Leucoxylon, Eucalyptus Var Leucoxylon, Eucalyptus Odorata or Eucalyptus Porosa.
3. As a notation to any consent granted by Primary Industries and Resources SA, Council would recommend that the proponent liaise with Council prior to undertaking the intensive planting of 13.7 hectares upon Section 1426, Hundred of Kapunda such that Council may provide the proponent with some direction on appropriate species.

### ***Reasons for the decision***

To ensure Council provides Primary Industries and Resources SA with its comments and concerns surrounding the Mining Lease Application prior to a determination being made on the application.

### **Budget Impact**

Will there be an impact to the Budget?

**NO**

## **Detailed Report**

### ***Purpose***

The purpose of this report is to provide Council with all relevant details of a Mining Lease Application made by Mantina Investments Pty Ltd to expand their mining operations such that Council may provide comment to Primary Industries and Resources SA (PIRSA) with respect to the proposed application.

### ***Background***

Primary Industries and Resources SA has recently notified Council of a proposed mining lease application by Mantina Investments Pty Ltd over land identified as Section 1425, Hundred of Kapunda (see [Appendix 10.3C](#)).

Since operations commenced at the existing Mantina quarry in 1990, an estimated 2.7 million tonnes of aggregate have been produced to December 2008 from a large open cut in blue-grey meta-siltstone marketed as dolomite aggregate and this application largely seeks approval to extend mining operations to the north and east of the current mine faces.

Council has a prescribed timeframe with which to submit comment to PIRSA on proposal of this nature and due to annual leave absenteeism from the report author, an extension of time was sought and subsequently granted.

Some elected members may be querying why this matter is being tabled at Council as opposed to the Development Assessment Panel. The Panel's delegations from Council do not extend to Mining Lease Applications hence the report is being tabled in this forum.

### ***Discussion/Analysis***

The key components to the Mining Lease Application are outlined within the Executive Summary component of this report. The proposal is largely an orderly expansion of the existing operations whereby no greater annual production or cartage of material is envisaged.

Extensive investigations were commissioned by the proponent and will be critiqued by a number of independent experts within PIRSA as well as by representatives of the Environmental Protection Authority. In terms of Council undertaking due diligence assessments of the proposal, members are advised that internal referrals of the proposal were also undertaken whereby Council's General Manager Infrastructure and Works, the Projects Engineer and the Environmental Projects Officer all took part in assessing and providing feedback (see [Appendix 10.3D](#)).

Comments and concerns largely stemmed around issues pertaining to stormwater management, impact on local road networks as well as proposed vegetation plantations. While members will note that stormwater management and proposed vegetation plantings form part of the recommendation, issues surrounding impact upon Council's road networks is not listed. The justification behind this as put by Council's General Manager Infrastructure and Works is that no greater quantities of material will be extracted annually and therefore no greater utilisation of local road networks is envisaged.

### **Conclusion**

The referral by PIRSA provides Council the opportunity to critique and respond to areas of concern. In addition to those listed within the recommendation, elected members may have additional items they wish to include in any response and management would welcome that discussion at the meeting.

**References**

***Legislation***

N/A

***Council Policies***

N/A

***Strategic Plan***

3 Goals – 3.6, Environmental Sustainability

### 10.3.4 Development Assessment Panel Independent Membership

**File:** 200-1-20

**Author:** James Miller, General Manager – Development and Regulatory Services

**Report Presenter:** James Miller, General Manager – Development and Regulatory Services

#### **Executive Summary**

##### ***Report highlights***

- Council's current Development Assessment Panel (DAP) membership term is to expire on 12 December 2008.
- Management feel it prudent that Council commence the process of reviewing and appointing the independent membership positions of the Panel prior to the expiration of the current Council term. This is deemed necessary and appropriate for a number of reasons. Firstly, the recently adopted Caretaker Policy for Light Regional Council does not allow Council to make new appointments to positions post 14 September 2010. Secondly, the incumbent elected members are better placed to appoint/reappoint independent members of the DAP than any potential successors post the November 2010 election as it is the current elected membership of Council which has had the benefit of assessing the performance of the Panel over the course of the past term.
- Council is therefore required to either extend the term of its current independent member appointments for a further two (2) years or alternatively undertake a process whereby expressions of interest are sought from interested candidates.
- Should Council elect to embark on an expression of interest process, advertisements will be placed in the three newspapers which are circulated across the region and following the closure of this period a subsequent report will be presented to the Council for adoption.
- It is deemed appropriate that at this stage only the independent membership positions are reviewed and subsequently filled for the ensuing two (2) year term given the uncertainty that goes with a pending election whereby those elected members who sit on the DAP may not be re-elected and subsequently cannot fill such positions. Management envisage that at the first meeting of the new Council following the November elections the three elected membership positions may be nominated and subsequently filled.

##### ***Recommendation***

**That pursuant to Section 56A(3) of the Development Act 1993, Council instructs its General Manager – Development and Regulatory Services to seek expressions of interest from candidates to fill the independent membership positions on the Light Regional Council Development Assessment Panel. Following the closure of the expression of interest period and having considered all submissions, the General Manager – Development and Regulatory Services shall provide a subsequent report to Council with recommendations on independent membership appointments for the ensuing two year term.**

##### ***Reasons for the decision***

Council is required to appoint members to its Development Assessment Panel in accordance with Section 56A(3) of the Development Act 1993.

**Budget Impact**

**Will there be an impact to the Budget?** YES

**Budget Impact Amount:** \$18,000 + advertising costs

**Is this included in the current year budget?** YES

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## **Detailed Report**

### ***Purpose***

The purpose of this report is to advise elected members that the term of Development Assessment Panel (DAP) membership is due to expire on 12 December 2010. Council must therefore consider its position in relation to either extending the current membership base for a further two years or undertaking a process whereby expressions of interest are sought to enable any possible candidate the right to apply.

### ***Background***

Council, at its meeting held on 21 October 2008, resolved to reappoint all of the then incumbent members of the DAP. The current Panel membership comprises:-

- Mr Bruce Ballantyne – Presiding Member;
- Mr Kelvin Goldstone – Independent Member and Deputy Presiding Member;
- Mr Peter Whimpress – Independent Member;
- Ms Janine Lennon – Independent Member;
- Mr Robert Hornsey – Elected Member;
- Mrs Lynette Reichstein – Elected Member; and
- Ms Jane Alcorn – Elected Member.

Council's DAP meets on the first Wednesday of each month in the Council Chambers located at the Kapunda office, commencing at 5.30 p.m. Throughout the course of the two year term the DAP has had to consider a number of complex and challenging development applications presented to it by Council's planning staff. As indicated in the Annual DAP Report to Council I believe this Council through its DAP is fortunate to have secured independent members and elected members with such a vast knowledge base and experience and this has clearly benefited Council in terms of the resolutions determined by the Panel. Having said this however, Council is now at a point where it must determine whether or not to extend the current membership configuration by a further two years or alternatively, open up all positions and seek expressions of interest from interested parties.

### ***Discussion/Analysis***

Notwithstanding the calibre of current appointments I believe it is prudent to embark on an expression of interest process whereby all independent positions are opened up for nomination. This appears to be the common trend throughout both metropolitan Adelaide as well as the State's regional Councils as it displays transparency in the process whereby the most appropriate, qualified and experienced candidates are given the opportunity to apply. Of course if any incumbent wish to reapply this process does not seek to discourage that either and indeed I will be encouraging all current independent members to reapply based on my observations of their respective performances over the past two years.

### **Conclusion**

It is therefore recommended that Council seek expressions of interest from candidates to fill the independent member positions on the DAP. This process will involve the placement of an advertisement in each of the three local newspapers which are circulated across the region. Following the closure of the expression of interest period, I intend to provide a subsequent report to Council with recommendations in respect to the DAP membership base for the ensuing two year term.

### **References**

#### ***Legislation***

- Development Act 1993 and Development Regulations 2008

#### ***Council Policies***

Development Assessment Panel and Staff Delegations Policy

#### ***Strategic Plan***

N/A

### 10.3.5 Street Naming Proposal – Freeling Estate (South)

**File:** 170-1-2

**Appendix:** [10.3E – Plan of Division with Nominated Street Names](#)

**Author:** James Miller, General Manager – Development and Regulatory Services

**Report Presenter:** James Miller, General Manager – Development and Regulatory Services

#### **Executive Summary**

##### ***Report highlights***

- Lanser Communities Pty Ltd on behalf of Freeling Holdings Joint Venture has recently corresponded with Council regarding the assignment of street names to their Hanson Street South residential land release.
- Council, at its meeting held on 17 June 2008, adopted a suite of potential road names which were deemed appropriate for use within residential land releases in the Freeling Township.
- As part of the planning for the imminent release of the Hanson Street South development, Lanser Communities has submitted a plan of the division together with nominated street names (see [Appendix 10.3E](#)). These proposed street names correlate with those adopted by Council at its meeting held in June 2008.
- Elected members will note that the plan appended to this report which illustrates street names seeks to amend the name of both Shepherd Street and Schuster Street for only those portions of carriageway forming part of the land division. This philosophy was adopted following a direction from Council management where concerns existed with respect to “broken” portions of road not physically connected being assigned the same road name. Management felt this would lead to confusion for an array of potential user groups, not least of which being emergency services personnel.
- To alleviate such concerns, the developers have agreed to assign those portions of road reserve forming part of the estate with new street names. To that end, the developers propose that Shepherd Street between proposed allotment 1 and proposed allotment 9 would become Pedler Boulevard and Schuster Street between proposed allotment 107 and proposed allotment 182 would become Rowe Street. To avoid more confusion however, it is deemed appropriate that Council endorses the renaming of these segments beyond just that area proposed for bitumen seal and renames Shepherd Street south of the Hanson Street intersection to the north western corner of proposed reserve 300. Further, Council resolves to rename Schuster Street west of the Thiele Highway intersection to the intersection of Shepherd Street.
- In the event Council concurs with the proposed street names for this residential land release, Council would be required by legislation to undertake some mandatory notifications of these amendments through the placement of appropriate notices in the Government Gazette as well as the local newspapers circulating generally within the area.

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***Recommendation***

That in relation to the request of Lanser Communities Pty Ltd to rename specific portions of Shepherd Street and Schuster Street, Freeling to accommodate Land Division Application 313/D012/08, Council hereby endorses the request given property and location identification concerns which arise with naming separate segments of road reserve not physically connected with the same street name. Council therefore endorses:-

1. The renaming to Pedler Boulevard for that section of Shepherd Street south of the Hanson Street intersection to the north western corner of proposed reserve 300 depicted in the plan of division appended to Council Agenda Item 10.3.5 for the July 2010 ordinary Council Meeting; and
2. The renaming to Rowe Street for that section of Schuster Street west of the Thiele Highway intersection to the intersection with Shepherd Street.

Further, that Council authorises the Chief Executive Officer to delegate authority to the General Manager – Development and Regulatory Services to undertake all necessary notifications regarding these amendments in accordance with statutory requirements.

***Reasons for the decision***

To ensure unique identification of township road carriageways is achieved throughout the Council area.

**Budget Impact**

Will there be an impact to the Budget? YES

Budget Impact Amount: \$1,000.00

Is this included in the current year budget? YES

## **Detailed Report**

### ***Purpose***

The purpose of this report is to seek the endorsement from the elected membership regarding renaming of certain segments of road reserve within Freeling to accommodate the release of the southern stage of Freeling Estate (Hanson Street South).

