



MOUNT BARKER
DISTRICT COUNCIL

NOTICE OF MEETING

Pursuant to Section 83 of the Local Government Act 1999 notice is hereby given that the following meeting will be held in the Council Chambers, Mount Barker Homemaker Centre, 6 Dutton Road, Mount Barker on Monday 5 December 2016.

7.00 pm

Council Meeting

A. Stuart
CHIEF EXECUTIVE OFFICER

1 December 2016

ORDER OF BUSINESS

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	- Expression of Faith	
	- Acknowledgement of Land	
	- Apologies or Leave of Absence	
	- Councillor Campbell	
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	To provide community access to the Glebe land as soon as possible; progress proposals regarding Community Land classification; progress a range of funding options to enable the provision of open space outcomes and community benefits at the Glebe land; and seek authority to undertake community consultation on additional specific strategies.	
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1. **COUNCIL OPENING**
EXPRESSION OF FAITH
ACKNOWLEDGEMENT OF LAND
APOLOGIES OR LEAVE OF ABSENCE
Apology - Councillor Campbell
2. **QUESTIONS FROM THE GALLERY (15 MINUTES)**
3. **CONFIRMATION OF MINUTES**
 - 3.1 **Recommendation**

That the minutes of the meeting held on 21 November 2016 as circulated to members be confirmed as a true and accurate record of proceedings.
4. **CONFLICT OF INTEREST DECLARATION**

Council Members are reminded of the requirements for disclosure by Members of material, actual or perceived conflicts of interest in relation to items listed for consideration on the agenda.
5. **DEPUTATIONS**

NIL
6. **QUESTIONS WITH NOTICE – COUNCILLORS**

NIL
7. **QUESTIONS WITHOUT NOTICE – COUNCILLORS**
8. **MOTIONS ON NOTICE**

NIL
9. **MOTIONS WITHOUT NOTICE**
10. **PETITIONS**

NIL
11. **RECOMMENDATIONS FROM ADVISORY COMMITTEES**

NIL

12. REPORTS**12.1 REPORT TITLE: FUTURE OF THE GLEBE LAND****DATE OF MEETING: 5 DECEMBER 2016****FILE NUMBER: DOC/16/117568**

ATTACHMENTS: Attachment 1 - Area subject to current licence
DOC/16/120628
Attachment 2 - Land recommended to be
classified as Community Land
DOC/16/120627
Attachment 3 - Aerial image and location of Fulford
Terrace Reserve
DOC/16/119258
Attachment 4 - Proposed Separate Rate for
Infrastructure – Bonetti land
DOC/16/120626 & DOC/16/120315
Attachment 5 - Letter from Littlehampton
Community Association Inc.
DOC/16/119666
Attachment 6 - The Fiora Land DOC/16/121215

Mount Barker 2035 – District Strategic Plan:

- CW 2.6 Undertake town planning and infrastructure provision to facilitate healthy lifestyles and safety by design in development
- CW 3.1 Support a long-term approach to the development, upgrade and improvements to community facilities and infrastructure such as the library, sports grounds, community halls and venues and play spaces
- UE 1.2 Apply a strategic, planned and consistent approach to the provision, development and maintenance of public open space
- UE 2.2 Enable safe and logical pedestrian, bicycle and mobility scooter movements to and through public spaces
- UE 3.2 Ensure that quality built outcomes, green infrastructure and open space activation are prioritised in the development and renewal of town centres and main streets
- UE 3.8 Protect and enhance the special qualities and sense of place of country townships

Purpose:**To:**

- provide community access to the Glebe land as soon as possible;
- progress proposals regarding Community Land classification;
- progress a range of funding options to enable the provision of open space outcomes and community benefits at the Glebe land; and

- seek authority to undertake community consultation on additional specific strategies.

Summary – Key Issues:

1. On 4 October 2016 the Council endorsed the revised *Littlehampton & Blakiston Neighbourhood Plan*, with the exception of the content on pages 34 – 39 which relate to the proposals for the future use and development of the Glebe land.
2. This report progresses community use of the Glebe land and authorises further steps toward the resourcing options to fund open space outcomes and community benefits.
3. Some of the recommended strategies require community consultation and hence the recommendations to commence those processes.

Please Note:

In advance of the recommendations being considered, there will be a short visual presentation at the Council meeting by senior officers to provide an overview explanation of the recommended approach, with the opportunity for Council Members to ask questions to ensure that there is clear understanding.

With the benefit of that clarity, discussion and debate of the agenda item/recommendations by Council Members can then occur in the normal manner.

Recommendation:

That Council:

1. Provide notice to the current licence holder Ms Helen Donoghue that vacant possession of the entire 'Glebe land' site (as shown in yellow in Attachment 1) is required in 3 months being the minimum period that is possible under the current licence;
2. Request that the Chief Executive Officer identify where an amount of \$50,000 can be reallocated from the Council's existing 2016/17 capital budget to enable a variation to the adopted 2016/17 capital budget to be ratified at the next quarterly budget review so as to provide a budget of \$50,000 for the purposes of providing community access to the entire 'Glebe land' upon the termination of the licence becoming effective and to enable the installation by Council of very basic facilities (site access points, benches etc) for community use, with any further on site open space works being contingent on the required funding being secured;

3. Determine that the land shown in green in Attachment 2 being all of the land contained in lots 201 and 202 being a total area of 5.967 hectares and representing 75% of the entire 'Glebe land' now be classified as community land pursuant to the Local Government Act and that a site specific community land management plan now be prepared by Council for this land for open space use, inclusive of community consultation as required by the Local Government Act;
4. Commence community consultation (as required by the Local Government Act) on a proposal to revoke the classification of community land of all of the Council owned land on Fulford Terrace as shown in red in Attachment 3 for the intended purpose of selling this land and using the net proceeds from the sale to fund improvements to the public open space on the 'Glebe land' noting that the required report for the purposes of community consultation will be prepared and presented for consideration at a future Council meeting prior to being finalised;
5. Commence community consultation (as required by the Local Government Act) on the proposed declaration of a separate rate of \$643,468 for infrastructure (as per Attachment 4) on the land shown in blue in that attachment (being all of the land contained within Certificate of Title Volume 5826 Folio 809 – lot 97, the Bonetti land) to enable equity in respect of infrastructure provision with the development of other land parcels and to reflect the Council's beneficiary pays principle, with the infrastructure contribution only being payable upon the development of that land and for the purposes of contributing to improvements to benefit both the community open space on the 'Glebe land' and the Bonetti land, noting that the required report for the purposes of community consultation will be prepared and presented for consideration at a future Council meeting prior to being finalised;
6. Note that further engagement by Council with the adjacent land owner Mr Mark Fiora (who entered into an Infrastructure Agreement with Council for this land [as shown in pink in attachment 6] in 2006 which remains current) will occur to investigate opportunities for a master planned approach including to infrastructure provision and benefit to the 'Glebe land' such as a financial contribution from the developer of the Fiora land to the 'Glebe land' in lieu of the provision of required open space on the Fiora land;

7. Defer decision making on the future of lot 203 of the 'Glebe land' (shown in attachment 2) until after the completion of the community consultation that is to occur as per recommendations 4 and 5 above and the further engagement with the adjacent land owner as per recommendation 6 at which time considerable further information will be available for consideration at a Council meeting with community access to lot 203 in the interim post the termination of the current licence becoming effective;
 8. Note the recent letter from the Littlehampton Community Association Inc (Attachment 5).
 9. Note that the search for historical correspondence between Council and the Minister for Local Government regarding the acquisition of the Glebe land in the 1990s is continuing, and Council could be waiting some months for this to be completed.
 10. Note that finalisation of the Glebe land content of the *Littlehampton and Blakiston Neighbourhood Plan* will be subject to the outcomes arising from recommendations 4 - 7 above, and will be the subject of a future Council meeting report and resolution.
-

Background:

1. Council approved a budget for the development of a long term vision and strategic plan for the township of Littlehampton in 2015/16, to include 'concept plans' for the Glebe land.
2. The Glebe land is land that Council owns at the eastern edge of Littlehampton. It was recognised as a strategic opportunity in Littlehampton that the Plan should address.
3. The Glebe land is currently under licence to Ms Helen Donoghue. The licence agreement requires Council to give a minimum of 3 months notice to Ms Donoghue to vacate the land.
4. A brief history of the Glebe land and its status is included here to inform Council with regard to the Recommendations of this report:
 - Council purchased the 8 ha Glebe land site in the early 1990s from the Diocese of the Murray (Anglican Church).
 - The funds to purchase the Glebe land were partly raised by selling a portion of the Fullford Terrace Reserve (approximately 4.5 ha). Council borrowed additional funds for the purchase.
 - In 1990/91 Council was granted permission to sell part of the Fullford Terrace Reserve by the Minister for Local Government.

- At the time of the purchase Council's intention was to provide a 'local multipurpose recreation reserve' on the Glebe land. A mix of active sport fields and passive park space was discussed in Committee and endorsed by the Council during the 1990s.
 - The original proposals for the use of the Glebe were strongly oriented to competitive sport.
 - Council applied for State Government grants during the 1990s for this purpose, but was unsuccessful in attracting any grant funding.
 - In 2002 Council excluded the land from the Community Land Register pursuant to the Local Government Act.
 - There was a caveat on the land that was removed by the Diocese of the Murray prior to Council's purchase.
 - There is no legal encumbrance on the Glebe land which prevent its partial sale.
5. An extensive report on the Glebe land was provided to the Council on 16 April 2012.
6. The Glebe land is located in the 'Community Zone' in the Mount Barker Development Plan. The policies and zoning contained in the Development Plan guide the uses and development of all land in the District, both public and private. It is a development control tool established by the Development Act.
7. The Community Zone promotes uses like cultural facility, education (school), recreation, supported accommodation, cemetery, place of worship and community services offices.
8. Private residential housing development is not supported in the Zone and would be 'non-complying development'.
9. 'Community Zone' pursuant to the Development Act and Development Plan is different and separate to 'Community Land' status pursuant to the Local Government Act. Where land is classified as Community Land pursuant to the Local Government Act there are significant implications including:
- a management plan for the land must be prepared and in turn this triggers community consultation;
 - Use of the land must accord with the management plan; and
 - the land cannot be sold unless community consultation occurs and subsequently both Ministerial and Council approval.
10. The first stage of community engagement to inform the *Littlehampton & Blakiston Plan* occurred in October / November 2015. A detailed report on the community engagement process and findings was presented to Council on 18 January 2016.

11. As part of the initial engagement process, the community were asked their views on what they would like to see happen at the Glebe land. The community engagement revealed a wide range of views about the Glebe, including support for both recreational and non-recreational uses of the Glebe land. The key messages from the initial community engagement included:
 - The Glebe should be available for community use, with a recreation park broadly supported
 - Development of new sporting complex at the Glebe was not widely supported and the community prefers that passive recreation be the main focus at this site
 - There is an opportunity for something special to happen with the Glebe land, so that it becomes a destination that benefits the broader District /region as well as the local residents and families
 - There are a range of views on possible non- recreational uses of the land, with many suggestions made by the community
 - The practical aspects of financing the development of the Glebe land for community uses were recognised by some community members in terms of support for sale of some of the land
 - The community would like to maximise the land available for public use, and minimise buildings
 - The open vistas and rural entrance to Littlehampton afforded by the Glebe land are highly valued landscape qualities
 - There is a willingness to explore innovative uses and design of the Glebe land.
12. A detailed report on the first stage of community consultation was provided to the Council on 18 January 2016.
13. A draft *Littlehampton & Blakiston Neighbourhood Plan* was prepared with regard to technical investigations into issues in Littlehampton and Blakiston area, broader trends, the strategic concerns of Council and the community's views and wishes.
14. The draft concept plans for consultation for the Glebe land included:
 - Recommended uses for the Council-owned land parcel
 - Proposals for access and movement to integrate the Glebe land with the surrounding area
 - A concept for a large park of at least 4 ha in size, and
 - A funding strategy to achieve community benefits at the Glebe land.

