



**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.*

## ***MINUTES***

*from the Special Meeting of*

### ***LIGHT REGIONAL COUNCIL***

*held in the  
COUNCIL CHAMBER  
93 Main Street, Kapunda*

***TUESDAY, 10 MAY 2011***

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

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

Telephone: 8525 3200  
Facsimile: 8566 3262

**MINUTES OF THE SPECIAL MEETING OF  
LIGHT REGIONAL COUNCIL HELD ON TUESDAY,  
10 MAY 2011, IN THE COUNCIL CHAMBER,  
93 MAIN STREET, KAPUNDA**

**1. PRESENT**

Bill O'Brien	Mayor
Cr Wayne Standish	Light Ward
Cr Lynette Reichstein	Light Ward
Cr Bill Close	Mudla Wirra Ward
Cr Steven Watson	Mudla Wirra Ward
Cr Mike Skevington	Laucke Ward
Cr Peter Kennelly	Laucke Ward
Cr Deane Rohrlach	Dutton Ward
Mr Brian Carr	Chief Executive Officer
Mr Richard Michael	General Manager, Business & Governance
Mr Nathan Cunningham	General Manager, Strategy, Projects & Engineering
Mr Richard Dodson	General Manager, Infrastructure & Works
Mrs June Austin	HR & Governance Manager
Ms Vicky Rohrlach	Manager, Finance
Mr Kieren Chappell	Projects Engineer
Mr Neil Purdam	Technical Officer - Infrastructure & Assets
Mrs Terry Savage	Executive Assistant

**2. OPENING**

Mayor Bill O'Brien declared the meeting open at 7:52pm

**3. APOLOGIES**

Cr Peter Graham	Mudla Wirra Ward
Cr Robert Williams	Dutton Ward
Cr Des Ellis	Dutton Ward
Mr James Miller	General Manager, Development & Regulatory Services

**4. PRESENTATIONS TO COUNCIL**

- 4.1 Mr Don McQueen representing DJMA Project Management had been invited to give a presentation on the McKinley Ridge Footpath report. However, in lieu of Mr McQueen's scheduled presentation to the special meeting of Council, his report was distributed for information purposes at the meeting in preparation for a presentation to be given at a convenient time for Council.

**5. REPORTS FOR DECISION**

**5.1 CHIEF EXECUTIVE OFFICER**

Nil

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5.2 GENERAL MANAGER, BUSINESS & GOVERNANCE

**5.2.1 Joint Sitting Committee Special Meeting, 10 May 2011**

**File:** -

**Author:** Richard Michael, General Manager, Business & Governance

Moved Cr Rohrlach  
Seconded Cr Kennelly  
That Council -

A. Adopts the draft terms of reference for the Joint Sitting Committee be as follows;

**ESTABLISHMENT & TERMS OF REFERENCE OF THE  
LIGHT REGIONAL COUNCIL'S**

***THE JOINT SITTING COMMITTEE***

**1. Establishment of the Joint Sitting Committee**

**2. Committee**

Pursuant to Section 41 of the Local Government Act 1999 ("the Act") the Council establishes a Committee to be known as the **Joint Sitting Committee** ("the Committee").

**3. Functions**

Subject to compliance with all legislation, policies, plans and procedures of the Council, the functions of the Committee are to be focused on:

- (1) The Annual Business Plan and Budget formulation for referral to Audit Committee; including Budget Reviews
- (2) To receive briefings on the governance process of the Roseworthy Garden Town Project including attending and presiding over the Roseworthy Stakeholder parties forums as per the Memorandum of Understanding executed on 23<sup>rd</sup> of July 2010 witnessed by the Minister for Urban Development and Planning.

Any other matter which is within the powers and functions of the Council and which is referred to the Committee by the Council.

Pursuant to Section 41 (7) a Committee may establish a sub-committee to assist in a matter. Membership of the Sub-Committee may comprise any elected member and independent expertise as determined by Council.

**4. Composition of the Committee:**

**Members:**

**Chair** Deputy Mayor

- Presiding Member, Infrastructure & Regulatory Services Sitting Committee
- Deputy Presiding Member, Infrastructure & Regulatory Services Sitting Committee
- Presiding Member, Strategy & Projects Sitting Committee
- Deputy Presiding Member, Strategy & Projects Sitting Committee

**Ex Officio** Mayor pursuant to Section 41(6) of the Act.

**Management:**

- The Chief Executive Officer
- General Manager, Business & Governance
- General Manager, Development & Regulatory Services
- General Manager, Strategy, Projects & Engineering
- General Manager, Infrastructure & Works
- Finance Manager,
- Human Resource & Governance Manager
- Others as required

**Administration:**

Executive Assistance to the Chief Executive Officer

**Observers:**

Remaining Elected Members will be invited to attend at their discretion

A Member of the Committee will, subject to Section 41(5) of the Act and Clause 4.3 of these Terms of Reference, hold office as a Member of the Committee for a period of up to two (2) years, or until the conclusion of the next general election of the Council.

The office of a Member of the Committee shall become vacant upon the Council removing that person from office as a Member of the Committee or upon the Member ceasing to hold office as an Elected Member of the Council.

In the event of a vacancy in the office of a Member of the Committee, the Council shall, if it deems fit, appoint another person as a Member of the Committee on the same basis as, and for the balance of the term of, the original appointment.

No additional allowance will be paid to the elected member representative over and above the allowance already received by the elected member in accordance with the Local Government (Members Allowances and Benefits) Regulations 2010.

