CONFIDENTIAL MINUTES OF

THE MEETING

of the District Council of Mount Barker held in the Bowyer Chambers of the Local Government Centre, Mount Barker on Wednesday 6

September 2006 at 9am

PRESENT

The Mayor (T. Wales), Councillors Stokes, Tsigros, Gamble, Hamilton, Zanker, Wright

IN ATTENDANCE:

Chief Executive Officer (A Stuart), General Manager Strategy & Development (H Inat), General Manager Assets & Infrastructure (B. Clancey), General Manager Corporate and Community Services (N. Jeffery)

APOLOGIES

Cr Allen Cr Haines Cr Rothe Cr Bails

29 REPORTS BY OFFICERS

29.1 REPORT TITLE: **CONFIDENTIAL REPORT - MEADOWS**

INFRASTRUCTURE

DATE OF MEETING: 6 SEPTEMBER 2006

BRIAN CLANCEY

AUTHOR:

AUTHOR'S TITLE:

GENERAL MANAGER, ASSETS &

INFRASTRUCTURE

REPRESENTORS:

N/A

FILE NUMBER:

TBA

DEPARTMENT:

ASSETS & INFRASTRUCTURE

DEPARTMENT

MANAGER:

BRIAN CLANCEY

Moved Cr Wright:

- That pursuant to Section 90(2) and 90(3) of the Local Government Act 1999 the District Council of Mount Barker orders that the public be excluded from attendance at the meeting to consider in confidence matters regarding commercial information of a confidential nature (not being a trade secret) the disclosure of which:
 - could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
 - would, on balance, be contrary to the public interest
- 2. That the Chief Executive Officer, General Manager Assets & Infrastructure, General Manager Strategy and Development, General Manager Corporate and Community Services.

Manager Engineering and Technical Services and Project Officer Meadows Waster Resources, and the Minute Secretary be permitted to remain in the room.

Seconded Cr Gamble and CARRIED

9.20am Cr Zanker left the meeting.9.27am Cr Zanker entered the meeting.

Moved Cr Wright:

3. That Council:

- a) Authorise the Chief Executive Officer, the General Manager, Strategy and Development Services and the General Manager, Assets and Infrastructure to hold further discussions as soon as practicable with Mr Clem Viney (Country Life) on the intention of Council to undertake community consultation on the town of Meadows infrastructure provision and the associated timing of this, and to seek feedback from Mr Viney as to the position of Country Life under this scenario; and
- b) Provide advice to the Residential and Industry Policy Development Committee as to Council's intentions for Meadows in relation to infrastructure provision to assist the Policy Committee to assess the implications of this for the District Wide Residential Plan Amendment Report.

Seconded Cr Gamble and CARRIED.

Moved Cr Stokes

- 4. That the Council orders pursuant to Section 91(7), (8) and (9) of the Local Government Act 1999 that the discussion, reports and attachments, minutes relating to this item be kept confidential until 6 September 2007. extended to 6 September 2008 at 3 September 2007 meeting. 9 September 2009
- 5. That subject to Section 90 of the Local Government Act 1999 as amended, the public be readmitted to the meeting at the conclusion of the item.

Seconded Cr Wright and CARRIED.

MEETING DECLARED CLOSED AT 10.10am

2 REPORTS BY OFFICERS

2.1 REPORT TITLE:

CONFIDENTIAL REPORT - MEADOWS

INFRASTRUCTURE

DATE OF MEETING: 6 SEPTEMBER 2006

AUTHOR:

BRIAN CLANCEY

AUTHOR'S TITLE:

GENERAL MANAGER, ASSETS &

INFRASTRUCTURE

REPRESENTORS:

N/A

FILE NUMBER:

TBA

ATTACHMENTS:

LETTER FROM MR VINEY, COUNTRY LIFE

SCENARIO A - COUNTRY LIFE SCENARIO B - COUNTRY LIFE

DEPARTMENT:

ASSETS & INFRASTRUCTURE

DEPARTMENT

MANAGER:

BRIAN CLANCEY

PURPOSE

To provide additional information on the infrastructure implications of two possible scenarios for Meadows township, and gain authority to urgently hold further discussions with Mr Clem Viney (Country Life) and provide advice on this matter to the Policy Committee.