15. The draft proposals for the Glebe land included a funding strategy which acknowledged a range of potential funding sources. Implementation of this project would be staged over a number of years and could involve partnerships.
16. The proposed funding strategy included
 - Negotiated contributions from adjacent residential land on Gardner St in lieu of providing required open space under the Development Act
 - Grant funding opportunities – State government open space grants
 - Council budget allocation from general rate revenue
 - Potential sale of up to 4 ha of the land to fund the development of the public park and facilities.
17. Council conducted a comprehensive public consultation about the Draft *Littlehampton & Blakiston Neighbourhood Plan* during June – July 2016. A detailed report on the outcomes of the consultation was presented to the Council on 4 October 2016.
18. The report presented a comprehensive overview of the community's response to the draft *Littlehampton and Blakiston Neighbourhood Plan*, including the draft Glebe land proposals.
19. The character of the proposed park, and the level of amenity, as suggested in the draft concept plan for the Glebe land, received a positive response from the participants in the consultation. This included
 - A 'woodland' setting with a natural / informal style to the park
 - An emphasis on passive and informal recreation (rather than organised sport) with walking trails, picnic facilities, BBQ and shelters
 - Around 1 ha of land allocated to a junior oval and 2 netball courts
 - A large play space with capacity to provide for adventurous and innovative play facilities, including for older children (8 +) who are currently not well catered for
 - Potential for a small pavilion building for community use / shared netball clubroom
 - A open area and facilities (eg toilets) for events eg Power of the Past, equestrian events
 - Wetland / stormwater detention area
 - A movement and access network that would connect it within the surrounding area.
20. The concept plan included Netball Courts to replace those at Miels park and thus supports the future redevelopment of Miels Park.

21. It included a large area and infrastructure for events which currently are hard to accommodate in the District as other open spaces are in demand for formal sports.
22. The value of a large park at the Glebe land which would provide a special open space destination of benefit to the broader District / region, appeared to be understood by the residents of the local area who responded to the consultation.
23. However, the draft concept plan is also aspirational and its practical delivery is contingent on funding.
24. The consultation on the draft *Littlehampton & Blakiston Neighbourhood Plan* revealed that there is concern in the community about the proposed sale of land at the Glebe to support delivery of the park concept, and a preference to keep the land in public ownership.
25. The amended *Littlehampton & Blakiston Neighbourhood Plan* included some changes to the Glebe land proposals. In essence these increased the area for the park to a minimum of 5 ha, and reduced the possible area for sale to 2.5 – 3 ha.
26. At the Council Meeting on 4 October 2016 Council resolved to:
 - Endorse the final Littlehampton & Blakiston Neighbourhood Plan, **exclusive** of the proposal to sell between 2.5 – 3 ha of the Glebe land to raise funds for the development of a new open space on the balance of the land.*
 - Reserve decision making on the Glebe land proposals for a period of 8 weeks to enable further investigation into issues surrounding the acquisition of the land.*
 - Note that the Glebe proposals will be presented to Council for its consideration by 5 December 2016.*
27. Council directed staff to undertake further investigations and request correspondence from the State Government regarding the sale of Fullford Terrace Reserve, and the original purchase of the Glebe land, in order to clarify if any restrictions exist on its use or sale.

Discussion:

28. Investigations by Council staff and the State Government's Office for Local Government have not yet uncovered any historical correspondence from the State Government or Minister for Local Government which impacts on the recommendations in this report.

29. The search for the correspondence in State Archives is continuing, and Council could be waiting some months for this to be completed. Refer recommendation 9.
30. In the meantime Council can progress making the Glebe land available for community use and this is able to be achieved quickly via recommendation 1 to require vacant possession from the licence holder in 3 months.
31. Council has investigated in more detail a range of other potential funding sources to support delivery of open space outcomes at the Glebe land. These are further described below.
32. To commence the process it is recommended that Lots 201 and 202 being a total area of 5.967 hectares and representing 75% of the entire 'Glebe land' be classified as community land pursuant to the Local Government Act and be made available for public use for open space. This area is shown in Attachment 2. Refer recommendation 3.
33. A community land management plan will also be prepared, inclusive of community consultation, for this area in order to guide its development and management as a public open space.
34. From a governance perspective that process would see decision making at Council meetings, firstly in authorising a draft plan for the purposes of community consultation and following that process and consideration of the feedback received, in then adopting the plan in final form.
35. A modest budget allocation is recommended in the short term to support community access to, and use of the Glebe land. A budget of \$50,000 is considered sufficient to provide initial (basic) park infrastructure such as trails, seating and access. Refer recommendation 2.
36. The recommended approach to resourcing the further development of the open space involves a range of possible funding options.
37. These options include via a Separate Rate on adjacent, undeveloped residential land that is not already subject to an Infrastructure Agreement associated with the rezoning of land on Gardner street to Residential Zone in 2007. This is land owned by Mrs Bonetti and is shown in Attachment 4 which includes background and supporting information. This would be subject to community consultation and future decision making by Council. Refer recommendation 5.

38. Council may also be able to negotiate developer contributions from adjacent undeveloped residential land (in lieu of open space requirements under the Development Act). Council will proactively engage with the adjacent land owners regarding opportunities for a master planned approach including to infrastructure provision and benefit to the 'Glebe land', such as a financial contribution to the 'Glebe land', in lieu of the provision of required open space. Refer recommendation 6.
39. The remaining portion of the Fulford Terrace Reserve can be investigated for sale to raise funds for the development of the Glebe land reserve. The Fulford Terrace Reserve has an area of 1.7 ha. It is a public reserve and is classified as Community Land under the Local Government Act. This is shown in Attachment 3.
40. Fulford Terrace Reserve is zoned 'Rural Landscape Protection Zone' in the Council's Development Plan. Land division is a non-complying form of development in this zone. It is likely that the land would need to be rezoned and divided in order to raise funds from a sale or sold under current zoning with relatively modest proceeds.
41. The process for revoking the Community Land status of a reserve is detailed and will take some time. It will involve further community consultation, Council decisions and approval of the Minister for Local Government. Refer recommendation 4.
42. A future report will address Fulford Terrace Reserve in more detail, but it is anticipated that revocation of the Community Land status and rezoning (if pursued) could take more than 5 years to complete and is not a guaranteed outcome. However, once a period of consultation has occurred, the Council would be in an informed position regarding the potential of this option to raise revenue to support the open space development at the Glebe land.
43. The Littlehampton Community Association has indicated its support for selling the Fulford Terrace Reserve on the condition that that it be sold for raising funds to develop the Glebe land and that Council retain ownership of all of the Glebe land. Refer recommendation 8.
44. It may also be possible to make applications for State Government grants. A more refined concept plan for the Glebe land would enable Council to seek State Government open space funding toward the park development.

45. The above funding options require further consultation and detailed investigation. Until they have been more fully explored it is recommended that Council defers decision making on the future of lot 203 of the Glebe land. When it is in a more informed position with regard to the resourcing options for the new park, Council could then proceed to a decision on the future of the remaining 2 ha of land contained in lot 203 Fulford Terrace. Refer recommendation 7.
46. A further report will be prepared for consideration at a council meeting following the completion of the community consultation (as per Recommendations 4 and 5, and the further engagement as per Recommendation 6) to inform decision making in relation to lot 203 of the 'Glebe land'.
47. If the potential avenues for funding described above are not able to be realised, or raise little money to support the development of the open space, it could be anticipated that this would result in a low level of investment in the open space or a much longer timeframe for its delivery, with a potential corresponding reduction in community benefits as well.
48. In the meantime, the community will benefit from access to the Glebe land, and this can be facilitated with a minimum of Council investment in the short term.
49. The finalisation of the Glebe land content of the *Littlehampton and Blakiston Neighbourhood Plan* will be subject to the outcomes of the recommendations of this report, subsequent processes and will be the subject of a future Council report and resolution. Refer recommendation 10.
50. Implementation of the *Littlehampton & Blakiston Neighbourhood Plan* will take place over a 20 year period. Council will balance the needs of Littlehampton/ Blakiston against other needs across the District as it implements the Plan.

Community Engagement:

Extensive community consultation has occurred. Detailed reports were provided to Council on 18 January 2016 and 4 October 2016.

Further community consultation is now proposed in relation to some of the recommended strategies for funding options and authority is being sought to commence those processes.

Policy:

The directions in the final *Littlehampton & Blakiston Neighbourhood Plan* may result in a need to review or change policy, and may also inform future amendments to Council's Development Plan.

Budget:

Council allocated a budget of \$50,000 in 2015/16 to develop the *Littlehampton & Blakiston Neighbourhood Plan*. The proposals in the draft Plan will impact on subsequent budgets, but these will be subject to Council decisions in the Annual Business Plan.

Recommendation 2 will be included in the next quarterly 2016/17 budget review.

Statutory/Legal:

Council has prepared the Plan with the powers it has under the Local Government Act. This Plan does not have statutory authority under the Development Act.

Recommendations 3, 4 and 5 require further community consultation.

Staff Resource Requirements:

The Plan has been prepared with existing staff resources, supplemented by consultants who have provided additional technical expertise.

Future initiatives arising from the Plan will be resourced according to Council priorities and budget processes.

Environmental:

The draft Plan proposes initiatives which will have a positive impact on the natural and built environment in Littlehampton and Blakiston.

Social:

The draft Plan proposes initiatives which will have a positive impact on health, wellbeing and social inclusion of community members in Littlehampton and Blakiston.

The draft Plan takes into account the special needs of vulnerable groups including children, young people, the elderly and people with disabilities.

Risk Assessment:

The draft Plan is not expected to have significant risks associated with its content. There may be risks associated with specific projects which will be assessed at the time of project scope, detailed design and implementation.

Options to fund open space improvements within the Glebe land have many unknowns and uncertainties and hence there is risk as to what extent these will meet needs.

Asset Management:

Proposals and specific projects contained within the Plan may have an impact on infrastructure and asset management. These will be addressed at the time of project scope, detailed design and implementation.

Conclusion:

Adoption of the recommendations will enable community access to the Glebe land in the short term future and a number of funding options for further open space development to be pursued.