**5. Office Bearers**

The Chair of the Committee shall be appointed by the Council for such term as the Council sees fit.

The office of the Chair shall become vacant if:

the Council removes the Chair from office; or

the Chair ceases to be a Member of the Committee.

**6. Meetings**

6.1 Meetings of the Committee will be conducted in accordance with the Act, Part 3 of the Local Government (Procedures at Meetings) Regulations 2000, these Terms of Reference and any Code of Practice for Meeting Procedures adopted by the Council and applicable to the Committee.

6.2 Insofar as the Act, the Local Government (Procedures at Meetings) Regulations 2000, these Terms of Reference and any Code of Practice for Meeting Procedures adopted by the Council and applicable to the Committee do not specify a procedure to be observed in relation to the conduct of a meeting of the Committee, then the Committee may determine its own procedure.

6.3 In accordance with, and subject to, the Act and the Local Government (Procedures at Meetings) Regulations 2000 all meetings of the Committee shall be open to the public unless the Committee has resolved to exclude the public from a meeting or part of a meeting pursuant to the Act.

6.4 The Committee shall meet on the second Tuesday as required. Such meeting shall be convened by the giving of notice by the Chief Executive Officer in consultation with the chair.

6.5 Minutes together with corresponding Agenda and Appendices of a meeting of the Committee shall be presented for confirmation of recommendations and/or discussion to the next meeting of the Council.

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- 6.6 In accordance with the Act, the minutes of a meeting of the Committee shall be provided to all Council members within five (5) days after the meeting of the Committee.
  - 6.7 A quorum for a meeting of the Committee shall be one half of the total number of Members of the Committee in office (ignoring any fraction) plus one. No business can be transacted at a meeting of the Committee unless a quorum (being three (3)) is present.
  - 6.8 All recommendations to the Council by the Committee shall be made on the basis of a majority decision of the Members present.
  - 6.9 All members of the Committee, including the Chair, shall have a deliberative vote, and in the event of an equality of votes, the matter will be referred to Council for decision.
  - 6.10 If the Chair of the Committee is absent from a meeting, a member of the Committee shall be chosen from those present to undertake the role of Chair at that meeting.
  - 6.11 The Chief Executive Officer shall be responsible for ensuring that accurate minutes are kept (to be confirmed at the next meeting of the Committee) of all proceedings of the Committee.
  - 6.12 In all of its dealings and activities the Committee shall have regard to the Guiding Principles under Local Government (Proceedings at Meetings) Regulations 2000 Part 1 Regulation 5.
  - 6.13 The Committee does not enjoy the delegation of any powers, functions and duties of the Council. All decisions of the Committee will, therefore, constitute recommendations to the Council.

**7. Review**

These Terms of Reference will be subject to review by the Council on a two (2) year basis or as determined by Council.

**8. Tenure**

The Committee will continue in existence until wound up by resolution of the Council.

- B. That note the contents of the draft Transport Chapter document and its Appendix B 'Renewal Program' and further that it be used as the basis for the formulation of Council's Capital Infrastructure Budget for the 2011/2012 Financial Year (subject to variation by Council resolution) until Council has the opportunity to consider the Infrastructure and Asset Management Plan (excluding the Land & Buildings Chapter) in its entirety.
- C. Note the contents of the the draft Annual Business Plan and Budget (*and to subject to consideration and comment by the Light Regional Council Audit Committee and Light Regional Council Rating Policy Review Advisory Committee at scheduled committee meetings for 17 May 2011*), the document be released following the finalisation of editing for public consultation in accordance with the provisions of section 123 of the Local Government Act 1999.

CARRIED

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## 5.4.1 Legislative Protection of Agricultural Land – Barossa Valley Floor

Moved Cr Standish  
Seconded Cr Skevington

1. That the Agenda report 9.4.3 S&P9.4.3/2011 *Legislative Protection of Agricultural Land – Barossa Valley Floor* and minute of the Light Regional Council Strategy & Projects Committee held 3 May 2011 be received.
2. That the report and recommendation of the meeting of the Light Regional Council Strategy & Projects Committee held Tuesday, 3 May 2011 entitled *S&P9.4.3/2011 Legislative Protection of Agricultural Land – Barossa Valley Floor* below, be adopted.

<b>S&amp;P9.4.3/2011</b>	<b>Legislative Protection of Agricultural Land – Barossa Valley Floor</b>
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**File:** TBA

**Author:** Nathan Cunningham. General Manager – Strategy, Projects & Engineering

***Recommendation***

That the suggested engagement strategy for responding to the Minister for Urban Development & Planning, the Hon. John Rau MP regarding the desired legislative protection of the Barossa Valley floor from future urban development be endorsed.

CARRIED

## 6. PROCEDURAL MATTERS

### 6.1 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.

Nil

6.2 **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.

Nil

6.3 **DEFERRED MOTION**

Nil

6.4 **NOTICE OF MOTION**

Nil

6.5 **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.

7. **CONFIDENTIAL ITEMS**

Nil

8. **MEETINGS**

The next ordinary meeting of Light Regional Council will be held on Tuesday, 22 May 2011, commencing at 5:00pm in the Council Chamber, 93 Main Street, Kapunda.

9. **CLOSURE**

The meeting was declared closed at 8:05pm

Minutes of meeting confirmed at a meeting of Council held on Tuesday, 22 May 2011.

MAYOR \_\_\_\_\_