RECOMMENDATION

- 1. That pursuant to Section 90(2) and 90(3) of the Local Government Act 1999 the District Council of Mount Barker orders that the public be excluded from attendance at the meeting to consider in confidence matters regarding commercial information of a confidential nature (not being a trade secret) the disclosure of which:
 - could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
 - would, on balance, be contrary to the public interest



- 2. That the Chief Executive Officer, General Manager Assets & Infrastructure, General Manager Strategy and Development, General Manager Corporate and Community Services, and the Minute Secretary be permitted to remain in the room.
- 3. That Council:
 - a) Authorise the Chief Executive Officer, the General Manager, Strategy and Development Services and the General Manager, Assets and Infrastructure to hold further discussions as soon as practicable with Mr Clem Viney (Country Life) on the intention of Council to undertake community consultation on the town of Meadows infrastructure provision and the associated timing; and
 - b) Provide advice to the Policy Committee as to Council's intentions for Meadows in relation to infrastructure provision to assist the Policy Committee to assess the implications of this for the District Wide Residential Plan Amendment Report.
- 4. That the Council orders pursuant to Section 91(7), (8) and (9) of the Local Government Act 1999 that the discussion, reports and attachments, minutes relating to this item be kept confidential until 6 September 2007
- extended to 6 September 2008 at 3 September 2007 meeting.

 That subject to Section 90 of the Local Government Act 1999 as amended, the public be readmitted to the meeting at the conclusion of the item.

BACKGROUND

Further to previous workshops and the presentation to Council from Country Life representatives on 16 August 2006 please find attached:

- letter from Mr Clem Viney, Country Life dated 22 August 2006; and
- two spreadsheets (prepared by Council with input from Country Life) outlining each of the scenarios alluded to in the Mr Viney letter.

Key points to consider as contained in the attached spreadsheets are that some policy and operational <u>assumptions</u> have been made and these obviously have implications e.g. that Council:

- 1. is successful in securing some significant external funding from the Federal Government;
- 2. will as a matter of policy, offer some subsidy (or possibly a bulk discount arrangement) to existing residents for the purchase of a rainwater tank; and
- does seek to make available a back-up/alternative water supply to rainwater in the event that this supply is inadequate at any time (e.g. water storage/carting).

The cost estimates are very preliminary and <u>do not include</u> provision for whole of life maintenance (other than minor day to day type) or asset renewal.

Current Country Life proposal (scenario A - 280 new allotments)

This would see the developer invest in the order of \$3million to direct and indirect infrastructure (water, waste water, Meadows Creek rehabilitation, roads and footpaths) that would be of benefit to the entire township.

Country Life would construct a new mechanical waste water treatment plant (WWTP) at an estimated cost of \$1,750,000 (including the required land and an access road). Country Life would not be required to pay the normal STEDS Connection fee of \$2,735 per unit: \$2,735 x 280 = \$765,800.

Country Life would also <u>not</u> be required to pay the \$3,500 per allotment contribution to indirect infrastructure that is intended to apply to the other sites in the PAR: $$3,500 \times 280 = $980,000$.

If it is considered that the above roughly 'nets out' to zero the provision of the WWTP, then any other <u>indirect</u> infrastructure provision by Country Life is somewhat of a bonus on a comparative basis with other sites in the PAR. There are two such items (neither of which would apply under scenario B) being:

- Upgrade to portion of Meadows Creek within the 'Viney' land -\$100,000
- Infrastructure (within the 'Viney' land) to enable reclaimed stormwater supply to the 'Viney' land but also the remainder of the township - \$500,000.

Alternative Country Life proposal (scenario B - 70 new allotments)

This would see the developer invest only in <u>direct</u> infrastructure i.e. some roads and footpath upgrades (not yet quantified) but likely to be less than \$300,000 in total.