1. Glebe Land Funding Strategies and Implementation

Key Contact

Brian Clancey, Deputy Chief Executive Officer/General Manager, Infrastructure & Projects

Sponsor of Project

Andrew Stuart, Chief Executive Officer

2. Littlehampton & Blakiston Neighbourhood Plan

Key Contact

Penny Worland, Senior Policy Planner, Social Planning

Sponsor of Project

Greg Waller, General Manager Planning and Development



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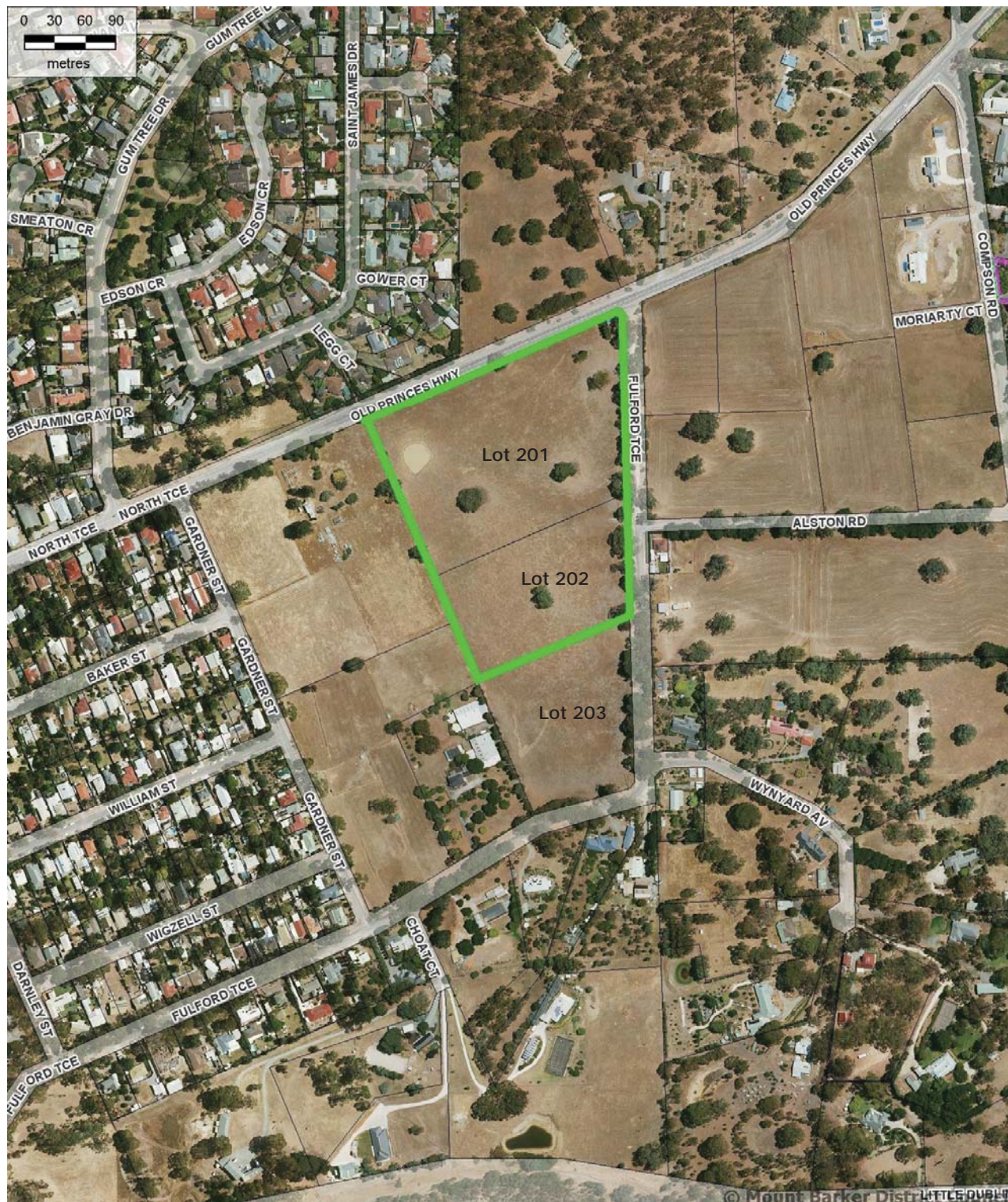
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Created on: Wednesday, 30 November 2016 By: advanced



Mount Barker District Council
Land to be Classified as Community Land
Pursuant to the Local Government Act

Attachment 2 to Item 12.1



MOUNT BARKER
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**Mount Barker District Council
Fulford Terrace Reserve****Attachment 3 to Item 12.1**

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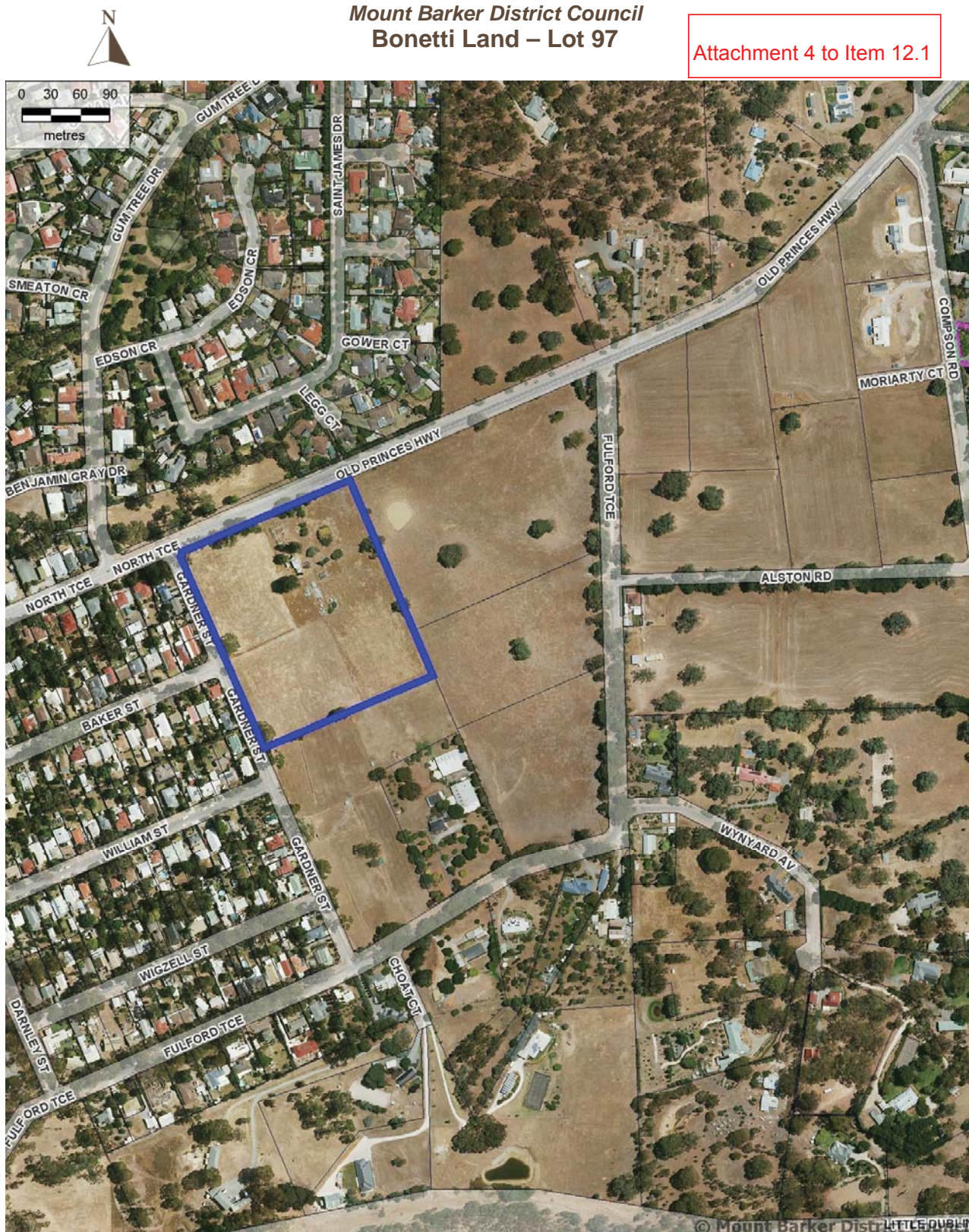
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**Mount Barker District Council
Bonetti Land – Lot 97**

Attachment 4 to Item 12.1



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Proposed Separate Rate for Infrastructure – Bonetti Land

Background

In 2006 many land owners/developers entered into an Infrastructure Agreement with Council in advance of Council progressing the rezoning of land parcels around the District for residential use. The agreements set out obligations on the developer of the subject land to contribute to infrastructure required due to development.

Required infrastructure was defined to be both:

- Direct Infrastructure – due to the specific development being undertaken e.g. a roundabout near but external to the development site; and
- Indirect Infrastructure – due to the cumulative impact of developments e.g. new freeway interchange and upgrading of recreation facilities including \$740,000 at Anembo Park, Littlehampton.

The infrastructure obligations were only triggered when development was undertaken.

There were a small number of land parcels for which the land owner at that time was not prepared to execute an Infrastructure Agreement and notwithstanding that, Council proceeded to have that land included for rezoning.

Council did so on the basis that this was logical in respect of enabling orderly development and it resolved (see below) to further pursue such infrastructure contributions.

Communication with the Bonetti Family

Council communication with land owners in the lead up to the 2006 rezoning of land included Mrs Bonetti (letters in 2005 and later face to face).

Further communication occurred with the Bonetti Family in early 2016 regarding the preparation of a concept plan for the 'Glebe land'.

A courtesy letter has been forwarded to the Bonetti Family to provide information on the proposed separate rate inclusive of a copy of this agenda item.

If the recommendation on the separate rate proposal is adopted, the Bonetti Family will receive further communication from Council and will have the opportunity to make representations to Council prior to any decision making by Council on the proposal.

Principles

The key principles adopted by Council in relation to the approach to infrastructure provision and growth are:

- Equity – every developer should contribute to infrastructure needs external to their development site;
- Beneficiary Pays – no payments are required until development is undertaken so liability falls to the developer of the land not the historic land owner unless they choose to be the developer; and
- Pay as you go – payments are aligned to cash flow for the developer they are not required in advance of development being undertaken.

Infrastructure

Council undertook detailed needs analysis with external consultant input to establish infrastructure requirements arising from rezoning and subsequent development.

That established the basis for both the Direct and Indirect Infrastructure requirements.

It is recommended that Council pursue the Direct Infrastructure requirements as per the 2006 Council meeting resolution (see below) specifically being:

1. Construction (i.e. 100% of the cost) of a new footpath on one side of Baker Street between Gardner Street and Darnley Street to provide improved pedestrian connectivity to the development site;
2. Contribute 25% of the cost to the need to address safe vehicular access and egress from and to North Terrace/Old Princes Highway via upgrading of the junction with Gardner Street or alternatively relocating the access further east to provide greater separation from the existing North Terrace/Old Princes Highway and Gum Tree Drive junction which is an issue for the State Government who is responsible for North Terrace/Old Princes Highway; and
3. Contribute 50% of the cost to widening and reconstructing the pavement of Gardner Street between Fulford Terrace and the Old Princes Highway/North Terrace and construct a footpath on the eastern side for the full length of that street.

In the case of the Bonetti land it is proposed that Council make a significant concession and not impose the Indirect Infrastructure contribution as applicable to other land rezoned in 2006. The Indirect Infrastructure amount is currently \$5,083 (including GST) per each new lot created – as a guide the Bonetti land might accommodate around 50 – 55 residential lots which would equate to approximately \$254,000 - \$280,000 in total if that was to be pursued. There are some practical difficulties that would arise should Council seek to pursue this via the separate rate mechanism given the Local Government Act requirements.

Instead and consistent with the principles adopted by Council the Direct Infrastructure obligation on the Bonetti land would be expanded to include a contribution of \$50,000 to the construction of pathways and associated landscaping and lighting within the Glebe land open space including connection to the Bonetti land.

This approach would in effect represent a 'discount' by Council of around \$204,000 - \$230,000.

The amount of the separate rate applicable to the Bonetti land for required Direct Infrastructure (adjusted from the 2006 cost estimate of \$327,000 to provide for escalation) would now be \$593,468 in 2016 dollars (this amount does not include GST which is not applicable) being for items 1, 2 and 3 immediately above plus the \$50,000 for pathways making a total of \$643,468.

These infrastructure requirements are also contained in the Development Plan as a requirement pre development being undertaken so they are not new in any way.

Delivery by the developer of the above infrastructure will provide benefit to the Glebe land in the form of improved and safer community access.

The reverse also applies in that delivery by Council of open space on the Glebe land will provide direct benefit to the developer of the Bonetti land.