### ***Background***

Land Division Application 313/D012/08 seeks to create 189 residential allotments south of Hanson Street and west of the Kapunda-Gawler Road. There is an outstanding resolution from a Development Assessment Panel meeting which states that development plan consent may only be granted once the Deed of Agreement for off-site works is executed. It is Council's understanding that this Deed will be executed shortly and that a number of commercial matters between stakeholders of the Joint Venture needed to be resolved prior to execution, hence the delay in ensuring a timely resolution of the land division.

Lanser Communities Pty Ltd on behalf of Freeling Holdings Joint Venture are currently seeking closure and finalisation on a number of administrative components of the land division such that once development approval is issued by the Council for the land division, on ground civil construction may commence. One of these elements is that of assigning street names to the estate. While Council at its meeting held on 17 June 2008 has already endorsed a suite of names for Freeling Estate, and these names have been applied to the land release, the developer through discussions with Council is also seeking a renaming of two segments of road reserves forming part of the development. Those roads are portions of Shepherd Street and Schuster Street which will be effectively physically separated from the remainder of the road.

The logic behind this initiative is to ensure roads not physically connected with one another are not assigned the same name. This only leads to confusion for user groups seeking to access land in the vicinity.

### ***History***

17 June 2008 – Item No 10.5.5 Street Naming – Residential Land Releases

### ***Discussion/Analysis***

The approach by Lanser Communities to rename those portions of road reserve to alleviate any confusion has been put to Council's asset management team and endorsed. Indeed this exact initiative mirrors that of the Rural Property Addressing program where all Councils state wide are required to uniquely identify and rename broken or physically separated segments of roads by the name. This approach makes it far easier to identify property through the provision of unique road addressing.

### **Conclusion**

Should the elected membership endorse the strategy put forward by both management and Lanser Communities Pty Ltd, staff may duly undertake all necessary legislative requirements regarding appropriate notification of the amendments.

### **References**

#### ***Legislation***

- Local Government Act 1999

#### ***Council Policies***

N/A

#### ***Strategic Plan***

8.1 Place Management - 8.1.1 Freeling Residential Land Release

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## 10.3.6 Development Application 313/536/2009 – LR&M Constructions Pty Ltd Lot 1 Flett Road, Roseworthy

**File:** 313/536/2009 and VG 3121279208

**Appendix:** [Appendix 10.3F - Request for Partial Waiver of LMA](#)  
[Appendix 10.3G - Plans of Proposed Development](#)

**Author:** Lisa Sapio – Team Leader - Planning

**Report Presenter:** James Miller – General Manager – Development and Regulatory Services

### **Executive Summary**

#### ***Report highlights***

- A development application was lodged by LR&M Constructions in November 2009 which seeks approval for an industrial building for the purpose of storage and associated vehicle manoeuvring area;
- A Land Management Agreement (LMA) is registered over the subject land as well as all the other allotments within the Roseworthy Industrial Estate;
- The applicant has requested that the Council consider a written request for the partial waiver of Clause 2.13.5 of the LMA; and
- The written request from the applicant seeks to only seal part of the allotment that is to be developed with a bitumen seal.

#### ***Recommendation***

1. That the Council advise the applicant of Development Application 313/536/09 that a partial waiver to hard seal the entire area to the rear of the industrial building as indicated on the plans is granted in order to ensure compliance with Clause 2.13.5 the LMA over Allotment 1 Flett Road, Roseworthy.
2. The applicant shall be advised in writing that the remainder of the vehicle manoeuvring area to the rear of the building will need to be bitumised if a further intensification of the land is proposed via another development application.

#### ***Reasons for the decision***

To ensure that consistency is maintained in regards to matters pertaining to development and the general appearance of the Roseworthy Industrial Estate that is consistent with the spirit and intent of the Land Management Agreement

#### **Budget Impact**

**Will there be an impact to the Budget?** No

No budget impact upon the Council as all development costs on the subject land will be required to be borne by the developer.

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## **Detailed Report**

### ***Purpose***

To advise and seek a decision to a request for a partial waiver from Clause 2.13.5 of the Land Management Agreement (LMA) that exists over Lot 1 Flett Road, Roseworthy (Roseworthy Industrial Estate).

### ***Background***

LR&M Construction Pty Ltd lodged a Development Application with the Council in November 2009 seeking Development Plan Consent for the construction of an industrial building for storage purposes with an associated on site manoeuvring area.

The applicant had originally planned to have the subject land comprise two vacant allotments. The original proposal included Allotment 1 and 2 Flett Road, along with the construction of a storage building. The area that was not to be built upon was to comprise compacted rubble base only. The applicant explained that in their opinion that a compacted rubble base was sufficient considering the proposed use of the site and infrequent vehicle movements.

### ***Discussion/Analysis***

In written correspondence to the Council from Mr Greg Ahrens, a request has been made that the Council waive section 2.13.5 of the Land Management Agreement which requires:-

*“The owner shall ensure that all parking, hardstand areas, entrance ways and driveway crossovers are appropriately sealed with bitumen, concrete, pavers or an equivalent material and drained to the reasonable satisfaction of the Council.”*

A number of various development matters are covered within the Land Management Agreement which includes landscaping, fencing, types of materials and colours permitted for buildings, stormwater along with the preferred materials to be used to seal all hardstand and vehicle manoeuvring areas. The standards established in the Land Management Agreement are intentional so as to ensure that high quality development is undertaken throughout the Roseworthy Industrial Estate. The Land Management Agreement that is registered over the entire Roseworthy Industrial Estate also seeks to achieve a level of consistency throughout the Industrial estate.

A copy of the written request is attached as [Appendix 10.3F](#).

Council planning staff in consultation with the Council's Development Engineer has achieved a compromise position with the applicant.

Plans of the proposed development form [Appendix 10.3G](#).

The plans that have been submitted as part of the development application illustrate that the proposed building will be located 26 metres from the Flett Road frontage. LR&M's major office premises and industrial buildings directly abut the subject land along its eastern property boundary. As such the rear of Allotment 1 will also be able to be accessed from the rear of LR&M office premises. A bitumen seal is proposed to be laid that will extend from the Flett Road crossover up to the proposed building. The remainder of the site however will only be sealed with compacted rubble. Mr Ahrens has indicated that the storage shed is not expected to be used on a regular basis as this storage building is expected to house equipment that is rarely used, but it needs to be housed undercover to protect it from the weather. Access to the proposed building will be able to occur from either Flett Road or the rear of the site from the existing LR&M premises. The access doors to the proposed building are located along the eastern side of the building.

It is considered that given the proposed development and the limited vehicle traffic expected on the site that in this instance a partial waiver of the Land Management Agreement is considered acceptable. However, if the applicant has intentions of intensifying the land use on this site in the future, then it would be expected via any subsequent development application that the entire vehicle manoeuvring area be sealed which is consistent with other developments in the Roseworthy Industrial Estate.

## **Conclusion**

Notwithstanding, that it is recommended that in this instance the compacted rubble vehicle manoeuvring area is able to be supported it is considered necessary to state that the construction of the bitumised area is still considered mandatory and a necessity. In order to effectively deal with stormwater disposal and collection and ensure that stormwater runoff from the subject land does not pollute the Council's stormwater system, the manoeuvring areas will need to be appropriately sealed. As such, if the applicant intensifies the land use in the future, it should be under the proviso that the applicant is advised that the remainder of the site will be required to be hard sealed with a suitable surface.

## **References**

### ***Legislation***

- Development Act 1993.
- Development Regulations 2008.
- Local Government Act 1999.
- Light Regional Council Development Plan.

### ***Council Policies***

The Council has the power to waive or decline a Clause(s) of any LMA as the LMA is a binding agreement between the owner (or subsequent owner) of the land and the Council.

### ***Strategic Plan***

3 Goals – 3.2 Employment

8 Strategic Projects - 8.1.8 Roseworthy - 8.1.8.3. Stormwater Management and 8.1.8.5 Industrial Development

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**10.3.7 Land Management Agreement – 313/515/09 – Lot 83 Ashwell Road, Wasleys - (Certificate of Title: Volume 6045 Folio 71)**

**File:** 313/515/2009

**Appendix:** [10.3H – Land Management Agreement](#)

**Author:** Chad King, Senior Development Officer - Planning

**Report Presenter:** Chad King, Senior Development Officer - Planning

**Executive Summary**

***Report highlights***

- Through Development Application number 313/196/2010 the applicant sought from the Council Development Plan Consent pursuant to the Development Act, 1993 (“the Act”) to develop the Land by erecting a Single Storey Detached Dwelling;
- The applicant has applied to the Council for approval to construct a domestic outbuilding and registration of a Land Management Agreement on the Certificate of title associated with the Land.
- Prior to issuing approval for the domestic outbuilding, the Council wishes to ensure that if the Shed is constructed prior to the dwelling:
  - the dwelling is constructed within a reasonable time of completion of construction of the Shed; and further that
  - the Shed is removed from the Land if the dwelling is not constructed within a reasonable time of completion of construction of the Shed.
- Following adoption of the below recommendation and execution of the Land Management Agreement, the application may be approved by Planning staff under delegation.

***Recommendation***

**That, pursuant to Sections 38 and 44 of the Local Government Act 1999, Council delegate authority to the Mayor and Chief Executive Officer to execute under common seal the Land Management Agreement appended to item 10.3.7 of the Council Meeting Agenda dated 20 July 2010. The Land Management Agreement is between Daniel John Todd and Faye Elizabeth Todd and Council and requires that a dwelling be constructed on allotment 83 within 12 months of the construction of the domestic outbuilding.**

***Reasons for the decision***

To guarantee that a dwelling will be constructed on allotment 81 which will ensure that undesirable development will not occur on the land.

**Budget Impact**

**Will there be an impact to the Budget?** YES

**Budget Impact Amount:** \$500

**Is this included in the current year budget?** YES

Costs will be absorbed within the legal budget line, no other budget lines will be affected.

**Future Operating Costs – *estimated per year* (refer Detailed Report)** N/A

Nil, this is a once off cost.

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## **Detailed Report**

### ***Purpose***

To seek the endorsement of the elected members to enter into a Land Management Agreement (LMA) with Mr & Mrs Todd which forms part of Development Application 313/515/09 – construction of a domestic outbuilding and temporary habitation for a period of 12 months controlled via a Land Management Agreement. The LMA will ensure that a dwelling will be constructed on allotment 83. As a result the land will be used for residential purposes and not as a general 'store'.

### ***Background***

The applicant has lodged a Development Application for the construction of a single storey detached dwelling numbered 313/196/10 which received Development Plan Consent on 8 July 2010, the applicant has lodged a second application numbered 313/515/09 for the construction of a domestic outbuilding. The applicant intends to construct the domestic outbuilding, septic tank and disposal area prior to the construction of the dwelling with the intention of parking a caravan within the outbuilding and living on the land whilst the dwelling is being built.

A Land Management Agreement is required to reinforce the temporary nature of the outbuilding habitation and ensure the removal of the outbuilding in the event the dwelling is not constructed.

### ***Discussion/Analysis***

The only legally binding way to ensure that a dwelling will be constructed on the allotment is to impose a LMA over the subject land. Following discussions between the Applicant and planning staff it was agreed that a Land Management Agreement would be placed over the subject land to ensure that a dwelling will be constructed within a reasonable period of time. Mr & Mrs Todd have agreed to bear the half the costs associated with the drafting of the LMA.

The LMA consists of three (3) owner obligations. The owner must;

- Ensure that the outbuilding is not occupied until Council has been advised of the completion of construction of the outbuilding;
- Ensure substantial or full completion of the Dwelling on Proposed Allotment 83 within 12 months of the construction of the domestic outbuilding;
- Ensure if construction of the Dwelling is not substantially completed within 12 months of the Completion Date for construction of the outbuilding, demolish and remove the outbuilding within – 18 months of the Completion Date for construction of the outbuilding;
- Provide a copy of this Land Management Agreement to any person commencing occupation of the Land before commencement of that occupation.