Council would need to construct a new mechanical waste water treatment plant (or upgrade the existing lagoons) at an estimated cost of \$1,050,000 (lower cost than applies to Country Life in scenario A as the plant would be of less capacity to cater for a smaller population).

DISCUSSION

Community Consultation

There are some significant implications for the community (outlined in the attached spreadsheets). Some of the possible mechanisms are subject to the level of community demand e.g. water supply options.

Whilst community consultation occurred on the draft PAR, the only consultation on infrastructure provision was that undertaken by GHD (not Council). GHD conducted a public meeting (January 2006) which was very well attended but this presented some 16 options and much of the presentation was on the rehabilitation of Meadows Creek. It was indicated that further community consultation would occur when Council had undertaken additional work, determined a preferred option/s and the implications (including financial) to existing residents were clearer.

The suggested approach is for Council to:

- undertake community consultation on the infrastructure issues and a preferred option/s (this would require at least a six week time frame allowing for preparation, notice and a feedback period);
- not include Meadows in the current District Wide Residential Plan Amendment Report (PAR) if Council desires to reach a decision on the content of the PAR prior to the end of September 2006 and potentially, to prepare (at a later date) a Meadows Township PAR which would need to start from 'the beginning' in terms of the required statutory process; and

 provide authority to senior Council officers to discuss the above scenarios with Mr Viney as soon as practicable to gain additional information on his intentions (he may for example wish to extinguish scenario A) prior to further actions by Council.

With the benefit of further information from Mr Viney, an appropriate recommendation for Meadows can be included in the agenda for the Special Meeting of Council scheduled for 20 September 2006. On the assumption that Mr Viney does not extinguish Scenario A, this would need to propose the community consultation content and process i.e. Council's preferred approach or the limited options being considered, or a mixture of both for the various elements.

POLICY IMPLICATIONS

1. Financial/budget

Refer to the attached spreadsheets. In the 2006/07 Council budget there is provision for \$1.2 million capital expenditure from reserves for the Implementation of Meadows Water Resources Plan Stage 1.

2. Legal

As noted on the spreadsheets the prudential requirements of the Local Government Act 1999 will apply if the anticipated capital cost of the project to Council over the ensuing 5 years exceeds \$4 million.

3. Staffing/Work Plans

Additional resources have been engaged on a casual, part time basis via Mr Richard Crabb. A further assessment of needs will be required in the near future as part of decision making on implementation by Council.

4. Environmental

The rehabilitation of Meadows Creek and other initiatives with environmental benefits are outlined in the attached spreadsheets.

5. Social

A separate assessment of broader implications under scenario A (such as an increased need for recreational facilities) is yet to be undertaken.

6. Strategic Plans

5 Community Assets

Community facilities are provided to the highest standard meeting local community needs.

Continue to seek funding from alternative sources for specific programs, including possible joint venture partnerships in the creation of the community's asset base.

Investigate a range of opportunities for the generation of income from sources other than rates to improve Council's ability to provide resources for the community.

COMMUNITY CONSULTATION

1. Customer Needs Analysis

See body of the agenda item.

2. Promotion/Communications

The nature of this is to be determined as part of the proposed community consultation process.

File No Doc N	DC Mt Barker
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22 August 2006

Mr Andrew Stuart Chief Executive Officer The District Council of Mount Barker PO Box 54 MOUNT BARKER SA 5251

Dear Mr Stuart,

It is with regret that I find myself writing this letter some 3 years after initiating our proposal for a residential subdivision at Meadows.

Due to frustration and commercial necessity, we have made a decision to lodge a development application to divide the land at Allotment 99 Mill Street, Meadows into 4000 square metre allotments as currently provided for within the Development Plan.

I have provided instructions to my Surveyor to prepare the necessary plan documents for lodgment with the Development Assessment Commission. You should receive this application shortly.

This decision has been made due to the lack of confidence that we have in Council granting a timely approval for our current application for conventional residential allotments, and the infrastructure package detailed.