Note:

These infrastructure requirements are in addition to standard requirements for all residential development under the Development Act eg open space contributions, internal roads, storm water management etc. These requirements may provide further opportunity for negotiating a contribution to the Glebe land with the developer of the Bonetti land. Eg financial contribution in lieu of providing 12.5% open space within the residential development site.

Separate Rate Mechanism

Use of the separate rate satisfies the requirements of the Local Government Act in that this infrastructure will provide a direct benefit to the Bonetti land when it is developed.

The administration of this separate rate by Council would be very similar in approach to other infrastructure separate rates already in place, in summary being:

1. The separate rate is declared each financial year and until development of the Bonetti land is undertaken the separate rate amount is automatically 100% postponed and is not payable;
2. The 'trigger' is development being undertaken which will then require the developer to procure the required Direct Infrastructure works (outlined above) or provide a payment to Council in lieu to be of the value of the required works to enable Council to subsequently procure the required works; and

3. The separate rate amount is remitted in full once the developer has fully satisfied all of the Direct Infrastructure obligations.

The Separate Rate will be subject to the Council Infrastructure Contributions – Separate Rate Relief Policy, the purpose of the Policy is to assist specifically (and without further decision of the Council) with the provision of infrastructure and/or community facilities wherever the Council declares a separate rate that is consistent with the objects of this Policy and expressly resolves that the principles of this Policy apply to that separate rate.

2006 Council Meeting Resolution

The extract below in italics is from resolutions at the Council meeting held on 20/9/06:

for those sites that are included in the PAR, but in respect of which the land owner has advised the Council it is not their intention to enter a legal agreement with Council regarding infrastructure provision, proceed to seek to implement such alternative security scheme applying to such sites applying the principles of private sector contributions to infrastructure set out in the legal agreement, recognising that this approach will be subject to the requirements set out under the Local Government Act 1999 including the requirement for community consultation;

Note: Reference above to “PAR” was a Plan Amendment Report which in 2006 was the mechanism by which changes to the Development Plan occurred. The mechanism is now known as a Development Plan Amendment (DPA).



Attachment 5 to Item 12.1

LITTLEHAMPTON COMMUNITY ASSOCIATION INC.
PO Box 816
Littlehampton SA 5250

Chief Executive Officer
Andrew Stuart
Mount Barker District Council
6 Dutton Road
MOUNT BARKER SA 5251

Dear Andrew,

The Littlehampton Community Association has enjoyed a long and valuable line of communication for consultation around the needs and aspirations of our town.

We acknowledge and respect the significant effort that your Planning staff, particularly Penny Worland, have put into the Littlehampton and Blakiston Neighbourhood Plan.

Thank you for receiving the deputation by our representatives, Wayne Barrie, David Leach and Geoff Cleggett.

As the Chair of the Littlehampton Community Association I would like to request that Council consider the following options for facilitating the community use of the Glebe land:-

1. That Council retain all of the Glebe land.
2. To release all of the Glebe land as soon as practical for public access – with no expectations of anything other than modest, passive access such as some park benches and a “natural path”.
3. That further recreation development of the Glebe, such as a small oval as per the Master Plan, be contingent upon funding raised from local initiatives such as developer contributions from development in Littlehampton, e.g., Fiora and the possible sale of the balance of Fulford Terrace subject to the proper process associated with such a sale.
4. That the Littlehampton Community Association would support Council initiating the process to sell the balance of Fulford Terrace which is described as 2a Fulford Terrace, comprised in CT 5083/309 containing 1.7 hectares on the condition that it be sold for raising funds to develop the Glebe land and acknowledging the process required takes time and requires public consultation and Ministerial consent. This support is contingent upon Item 1.

We would hope the Neighbourhood Plan with the above amendments will bring about a renewed and vital Littlehampton and Blakiston that we can all be proud of.

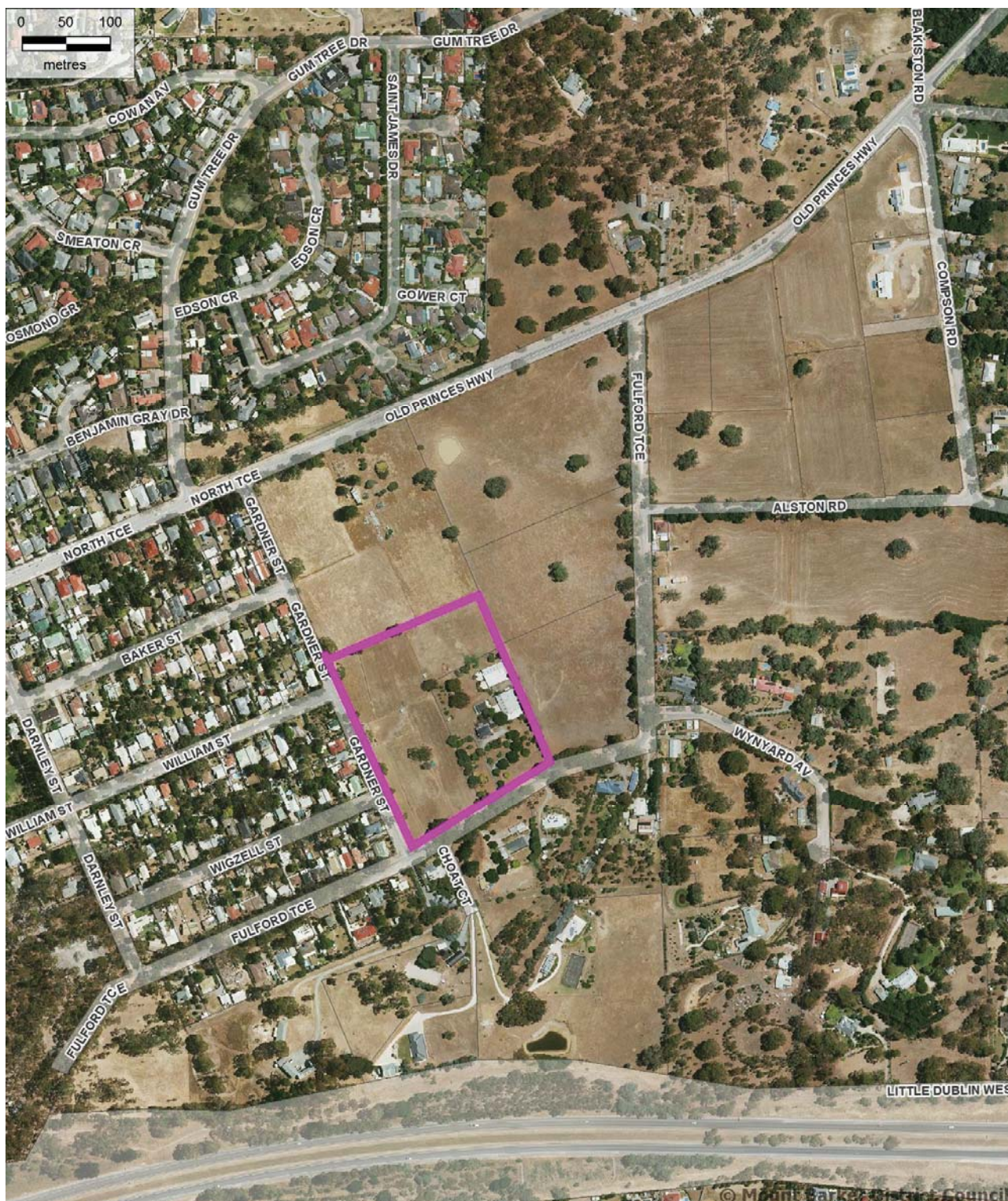
Yours faithfully

Karen Liebelt
Chair
Littlehampton Community Association Inc.



**Mount Barker District Council
Flora Land**

Attachment 6 to Item 12.1



**MOUNT BARKER
DISTRICT COUNCIL**

Mount Barker District Council
Building 3, 6 Dutton Road
Mount Barker SA 5251

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Facsimile (08) 8391 7299

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Map Zoom: 1.127 km

Map Scale: 1:5,709

Created on: Thursday, 1 December 2016 By: advanced

12.2	REPORT TITLE:	ADOPTION OF THE MT BARKER, TOTNESS AND LITTLEHAMPTON STORMWATER MANAGEMENT PLAN
	DATE OF MEETING:	5 DECEMBER 2016
	FILE NUMBER:	DOC/16/117401
	ATTACHMENTS:	ATTACHMENT 1, STUDY AREA PLAN, DOC/15/52345 ATTACHMENT 2, NRM BOARD LETTER OF APPROVAL, DOC/16/118417 ATTACHMENT 3, STORMWATER MINOR PROGRAM ACHIEVEMENTS, DOC/15/45983

Mount Barker 2035 – District Strategic Plan:

This report and associated recommendation supports the Strategic Plan primarily in Goal Area “Urban Environment” (UE 5.2) Integrated Water Management – Increase emphasis on stormwater management and reuse.

The SMP also supports the following Goal Areas and Strategies:

- Natural Environment and Sustainable Living (NE 2.4) Conserve water, maximise recycled water use and practice appropriate Water Sensitive urban Design.
- Economic Prosperity (EP 2.1) Strengthen and Promote the water recycling and reuse business of Council.
- Community Wellbeing (CW 2.6) Undertake town planning and infrastructure provision to facilitate healthy lifestyle and safety by design in development.

Purpose:

To achieve Council endorsement of the final Stormwater Management Plan (SMP) for Mt Barker, Totness and Littlehampton.

Summary – Key Issues:

1. The Stormwater Management Plan (SMP) for Mt Barker, Totness and Littlehampton has been prepared in strict accordance with the Stormwater Management Planning Guidelines (Stormwater Management Authority, 2007).
2. The SMP provides an overview of the Mt Barker Creek rainfall catchment and issues relating to the management of stormwater together with documenting the opportunities to improve stormwater management in the catchment particularly with regard to flooding and drainage.

3. Large scale flood mitigation projects identified and prioritised within SMP will be eligible for co-funding through the Stormwater Management Authority (SMA).

Please note: There will be a short (10 or so minutes) visual presentation by the agenda item author Mr Matthew Dawkins at the Council meeting with an opportunity for Council Members to ask questions.

Recommendation:

That Council:

1. Endorses the Final Mt Barker, Totness and Littlehampton Stormwater Management Plan (Revision H); and
2. Notes that with Council endorsement, the Final SMP will be forwarded to the Stormwater Management Authority (SMA) for approval and that, upon SMA approval, some large scale projects within the plan will be eligible for SMA co-funding.

Background:

1. The localities of Mt Barker, Totness and Littlehampton lie in the Mt Barker Creek catchment. Refer Attachment 1. These areas are serviced by a network of creeks and tributaries that drain through existing urban areas as well as areas rezoned as part of the MDPA.
2. A Stormwater Management Plan (SMP) is a key document that will guide the approach to the management of stormwater, stormwater quality and the actions which aim to mitigate flooding.
3. With urban growth there will inevitably be increases in both stormwater runoff volumes and peak flow rates and this plan identifies ways to assist in managing these increases.
4. Large scale flood mitigation projects (catchment area approximately greater than 40ha) identified in a Stormwater Management Plan prepared in accordance with the Stormwater Management Authority (SMA) guidelines and the Local Government Act are eligible to apply for part grant funding from the SMA.
5. A key requirement of the Local Government Act is that before the SMA can approve the final SMP, the local NRM Board must first approve the plan. As such, a steering committee comprising Council, the SMA and the local NRM Board was formed to oversee the delivery of the SMP.

6. On 15 June 2015 Council approved commencement of community consultation on the draft plan. The results of the community consultation were reported back to Council via an information report on 21 September 2015.