A copy of the LMA forms [Appendix 10.3H](#).

### **Conclusion**

The imposition of a LMA over the subject land will ensure that a dwelling will be constructed on allotment 83. The LMA will enable Council to undertake any enforcement action that may become necessary in the event that a dwelling is not constructed on the land within the specified timeframe.

## **References**

### ***Legislation***

- Local Government Act 1999.
- Development Act 1993.
- Development Regulations 2008.

### ***Council Policies***

N/A

### ***Strategic Plan***

Wasleys 9.1.11 Residential Land Release

### 10.3.8 Greenock Rise Estate – Street Name Amendment

**File:** 313/D010/05

**Author:** James Miller, General Manager – Development & Regulatory Services

**Report Presenter:** James Miller, General Manager – Development & Regulatory Services

#### **Executive Summary**

##### ***Report highlights***

- Council, at its meeting held on 13 December 2005, resolved to endorse the names for the newly created public roads contained within plan of division application number 313/D010/05 with the said roads being George Angas Drive, Clyde Court and James Smith Court.
- Subsequent to the above resolution, Council at its meeting held on 17 June 2008, further resolved to assign the name George Angas Drive to the portion of unnamed public road dividing allotment 1 from allotment 2 in Deposited Plan 50225, Greenock, Hundred of Nuriootpa, which connects Barons Court to the reserve.
- Upon lodgement of the said plan of division with the Lands Titles Office for Greenock Rise a discrepancy made its way on to the final plan whereby George Angas Drive was inadvertently named George Angus Drive, clearly at odds with the earlier resolutions of Council. This anomaly was not identified and subsequently the plan of division was approved and the street name as depicted on the final plan is now the name by which the road carriageway is identified as.
- Notwithstanding the error, and irrespective of the fact the final plan is at variance with the Council resolutions, the names depicted on the final plan are final and may only be amended by way of Council resolution.
- That being said and to rectify the error, Council must revisit the matter through resolving to rename George Angus Drive to George Angas Drive. Appropriate notifications in the Government Gazette and newspapers will occur subsequent to the Council resolution.

##### ***Recommendation***

**In acknowledging a road naming error which occurred when Deposited Plan 79526 was lodged at the Lands Titles Office with respect to the correct naming of George Angas Drive, Greenock, Hundred of Nuriootpa, Council hereby renames George Angus Drive to George Angas Drive. This decision reaffirms Council's previous resolutions regarding the naming and spelling of this carriageway adopted at meetings of Council held on 13 December 2005 and 17 June 2008.**

**Further, Council instructs the Chief Executive Officer to delegate authority to the General Manager – Development and Regulatory Services to undertake the appropriate notifications of this amendment in the Government Gazette and a newspaper distributed generally within the Council area.**

##### ***Reasons for the decision***

This decision rectifies a discrepancy which occurred when the final plan of division for Greenock Rise was lodged with the Lands Titles Office.

**Budget Impact**

**Will there be an impact to the Budget?** YES

**Budget Impact Amount:** \$1,000 advertising fees

**Is this included in the current year budget?** YES

## **Detailed Report**

### ***Purpose***

The purpose of this report is to advise elected members of an administrative error which occurred with respect to the correct naming of a road within Greenock Rise and seek members' endorsement to review and amend the said name in accordance with previously adopted resolutions.

### ***Background***

Council, at its meeting held on 13 December 2005, resolved to endorse the names for the newly created public roads contained within plan of division application number 313/D010/05 (Greenock Rise) with the said roads being George Angas Drive, Clyde Court and James Smith Court. Subsequent to the above resolution, Council at its meeting held on 17 June 2008, further resolved to assign the name George Angas Drive to the portion of unnamed public road dividing allotment 1 from allotment 2 in Deposited Plan 50225, Greenock, Hundred of Nuriootpa, which connects Barons Court to the reserve.

Unfortunately the final plan lodged with the Lands Titles Office (DP 79526) incorrectly spells the name George Angas Drive as George Angus Drive; effectively substituting the "a" in "Angas" with a "u." This should have been picked up prior to Council issuing Section 51 Clearance for the land division application however was clearly overlooked. It was ultimately the Australian Electoral Commission who notified Council of the discrepancy through a review of their records.

### ***History***

- 13 December 2005 and 17 June 2008 Council Meetings

### ***Discussion/Analysis***

Notwithstanding the intention of Council from the outset was to ensure the correct naming of George Angas Drive through the above resolutions, lodgement and subsequent endorsement by the Lands Titles Office of George Angus Drive effectively means that Council's previously adopted preference is superseded (i.e. irrespective of the names endorsed by Council, the names on the final plan are final).

The only way in which such a discrepancy may be resolved is through Council revisiting the matter and resolving to rename George Angus Drive to George Angas Drive, Greenock.

### **Conclusion**

This rectification process will culminate in the correct spelling of a road carriageway in Greenock Rise which is consistent with previously adopted positions of Council. Management will then undertake to notify relevant parties of this amendment and place the necessary advertisements in statutory publications nominated under legislation.

### **References**

#### ***Legislation***

- Local Government Act 1999

#### ***Council Policies***

N/A

#### ***Strategic Plan***

8.3.1 Greenock – 1 Residential Land Release

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## 10.4 GENERAL MANAGER, STRATEGY, PROJECTS & ENGINEERING

### 10.4.1 **Statewide Bulky Goods Development Plan Amendment by the Minister**

**File:** 205-5-3

**Appendix:** [10.4A – Amendment Instructions Table](#)

**Author:** Craig Doyle, Principal Project Planner

**Report Presenter:** Craig Doyle, Principal Project Planner

#### **Executive Summary**

##### ***Report highlights***

- The Minister for Urban Development and Planning released the abovementioned Development Plan Amendment (DPA) under interim effect on 1 June 2010;
- The DPA affects some 37 Local Government Areas and the timing of its release coincides with amendments to the definitions of “*retail showroom*”, “*service trade premises*” and “*shop*” under Schedule 1 of the *Development Regulations 2008* which came into effect on 1 June 2010. A listing of the updated definitions (as referenced in the DPA) is included in the body of this report for elected member’s information;
- The LRC Development Plan presently only references “bulky goods” in the *Historic Conservation (Kapunda Town Centre) Policy Area 12 – Commercial* (Objective 1 & Principle of Development Control (PDC) 1);
- The Ministerial DPA proposes a number of changes to the LRC plan which are detailed on the *Amendment Instructions Table* attached as Appendix 10.4A. The key changes proposed are as follows:
  - Industry (Kapunda Town) Zone & Industry (Kapunda) Zone – Additional policy has been introduced providing that “Bulky Goods” should be ancillary to an industrial activity occurring on the same site;
  - Industry (Freeling) Zone & Industry (Roseworthy) Zone – “Retail Showroom” has been replaced with “Bulky Goods Outlet” in relevant PDC’s.
- Council staff from both the Development & Regulatory Services Department and the Strategy, Projects and Engineering Department have reviewed the proposed amendments have identified some comments of an administrative nature that have been included in the recommendation;
  - Primary Industry Zone (PDC 32):  
As a “*Shop (excluding restaurant) with a gross leasable floor area greater than 100m<sup>2</sup>*” is listed as a *non-complying* form of development, it is considered that “*Retail Showroom*” may be deleted from PDC 32 without replacement, as it is captured under the definition of a “*shop*”;

- Industry (Kapunda Town) Zone/Industry (Kapunda) Zone
  - 1) With the recent amendment of definitions under Schedule 1 of the *Development Regulations 2008*, it does not appear to be necessary to amend references from “retail showroom” to “bulky goods outlet” in respect of the Principles of Development Control (PDC) identified for these zones; and
  - 2) Council staff consider that a proposed new PDC for these zones should feature amended wording requiring that any proposed outlet/showroom is “*in association with and ancillary to an industrial activity occurring on the same site*”. It is also recommended that wording of PDC 8 is updated to provide that the outlet/showroom is only excluded from non-complying classification if it is in accordance with the new PDC.
- Submissions on the DPA are due to the Department of Planning & Local Government (DPLG) by COB on Monday, 26 July 2010, the closure date for the statutory consultation timeframe.

### **Recommendation**

That Council authorises the Chief Executive Officer to provide a submission to the Minister for Urban Development and Planning, the Hon. Paul Holloway, MLC, with respect to the *Statewide Bulky Goods DPA*, highlighting the following points:

- That Council generally supports the intent of the proposed DPA and offers the following specific comments:
  - Primary Industry Zone (PDC 32):  
As a “*Shop (excluding restaurant) with a gross leasable floor area greater than 100m<sup>2</sup>*” is listed as a *non-complying* form of development, it is recommended that “Retail Showroom” may be deleted from PDC 32 without replacement, as it is captured under the definition of a “*shop*”;
  - Industry (Kapunda Town) Zone/Industry (Kapunda) Zone
    - 1) With the recent amendment of definitions under Schedule 1 of the *Development Regulations 2008*, it does not appear to be necessary to amend references from “retail showroom” to “bulky goods outlet” in respect of the Principles of Development Control (PDC) identified for these zones; and
    - 2) Council considers that the proposed new PDC for these zones should feature amended wording requiring that any proposed outlet/showroom is “*in association with and ancillary to an industrial activity occurring on the same site*”. It is also recommended that wording of PDC 8 is updated to provide that the outlet/showroom is only excluded from non-complying classification if it is in accordance with the new PDC.

### **Reasons for the decision**

To provide a response to the Minister for Urban Planning and Development with respect to the *Statewide Bulky Goods DPA* during the State Government’s consultation period.

### **Budget Impact**

Will there be an impact to the Budget?	NO	
Budget Impact Amount:		Nil.
Is this included in the current year budget?	N/A	
Future Operating Costs – <i>estimated per year</i> (refer Detailed Report)		Nil
Is this included in the Long Term Financial Plan?	N/A	
Or, is there additional other income/funding?		N/A

## **Detailed Report**

### ***Purpose***

To advise the elected body of Council of changes proposed to Council's Development Plan by the Minister for Urban Development and Planning as a result of changes to Schedule 1 of the *Development Regulations, 2008*.

### ***Background***

"Bulky Goods" retailing is a term that has been applied to the sale/rental of a range of commodities from large dedicated stores located in facilities such as "*Homemaker Centres*" or other distinctive retail precincts. Examples include the relatively new facilities at Mile End (near Bunnings), Gawler and Gepps Cross.

The "*Statewide Bulky Goods Development Plan Amendment (DPA)*" was released for public consultation by the Minister under interim effect on 1 June 2010.

The DPA affects some 37 Local Government Areas and the timing of its release coincides with amendments to the definitions of "*retail showroom*", "*service trade premises*" and "*shop*" under Schedule 1 of the *Development Regulations 2008* which came into effect on 1 June 2010. A copy of the updated definitions (as referenced in the DPA) is included in the following section for elected member's information.

Any submissions on the DPA are due to the Department of Planning & Local Government (DPLG) by COB on Monday, 26 July 2010.

### ***History***

Nil.

### ***Discussion/Analysis***

The proposed changes are generally administrative, as explained under the following headings:

#### Amended Definitions

Certain types of "Development" (as defined under the *Development Act, 1993*) are defined in Schedule 1 of the *Development Regulations 2008*. Changes to the definitions of "*retail showroom*", "*service trade premises*" and "*shop*" were gazetted on 18<sup>th</sup> February 2010 and came into effect on 1 June 2010.