The 4000 square metre allotments, we will be applying for, would not need to be connected to an integrated waste water treatment system, but may be serviced using on site self contained enviro-systems.

This product, at the right price point, would provide me with a suitable commercial return, and would not be as risky as pursuing a conventional subdivision in terms of the capital outlay required and risk involved, which has been accentuated by the delay experienced.

When lodging our current application some 3 years ago we were given a clear understanding by Council that provided we addressed the existing critical waste water issue we would receive full Council support for our application.

We have provided this information and a solution to the existing problems being faced at Meadows, but such information has either been ignored, or Council officers did not have sufficient experience to act on such.



Not only has this been a very expensive process, and has eroded my confidence in Councils administration, but represents a lost opportunity to provide Meadows residents with a basic living requirement in the form of a functioning waste water treatment plant and water supply that is not polluted.

Council must make a decision to either accept our proposal on waste water infrastructure and other works – external to the land – by approving our land division in a time frame of our choosing, or not. It is that simple. We may then concentrate our energies on the application for the 4000 square metre self sufficient allotments.

Our preference remains to proceed with the current land division application, but it will require leadership from Council in order to make this a reality.

Council must realize that by not adopting our proposal, it will be required to confront the current waste water treatment and potable water supply issues facing the Meadows township on its own, without the financial support that our proposal would have provided.

As previously stated to Council, there is only a small opportunity now for the project to proceed in its best form, mainly due to time constraints associated with weather considerations, and a changing market place where our current competitive position (and therefore capacity to pay for the infrastructure package) will be exhausted.

We would suggest that you have your officers turn their mind to our application, identify any information requirements that we may address, undertake any consultation with public that may be required, prior to presenting it to the next available meeting of Council's Development Assessment Panel.

Yours sincerely

Clement Viney

Country Life Properties

Meadows Water Resource Strategy - 5/09/2006

Scenario A: Current Country Life Proposal
Assuming Smith & Eckerman land - 280 allotments. Ultimate Meadows Township 700 allotments and 2000 Equivalent Persons - (EP)