Discussion:

7. The draft SMP was taken through an extensive Community Consultation in the second half of 2015. The consultation on the plan involved a combination of open house meetings together with a large volume mailout. Targeted consultation with key stakeholders was also carried out.
8. The open house meetings drew very small attendances however the mailout to occupiers of land adjacent to creeks and waterways attracted 78 responses.
9. In summary, the community consultation process undertaken indicated:
 - High level of agreement with the propositions presented in the feedback form that were consistent with the objectives of the SMP and associated strategies
 - General concern and lack of support for Council to bear costs of any measures that can reasonably be assigned to land development proponents
 - Desire to retain, protect and rehabilitate natural urban creek systems as a characteristic of the area.
10. In addition to broad community consultation, the final draft version of the plan was also given extensive review by the SA Murray Darling Basin Natural Resource Management Board (NRM Board). In order to gain the NRM Board approval of the plan considerable fine tuning and additional work was performed culminating in the final version which is before Council for endorsement as part of this report. The NRM Board approval letter is presented as Attachment 2.
11. The final version of the Plan for which Council endorsement is sought (Revision H) has been made available since early October to Elected Members for final review and queries. A full copy of the report and appendices can be found on Council's website at <http://www.mountbarker.sa.gov.au/stormwatermanagementplan> or a hardcopy can be made available for viewing by contacting the Infrastructure and Projects Department of Council.

Implementation of the SMP:

12. The final SMP provides stormwater management planning guidance with regard to low, medium and high priority stormwater related projects in the Mt Barker, Totness and Littlehampton built up areas.

13. In that regard the SMP describes a range of *potential* projects ranked “High” (\$3.7m), “Medium” (\$9.4m) and “Low” (\$10.4m). The project values are first order estimates based simply on a one line project description and as such are “best guess” project estimates.
14. As has been the case with the Council’s Transport Masterplan, the implementation of actions is a very long term proposition (ie 20+ years).
15. Accordingly, a formal “Implementation Plan” will NOT be prepared in the sense that it not considered financially feasible or sound to make a blanket commitment to roll out the full program of potential projects.
16. Instead, projects from Table 10.1 of the SMP will be considered on merit for inclusion in existing rolling capital works programs using the following principles:
 - Projects ranked “high” and “medium”, will primarily be given priority for deeper in-house desktop assessment of individual project scope, benefit and costs.
 - Projects ranked “low” may progress if it is quickly evident that scope, cost and benefit are simple and quickly achievable through a minor program or as part of a parallel capital project.
 - Identification of advantageous opportunities to advance identified projects in association with other works either by Council or others (such as developers).
 - Eligibility for grant funding through the SMA.
 - Incorporation of suitable projects into existing Council programs such as the Minor Stormwater Capital program.
17. Underlying the above principles will be fundamental considerations around Council priority setting, capacity to fund works, availability of grant funding, cost:benefit analysis, meeting service standards relative to risk etc.
18. In some cases, it will be important to take a balanced approach to the level of service that can reasonable by achieved through the construction of new works. For example, the works that have been carried out in the Mount Barker Town Centre to implement a large diameter drainage scheme in the space practically available in the Morphett St road reserve have provided around 1 in 50 year Average Recurrent Interval (ARI) flood protection. Whilst a 1 in 100 year ARI level of protection is desirable in the Town Centre, in order to implement further physical works to convey higher flows is not physically practical or financially feasible in this location. Accordingly, Council has acknowledged this limitation and further improvements to some areas of development are best achieved through the process of land redevelopment and associated planning controls.

19. A key outcome from the development of this plan is the much improved knowledge of the flood risks currently being faced particularly downstream of areas of large scale residential development.
20. This plan will inform Council engineers and planners with respect to development requirements within the key catchments and the consequences of managing increased runoff and flow rates from land development in the MDPA area.
21. There are some locations where the plan identifies key locations for detention storage infrastructure necessary to improve the level of protection for existing residential areas while also managing runoff from new development. In these situations, the plan will provide an important resource for articulating the issues that developers must be mindful of and address as part of their new infrastructure construction.
22. In response to the community feedback highlighting the importance of the creeks and waterways within the Study area, it is acknowledged that the delivery of any projects that impact creeks and waterways will continue to need excellent internal collaboration between to ensure the ongoing care for the natural waterways of the District.
23. The plan also provides guidance on best practice for ensuring the extra runoff volumes are not detrimental to the important aquatic environments of our creek systems.
24. There are some 84 projects listed in Table 10.1 of the plan (Attachment 3) ranked either High (H), Medium (M) or Low (L). The spread of projects fall into 3 categories namely:
 - Stormwater Infrastructure (54 projects; 12H, 13M, 29L)
 - Flood Mitigation (12 projects; 2H, 5M, 5L)
 - Water Quality (15 projects; 2H, 9M, 4L)
 - Stormwater Harvesting (3 projects; 2H, 1M)
25. It should be noted that of the 84 projects, some have been identified prior to the finalisation of the plan and have been completed or are scheduled for completion through Council's Minor Stormwater Capital program that has been running for the past 3 years.
26. The Minor Stormwater Capital program aims to deliver minor projects (normally less than \$50k) that yield benefits focused around flooding and high attendance operational maintenance problems. Feedback from recent flood event reviews suggests this program is delivering well targeted minor works that are servicing the communities expectations and resolving issues that have traditionally consumed excessive maintenance effort. Attachment 3 provides a summary of the past two completed financial years achievements.

27. It is intended that minor projects identified in Table 10.1 of the SMP will be reviewed, scored and prioritised for delivery (over a period of time) through the existing minor stormwater capital program.
28. A key output from the SMP, valuable to our engineers and planners, is the mapping of existing flood inundation extent and pit/pipe capacity. It is proposed that Council's internal data sets are updated to enable sharing of this data more widely through the organisation. Further, Council's external web page links to data sets such as the flood mapping will be updated.
29. To assist external agencies such as CFS and SES find and use flood and hazard mapping data for and during emergency events, Council has an agreement with the Department of Environment, Water and Natural Resources (DEWNR) to share flood and hazard data across its purpose built web portals to facilitate agency access to the finalised data sets.

Community Engagement:

Informing only	Communication of the endorsement of the SMP will be made through Council's website, front counter displays at the Civic Centre and Library and also an advertisement in The Courier identifying where the community can access the finalised plan.
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Policy:

In 2006, Council adopted a stormwater policy framework that states:

Council acknowledges the legal advice that it is not under a duty to undertake the management of stormwater in its area.

Having regard to the expectations of the community and Council's leadership role, Council will seek to have adequate stormwater management provided in its area.

Council will pursue this objective through undertaking a coordination role that will vary depending on the circumstances and may include Council acting as:

- A planning authority via policy in the Development Plan and the imposition of conditions on development approvals;*
- A facilitator working in collaboration with others such as the private sector, Federal and State Governments and the Natural Resources Management Boards;*
- An advocate to the State Government and others on behalf of the community; and*

- *A service provider (provision, maintenance and renewal of infrastructure).*

It is in the context of this policy position that the SMP should be regarded a supporting document that aids Council in its role to coordinate and advocate adequate stormwater management in its District.

Budget:

The cost to prepare the SMP over the last 3 years have totalled \$179178, of which \$150,093 were consulting fees with the remainder being project management costs. On approval of the plan by the Stormwater Management Authority (SMA), 50% of the consultancy fees will be eligible for claiming reimbursement from the SMA.

In light of the policy position described above, the impact on the budget is not one that establishes or commits Council to a formal advancement of a program of delivery driven by the projects identified in the SMP. Rather, targeted advancement of some works will occur over time as opportunities present and on a project by project assessment of merit.

Statutory/Legal:

The preparation of the plan falls within the gamut of functions described under Section 7 of the Local Government Act such. For example, “.... plan at the local and regional level for the development and future requirements of its area...” and “.... to take measures to protect its area from natural and other hazards and to mitigate the effects of such hazards....”

Staff Resource Requirements:

On a project by project basis, some projects will advance either in the form of advocacy to other stakeholders or in direct delivery of projects as determined from time to time. Resource usage will vary between inhouse project management to consultant and/or contractor delivery.

Environmental:

This plan enhances Council understanding of the natural systems that play a role in the management of stormwater. Further, the consultation feedback has highlighted that the local community is supportive of Council caring for and rehabilitating as needed the natural waterways that play a role in managing stormwater.

Social:

Through consultation, the objectives of the SMP have been found to receive general community support.

Risk Assessment:

Major and minor flood risk is already a part of the Emergency Risk Management Plan.

Asset Management:

The SMP will populate minor and major capital programs which will result over time in projects delivering long term assets requiring maintenance and renewal. This is particularly relevant where natural creeks are firstly recognised as key assets for conveying flood water and then, where works are done to enhance performance and capacity of those natural waterways, those capital works effectively create new drainage assets that must be valued and added to the asset list to ensure that the mitigated flood outcome is maintained and periodically renewed.

Conclusion:

The finalised SMP will provide a sound basis for understanding key stormwater management issues across the Mt Barker, Totness and Littlehampton urbanised areas and enable funding from the SMA to be sought for some potential projects. It will also inform planners and external stakeholders alike in areas of interest as diverse as flooding impacts, emergency management access, stormwater harvesting and natural waterway care and rehabilitation.

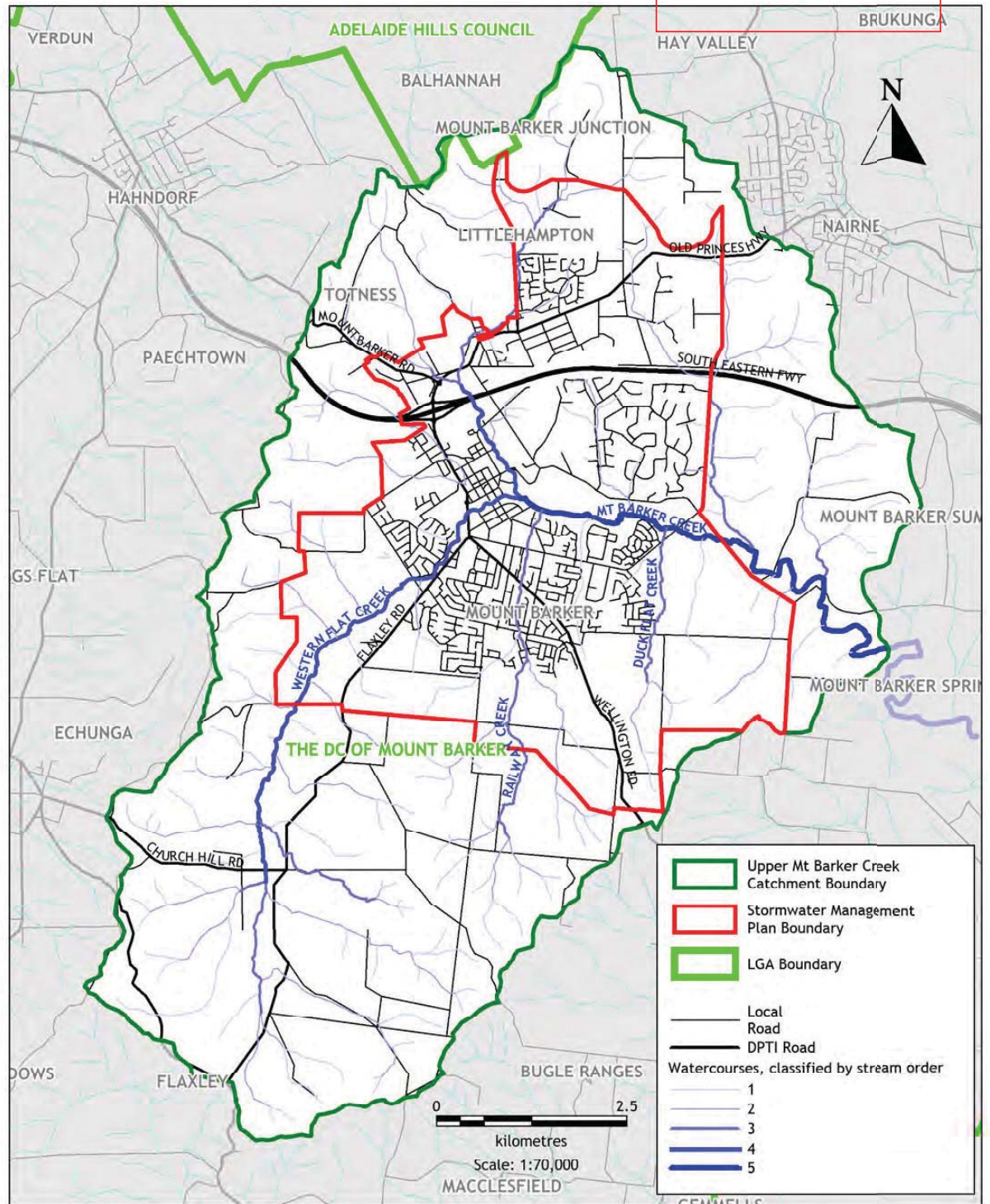
Key Contact

Matthew Dawkins, Capital Program Manager, Infrastructure and Projects

Manager or Sponsor of Project

Brian Clancey, Deputy CEO and GM Infrastructure and Projects

Attachment 1 to Item 12.2



Copyright Southfront 2014

Data Sources:
District Council of Mount Barker (Roads)
DPTI (Suburbs), DEWNR (Watercourses), Southfront (SMP Boundary)