The amendments to these definitions have occurred to remove ambiguity with respect to the definition of "bulky goods" retailing. "*Bulky goods outlet*" has been added to the definition of "*retail showroom*" together with an updated listing of the types of products that may be available at such premises. The definition of "*service trade premises*" has been updated in a minor way to list other items available at this type of land use. The definition of "*shop*" has been amended to reference a "*bulky goods outlet*" as well as a "*retail showroom*".

This step, coupled with the policy amendments contained in this DPA, is designed to streamline the assessment of applications for this land use across the State.

The amended definitions are as follows:

***bulky goods outlet*** or ***retail showroom*** means premises used primarily for the sale, rental, display or offer by retail of goods, other than foodstuffs, clothing, footwear or personal effects goods, unless the sale, rental, display or offer by retail of the foodstuffs, clothing, footwear or personal effects goods is incidental to the sale, rental, display or offer by retail of other goods;

Examples—

The following are examples of goods that may be available or on display at bulky goods outlets or retail showrooms:

- (a) automotive parts and accessories;
- (b) furniture;
- (c) floor coverings;
- (d) window coverings;
- (e) appliances or electronic equipment;
- (f) home entertainment goods;
- (g) lighting and electric light fittings;
- (h) curtains and fabric;
- (i) bedding and manchester;
- (j) party supplies;
- (k) animal and pet supplies;
- (l) camping and outdoor recreation supplies;
- (m) hardware;
- (n) garden plants (primarily in an indoor setting);
- (o) office equipment and stationery supplies;
- (p) baby equipment and accessories;
- (q) sporting, fitness and recreational equipment and accessories;
- (r) homewares;
- (s) children's play equipment.

**service trade premises** means premises used primarily for the sale, rental or display of—

- (a) basic plant, equipment or machinery used in agriculture or industry; or
- (b) boats; or
- (c) caravans; or
- (d) domestic garages; or
- (e) sheds; or
- (f) outbuildings; or
- (g) motor vehicles; or
- (h) marquees; or
- (i) trailers; or
- (j) swimming pools, equipment and accessories; or
- (k) building materials; or
- (l) landscaping materials; or
- (m) garden plants (primarily in an indoor setting),  
or similar articles or merchandise;

**shop** means—

- (a) premises used primarily for the sale by retail, rental or display of goods, foodstuffs, merchandise or materials; or
- (b) a restaurant; or
- (c) a bulky goods outlet or a retail showroom; or
- (d) a personal service establishment,

but does not include—

- (e) a hotel; or
- (f) a motor repair station; or
- (g) a petrol filling station; or
- (h) a plant nursery where there is no sale by retail; or
- (i) a timber yard; or
- (j) service trade premises; or
- (k) service industry;

#### Changes to the Light Regional Council Development Plan

The LRC Development Plan presently only references “bulky goods” in the *Historic Conservation (Kapunda Town Centre) Policy Area 12 – Commercial* (Objective 1 & Principle of Development Control (PDC) 1).

The Ministerial DPA proposes a number of changes to the LRC plan as follows:

- o Primary Industry Zone – Non Complying List - Replacement of “Retail Showroom” reference with “Bulky Goods Outlet”;

*Comment – Disagree - the Primary Industry Zone maintains its reference to a “Shop (excluding restaurant) with a gross leasable floor area greater than 100m<sup>2</sup>” being a non-complying form of development. Suggest that “Retail Showroom” can be deleted without replacement as it is captured under the definition of “Shop”.*

- o Commercial (Bulk Handling) Zone – Delete the term “Retail Showroom” from the non-complying list contained in PDC 6;

*Comment – Agree – PDC 6 in the Commercial (Bulk Handling) Zone lists a “Shop” as a non-complying form of development which captures a “retail showroom”.*

- o Historic Conservation (Kapunda Town Centre) Policy Area 12 – Commercial –

- o Replace the words “bulky goods retailing” in Obj. 1 with “service trade premises”;
- o Replace the words “bulky goods retailing (landscape supplies, hardware, motor vehicles, agriculture) in PDC 1 with “service trade premises”.

*Comment – Agree – “service trade premises” applies to a number of commercial uses presently anticipated in this policy area.*

- o Industry (Kapunda Town) Zone

- o Insert a new PDC “Bulky goods outlets should be ancillary to an industrial activity occurring on the same site”;
- o Replace the words “retail showroom” in PDC 8 with “a bulky goods outlet”;
- o Replace the words “retail showroom” in PDC 9 with “bulky goods outlet”.

*Comment – **Disagree** – A consequence of the recent changes to the definitions is that the terms “bulky goods outlet” and “retail showroom” are effectively interchangeable. There does not appear to be a need to change references from “retail showroom” to “bulky goods outlet” in respect of PDC’s 8 & 9. A “retail showroom” attached to an associated industry appears to be a more likely outcome than a “bulky goods outlet” in similar circumstances. To date, “bulky goods outlets” have more commonly been constructed as buildings/tenancies either independently or as a part of a precinct featuring similar development.*

*The proposed new PDC should feature amended wording requiring that the outlet/showroom is “in association with and ancillary to an industrial activity...”. The wording of PDC 8 should be updated to ensure that the outlet/showroom is only excluded from non-complying if it is in accordance with the new PDC.*

o Industry (Kapunda) Zone

- o Insert a new PDC “Bulky goods outlets should be ancillary to an industrial activity occurring on the same site”;
- o Replace the words “retail showroom” in PDC 9 with “a bulky goods outlet”;
- o Replace the words “retail showroom” in PDC 10 with “bulky goods outlet”

*Comment - as per comment for Industry (Kapunda Town) Zone*

o Industry (Freeling) Zone

- o Replace the words “retail showroom” in PDC 6 with “a bulky goods outlet”;

*Comment – **Agree** – The proposed exchange in wording is acceptable, however it is noted that a shop with a GLA greater than 100m<sup>2</sup> is non-complying and a bulky goods outlet is a form of shop. A bulky goods outlet of less than 100m<sup>2</sup> is very unlikely to occur. It is suggested that it is revisited in the future during consideration of the Better Development Plan (BDP) Development Plan amendment.*

o Industry (Roseworthy) Zone

- o Replace the words “retail showroom” in PDC 10 with “a bulky goods outlet”;

*Comment – as per comment for Industry (Freeling) Zone*

Summary

Council staff from both the Development & Regulatory Services Department and the Strategy, Projects and Engineering Department have reviewed the proposed amendments have identified some comments of an administrative nature that have been included in the recommendation as follows;

- o Primary Industry Zone (PDC 32):  
As a “Shop (excluding restaurant) with a gross leasable floor area greater than 100m<sup>2</sup>” is listed as a non-complying form of development, it is considered that “Retail Showroom” may be deleted from PDC 32 without replacement, as it is captured under the definition of a “shop”;
- o Industry (Kapunda Town) Zone/Industry (Kapunda) Zone
  - 1) With the recent amendment of definitions under Schedule 1 of the *Development Regulations 2008*, It does not appear to be necessary to amend references from “retail showroom” to “bulky goods outlet” in respect of the Principles of Development Control (PDC) identified for these zones; and
  - 2) Council staff consider that a proposed new PDC for these zones should feature amended wording requiring that any proposed outlet/showroom is “in association with and ancillary to an industrial activity occurring on the same site”. It is also recommended that wording of PDC 8 is updated to provide that the outlet/showroom is only excluded from non-complying classification if it is in accordance with the new PDC.

## **Conclusion**

As noted, the proposed changes are mainly administrative rather than introducing completely new policy. The discussion in the previous section notes various matters that it is recommended are provided to the Minister as Council's submission with respect to this DPA.

## **References**

### ***Legislation***

Development Act, 1993  
Light Regional Council Development Plan

### ***Council Policies***

Nil.

### ***Strategic Plan***

Nil.

## 10.4.2 Rural Living Development Plan Amendment

**File:** 205-3-16

**Appendix:** [10.4B - Draft Statement of Intent for the Rural Living DPA](#)

**Author:** Craig Doyle – Principal Project Planner

**Report Presenter:** Craig Doyle – Principal Project Planner

### **Executive Summary**

#### ***Report highlights***

- The elected body of Council is advised that URPS has been appointed to complete the Rural Living Development Plan Amendment (DPA);
- This project originated as a recommended outcome of the *Non-Urban Living/Rural Lifestyle Study* (endorsed by Council on 21<sup>st</sup> April 2009). This was later confirmed as a “high priority” in the *Section 30 Development Plan Review Report* endorsed by Council in May 2009;
- The study was a highly consultative project that resulted in the key issues to be resolved through a DPA. The DPA follows on from the study as a formality to further investigate and develop policy with respect to the following matters:
  - Amendments to the Rural Living Zone policies affecting minimum allotment sizes in a specific part of the Gawler Belt area; and
  - A review of *Depth to Frontage Ratio* with a view to amending policy as it applies to allotment configuration in the Gawler Belt, Freeling, Wasleys & Roseworthy Rural Living areas; and
  - A review of land use relationships, in particular truck parking in association with residential uses in specific parts of the zone as an outcome of a separate survey undertaken by Council in June 2010.
- URPS has prepared a Statement of Intent (attached as Appendix 10.4B) for Council’s consideration. Council staff have undertaken a detailed review of the document and made minor amendments prior to its presentation to the elected body for endorsement;
- Council’s authorisation is sought for staff to submit the SOI to the Minister for Urban Development and Planning in accordance with Section 25 of the *Development Act, 1993*;

### ***Recommendation***

**That Council:**

- a. **Endorses the Statement of Intent for the “*Rural Living Development Plan Amendment*” and authorises the Chief Executive Officer to sign the document and submit it the Minister for Urban Development and Planning, the Hon. Paul Holloway MLC in accordance with Section 25 of the Development Act, 1993; and**
- b. **Delegates through the Chief Executive Officer to the Principal Project Planner the authority to negotiate with the Minister, as required; to reach an agreement on the Statement of Intent.**

### ***Reasons for the decision***

To ensure that Council’s Development Plan is updated with relevant policy in advance of need.



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## **Detailed Report**

### ***Purpose***

To provide Council with the draft Statement of Intent (SOI) for the “*Rural Living Development Plan Amendment*” (DPA) prepared by URPS (in consultation with Council staff) and to seek Council’s endorsement of this document.

If endorsed, Council’s authorisation is also sought for staff to submit the SOI to the Minister for Urban Development and Planning in accordance with Section 25 of the *Development Act, 1993* in order to progress this matter.

### ***Background***

The 2004 Section 30 Review of the Light Regional Council Development Plan recommended that a review of the policy provisions of Council’s Rural Living Zone areas be undertaken.

In April 2009 the “*Non-Urban Living/Rural Lifestyle*” Study (the “Study”) was completed by Council (with consulting assistance from GHD) which provided recommendations to update Council’s Development Plan to address issues in the following key areas:

- Amendments to the Rural Living Zone policies affecting minimum allotment sizes in specific parts of the Gawler Belt area; and
- A review of *Depth to Frontage Ratio* with a view to amending policy on this matter as it applies to allotment configuration in the Gawler Belt, Freeling, Wasleys & Roseworthy Rural Living areas;

In May 2009 Light Regional Council completed its most recent Section 30 Development Plan Review which recommended the completion of a Rural Living Development Plan Amendment (DPA) as a “high” priority in anticipation of community expectations for follow-up action and to respond to the detailed strategic direction for Council’s Rural Living areas investigated in the Study

The study was a highly consultative project and the DPA follows on from the study as a formality to further investigate and develop policy with respect to the key issues identified.

