

**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**  
**AUTHOR: BRIAN CLANCEY**  
**AUTHOR'S TITLE: GENERAL MANAGER, ASSETS &  
INFRASTRUCTURE**  
**REPRESENTORS: N/A**  
**FILE NUMBER: TBA**  
**DEPARTMENT: ASSETS & INFRASTRUCTURE**  
**DEPARTMENT  
MANAGER: BRIAN CLANCEY**

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Moved Cr Wright:

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,

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

**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**

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**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.
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.

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## **BACKGROUND**

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

1. letter from Mr Clem Viney, Country Life dated 22 August 2006; and
2. 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 assumptions 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
3. 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 do not include 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:  $\$2,735 \times 280 = \$765,800$ .

Country Life would also not 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 indirect 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.

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

This would see the developer invest only in direct 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:

1. 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);
2. 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

3. 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.

DC Mt Barker	
File No	
Doc No	
Rec.	22 AUG 2006
Time	

Henry

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.

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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

Assuming Smith & Eckerman land - 280 allotments. Ultimate Meadows Township 700 allotments and 2000 Equivalent Persons - (EP)

1. 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
2. All costs exclude GST
3. Capital costs include a contingency sum - 15% for design and project supervision, 15% for construction

Scenario B : 4,000m<sup>2</sup> Country Life Proposal  
Assuming Smith & Eckerman land - 70 allotments. Ultimate Meadows Township 420 allotments and 1,000 Equivalent Persons (EP)

Elements	Action	Responsibility	Priority/ Timing	Cost (prelim & pre design)		Funding				Pre-Conditional/ Approvals	Risk	Comment	
				Capital	Operating Only (op & excludes replacement) Per Property	Developer	Council <sup>1</sup>	Ratepayer					External
								Total	Per Property				
A. Water Supply													
Groundwater	Phase out Council supply (40 allot.)	Council	Next 1-2 yrs	5,000	nil	nil	5,000	nil	nil	Public Consultation (create & meeting)	Council - Possible	Saving of \$234 per lot for the 40 properties supplied by Council	
Rainwater - 45kl (10,000 gallon) tank - all existing residents - new development (Viney)	Encourage use	Council	Next 1-2 years	1,600,000 #	150		200,000*	7,000	150	Public Consultation (create & meeting)		* Basis is \$1,000 subsidy per property # Guess of 200 properties	
	Mandate in PAR	Council	with PAR	490,000 *	150		nil	7,000	150	Seek bulk discount	Council - Possible & likely based on Scope of Project for maintenance to achieve desired outcomes	* Assumes 200 dwellings	
Reclaimed Stormwater	Undertake preliminary design  Seek external funding  Consider Public/Private Partnership	Council  (no legal requirements) act in facilitation role	Next 1-2 years	2,950,000	500*	1,000	1,450,000 (balance of township)	1,000	500 *	Public Consultation (create & meeting)  Approval by DMUBC  DA for infrastructure	Council - Federal funding  adequate market to water would need to be assessed as part of prefeasibility study  Construction	* Bulk grants based on current SA Water charges. Need to offset this against current cost of \$234 per lot for Council supplied properties. Possible to offset current cost with a private finance 1. Council would need to provide storage - see E. Water Supply Possible Alternatives 2. Infrastructure permitting (including individual property connections) to water in Council 3. Operator to meter and charge and assets 4. Options as to who would be the operator 5. Ratepayer to meet cost within their property i.e. Connection 6. Developer to agree to water lines in the development from the start of the project and then the Council would be responsible for work to allow future connection to a standard SW scheme	
Sub-Total				5,045,000	650	0	1,655,000	8,000	650			1,450,000	
B. Waste Water													
New Mechanical Plant (Capacity of 1000 EP) OR Re-use existing infrastructure	Construct mechanical plant  Upgrade existing lagoons	Council	Urgent	1,050,000	100	nil	1,050,000	nil	295	Dr approval, EPA consent, DA for infrastructure	Council - construction	An existing lagoons site, may need extra land (allow 500,000) if it is a new site first cost significant (around 3 m required)	
Effluent Re-use	Establish markets, prelim design/refine cost	Council	Urgent	2,000,000	70	nil	1,000,000	nil	nil	Wigation Mgmt Plan, (EPA, CH Approval) DA for infrastructure, establish markets	Council - Further design mechanical plant capacity monitoring	Current funding application via EPA  To be located on land to be donated to Council by the developer for the Meads Water Treatment Plant	
Sub-Total				3,050,000	170	0	2,050,000	0	295			1,000,000	
C. Roads & Footpaths													
	Further advice will need to be obtained from Frank Slow & Associates as to the required roads and footpath works that would be applicable under this option.												
Sub-Total				0	0	0	0	0	0			0	
D. Meadows Creek													
Rehabilitation	Upgrading	Council	Low	1,000,000	nil	nil	800,000	nil	nil	Public consultation (create & meeting) Appoint a Multi Utility Region NRM Board sponsor	Council - NRM funding	To address erosion, weed, mobile fauna, vegetation & slope scars	
Sub-Total				1,000,000	0	0	800,000	0	0			200,000	
TOTAL				9,095,000#	820#	0#	4,505,000#	8,000#	945#			2,650,000#	
E. Water Supply - Possible Alternatives to Reclaimed Stormwater above in A. Water Supply													
Aquifer Storage & Recovery (ASR) - Stormwater (can't if rainwater ever became exhausted)	ASR investigations Seek approvals	Council	1-2 years	300,000	20		150,000		* nil	EPA Approval	Approval funding (NRM)	Supplement stormwater harvesting by aquifer storage. Ratepayer to pay based on use if this source of water supply is ever required	
Existing Lagoons - Stormwater Storage (can't if rainwater ever became exhausted)	Convert lagoons and install transfer pump	Council	5 years	100,000			100,000					Design lagoon and re-line for stormwater.	
Legal Access to Eckerman bores (can't if rainwater ever became exhausted)	Legal Agreements	Council	1-2 years	20,000			20,000		* nil			* Ratepayer to pay based on use if this source of water supply is ever required	

1. 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  
2. The project is a capital project  
3. Capital costs include a contingency sum - 15% for design and project supervision, 15% for construction