Mount Barker, Littlehampton & Totness Stormwater Management Plan

Figure 2.2
Catchment Plan

Attachment 2 to Item 12.2



Our Ref: Mt Barker SWMP - MCP

23rd June, 2016

Mr. Steve Morten
Acting General Manager
Stormwater Management Authority
GPO Box 1047
ADELAIDE SA 5000

Natural Resources Centre Mt Barker

Upper Level

Cnr Mann & Walker Streets
MOUNT BARKER SA 5251

Tel 08 8391 7500

Fax 08 8391 7524

ABN 14 305 414 800
DEWNR.SAMDBReferrals@sa.gov.au
www.naturalresources.sa.gov.au/samu
rraydarlingbasin

Dear Steve

RE: Mount Barker, Totness and Littlehampton Stormwater Management Plan

The Board received for review a copy of the Stormwater Management Plan (20 June 2016, Ref No: 14042_7F) prepared by the District Council of Mount Barker for the Mount Barker, Totness and Littlehampton Catchment area. The plan was prepared in accordance with the Stormwater Management Planning Guidelines, July 2007, and was considered by the SA Murray-Darling Basin NRM Board in June 2016.

In accordance with section 13(5) of the *Local Government (Stormwater Management) Act 2007*, the Board advises that the Plan contains appropriate provisions as required by the legislation and guidelines. In particular, the Plan identifies appropriate flood mitigation works, provides development guidelines, and ensures that stormwater quality is not allowed to deteriorate and that stormwater reuse is encouraged.

Please find attached the stormwater management plan checklist completed by the Board. Should you have any queries regarding this matter please contact Lyz Risby at the above office during normal working hours.

Yours faithfully

A handwritten signature in black ink, appearing to read "Mike Penhall".

Mike Penhall

DA.referrals@samdbnrm.sa.gov.au

Senior Policy Officer Development Planning

South Australian Murray-Darling Basin Natural Resources Management Board

Enc. SMP Checklist – Mount Baker



Government of South Australia
South Australian Murray-Darling Basin
Natural Resources Management Board

Attachment 3 to Item 12.2

**13. REPORT TITLE: MINOR STORMWATER CAPITAL WORKS
PROGRAM AND MINOR CHANNEL/BASIN
RENEWAL PROGRAM UPDATE**

DATE OF MEETING: 15 JUNE 2015

FILE NUMBER: DOC/15/45983

Purpose:

To review the 2013/14 to 2014/15 outcomes of the Minor Stormwater Capital Works and Minor Channel/Basin Renewal Programs and to outline their respective program status effective May 2015.

Summary – Key Issues:

- Commencing in 2013/14, the Minor Stormwater Capital Works and the Minor Channel/Basin Renewal Program delivered 7 projects, and to date in 2014/15 5 projects have been completed, a further 2 are currently in construction with another expected to be tendered May/June 2015.
- The Minor Channel/Basin Renewal Program is concluding at the end of 2014/15 – the outcomes over the past 2 years are outlined with photos.
- The Mount Barker, Littlehampton & Totness Stormwater Management Plan (SMP) is due to be finalised early in 2015/16. This will yield a number of new minor stormwater projects to be added to the current program.

Background:

1. In 2013/14 the Minor Stormwater Capital Works Program together with the Minor Channel/Basin Renewal Program commenced.
2. The programs are aligned with Councils Strategic Plan Key Objective 3.1 Implement actions to progress Integrated Water Management Planning including creek management across the District.
3. Prioritisation criteria and methodology was developed and endorsed by Council at the 7th July 2014 Council Meeting, which has been implemented and generates a program of prioritised projects for the rolling program.
4. The Minor Stormwater Capital Works Program budget in 2013/14 was \$300k and in 2014/15 \$150k, whilst the Minor Channel/Basin Renewal Program in 2013/14 was \$140k and in 2014/15 \$100k.
5. A backlog of issues identified by various means have been investigated and prioritised on an ongoing basis.

6. A review of the prioritised criteria is due in July 2015. At that review and in light of a substantial list of additional minor stormwater projects from the SMP, changes to the prioritisation criteria may be required.

Discussion:

7. The Minor Channel/Basin Renewal Program was established to address renewal and cleanout of creeks and constructed basins. The works have typically involved excess silt and reed removal to improve creek capacity and associated risk of road flooding/closure. Given the volumes of silt and reeds removed, it has sometimes been necessary to use heavy equipment. The works have been undertaken as sensitively as possible to the surrounding environment. Further, the works ensure the continued effectiveness of basins to trap silt and hence maintain/improve downstream water quality.
8. In 2013/14 and 2014/15 works were carried out at:
 - Ascent Lake including reed removal and de-silting works;
 - Duck Flat Creek including scour protection;
 - Reed and silt removal downstream of Railway line over Mount Barker Creek;
 - Spring Park Lake on Miels Ave in Littlehampton - significant quantities of silt removed restoring capacity;
 - Western Flat Creek in Mount Barker - reeds and silt removed at May Road;
 - Adelaide Road Western Flat Creek crossing; and
 - Railway Creek at Faehrmann Ave Mount Barker.
9. Attachment 1 provides a photographic summary of the nature and scale of works included in this program undertaken over the past 2 years.
10. Council's Environmental Project Officer, Emma Cope, has provided valuable assistance in coordinating and advising on re-vegetation where required. Further, the collaborative arrangement with the local NRM Board has yielded important advice and input from our shared Senior Project Officer, Terry Banks.
11. The Channel/Basin Renewal Program concludes at the end of FY2014/15. Significant progress has been made in addressing a backlog of channel and basin cleanouts. Future works of this type will be undertaken as part of the Minor Stormwater Capital Works Program or through the Stormwater Maintenance Program.
12. The Minor Stormwater Capital Works Program in 2013/14 and 2014/15 delivered upgrades to infrastructure in the form of new underground drain and improved drain inlets and outlets. Works done in FY13/14 and FY14/15 included:
 - Cameron/Dunn Roads, Mount Barker;
 - Henry Road, Blakiston;
 - Oborn Road, Mount Barker;
 - West Terrace, Callington;

- Balhannah Road, Hahndorf;
 - Old Princes Hwy, Nairne Pipe Renewal; and
 - Works nearing completion in FY14/15 are Young-Nursery Road (adjacent Cook Street) Kanmantoo and Kent Road, Kanmantoo.
13. The Minor Stormwater Capital Works Program has projects prioritised for 2015/16. The SMP (refer Item 11.3) has identified many projects that will contribute significantly to the list of projects to be prioritised.
14. Attachment 2 provides a photographic summary of the nature and scale of works included in this program undertaken over the past 2 years.

Conclusion

The successful outcomes achieved throughout 2013/14 and 2014/15 demonstrate Council's commitment to stormwater management and flood protection through delivery of prioritised minor projects. The Minor Stormwater Capital Works Program is proposed to continue in FY15/16 with the draft budget allocating \$150,000.

Key Contact

Megan Bonehill, Assistant Project Manager Infrastructure, Infrastructure & Projects:

Manager or Sponsor of Project

Matthew Dawkins, Capital Program Manager, Infrastructure & Projects

Attachments

1. Channel and Basin clearing photographic summary
2. Minor stormwater drainage photographic summary

ATTACHMENT 1

Ascent Lake, Mount Barker – Reed and Silt Removal



Duck Flat Creek, Mount Barker – Inlet repairs, Scour Protection & Silt Removal



Western Flat Creek (May Road), Mount Barker – Reed and Silt Removal



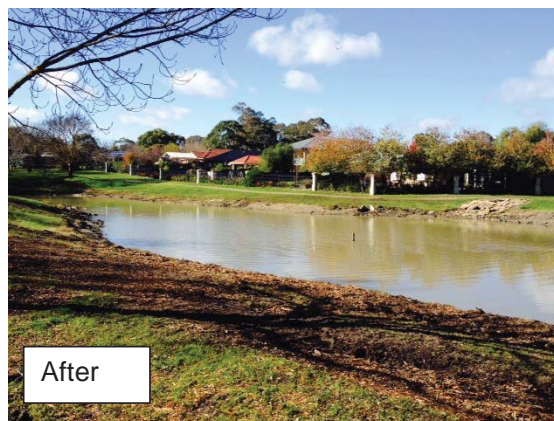
Western Flat Crk (Adelaide Road), Mount Barker – Reed and Silt Removal



Faehrmann Avenue, Mount Barker – Reed and Silt Removal



Spring Park Lake - Miels Ave Littlehampton – Significant Silt Removal



ATTACHMENT 2

Henry Road, Blakiston – Interception of excess stormwater flows and new Underground Infrastructure



Oborn Road, Mount Barker – Increased inlet capacity and flood protection of adjacent buildings through Underground Infrastructure



West Terrace, Callington – Completion of stormwater drain construction and drainage of low lying land with new Underground Infrastructure



Cameron and Dunn Road Mount Barker – Kerbing and Underground Infrastructure to intercept stormwater flows to protect Cameron Road properties from routine flooding



Balhannah Road, Hahndorf – Inlet Capacity Improvements



Old Princes Hwy Nairne – Stormwater Pipe Renewal



12.3	REPORT TITLE:	WARD DONATIONS
	DATE OF MEETING:	5 DECEMBER 2016
	FILE NUMBER:	DOC/16/59087
	ATTACHMENTS:	NIL

Mount Barker 2035 – District Strategic Plan:

Governance and Leadership

Purpose

To allocate ward donation funds to individuals or organisations.

Summary – Key Issues

1. Council has allocated an amount for 2016/17 of \$14960 which equates to \$1360 for each Council Member to allocate to individuals and/or groups at the Council Members' discretion. This is known as a Ward Allowance.
2. At each Council Meeting, Council Members may nominate individuals or groups to which a donation from their Ward Allowance will be made.

Recommendation

That Council will make the following donations, given that each Member nominating the donation has given careful consideration to whether there is a conflict of interest:

Council Member	Amount	Group/ Individual	Purpose

Background

1. Council receives many requests for assistance from individuals, community members and community groups. Requests may be received by Council Members via telephone, letter or via email, or direct to Council.
2. Council has allocated an amount for 2016/17 of \$14960 which equates to \$1360 for each Council Member to allocate to individuals and groups at the Council Members' discretion. This is known as a Ward Allowance.
3. This Ward Donation practice has been in place for over 16 years.