More recently, the value of a review of truck parking in the Rural Living Zone has been recognised by Council since the completion of its Section 30 report. This DPA provides an opportunity for this issue to be investigated further through analysis of the outcomes of a preliminary survey (conducted by Council in June 2010) and further public consultation on this matter.

### ***History***

- 21 April 2009 – Item 10.6.4 - Non-Urban Living/Rural Lifestyle Study Options and Recommendations Report – Final for Authorisation
- 19 May 2009 – Item 10.6.2 - Section 30 Development Plan Review Report – Final for Authorisation

### ***Discussion/Analysis***

The draft SOI has been prepared in accordance with the prescribed Department of Planning and Local Government (DPLG) template. The document outlines the detailed investigations that will be required to amend minimum allotment sizes in the Rural Living Zone (specifically in *Policy Area 9 – Gawler Belt West*) as well as review *Depth to Frontage Ratio* with a view to amending policy on this matter as it applies to allotment configuration in the Gawler Belt, Freeling, Wasleys & Roseworthy Rural Living areas.

The SOI provides the background information relevant to the proposed zoning amendment for the consideration of the Minister including:

- An explanation of why the amendment is required;
- Details of the area affected by the proposed amendment;
- An explanation of what the amendment is expected to achieve for the Council area;

- Initial comment regarding the consistency of the proposed amendment with:
  - the “30 Year Plan for Greater Adelaide” prepared by the State Government;
  - Any current DPA’s initiated by the Minister for Urban Development and Planning;
  - The balance of Council’s Development Plan and other Council initiated DPA’s in the system;
  - The provisions of the Development Plans of neighbouring Council areas.
- Details of the investigations and consultation to be undertaken in the DPA process, the documents to be produced and the projected timeframes for completion of the various stages of the DPA project.

It is the view of Council staff that the SOI as drafted is an acceptable reflection of the processes to be completed and materials to be referenced in the progression of the DPA.

The DPA will:

- Review current land division and building patterns and service infrastructure within a specified portion of the Gawler Belt Rural Living area to establish potential for further intensification;
- If found to be justified, review and amend current land-division policies to enable the creation of smaller allotments within a specified portion of the Gawler Belt Rural Living area;
- Give careful consideration to the impacts of truck parking (particularly in the Gawler Belt Rural Living area) with the possibility of changing this form of development from a non-complying to a merit use;
- Investigate appropriate allotment configurations for future land-divisions within the Gawler Belt, Freeling, Wasleys and Roseworthy Rural Living areas, reviewing the appropriateness of the current controls relating to maximum depth to frontage ratio

The expected outcomes support the timing of the proposed DPA, which would be an appropriate addition to Councils current DPA load as expressed below:

- **The current Better Development Plan Conversion DPA**  
This DPA is being undertaken by the Department of Planning & Local Government in conjunction with LRC. Progress has been delayed while the *30 Year Plan for Greater Adelaide* has been finalised. Council is advised that further action can be expected in late 2010. The extension of the Statement of Intent (SOI) for this DPA at this meeting (refer to Item 10.4.3) is a key step in continuing with this project.
- **Sustainable Tourism Regional DPA**  
This regional DPA has been separated into individual Council DPA's and the component affecting the Light Regional Council Development Plan is “on hold”, as per Council resolution, pending the completion of the LRC BDP DPA.
- **Kapunda (North-East) Residential and Retirement Living Development Plan Amendment**  
This DPA was submitted to the Minister for authorisation on 29 April 2010.
- **Freeling (West) Residential DPA**  
The SOI for this Developer-Funded DPA was agreed with the Minister on 16 April 2009. The project has been delayed by a change in the arrangements between the joint-venture developers funding the DPA, however these arrangements have recently been settled and the project is set to progress in the near future.
- **Flood Prone Areas DPA**  
The SOI for this DPA was agreed with the Minister on 19 February 2010. A draft DPA has been prepared and is presently being reviewed by Council staff.

The timing of the Rural Living DPA will not hinder these other policy amendments.

## **Conclusion**

The *Rural Living DPA Statement of Intent* has been prepared in response to a planning policy need recognised in Council's Strategic Plan 2008-2018 and Section 30 Development Plan Review (May 2009) and is considered to be worthy of Council's endorsement for submission to the Minister for Urban Development and Planning.

## **References**

### ***Legislation***

Development Act, 1993  
Local Government Act, 1999

### ***Council Policies***

Nil.

### ***Strategic Plan***

- 8.1.2 - Gawler Belt – 1 – Rural Living

### 10.4.3 **Better Development Plan (BDP) Conversion Development Plan Amendment (DPA) – Statement of Intent**

**File:** 205-3-12

**Appendix:** [10.4C - Draft Updated Statement of Intent for the Better Development Plan DPA](#)

**Author:** Craig Doyle – Principal Project Planner

**Report Presenter:** Craig Doyle – Principal Project Planner

#### **Executive Summary**

##### ***Report highlights***

- In 2005, Planning SA (predecessor to the DPLG) offered to assist with undertaking the conversion of the Light Regional Council Development Plan to the *Better Development Plan* (BDP) format using policy developed by the State Government to streamline development assessment policy across the state;
- The BDP format features similarities with the current Development Plan structure in that it retains council-wide and zone policies. Where BDP differs is in the presentation of general (or council-wide) policy in modules, augmented by (a generally reduced number of) specific zone policies;
- The BDP version of the Development Plan will feature less duplication as policy contained in the general modules is not repeated in the zones. Future DPA's using this format will also be easier to administer (for both Council and the Minister) as the format allows modules to be removed and replaced without the need for as much cross-checking and renumbering as is required currently;
- BDP policy content is expressed in a common format using similar language to facilitate interpretation and understanding;
- It is a State goal that the introduction of this standardised structure and policy content will assist the development industry in its interpretation of policy across councils. The process does however allow councils to make "local additions" to the standard suite of policy to reflect any unique features or requirements as appropriate to their respective areas;
- Council accepted this invitation to undertake a conversion and agreed on an associated Statement of Intent (SOI) for a Plan Amendment Report (PAR – previous version of a Development Plan Amendment (DPA)) with the Minister for Urban Development and Planning. The technical process of converting the Development Plan has commenced, however completion of the project has been delayed primarily because it has relied upon assistance from DPLG staff which has only been available on a priority basis;
- The original timelines of the SOI require updating and the DPLG has recommended that Council seeks to have a fresh SOI agreed with the Minister for Urban Development and Planning so that the project may progress in the latter part of 2010;
- The delay in the progress of this project has unfortunately been outside of Council's control however staff understand that a draft version of the converted Development Plan (prepared by the DPLG) is near completion which will allow the subsequent stages of the project to return to Council for progression (review, refinement, public consultation);

- The importance of this project is unchanged and as it will provide benefits to Council moving forward with other future Development Plan updates;
- It is recommended that Council endorses the updated SOI for submission to the Minister for Urban Development and Planning and delegates authority through the Chief Executive Officer to the Principal Project Planner to negotiate with the Minister as necessary to reach an agreement on the updated SOI.

***Recommendation***

**That Council:**

- c. **Endorses the Statement of Intent for the “*Better Development Plan Conversion Development Plan Amendment*” and authorises the Chief Executive Officer to sign the document and submit it the Minister for Urban Development and Planning, the Hon. Paul Holloway MLC in accordance with Section 25 of the Development Act, 1993; and**
- d. **Delegates through the Chief Executive Officer to the Principal Project Planner the authority to negotiate with the Minister, as required; to reach an agreement on the Statement of Intent.**

***Reasons for the decision***

To ensure that Council’s Development Plan is updated with relevant policy in advance of need.

**Budget Impact**

**Will there be an impact to the Budget?** YES

**Budget Impact Amount:** Nil (Staff time only)

**Is this included in the current year budget?** Yes

**Or, is there additional other income/funding?** Nil

**Future Operating Costs – *estimated per year* (refer Detailed Report)** Nil

**Is this included in the Long Term Financial Plan?** N/A

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## **Detailed Report**

### ***Purpose***

To provide Council with a draft updated Statement of Intent (SOI) for the “*Better Development Plan Conversion Development Plan Amendment*” (DPA) prepared by the Department of Planning and Local Government (DLPG) (with input from Council staff) and to seek Council’s endorsement of this document.

If endorsed, Council’s authorisation is also sought for staff to submit the SOI to the Minister for Urban Development and Planning in accordance with Section 25 of the *Development Act, 1993* in order to progress this matter.

### ***Background***

In 2005, Planning SA (predecessor to the (DPLG) offered to assist with undertaking the conversion of the Light Regional Council Development Plan to the *Better Development Plan* (BDP) format using policy developed by the State Government to streamline development assessment policy across the state.

Council accepted this invitation to undertake a conversion and agreed on an associated Statement of Intent (SOI) for a Plan Amendment Report (PAR – previous version of a Development Plan Amendment (DPA)) with the Minister for Urban Development and Planning. The technical process of converting the Development Plan has commenced, however completion of the project has been delayed as it has relied upon assistance from DPLG staff which has only been available on a priority basis.

The original timelines of the SOI require updating and the DPLG has recommended that Council seeks to have a fresh SOI agreed with the Minister for Urban Development and Planning so that the project may progress in the latter part of 2010.

### ***History***

- 20 September 2005 – Item 9.2.3 - Better Development Plans Conversion Plan Amendment Report

### ***Discussion/Analysis***

The BDP system has a number of inherent advantages. The standard Development Plan format has been in existence for over 20 years and Development Plans have grown in size and complexity as the document has included additional policy requirements. This has had two main outcomes as follows:

- It has generally reduced the ease with which members of the public can interpret Council’s planning policy; and
- It has generally resulted in duplication of policy content in Development Plans (between council-wide and zone policy content) and made the process of amending that policy more onerous (e.g. such as checking for policy consistency between council-wide and zone policies and confirming renumbering etc.).

The BDP format features similarities with the current Development Plan structure in that it retains council-wide and zone policies. Where BDP differs is in the presentation of general (or council-wide) policy in modules, augmented by (a generally reduced number of) specific zone policies.

The BDP version of the Development Plan will feature less duplication as policy contained in the general modules is not repeated in the zones. Future DPA’s using this format will also be easier to administer (for both Council and the Minister) as the format allows modules to be removed and replaced without the need for as much cross-checking and renumbering as is required currently.

BDP policy content is expressed in a common format using similar language to facilitate interpretation and understanding;

It is a State goal that the introduction of this standardised structure and policy content will assist the development industry in its interpretation of policy across councils. The process does however allow councils to make “local additions” to the standard suite of policy to reflect any unique features or requirements as appropriate to their respective areas.

In such a way, councils are able to use *Desired Future Character Statements* to set out the manner in which an area is to be developed in the future. These statements are a powerful instrument with which Council may protect character and guide appropriate future development.

The DPLG has funded the production of a draft converted Development Plan with Council providing in-kind support in the form of staff time to assist in the process. Progress of the DPA conversion has taken place in stages as DPLG staff have been available to complete each section (amongst other conversion projects and more recently the *30 Year Plan for Greater Adelaide*). The draft conversion of the zones and council-wide areas has been completed and council staff have submitted comments on the various sections back to the DPLG. It is expected that a draft converted version of the Development Plan can be compiled in the latter part of the year and returned to Council for its review prior to community consultation taking place.

## **Conclusion**

The delay in the progress of this project has unfortunately been outside of Council's control however staff understand that a draft version of the converted Development Plan (prepared by the DPLG) is near completion which will allow the subsequent stages of the project to return to Council for progression (review, refinement, public consultation etc.).

The completion of the BDP project will then enable Council to progress with the Sustainable Tourism DPA (which has been on-hold pending the completion of the BDP conversion).