Colpinal	Bements	Action	Responsibility	Priority/	ty Timing (main 2 me design)	St re design)			Funding			Pre-Conditions/	Risk	Comment
Proceeding						Operating (pa & excludes	Developer	Council 1.	Rate	payer	External			
Figure 1 Figure 2 Figure 3				Total Control		replacement								
Figure 1 Figure 2 Figure 3					3 5	Per Property	Total	Total	Establishment	Ongoing	Total			
Particular Par	A. Water Supply													
Notice 1946	Groundwater	Phase out Council supply (40		Next 1-2 yrs	2,000	Ē	ĕ	2,000	늍	72	lin lin	Public Consultation (circular & meeting)	Council - Political	Severg of \$204 pe for the 40 properties supplied by Courto.) Some thorings to Courto all bot but will fined to operate both of to onal a thoring all out unit on alternative a swalable. Count annitoral 3 both and the statement of the statement
Figure 19 Figu	Rainwater - 45kl (10,000 gallon) tank													
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Figure 1 Figure 2 Figure 3	+ new development (Viney)	Mandate in PAR	Council	with PAR	1,960,000	150	10	100	7,000	150	īč	Seek truit dis court	idipta Codi o Practos lo mance lo un eve	4
Contact blanking Contact bla	Reclamed Stormwater - metered & provided to properly boundary.	Undertake preliminary design		Next 1-2 years	3 400 000	* 009	200,000	1,450,000	1,000	₩ 009	1,450,000	Public Consultation (circular & meeting)	Counti - Februal Medeg	* Best guess based on current SA Water charges *Need to off set this against current cost of \$234 ps for Council supplied properties. Possable
Contract Publication	- For entire township - storage on the Viney land	Seek external funding	(no legal requirement)				(for new development)	(balance of township)			(balance of township)	Approval by DWLBC	- soloquate market for water	Adamtes along ground storage on the County Life land
1,750,000	Please also refer below to E. Water Supply Possible Alternatives)	Consider Public/Private Partnership	act in facilitation role									DA (o) infragrame	would need to be assessed a part of pre-lessibility study	Infrastructure ownership (excluding individual property connections) to vest in Countil
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1,200,000 # 1,200,000	New Mechanical Plant (Capacity of 2000 EP)	Construct mechanical plant		Urgent	1 750 000	100	1,750,000	ë	72	295	-	Public Consultation (encular & meeting)	-loper-	Protection that commitmation soul & the insurand land (typis soul 5; 250.000 household may be applicated by the protection of the protection of the los why did not be applicated by the new development of privingly, an
1,760,000 1,200,000 0 299 1,200,000 1,200,	Effluent Re-use	Establish markets, prelim	Council	50	2.400.000	02	č	1.200.000	-	č	1,200,000	EH SEN SEN SEN EN E		
1,790,000		\perp										DA IO INTRIBUOGNIC ERADINA MAINER		37.5
100,000 ## 462,000	Sub-Total				4,150,000	170	1,750,000	1,200,000	0	236	1,200,000			
600,000 # 462,000	C. Roads & Footpaths													
100,000 700,000 100,	Various road & footpath woms as specified in the documentation provided by Council		Developer	Schoolute the works relative to the staging of the development	1,062,000	tin c	# 000'009	462,000 -	E	78	nil (assumes no DTE contribution)	Standard & trining of weeks to be specified by Council	of the Carpord of the	Exemple this proposal variation to soon of the requirements in soon of the requirements of spool points of an aggregating a controlled of angued 5500 DE. The forecast executed the proposal of the proposal o
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Vinter the site of the	Rehab tation	Upgrading	Council	Low	1,000,000	73	100,000	700,000	and a	ž	200,000	Public consultation (circular & meeting)	Council - NRM funding	To address entraces, webds, extric tress, revegetation & spoc access.
150,000 700,000 6,000 944 2,480,000 150,000							(within the site of the Viney development)							
150,000	Sub-Total				1,000,000	o	100,000	700,000	0	0	200,000			
150,000 EFA Approval Approval Approval (190,000 FFA Approval Approval Undarg (1994))	TOTAL	Ond simple Chamman	September 2	16	13,177,000	016	2,950,000	4,017,000	8,000	948	2,850,000			
100 000 oz	Aquifer Storage & Recovery (ASR) + Stormwater (cart if rainwater ever	ASR annual gations	Council		300,000	20		150,000		la.	150,000	EPA Approval	Approval lunding (NRM)	redespies — despies and respect to the specific despies and despies and despies and despies white specified to the specified of the specified
20°000	Existing Lagoons - Stormwater Storage (cart if rainwater ever became	Convert lagoonds and install	Council	5 years	100,000			100,000						Desprington and revine for alamwaler
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Meadows Water Resource Strategy - 5/09/2006

Scenario B: 4,000m² Country Life Proposal
Assuming Smith & Eckerman land - 70 allotments, Ultimate Meadows Township 420 allotments and 1,000 Equivalent Persons (EP)