4. The Representation Review process (completed in September 2013) ensures equal representation (Council Member per elector) in each Ward. No change was made to the number of Councillors in each Ward. This process ensures the amount of Ward Allowance available to the community is equal between each of the Wards.
5. At the end of each financial year, a report of the expenditure of Ward Allowances will be reported to Council.

Ward Donation Procedures

6. Members receive a print out indicating how much is still to be spent.
7. Individual members of the community or community groups may require small financial assistance for projects/initiatives of community interest and benefit from Council.
8. These requests should be made directly to the Mayor and/ or Council Members for their consideration / assessment.
9. Any requests received directly by Council will be acknowledged by the Executive Assistant to the Chief Executive Officer and Mayor, and advised that any such requests received will be provided to all Council Members who may choose to contribute some funds from their annual Ward Allowance.
10. When determining donations, Council Members should consider the community interest / benefit to be received and enjoyed by the community at large as a result of that donation.
11. As per section S73-75A of the Local Government Act 1999 Council Members should also consider and assess any material, actual or perceived conflict of interest as a result of making a particular donation or voting on the donations.
12. At each Council Meeting, Council Members may nominate members of the community or community groups to which a donation from their Ward Allowance will be made. These donations are reflected in the Council meeting minutes, available on Council's website www.mountbarker.sa.gov.au
13. Council Members are encouraged to advise the Executive Assistant to the Chief Executive Officer and Mayor as soon as possible of any requests for ward donations received in advance of Council meetings in order for such requests to be included in the Council meeting agenda. The form can be found on the extranet under Forms.

14. When making a donation in the Council Meeting, the Elected Member should:
- Declare who the donation is to be made to, the amount and the purpose of the donation; and
 - Complete and submit a Ward Donation Form to the Minute Secretary (Sue Miller).

Community Engagement

Informing only	Notification by way of Council minutes. Recipients will be notified of any donation.
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Policy

There are currently no Council Policies in relation to Ward Donations.

Budget

The budget allocation for Ward Donations is \$14960 which equates to \$1360 recommended expenditure by each Council Member. Any unallocated ward allowance balance is not carried over to the next financial year.

Statutory/Legal

There are no statutory/legal implications or requirements in relation to Ward Donations.

Section 73-75A of the Local Government Act 1999:

However, Elected Members should be mindful of material, actual or perceived conflict of interest that may arise as a result of making a ward donation.

Staff Resource Requirements

This is incorporated into the existing responsibilities of the finance staff.

Environmental

There are no environmental implications arising from this report or its recommendations.

Social

Ward donations enable individual members of the community and community groups to request small donations to assist with their endeavours.

Risk Assessment:

It is the responsibility of each Council Member to assess the risks association with the ward donations.

Asset Management:

There are no asset management implications arising from this report or its recommendations.

Conclusion

Council Members have the opportunity to make ward donations.

Key Contact

Maree Barns, Acting Executive Assistant to Chief Executive Officer & Mayor

Manager or Sponsor of Project

Andrew Stuart, Chief Executive Officer

13. INFORMATION REPORTS**Recommendation**

That the following information reports be noted en bloc.

13.1 REPORT TITLE: EMERALD QUARRY REMEDIATION STATUS**DATE OF MEETING: 5 DECEMBER 2016****FILE NUMBER: FOL/15/7362****ATTACHMENTS: ATTACHMENT 1 - EMERALD QUARRY
REVEGETATION AREAS DOC/16/94532****Purpose:**

To provide Council with an update on the Emerald Quarry Remediation project.

Summary – Key Issues:

1. Remediation of the Emerald Quarry rock faces had been determined as high risk if project managed by Council.
2. Council endorsed an alternative environmental remediation approach on 1 August 2016.

Background:

1. Emerald Quarry is located on Summit Road Nairne adjacent to the South Eastern Freeway and was utilised by the then Highways Department in 1973 for the production of quarried products used in the construction of the freeway.
2. The Quarry is owned by Council as public road but has been under a Department for Planning Transport and Infrastructure (DPTI) freeway control order since the 1970s. DPTI is currently responsible for the care and maintenance of the land.
3. A previously approved concept proposal developed by Tonkin Consulting together with EBS Heritage and Aspect Design Studios on behalf of Council delivered design options and a remediation report for Council – Emerald Quarry, Monument Preservation and Quarry Stabilisation Strategy. In addition, incorporated into this contract was a Cultural Heritage Assessment report and a Biodiversity Assessment and Management Plan. This work was completed and the design options presented to Elected Members on 16 June 2014 at an informal briefing.
4. On 15 September 2015 Council endorsed option 2 as a preferred option.

5. Council staff then continued to work with Tonkin to determine the methodology for the complex process of stabilising the quarry rock faces. The work would be challenging because of the current instability of the rock faces (and hence inherent safety issues), the length of time since the quarry was worked and the unknown element of how much work would be needed to achieve long term rock stability.
6. The unstable nature of the rock faces is currently a DPTI liability but this would be transferred to Council if it undertook the proposed remediation and development of the proposed Option 2 as a public open space.
7. Council determined that the risk profile of rehabilitating the rock faces was too high and an alternative environmental (and lower cost) option was approved by Council on 1 August 2016.

Discussion:

8. An alternative approach has been developed which would over time deliver excellent aesthetic and environmental outcomes whilst avoiding the significant risks associated with rock face stabilisation. This approach would involve:
 - Undertaking a three year program of seeding and weed control over the site.
 - Seeds would be collected locally ensuring creation of regenerated endemic flora.
 - Seeding would include native trees which in time will grow to soften the current exposed rock walls. This will avoid the importation of top soil and favour native species and discourage weeds. Establishment of a canopy of native vegetation will in time limit exotic weeds.
 - Control and responsibility for the land will remain with DPTI avoiding ongoing Council liability for the unstable rock faces.
 - Public access would not be provided avoiding the risk of injury due to the steep nature of the site. Managing public access would continue to be DPTI's responsibility.
9. There are a number of benefits with this approach:
 - Elimination of a major risk profile for Council
 - Creation of an enhanced environmental outcome
 - Much lower cost (estimated to be \$60,000 over 3 years) to taxpayers and ratepayers
 - Major reduction in the use of Council resources allowing an improved focus on other high priority projects
 - Elimination of long term risk and maintenance costs for the rock faces.
10. This approach has been implemented successfully in other locations.

11. Council staff have now submitted a new detailed design and associated costing to the Department of State Development (EARF Branch) and successfully secured a new funding agreement, signed by the Minister on 28 October 2016.
12. Council's Landscape Technical Officer is now managing the project and the key project objectives are:-
 - Improving the visual amenity and stability of the exposed quarry faces, eroded soils and other works areas, and the native plant diversity and ecological values of the quarry area in general
 - Providing a revegetated buffer to the ecologically valuable vegetation of the Mount Barker Summit Conservation Reserve
 - Controlling infestations of several Weeds of National Significance (Gorse, Bridal Creeper) and a number of other Declared Plants and Red Alert Weeds (including South African Weed Orchid, African Daisy, Cotton Bush) and sustaining this control by replacement with native vegetation and targeted ongoing management.
13. These actions and outcomes are all in accordance with the Mount Barker 2035 District Strategic Plan and informed by the recommendations of the Emerald Quarry Biodiversity Assessment and Management Plan (EBS 2014) and the Mount Barker Summit Conservation Reserve Management Plan (EAC 2011).
14. Attachment 1 shows spatially the proposed different seeding methods assigned to various zones of the Emerald Quarry site.
15. The proposed project schedule for early 2017 will be (weather dependent):-
 - February – Select tender call
 - March – contract appointed
 - April – Weed control
 - May – commence revegetation.

Conclusion

This project will deliver excellent aesthetic and environmental outcomes for the Emerald Quarry site.

Key Contact

Simon Fensom, Landscape Technical Officer

Manager or Sponsor of Project

Greg Parker, General Manager, Council Services



13.2 REPORT TITLE: WASTEWATER: UPDATE ON EXPANSION TO SERVICE GROWTH

DATE OF MEETING: 5 DECEMBER 2016

FILE NUMBER: DOC/16/117686

ATTACHMENTS

1. Location Plan of Key Sewer Infrastructure Upgrades
2. Executed Wastewater Commitment Deeds List

Purpose:

To provide an update on the provision of a wastewater system to service the Mount Barker, Nairne and Littlehampton growth/infill development areas.

Summary - Key Issues:

- Work has progressed in relation to the 'Wastewater Strategy to Service Growth' and positive discussions with developers have occurred to pursue further commitments to the Council's wastewater service.
- Two independent reviews have been undertaken to assess Council's financial modelling & governance (David Hope Review) plus risk exposure and project assumptions (Chris Brideson Review)
- Planning and investigation work has been progressed on the major infrastructure upgrades being the Mount Barker WWTP Sewer Upgrade and the Eastern & Western Sector Trunk Mains.

Background:

1. Council is the largest Local Government provider of wastewater services in South Australia providing an essential service to the community with the objective of this being undertaken in a business manner.
2. A 'Wastewater Strategy to Service Growth' has been prepared with the 'One Treatment Plant approach' via a staged expansion of Council's existing Mount Barker WWTP on Springs Road from 20,000 Equivalent Persons (EP) to 50,000 EP capacity to accommodate all forecast growth in Mount Barker, Littlehampton and Nairne at a capital cost estimate of \$55 - \$65Million over the next 30-40 years as approved by Council on 21 December 2015.

3. The most recent update on the 'Wastewater to Service Growth' project was provided to Council on 15 August 2016. That item included that updates would be provided at a Council meeting on the following matters prior to the end of 2016:
 - Feasibility of sewerage the Mount Barker City Centre;
 - Independent Financial and Risk Review – Expansion for Growth;
 - Study on potential opportunities for employment generation through recycled water use; and
 - Execution of Wastewater Commitment Deeds by Council and developers.

Discussion:

4. In accordance with established good practice to independently review different aspects of this wastewater infrastructure expansion project on a regular basis, two independent reviews have recently been commissioned by Council at a cost of around \$15K.

Independent Reviews

Financial, Governance and Risk Review (David Hope)

5. Mr David Hope was retained to undertake an independent review into the Council's approach to running a wastewater and recycled water business with a focus on appropriate costing, governance and risk management.
6. The Hope review concluded that:
 - extensive and thorough planning processes have been undertaken to assist Council to assess the likely impact of the growth area on Council's wastewater and recycled water business.
 - Council's long term financial plan for the wastewater business has been developed using the principles set out in the Local Government Association's (LGA) Costing Principles for Local Government.
 - higher priority should be given to assessing, monitoring and mitigating Council's long-term exposure to financial risk given the estimated \$55M - \$65M capital cost of the Wastewater Growth Strategy over the next 30-40 years.

- further improvement is recommended in terms of Council's approach to governing and running the business from a commercial viewpoint.

Project Risks & Assumptions Review (Chris Brideson)

7. In order to assess Council's overall exposure to risk on this project, Mr Chris Brideson was appointed to review the identification, assessment and mitigation of project risks, assumptions together with recommendations for improvement.
8. The Brideson review concluded that:
 - the list of project assumptions are considered comprehensive - except under 'Storage & Re-Use' which is a high risk area and should be re-visited once a 'Recycled Water Strategy' has been developed.
 - the project risk assessment is considered comprehensive except there are 3 key risk areas which require further consideration:
 - Business & Governance: Council needs to consider future options for the governing and running of the business given the significant planned investment in new infrastructure.
 - Third Party Competition: already exists in the market place (i.e. Alano Utilities) and Council needs to focus on actively monitoring our success/failures and be reactive to the competition.
 - Disposal Path for Recycled Water: significant risk post closure of Hillgrove Mine which needs to be addressed.