The importance of this project is unchanged and as it will provide benefits to Council moving forward with other future Development Plan updates. Accordingly it is recommended that Council endorses the updated SOI for submission to the Minister for Urban Development and Planning and delegates authority to the Principal Project Planner to negotiate with the Minister as necessary to reach an agreement on the updated SOI for this important project.

## **References**

### ***Legislation***

Development Act, 1993  
Local Government Act, 1999

### ***Council Policies***

Nil.

### ***Strategic Plan***

Nil.

## 10.4.4 Gawler River Flood Management Authority

**File:** 305-3-2

**Appendix:** [10.4D -GRFMA Discussion Paper No. 2, Charter, Summary of responses from member Councils](#)  
[10.4E- Key Outcomes Summary.](#)

**Author:** Andrew Philpott, Environmental Projects Officer

**Report Presenter:** Andrew Philpott, Environmental Projects Officer

### **Executive Summary**

#### ***Report highlights***

- The Gawler River Flood Management Authority (GRFMA) is a Regional Subsidiary that has overseen the development of flood protection infrastructure for the Gawler River flood plain.
- The initial proposed flood protection measures included the construction of the Bruce Eastick Flood Mitigation Dam on the North Para (completed), modifications to the South Para reservoir spillway and selected channel works along the lower reaches of the Gawler River.
- The initial Charter for the GRFMA was gazetted on 17 August 2006 and dealt with the core function of flood protection on the Gawler River floodplain. The Local Government Act (1999) requires that the Charter is reviewed every four years.
- Member Councils need to consider the long term purpose of the GRFMA, following the construction of flood protection infrastructure.
- The functions of the GRFMA may evolve into such matters as water harvesting, ecological restoration and other public benefits.

### ***Recommendation***

That Council;

1. Supports the amendment of the GRFMA Charter to allow the authority to undertake emerging issues, such as water harvesting or ecological protection;
2. Supports the Executive Officer of the GRFMA seeking legal advice on the proposed changes to the charter;
3. Agrees that the process to undertake and contribute to a new function be the Business Plan and Budget Process and that the Schedule of Council Interests in Net Assets be modified to reflect any additional functions undertaken;
4. Supports the insertion of a new clause into the charter to limit a member council's liability to functions it has contributed to;
5. Notes the contents of Discussion Paper Number 2, Key Outcomes Summary (17 June 2010) and the responses from other member councils to the review of the charter in relation to the potential broadening of functions of the authority.

### ***Reasons for the decision***

The GRFMA is the most logical group to coordinate a broadening of riparian zone management activities, which transcend Council boundaries, for the Gawler River system. The GRFMA is a legal entity that has provided strong leadership and advocacy for the constituent Councils since its formation.

The modification to the Charter will seek to limit the liability of member Councils that do not wish to be involved in certain functions, such as water harvesting.

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**Budget Impact**

**Will there be an impact to the Budget?** YES

**Budget Impact Amount:** \$5,867

**Is this included in the current year budget?** YES

*If NO, what project or service will be removed/amended to cover this expenditure?*

Note that the amount of \$5,867 is Council's annual contribution towards the scheme's maintenance and operations costs. Additional costs may be incurred depending on the nature of new flood protection or other activities. These other activities are yet to be formalised or put to the member Councils.

**Or, is there additional other income/funding? YES** \$20M

**Source:** Wakefield Group – Gawler River Water Harvesting bid to the Commonwealth (Discussed in previous Council reports from S,P&E over recent months).

**Future Operating Costs – estimated per year (refer Detailed Report)** \$5,867

**Is this included in the Long Term Financial Plan? Yes** (Annual cost throughout the long term financial plan)

*If NO, what project or service will be removed/amended to cover this expenditure?*

**Or, is there additional other income/funding?** \$N/A

**Source:**

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## **Detailed Report**

### ***Purpose***

To seek the support of Elected Members in approving the review of the GRFMA Charter. This review will consider the broadening of the general activities of the GRFMA from that of floodplain protection to those of ecological restoration, provision of recreational and educational opportunities, and water harvesting.

### ***Background***

The GRFMA was established as a Regional Subsidiary in August 2002 for the main purpose of developing and coordinating the construction of flood protection infrastructure for the Gawler River floodplain. Its inception was bought about following the 1992 floods of the Gawler River. These floods, between October and December caused significant damage to private and public property.

The Charter of the GRFMA sets out the key activities of the authority. The Charter lists the coordination of the construction, operation and maintenance of flood mitigation infrastructure in the Gawler River area, the raising of finances, the provision of a forum for discussion of flood related matters plus the entering into agreements with constituent Councils as its core functions.

The original Business Plan for the GRFMA listed three main activities for the flood protection of the Gawler River floodplain. These activities included the construction of the Bruce Eastick flood mitigation dam on the North Para (now completed), modification to the South Para reservoir spillway and selected channel works to the lower reaches of the Gawler River. Hydrological modelling at the time indicated that these three activities would significantly reduce the impacts of a flooding event greater than a 1 in 20 year event along the lower Gawler River.

In 2008 Dr David Kemp of the Department of Transport, Energy and Infrastructure (DTEI) undertook a review of the hydrology of the Gawler River system. This review indicated that the calculated peak flows for flooding events were far greater than previously estimated. This review challenged the cost benefit ratio of flood mitigation works, particularly those for the lower reaches of the Gawler River. In response the Business Plan was modified to consider the merits of pursuing an upgraded Gawler River Flood Mitigation Scheme "Mark Two".

The Mark Two scheme essentially deals with a more detailed assessment of the lower Gawler River floodplain and the development of detailed mapping to highlight the most cost effective development of levees to protect key assets. However cost escalations for the modification of the South Para reservoir spillway now mean that the Mark Two scheme is currently unfunded.

There are a number of other projects occurring in and around the North and South Para and Gawler River at present. Principally these include the Gawler River Open Space Strategy, Waterproofing Greater Gawler and the Gawler Urban Rivers project. All three of these projects are relatively locally and regionally significant and seek to improve the ecological condition of the Gawler River while providing for greater recreational opportunities and water harvesting opportunities.

The Local Government Act (1999) requires that the Charter for Regional Subsidiaries must be reviewed every four years. The review of the GRFMA Charter is timely for a number of reasons. These reasons include:

1. The flood protection infrastructure construction phase will most likely be concluded by 2011;
2. There will be a requirement for ongoing ownership and maintenance of this infrastructure into the future;
3. A decision is required from the member Councils in the progressing of the Gawler River Flood Mitigation Scheme Mark Two;
4. The possible involvement of the GRFMA in the Gawler River Open Space Strategy;
5. The possible involvement of the GRFMA in the Waterproofing Greater Gawler project;
6. The possible involvement of the GRFMA in the Gawler Urban Rivers project.

### ***History***

Council last considered this matter at the January 2010 Ordinary meeting.

## ***Discussion/Analysis***

The GRFMA has been an effective instrument for the raising of funding and the development and implementation of the Gawler River flood protection strategy. This regional subsidiary has also provided a much needed forum for local Councils to discuss flooding and other riparian zone development related matters. Given the success of the GRFMA in developing a shared vision for the management of the Gawler River system it seems logical that the scope of activities and interests relating to the river system be broadened to include ecological, recreational and water harvesting projects.

It should be noted that there is some suggestion that another flood mitigation dam may be required on the North Para in order to improve the flood protection level for the Gawler River flood plain. Given the likely costs associated with such a proposal and the potential costs to member councils significant scrutiny will need to be applied to any such proposal.

Separately the Wakefield Group has also been progressing a number of projects relating to the management of the Gawler River system, such as the waterproofing of Greater Gawler. The Wakefield Group consists of the Federal Member for Wakefield, The Honourable Nick Champion MP and the CEO's of the member Councils within the Wakefield electorate. While this group is an effective instrument in promoting regional dialogue it has no legal status and therefore cannot implement schemes/projects in the way that the GRFMA can.

## **Conclusion**

The GRFMA is an existing regional subsidiary that has the potential to effectively coordinate a number of riparian related matters for the Gawler River system. As such it is considered appropriate that the Charter for the GRFMA be revised to include activities such as ecological restoration, recreational opportunity development, river water harvesting as well as core duty of floodplain management.

## **References**

### ***Legislation***

Local Government Act (1999) GRFMA Charter (Gazetted 17 August 2006)

### ***Council Policies***

10.4 Environmental Sustainability Policy

### ***Strategic Plan***

3.6 Environmental Sustainability

4.1 Water, Storm and Waste

9.7 Federal and State funding partnerships

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## 10.5 GENERAL MANAGER, INFRASTRUCTURE & WORKS

### 10.5.1 **Regional and Local Community Infrastructure Program – Round 3**

**File:** 118-8-21

**Author:** Richard Dodson, General Manager, Infrastructure and Works

**Report Presenter:** Richard Dodson, General Manager, Infrastructure and Works

#### **Executive Summary**

##### ***Report highlights***

- The Federal Governments Regional and Local Community Infrastructure Program (RLCIP) Round 3 2010/11 have been announced. Closing date for the application is on 30 July 2010.
- Successful completion of Round 1 of RLCIP included

1. Kapunda Memorial Gardens Water-Wise Upgrade	\$46,250
2. Kapunda Swimming Pool Renovations	\$40,000
3. Council and Community Crime Prevention Project	\$14,000
4. Mattiske Park Upgrade	\$35,750

These projects were completed on 30 September 2009.

- Round 2 of RLCIP being the upgrade of pontoon, walkway structures and public amenity and garden areas of Davidson Reserve. This work is on schedule and will be completed late July. Total funding received \$45,000.00.
- Round 3 of the RLCIP funding being made available to Council is \$45,000.00.

#### ***Recommendation***

**That Council recommend the use of the Federal Government's RLCIP funding of \$45,000 to:**

- **Upgrade Freeling Skate Park to provide long term functionality including:**
  1. **Replacing the timber joists with steel joists in the frames of the skate ramps**
  2. **Replacement of paving area with concrete surface to better meet the needs of skaters**
  3. **Provision of shaded area**
- **Beautify the reserve at the corner of Borrow Street and Light Road in Freeling.**
- **Replace the current sprinkler system to an IPOS SA Water Accreditation subterranean irrigation in reserves at Hewett. Initial estimates for the proposal enable at least the Osprey Playground Reserve to be completed with two other reserves at Hewett to be considered pending available funds.**

#### ***Reasons for the decision***

The Freeling Skate Park has already been identified as requiring improvements to ensure it continues to meet the safety standards that the community demand. This will also provide an opportunity for the park to have shade provided and improve the surface surrounding the park.

The reserve on Borrow Street at Freeling is a small reserve that is not currently maintained to a standard that is expected by the community. The parcel of land is minimal and requires a small amount of funding to provide visually pleasing plantings, sub-soil irrigation and mulching.

In regard to providing improved irrigation systems in Hewett, Council is aware that the price of water is set to increase and is taking steps to reduce the long term financial and maintenance cost of its reserves.

## **Detailed Report**

### ***Purpose***

To advise Council that the Federal Government has announced Round 3 of Regional and Local Community Infrastructure Program and has proposed ideas for the use of RLCIP funding.

### ***Background***

On 18 June 2010, the Australian Government announced that it is making available \$100m of the \$300 million to Local Government under the Regional and Local Community Infrastructure Program, to build and improve community infrastructure and boost local economies. Light Regional Council's allocation under this part of the program will be \$45,000.