Elements	Action	Responsibility	Priority/	formality & r	Cost			Funding			Pre-Conditions/	Risk	Comment
			Z.		Operating Only	Penalone	4	Defe		External			
					(pe & excludes replacement)	Developer	Council ::		Manapayer	Extornal			
				Total	Per Property	Total	Total	Per Pr Establishment	Per Property ment Ongoing	Total			
A Water Supply													
Groundwater	Phase out Council supply (40	40 Council	Next 1-2 yrs	5,000	Te.	2	5,000	72	ĝυ	쿧	Public Consultation (circular & meeting)	Course Pulses	Saving of \$234 ps for the 40 properties supplied by Council
Rainwater - 45kl (10,000 gallon) tank													
- all existing residents	Encourage use	Council	Next 1-2 years	1,600,000 #	150	12	200,000*	7,000	150	72	Public Consultation (circular & meding)		* Basis is \$1,000 subsidy por property. A Guess of 200 properties
new development (Viney)	Mandate in PAR	Council	with PAR	490,000 -	150	100	ji.	7_000	150	d	Seek bulk discount	adopt a Godo of Practor for maintenance to achieve desired standards	* Assumos 280 dwellings
Reclaimed Stormwater	Undertako preliminasy design	Council	Next 1-2 years	2,950,000	-2005	72	1,450,000	1,000	v 009	1,450,000	Public Consultation (ordinar & mesting)	Council - Federal Aureing	* Book gunts based on current SA Water changes. *Need to off set this seams to care of 1214 parts to Course section direction. Peason
	Seek external funding	(no legal					(balance of township)			(balance of township)	Approval by DWLBC	adequate market for water	
	Consider Public/Private Partnership	act in facilitation role									DA for infishaciule	part of pre-fossibility sludy	hs 2. Prinstructure perventing (prolucing activolusi property corrections) to system of Council
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Sub-Total				5,045,000	059	o	1,655,000	8,000	650	1,450,000		110	
B. Waste Water													
New Mechanical Plant (Capacity of 1000 EP) OR	Construct mechanical plant	Council	Urgent	1,050,000	100	lid	1,050,000	ţ	295	an and	DH approval EPA licenoe, DA tol infrastructure	Council - construction	At conting lagoons site, may need actin land (allow \$50,000) # ## # new site land cost significant (alound 3 ha required.)
Re-use existing infrastructure	Upgrade existing lagoons												
Effluent Re-use	Establish markets, prelim design/refine cost	Council	Urgent	2,000,000	202	Z	1,000,000	Jiu 1	No.	1,000,000	Irigallon Mrgrrt Plan, (EPA), DH Approva DA for infrastructure, esjablish markets	Courte - Fed lunding movement constraint on the	by "Current Andring Appropriation was LEPA. The the Koussed on land to the donated to Council by the developer for the
Sub-Total				3,050,000	071	o	2,050,000	0	592	1,000,000			Wasta Wood Twathert Plans
C. Roads & Footpaths	Further advice will need to be obtained from Frank Srow & Associates as to the required roads and footpath works that would be applicable under this option.	be obtained from Frank S that would be ap	Siow & Associates a oplicable under this	ss to the required road	's and footpath work								
Sub-Total				0	О	٥	o	0	0	0			
D. Meadows Creek													
Rehabilitation	Upgrading	Council	Low	1,000,000	10 0	<u>a</u> 0	800,000	te o	₹ o	200,600	Public consultation (arcular & meeting) Applied A.M. L. H. Fanges NRM Board	Council = NRM funding	Ta objeta d'orison, lesoit, leciti llent, rivegisson à slots socres
TOTAL	8 0.58103103410315	ALE SOME SAME		9,095,000#	8208	. Ou	4,505,000#	8,000#	945#	2,650,000#	STATE OF THE PARTY	HE STATE OF THE	# Excludes Roads & Poolpaths works
E. Water Supply - Possible Alternatives to Rectaimed Stormwater above in A. Water Supply	es to Reclaimed Stormwate	r above in A. Water Su	Vidd										
Aquifer Storage & Recovery (ASR) - Stormwater (cart if rainwater ever became exhausted)	ASR investigations Sitck approvals	Council	1-2 years	300,000	20		150,000		lu.	150,000	EPA Approval	Approval funding (NRM)	Supplement stormwater harvesting by auditor storage. 1) Reteasager to pay based on use if this source of water supply is ever required.
Existing Lagoons - Stormwater Storage (cart if rainwater ever became exhausted)	Convert legoonts and mitall fransfer pump	Council	5 years	100,000			100,000						Dosign lagoon and re-line for alormwater.
Legal Access to Eckerman bore/s (cart frainwater ever became exhausted)	Legal Agreements	Counai	1-2 years	20,000			20,000		ĵu.				* Ratepayer to pay based on use if his source of water supply is ever required.
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