Governance

9. Conclusions of the two above reviews regarding governance are consistent with the outcome of the Strategic Workshop of Independent Experts on future directions for wastewater and recycled water that was held in July this year and reported on at the Council meeting held on 15 August 2016.
10. A follow up Workshop, specifically on Governance for the wastewater and recycled water business of Council is being held on 12 December again with people independent of Council with specialist expertise and the outcomes will be reported on to a Council meeting in early 2017.
11. The objective is to improve governance processes in relation to the wastewater and recycled water activities of Council to assist in decision making on such matters by Council.

Mount Barker WWTP Upgrade

12. Having made the decision to pursue a 'one plant solution' via upgrading of the existing Mount Barker WWTP to cater for all growth, planning work is continuing.
13. Dependent on development growth rates, the existing treatment plant is expected to be able to cope with increasing sewage load until early 2019, by which time a major upgrade of the plant is expected to be required.
14. The next stage in the process is to undertake a 'Mount Barker WWTP Sewer Upgrade - Feasibility Study' which will take the form of a multi-disciplinary approach including engineering assessment, commercial considerations (e.g., staging, capital/operational costs), procurement options, plus the identification of the key risks and mitigation strategies.
15. The findings of the Feasibility Study will be reported to Council once complete.

Collection Network Upgrades

16. Given the progress with various development sites now under construction across the eastern, central and western sectors of Mount Barker, Council has continued to work with developers and their professional representatives regarding the expansion of Council's existing wastewater collection network to service these development areas with sewer.

Western Sector Trunk Main

17. The Wastewater Strategy to Service Growth identifies the construction of a Western Sector Trunk Main to service the growth area.
18. The existing collection network in the western area of Mount Barker is already operating at capacity.
19. Council has now completed the detailed design of the proposed Western Sector Trunk Main which will help relieve existing capacity issues as well as providing capacity to service the western sector of the MDPA growth area, infill re-development plus potentially also service the future sewerage of the city centre (see below).

Eastern Sector Trunk Main

20. The Wastewater Strategy to Service Growth identifies the construction of an Eastern Sector Trunk Main to service the new developments along the creek line to the south of Sims Road.

21. Whilst Council's existing wastewater collection network in the Eastern Sector has sufficient capacity to accommodate growth for several years, the network presently only extends to the intersection of Sims Road and Hartman Road and needs to be extended south through the development area.
22. Council is currently progressing a design for the new trunk main with construction expected to be completed in late 2017/early 2018.
23. A plan showing the key sewer infrastructure upgrades is included at Attachment 1.

Recycled Water Strategy

24. A critical component of the overall strategy is developing a sustainable recycled water and disposal strategy.
25. Hillgrove Resources continues to take substantial recycled water and acknowledging that mines have a limited life, this will cease at some point in time.
26. Two separate consultants have now completed their studies into developing a recycled water hydraulic model (GHD) plus potential opportunities for employment generation through recycled water use (PSI Delta) at a cost of around \$70K.
27. The GHD study examined opportunities to extend the existing Council recycled water network to supply additional areas of open space requiring irrigation and included a cost-benefit analysis. A copy of that report is available to Council Members on request.
28. The Psi Delta Study included communication with many external parties and contains commercial in confidence information. A copy of that report is also available to Council Members on request on a confidential basis.
29. In summary the Psi Delta report has identified some possible new customers for recycled water and the associated pre conditions such as new infrastructure required for delivery of the water. As expected an issue is a lack of demand for water all year round and related to that is the challenge of storage capacity such as during the winter months.
30. The next step is for Council to develop a long-term Recycled Water Strategy to target other uses and future customers. This will be the subject of a future report to a Council meeting in the first half of 2017.

Wastewater Commitment Deeds

31. In August 2016 it was reported to Council that the estimated total number of residential allotments and equivalent (where a use other than residential is proposed) covered by Deeds entered into with Council by developers/land owners was in the range of 3,300 – 3,450 allotments representing approximately one-third of the forecast ultimate development of the entire Ministerial DPA area in Mount Barker.
32. Executed Wastewater Commitment Deeds to date are listed in Attachment 2.
33. All the Deeds contain a confidentiality clause restricting the extent of information that can be publicly disclosed.
34. Negotiations for Council to be the sewer service provider are currently active with a number of developers that involve an additional number of residential allotments in the range of 1,100 – 1,250 i.e. over and above the current 3,300 – 3,450. Some of the developers concerned have already signed with Council on other land parcels and are looking to extend to include additional land parcels.
35. It remains Council's understanding that to date only one developer has committed to a private sewer scheme.

Mt Barker City Centre Sewer Feasibility

36. Work is continuing into the feasibility of a sewer service being provided by Council to the Mount Barker city centre.
37. That will be the subject of a further report to a Council meeting in the first half of 2017.

Conclusion:

This is the biggest infrastructure project being undertaken by Council and warrants regular reporting to Council to ensure effective strategy, project and risk management, monitoring and review.

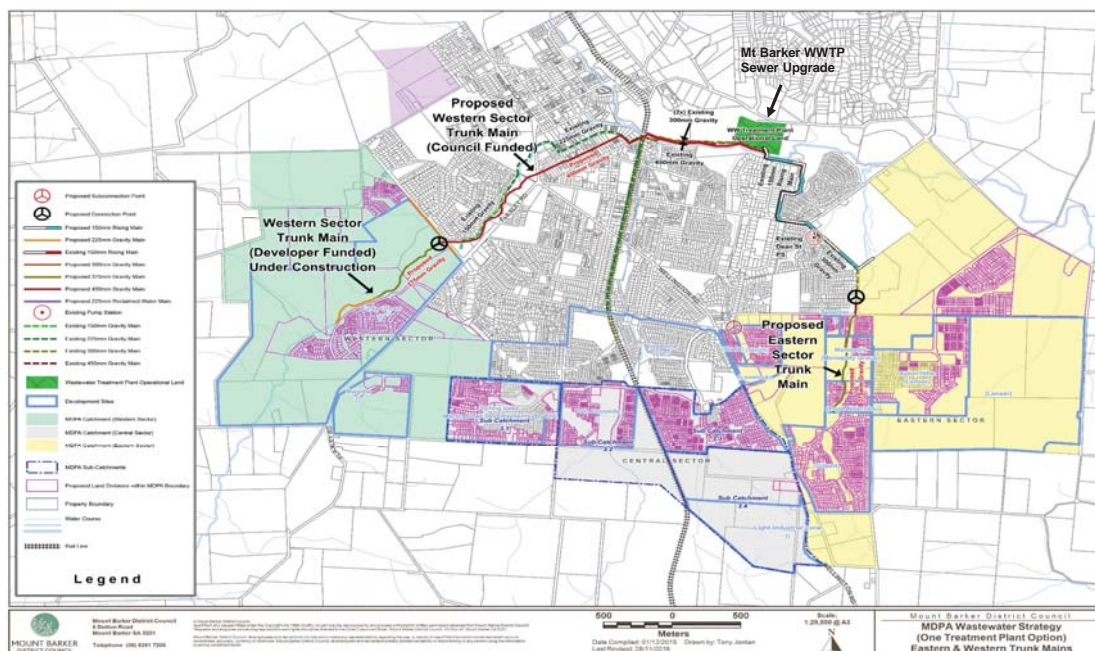
Key Contacts

John Calder, Senior Project Manager

Sponsor of Project

Brian Clancey, General Manager Infrastructure and Projects

Attachment 1 - Location Plan - Key Sewer Infrastructure Upgrades



Attachment 2

List of parties to have executed a Wastewater Commitment Deed with Council (in alphabetical order):

- Amblemead Mount Barker Pty Ltd
- Burke Urban SA Pty Ltd & Red Shift Pty Ltd;
- Flaxley Road Pty Ltd;
- Lovelock, GB and EN;
- MB Estate Pty Ltd;
- Metro Mount Barker Pty Ltd;
- Mount Barker Project Development Pty Ltd;
- Mount Barker Property Services Pty Ltd;
- Olykor Pty Ltd;
- Peet Mt Barker Pty Ltd; and
- Steinert, CJ and EWF.

13.3	REPORT TITLE:	LARATINGA BIRDFAIR 2016
	DATE OF MEETING:	5TH DECEMBER 2016
	FILE NUMBER:	DOC/2016/119623
	ATTACHMENTS:	DOC/2016/119624 BIRDFAIR PHOTOS 2016

Purpose:

To advise elected members on the outcomes and feedback from the Laratinga Birdfair.

Summary – Key Issues:

1. Council partnered with the South Australian Murray Darling Basin Natural Resources Management Board (SA MDB NRM), Birds SA and Nature Connections to host the “Laratinga Birdfair 2016” on Sunday 23rd October 2016 at Laratinga Wetland.
2. The Laratinga Birdfair had a variety of guest speakers, workshops, tours, displays and stalls from a range of government departments, non-government and not for profit organisations, community groups and individual experts.

Background:

1. In the early 1990s, Mount Barker District Council established the Laratinga Wetlands as a natural wastewater treatment facility, with reclaimed water being used for irrigation of Council reserves, local agricultural industries and private properties
2. Laratinga Wetland and Reserve has become an important habitat for a range of resident, migratory and nomadic bird species. Over 160 bird species have been recorded from the site.
3. The trails and open recreational space within the wetland reserve is also a popular area for active and passive recreation, social gatherings and provides opportunity for environmental education.

Discussion:

1. Laratinga Wetland has become well known as one of South Australia’s most popular birding sites.
2. Council partnered with the South Australian Murray Darling Basin Natural Resources Management Board (SA MDB NRM), Birds SA and Nature Connections to host the inaugural “Laratinga Birdfair 2016”.

3. Laratinga Birdfair was hosted at Laratinga Wetland on Sunday 23rd October 2016 at Laratinga Wetland, during National Bird Week.
4. The Birdfair consisted of
 - guest speakers including Professor Chris Daniels (University of South Australia), Sophie Thomson, John Gitsham (Birds SA), Sylvia Clarke (SAMDBNRM), Ivan Copley (Peramangk Elder), Angela Cullen (Trees for Life) and Mayor Ann Ferguson;
 - bird art workshops, plant propagation workshop, bird photography workshop and bird feeder workshop;
 - bird tours and;
 - over 20 displays and stalls.
5. The event:
 - promoted the importance of biodiversity in the area;
 - highlighted the significance of Laratinga Wetland as a wildlife refuge;
 - provided education to the community on birds and their habitat;
 - provided nature play, environmental education and learning opportunities to youth;
 - provided activities, opportunities, network contacts and cohesion between the elderly;
 - provided education to the community on how to support biodiversity in their daily lives; and
 - brought the wider community together.
6. The event was funded by all partners with Council's contribution funded from existing environmental education and promotion budgets.
7. Council has received numerous positive comments and feedback from the community.
8. It is estimated that approximately 1000 people visited the Birdfair throughout the day.
9. It is likely that the Laratinga Birdfair will be held again in 2017, dependant on budget.

Conclusion

The Laratinga Birdfair was held on the 23rd October 2016 and was well received by the community.

Key Contact

Emma Montgomery
Environmental Project Officer
Planning and Development

Manager or Sponsor of Project

David Cooney
Manager, Open Space and Environment
Planning and Development

Attachment to Item 13.3

Laratinga Birdfair 2016 Photos





14. MAYOR'S REPORT

15. MEMBERS' REPORTS

16. QUESTIONS ARISING FROM COUNCIL MEETING

17. CONFIDENTIAL REPORTS

NIL