At a Corporate Management Meeting held on 7 July 2010, discussion ensued in relation to the guidelines presented by the Federal Government for allocation of those funds. The guidelines require Council to submit a list of suitable projects by 30 July 2010, with all the funds to be expended by 31 December 2011. The national goal is to create a fiscal stimulus to the economy in response to the global financial meltdown. With these points in mind, Corporate Management has compiled a list of suggested projects for Council's consideration:

	Estimate
• Freeling Skate Park – (recreational)	\$15,000 (no budget allocation)
• Borrow Street Reserve Upgrade - (water wise)	\$10,000 (no budget allocation)
• Upgrade of Irrigation System, Hewett - (Water Wise)	\$20,000 (no budget allocation)
	<b><u>\$45,000</u></b>

### ***History***

As with the funding received from the Federal Government for Round 1 and Round 2, Council will now forward an application to receive funding from Round 3 of the Regional and Local Community Infrastructure Program.

### ***Discussion/Analysis***

All projects submitted meet the required guidelines for RLCIP funding. Council has been advised that the funding allocated to the region under the RLCIP must be spent within guidelines of the program and fully expended by the 31 December 2011 on community infrastructure development or refurbishment.

To ensure the funds are fully expended by the required date, it would be advantageous for Council to have full control over the projects selected (i.e. be Council property) to ensure all decisions and work can be undertaken expeditiously.

Current maintenance on the **Freeling Skate Park** has been the subject of correspondence from ratepayers and of discussion and planning in the Infrastructure and Works Department for several months. Elected members would be aware that a report was presented to Council at the April 2010 Council meeting outlining concerns with the current condition of the Freeling Skate Park. A risk assessment was undertaken by a Regional Risk Officer working for the Local Government Risk Service – Jardine Lloyd Thompson Pty Ltd. Findings from this assessment suggested that Council should take reasonable action to repair or replace the infrastructure at the park.

Repairs to enable the park to remain operational have been completed and a further report is required to be presented to Council outlining options and costs for the future use of the Freeling Skate Park. If Council is successful in receiving funding for this project, this also will be detailed in the report.

Council has decided to invest funds into the beautification of the **Borrow Street Reserve** (adjacent to Borrow Street, Light Street and Anders Street at Freeling). This concept will be in line with the upgrades undertaken at both Davidson Reserve and the Kapunda Memorial Gardens at Kapunda where the areas have been beautified by the installation of irrigation lines and the planting of water-wise plants.

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The final project for consideration is the replacement of current sprinkler system to an **IPOS SA Water Accreditation subterranean** irrigation type in the reserve of Osprey Playground Reserve at Hewett. Council has been advised that the current sprinkler system is not efficient with too much water being lost to evaporation and the current areas under irrigation are not receiving the full quota of water to enable the reserves to flourish.

All reserves being constructed either by Council or for Council now require a subterranean irrigation system which utilises drippers thus decreasing the evaporation and therefore saving Council on water costs. This system is also being installed at Davidson Reserve at Kapunda as part of the RLCIP Round 2 funding.

### **Conclusion**

The Corporate Management Meeting held on the 7 July 2010, resolved that the projects identified as the recipients of the \$45,000 funding should be the upgrade of Freeling Skate Park, the beautification of the Borrow Street Reserve and Hewett Reserves to ensure that the Council submission and expenditure can meet the tight deadline set by the Federal Government.

### **References**

#### ***Legislation***

N/A

#### ***Council Policies***

N/A

#### ***Strategic Plan***

##### **3. Goals**

##### **3.4 Social Infrastructure**

“To facilitate, deliver or cause to be delivered the required social infrastructure to effectively service the current and future population of the region.

##### **4. Sustainability**

##### **4.1 Water**

“Council is keen to support targets set by the Natural Resource Management Boards and State Government for water re-use and efficiency gains”. *Page 3*

##### **4.3 Climate Change**

“Council can assist in the promotion of water wise landscaping and can greatly increase the levels of revegetation”. *Page 3*

### **Budget Impact**

**Will there be an impact to the Budget?**                      Yes, Nil, if recommendation is upheld.

It is intended to utilise the RLCIP funds to purchase materials or contract services to deliver these projects. Council plant and labour has already been budgeted separately for the 2010/11 financial year.

11. **REPORTS FOR INFORMATION**

Item No. and Subject	Manager
<p><b>11.1 Draft 10 Year Health Services Plan for Inner North Country Health Services 2010 - 2019</b></p> <p><b>File:</b> 115-1-3</p> <p><b>Appendix:</b> <a href="#">11.1A - Draft 10 Year Health Services Plan for Inner North Country Health Services</a></p> <p>The hospitals and health services in the Inner North, which include, Angaston, Eudunda, Gawler, Kapunda, and Tanunda comprise the Inner North Country Health Services cluster. The Inner North Country Health Service Cluster Executive Group has developed, in consultation with the community and stake holders, the draft Local Health Service Plan (see <a href="#">Appendix 11.1A</a> for full copy of the Plan). The Eudunda/Kapunda, Barossa and Districts and Gawler and District Health Advisory Councils (HACs) have also worked closely with the Executive Group in the planning and implementation of The Plan.</p> <p>Through community and stakeholder consultation, questions were posed:</p> <ul style="list-style-type: none"> <li>• To identify service delivery issues</li> <li>• Groups of people considered to have the most health problems</li> <li>• The health priorities faced by the community</li> </ul> <p>Respondents indicated that they valued health services highly and that they did not want to lose the services they currently have access to. Local access to all health services was therefore given high priority.</p> <p>Gaps in prevention and early intervention programs across the age continuum were highlighted, and those requiring mental health services, youth, aged and the disabled were identified as groups whose service needs are a priority. The ability to stay at home for as long as possible with support services was seen as important for the elderly.</p> <p>Of universal concern was an understanding of the implications of population growth; its impact on the need for upgraded and suitably placed health services and infrastructure. The ongoing need for updated health facilities in the Barossa was identified particularly by the Barossa community.</p> <p>Service priorities where gaps/issues with existing services were identified by community:</p> <ul style="list-style-type: none"> <li>• Communication and information – access to information about services and being able to understand health information.</li> <li>• Transport to access health services – both locally and to metropolitan areas.</li> <li>• Enhancing access to Accident and Emergency services - especially at Gawler Health Service.</li> <li>• Waiting times for services – opportunity for access to timely GP or specialist appointments.</li> <li>• Access to GPs, and to lesser extent medical specialists.</li> </ul> <p>Health priorities identified:</p> <ul style="list-style-type: none"> <li>• Drug and alcohol services – not enough services, lack of prevention and early intervention.</li> </ul>	<p><b>Sue Eldridge Manager Community Development</b></p>

- Mental health services – access and availability.
- Chronic disease and conditions - treatment/management and healthy lifestyle options.
- Health needs of an ageing population – such as in-home and residential, ageing in place; available locally.
- Community based care.

Priorities identified by the community for the Kapunda / Eudunda Health Service, are as follows:

Acute Care

- Services at Eudunda and Kapunda Hospitals need to be clearly defined so that the community expectations of a timely, well staffed and safe quality service can be met.
- Transport is a key element to be considered.

Emergency

- Services at Eudunda and Kapunda Hospitals need to be clearly defined so that the community expectations of a timely, well staffed and safe quality service can be met.
- Ambulance support and transport are key elements to be considered.

Elective Surgery

- The newly developed 4 chair Day Surgery suite and medical and surgical staffing at Kapunda Hospital provides the opportunity to increase activity level to support other sites.
- This would also complement the education program spanning pre-operative, anaesthetics, theatre, recovery and central sterilisation departments.

Medical Specialists

- Kapunda has a good range of visiting medical specialists. The community would like to see this continue as well as explore opportunities to increase the range of specialists.

Palliative Care

- The CHSA Palliative Care Plan and Statewide Palliative Care Plan have provided a framework for palliative care services.
- The Eudunda and Kapunda Hospitals are developing formal links with neighbouring and metropolitan Hospitals for support in the provision of local palliative care services.
- The use of community palliative care packages and specialised staff training were seen as priorities.

Mental Health

- Opportunities to improve mental wellbeing were to establish the Kapunda Shed and Eudunda Community Sheds to address some men's health issues and social isolation.
- Increasing the use of telemedicine and increased access to psychiatric services.

Maternal and Birthing

- Staff and community are keen to see this high quality safe birthing service maintained at Kapunda Hospital and potential to expand this service to be explored.
- Levels of work and staff experience and skills need to be supported to achieve a sufficiently high standard of service delivery.

<p>Rehabilitation</p> <ul style="list-style-type: none"> <li>• At a minimum the community would like to see the current level of rehabilitation services maintained.</li> </ul> <p>Community and Allied Health</p> <ul style="list-style-type: none"> <li>• Staff and stakeholders recognised the opportunity to focus on preventative approaches and group education with emphasis on wellness and healthy lifestyle.</li> <li>• High community recognition of the need for safe and friendly communities and physical spaces which support healthy lifestyles.</li> <li>• The availability of drug and alcohol services was recognised as needing review and development.</li> </ul> <p>Aged Care</p> <ul style="list-style-type: none"> <li>• Both Kapunda and Eudunda have opportunity for growth to match local need.</li> <li>• Respite</li> <li>• Provision of a respite bed at Eudunda and Kapunda to be explored.</li> <li>• Clinical Support Services</li> <li>• Dialysis, chemotherapy and radiotherapy provision to be explored on a more local basis than currently available.</li> <li>• Oral Health</li> <li>• The need for dental care options for Eudunda and Kapunda communities was identified.</li> <li>• Paediatrics / Early childhood</li> <li>• A service model which encompasses services provided in the catchment of Inner North Country Health Services is under development.</li> </ul> <p>The Draft Plan contains a comprehensive Service Delivery Plan that identifies the service category and description, the target group and directions over the next 10 years for core services to be sustained and strategies for new / expanded services.</p> <p>Also included in the Plan are key requirements for supporting services and a resources strategy.</p> <p>After review by staff it has been considered that the Draft 10 Year Health Services Plan for Inner North Country Health Services 2010-2019 provides an appropriate framework to support the growing community of the Light Region and beyond into the future. No detailed response was therefore sent to the Inner North Country Health Services during the consultation period.</p>	
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<p><b>11.2 Barossa Infrastructure Limited – Strategic Planning Day</b></p> <p><b>File:</b> 305-3-11</p> <p>On Tuesday 6 July 2010 Barossa Infrastructure Limited held a planning day at the Jacob’s Creek Visitor Centre. The planning day was to consider Barossa Grape and Wine Industry Projections to 2020.</p> <p>Forecasts for the wine industry are somewhat gloomy at present as it was discussed that current market issues include a combination of an oversupply of grapes, increasing competition from imported wines, relatively higher operating costs for Australian producers and climatic trends. It is estimated that there is currently a 270,000 – 500,000 tonne oversupply of grapes across Australia at each vintage. It is also considered that on a national basis some 17% of vineyards are unviable.</p> <p>The Barossa wine region produced a 52,000 tonne crush in 2009, which represented around 3.5% of the national crush. This represents 2 - 3% of the Australian wine export.</p> <p>While there have been episodes of oversupply in the past, resulting in vine pulls and other restructuring efforts, this new situation comes at a time of high competition from emerging wine producers such as Chile, Argentina and the Balkan States. For the Barossa Region there will be a need for some restructuring including a reduction in grape production, the better management of vineyards and improved marketing efforts.</p> <p>The current condition of the Barossa Region also has relevance for Council in terms of business strength and projected employment growth. Council will need to consider these issues going forward with Development Plan Amendments and upgrades of its Strategic Plan.</p>	<p><b>Nathan Cunningham, General Manager Strategy, Projects and Engineering.</b></p>
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**11.3 Adelaide Rail Freight Movements Study****File:** 55-7-2

On 24 June 2010 the Hon. Anthony Albanese, Federal Minister for Infrastructure, Transport, Regional Development and Local Government released the *Adelaide Rail Freight Movements Study* prepared by consultants GHD.

Staff provided a submission to the Study (to meet tight timeframes imposed for consultation) and a copy of this submission was provided to Council at its meeting in December 2009 accompanied by an information report.

The key purpose of the study was to provide the Australian Government with a greater understanding of freight rail movements across the Adelaide region as well as determining how the network can be made to work better, including consideration of options to relocate the city's main freight line.

The current line travels through a number of Local Government Areas as it goes from Murray Bridge through the Adelaide Hills and inner eastern suburbs and on to Islington. A number of these inner city areas have residential populations that have expanded in close proximity to the line including those in the Adelaide Hills Council, City of Mitcham & City of Unley areas,

Community consultation revealed strong support from residents of Adelaide Hills and inner city councils for relocation of the freight rail line to one of the northern options (north and south of Truro).

Cost benefit analysis contained in the study has revealed the following:

- Capital outlay required to improve the existing rail line or construct a new rail line is far greater than the benefits that would be derived from such an outlay;
- Operational benefits will be modest;
- Social benefits will be marginal (however, the study acknowledges that the externalities in the study measured distance rather than severity of impact upon local residents. For example, the northern alignments add up to an additional 90km to the length of the current route and therefore were judged to provide a negative externality benefit);
- An upgrade of the current infrastructure would not deliver a net economic benefit.

The study includes a sensitivity test in which it is assumed that the noise intensity impact on residents per train movement along a northern bypass would be 10 times lower than that experienced along the current route.

It is disappointing to note that Light Regional Council was not one of the Councils chosen to participate in the Project Reference Group for this Study, given the potential impacts the recommendations may have upon this area (the Project Reference Group included the LGA, City of Mitcham, City of Unley, Mount Barker District Council, Southern Mallee Council, The City of Onkaparinga, The Rural City of Murray Bridge and The Barossa Council together with representatives from industry bodies).

A staff member from the City of Unley recently contacted Council staff to express disappointment with the LRC position, however it was noted that impacts upon residential population (either existing or potential) are a key social consideration arising from this issue and it is important to recognise this.

In particular, LRC noted and provided feedback to the study highlighting that the two "Northern Bypass" options presented for a freight rail connection between Truro and Two Wells would either come very close to or sit within the significant Roseworthy development area and would also travel through the township of Freeling, another township that has experienced residential growth and will continue to do so as the *30-Year Plan for Greater Adelaide* is implemented. Such proximity could potentially result in similar issues to those presently experienced in inner Adelaide suburbs being transferred to this area in the future (as well as

**Nathan  
Cunningham –  
General Manager,  
Strategy, Projects &  
Engineering**

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<p>impacts upon agriculture if a new rail alignment is developed).</p> <p>Ultimately, the study has found that the alignment options identified in the study are technically feasible however none were found to be economically viable at this point in time.</p> <p>The study has determined that the existing line has the capacity to handle Adelaide's freight traffic until at least 2025. The study will now be submitted to Infrastructure Australia for consideration (as it finalises the National Freight Network Strategy which is due before the end of the year) together with the State Government for consideration in its strategic planning for the state.</p>	
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**11.4 Caretaker Mode****File:** 80/5/4**June Austin  
HR & Governance  
Manager**

Council adopted the Caretaker Policy on the 15 June 2010 complying with legislative requirements under the amendments made to section 91A of the Local Government (Elections) Act 1999.

The purpose of the Caretaker Policy is to:

- ensure Council has a clear set of parameters to operate within whilst in 'Caretaker Mode'
- prevent a "designated decision" being made during the 'election period'
- ensure Council avoids actions and decisions which could be perceived as intended to affect the results of an election or otherwise to have a significant impact on or unnecessarily bind the incoming Council

The election/caretaker period for Light Regional Council commences on 14 September 2010 and concludes when the final results of the election are declared by the Electoral Commission of South Australia (expected towards the end of November 2010).

**Designated Decisions**

During the caretaker period Council cannot make a designated decision on:

- the employment or termination of the CEO
- changes to the remuneration package of the CEO
- a new contract, arrangement or understanding greater than \$100k or 1% of rate revenue (which is \$101,500 for Light Regional Council) or
- Use Council resources for election purposes including stationary, computers, staff and information unless use is provided equally to all candidates.

So far as is reasonably practicable, the Chief Executive Officer should avoid scheduling significant decisions (including major policy decisions) for consideration during the caretaker period.

Alternatively council should ensure that such decisions are considered by Council prior to the 'election period'; or are scheduled for determination by the incoming Council.

In the context of this policy, a 'major policy' decision includes any decision:

- to spend unbudgeted monies;
- to conduct unplanned public consultation;
- to endorse a new policy;
- to dispose of Council land;
- to approve community grants;
- to progress any matter which has been identified as an election issue; and
- any other issue that is considered a major policy decision by the CEO that is not a 'designated decision'.

Even though there are restrictions on designated decisions during the caretaker period Council is expected to undertake normal Council business.

This may include:

- appointing an acting CEO in the event of the CEO being unable to perform their duties
- entering into a 'prescribed contract' which includes road construction, maintenance or drainage works

Non compliance with the Caretaker Policy is specified in the Local Government Election Act 1999 under Section 91A (5) and 91A (6).

- Section 91A(5)

*"A designated decision made by a council in contravention of this section or the caretaker policy of the council is invalid"*

- Section 91A(6)

*"Any person who suffers any loss or damage as a result of acting in good faith on a designated decision made in contravention of this section or a caretaker policy is entitled to compensation from the council for that loss or damage"*

From 14 September 2010 until the new council presides consideration of the parameters within the Caretaker Policy is necessary before the inclusion of items for decision on council agendas.

**11.5 2010/2011 Capital Works Programs****File:** n/a**Richard Dodson,  
General Manager,  
Infrastructure &  
Works**

The purpose of this report is to summarise and confirm the recommendations from Infrastructure and Works Committee and the adoption of the 2010/2011 Capital Works Program at the Special Council meeting held on Tuesday 22 June 2010.

At the Infrastructure & Works Committee meeting held on Tuesday 22 June 2010 the committee resolved the following recommendation:

*“Moved Cr Rohrlach  
Seconded Cr Skevington*

*That the Infrastructure & Works Committee recommends to Council that the allocation for bridge inspection (including possible repairs to Orchard Bridge) be \$50,000. That the \$50,000 be spent on inspections in the following order:*

- Orchard Bridge
- Ayliffe’s Bridge
- Wasleys Road Bridge
- Sturt Road Bridge
- Mount Allen Road Bridge
- McCarthy Bridge
- Ross Creek Bridge

*That the Infrastructure & Works Committee recommends to Council the allocation of \$150,000 for the sealing of unsealed roads in the 2010/2011 budget. It acknowledges the need to address dust problems on Victor Road Greenock and also Hawke Street Kapunda and requests investigation into cost effective methods to address these issues, with a report to be presented at the September Committee meeting or earlier if possible.*

*That the Infrastructure & Works Committee recommend the 2010/2011 Capital Works Programs as submitted, be adopted by Council. Works are to commence immediately on roads highlighted under the Bubner and Noack quarry pits.*

**CARRIED”**

At the subsequent Special Meeting of Council held after the Infrastructure & Works Committee Meeting on Tuesday 22 June 2010 the following Motion Without Notice was carried:

*“Moved Cr Kennelly  
Seconded Cr Kubisch*

*That Council adopt the 2010/2011 Capital Works Programs as attached to the Agenda Report provided to the Light Regional Council Infrastructure & Works Committee at its meeting of Tuesday, 22 June 2010 and that works commence immediately on roads highlighted under the Bubner and Noack Quarry pits.*

**CARRIED”**

For the information of elected members, investigations are continuing into the identification of the highest priority unsealed roads for inclusion in the sealing program.

<p><b>11.6 Petition for extension of Kerbside Collection Service – Allendale North</b></p> <p><b>File:</b> n/a</p> <p>The purpose of this report is to provide an information report in relation to the petition received from residents of Allendale North requesting extension of Council’s kerbside collection service.</p> <p>This petition has provided Council staff with residents in the area who are supportive of receiving a kerbside collection service. The identification of these residents will enable staff via Council’s contractor, Solo Resource Recovery, the opportunity to determine proposed route extensions where possible.</p> <p>Following this, Council will be in position where it will be able to confirm if it is able to offer this service to the residents.</p> <p>It is the intention of the Infrastructure &amp; Works Department to publicise Council’s kerbside service to those residents who are not currently within a collection area to determine the feasibility of providing further route extensions.</p>	<p><b>Richard Dodson, General Manager, Infrastructure &amp; Works</b></p>
<p><b><u>Recommendation</u></b></p> <p><b>That the reports on delegated authority and information items be received and the contents therein be noted by Council.</b></p>	

**12. PROCEDURAL MATTERS**

**12.1 QUESTIONS WITHOUT NOTICE**

**Rules per Regulations -**

- Questions and replies are not entered in the minute book unless expressly required by resolution.
- No debate shall be allowed on any question or the reply to any question.
- If required by the Mayor, such questions shall be put in writing.
- The Mayor may direct that a reply be given at the next meeting.

**12.2 QUESTIONS ON NOTICE**

**Rules per Regulations –**

- These questions must be in writing and given to the Chief Executive Officer five (5) clear days prior to the meeting.
- Chief Executive Officer shall place these items in the agenda.
- They shall be answered by the Mayor at the meeting.
- Questions and replies shall be entered into the minute book.

**12.3 DEFERRED MOTION**

**12.4 NOTICE OF MOTION**

## 12.4.1 Revocation of Community Land, Gawler Aerodrome, Buchfelde

**File:** 3151157009

**Appendix:** [12.4A - Letter from Hon Gail Gago, Minister for State/Local Government Relations](#)  
[12.4B - Notice of Motion – Cr Peter Kennelly](#)

That the following resolution made by the Council on 18 May 2010 relating to Item 10.2.2 (Revocation of Community Land, Gawler Aerodrome, Buchfelde) which provides –

*“That Council, after complying with the provisions of the Local Government Act 1999 in regard to the revocation of classification of land as community land, and following the receipt of the notice of approval of revocation from the Hon Gail Gago, MLC, Minister for State/Local Government Relations dated 7 May 2010, and further in accordance with Section 194(3)(b) of the Local Government Act 1999; hereby revokes the community land classification attributed to the land known as the Gawler Aerodrome land (situated south of the Northern Expressway project land) at Buchfelde, that is the land described as Lot 6 Two Wells Road, Buchfelde being allotments 827, 828 and 829 in Deposited Plan 18354, contained in Certificate of Title Volume 5115 Folio 511.*

*Furthermore, that Council lodge notices with the Advertiser newspaper and the South Australian Government Gazette advertising the finalisation of the land revocation.*

CARRIED”

**BE RESCINDED** in light of the fact that an anomaly exists regarding the subject land particulars referenced which ultimately will lead to new titles being withheld and settlement with the Gawler Harness Racing Club and the Department for Transport, Energy and Infrastructure being further delayed.

## 12.5 MOTIONS WITHOUT NOTICE

### **Rules per Regulations**

- A member may bring forward a motion without notice and if required by the Mayor, put it in writing.
- Before addressing the meeting, the member shall state the purpose of the motion.
- A member cannot move more than one motion without notice on the same subject at any meeting.

## 13. CONFIDENTIAL ITEMS

## 14. NEXT MEETING

## 15. CLOSURE