

7	19 June 06	Flood Retention Basin	<p>Reason: S 90(3)(b) information the disclosure of which: (i) could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting or proposing to conduct, business, or to prejudice the commercial position of the Council; and</p> <p>(ii) would, on balance, be contrary to the public interest.</p>	Discussion, Agenda, Attachment & Minutes	Concluded.	Extend Confidential Order to September 2017 The Chief Executive Officer be delegated the authority to revoke all or part of the order and directed to present a report containing the item for which the confidentiality has been revoked.	5 Sept 11	NA	RELEASE 5 Sept 11
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134 CONFIDENTIAL ITEMS

**134.1 REPORT TITLE: CONFIDENTIAL REPORT
FLOOD DETENTION BASIN**
DATE OF MEETING: 19 JUNE 2006
AUTHOR: BRIAN CLANCEY/ATIS BERZINS
**AUTHOR'S TITLE: GENERAL MANAGER, ASSETS &
INFRASTRUCTURE
MANAGER, ENGINEERING AND
TECHNICAL SERVICES**
REPRESENTORS: N/A
FILE NUMBER: 44/070/001-04
DEPARTMENT: ASSETS & INFRASTRUCTURE
**DEPARTMENT
MANAGER: BRIAN CLANCEY**

Moved Councillor Stokes:

1. That pursuant to Section 90(2) and 90(3) (b) of the Local Government Act 1999 the District Council of Mount Barker orders that the public be excluded from attendance at the meeting to consider in confidence matters regarding information the disclosure of which:
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the Council; and
 - (ii) would, on balance, be contrary to the public interest.
2. That the Chief Executive Officer, General Manager Assets & Infrastructure, General Manager Strategy and Development, General Manager Corporate and Community Services, and the Minute Secretary be permitted to remain in the room.

Seconded Councillor Zanker and CARRIED.

3. Moved Councillor Gamble that Council:

- (a) Note the report;
- (b) Authorise senior staff to undertake preliminary discussions with the owners of land on the southern side of Hawthorn Road, Mount Barker being Mrs G E Gallasch and Mr K E Gallasch in relation to possible sites for a flood detention basin; and
- (c) Authorise staff to commission external consultants to prepare preliminary design options for a flood detention basin on each side of Hawthorn Road, Mount Barker.

Seconded Councillor Allen and CARRIED.

Moved Councillor Wright:

That the Council orders pursuant to Section 91(7), (8) and (9) of the Local Government Act 1999 that all discussion, reports and attachments, minutes relating to this item be kept confidential until 49 June 2007. ~~6 Sept 2007 (extended at Council Mtg 4 Sep 2006)~~
~~extended to 6 September 2008 at 3 September 2007 mtg 9~~
~~September 2009, 9 September 2010, 5 September 2011~~

6/9/10: The Chief Executive Officer be delegated the authority to revoke all or part of the order and directed to present a report containing the item for which the confidentiality has been revoked.
4.

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

Seconded Councillor Zanker and CARRIED.

MEETING DECLARED CLOSED AT 8.35 PM

MAYOR

DATE

12.6

**REPORT TITLE: CONFIDENTIAL REPORT
FLOOD DETENTION BASIN**

DATE OF MEETING: 19 JUNE 2006

AUTHOR: BRIAN CLANCEY/ATIS BERZINS

**AUTHOR'S TITLE: GENERAL MANAGER, ASSETS &
INFRASTRUCTURE
MANAGER, ENGINEERING AND
TECHNICAL SERVICES**

REPRESENTORS: N/A

FILE NUMBER: 44/070/001-04

**ATTACHMENTS: 1 - COUNCIL STORMWATER
MANAGEMENT POLICY
2 - LOCATION PLAN**

DEPARTMENT: ASSETS & INFRASTRUCTURE

**DEPARTMENT
MANAGER: BRIAN CLANCEY**

PURPOSE

To update Council on progress with site options for the construction of a flood detention basin in Mount Barker and gain approval to undertake preliminary discussions with a second landowner and commission external consultants to prepare preliminary design options.

RECOMMENDATION

1. That pursuant to Section 90(2) and 90(3) (b) of the Local Government Act 1999 the District Council of Mount Barker orders that the public be excluded from attendance at the meeting to consider in confidence matters regarding information the disclosure of which:
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the Council; and
 - (ii) would, on balance, be contrary to the public interest.
2. That the Chief Executive Officer, General Manager Assets & Infrastructure, General Manager Strategy and Development, General Manager Corporate and Community Services, Manager

Engineering and Technical Services and the Minute Secretary be permitted to remain in the room.

3. That Council:

- (a) Note the report;
 - (b) Authorise senior staff to undertake preliminary discussions with the owners of land on the southern side of Hawthorn Road, Mount Barker being Mrs G E Gallasch and Mr K E Gallasch in relation to possible sites for a flood detention basin; and
 - (c) Authorise staff to commission external consultants to prepare preliminary design options for a flood detention basin on each side of Hawthorn Road, Mount Barker.
4. That the Council orders pursuant to Section 91(7), (8) and (9) of the Local Government Act 1999 that all discussion, reports and ~~attachments, minutes relating to this item be kept confidential until 19 June 2007. 6 Sept 2007 (extended at Council Mtg 4 Sep 2006) extended to 6 Sept 08, extended to 5 Sept 2011~~
5. That subject to Section 90 of the Local Government Act 1999 as amended, the public be readmitted to the meeting at the conclusion of the item.

BACKGROUND

At its meeting on 6 March 2006 Council authorised officers to enter discussions to acquire land for the purposes of a flood detention basin in relation to Morphett Street, Mount Barker.

This involved land on the north of Hawthorn Road that had been identified by external engineering consultants as the logical site given the topography of the area.

Council officers have subsequently:

- Met with the owners of the land north of Hawthorn Road being Mr and Mrs Bligh; and
- Commissioned the consultants to provide advice on whether land on the south side of Hawthorn Road could also be suitable for this purpose.

At its meeting on 1 May 2006 Council adopted a formal policy in relation to stormwater management (attachment 1). Construction of a flood detention basin by Council would be consistent with this policy.

DISCUSSION

The consultants have advised Council that it appears feasible to locate the flood detention basin on the south side of Hawthorn Road.

The exact location would be the subject of further work including preliminary design but would require some land currently in private ownership.

It is anticipated that in the order of 1.5 hectares of land in total would be required, located somewhere along the existing natural watercourse.

The vacant land on the south side of Hawthorn Road comprises two parcels being:

- Approximately 11.2 hectares owned by Mrs G E Gallasch; and
- Approximately 12.7 hectares owned by Mr K E Gallasch.

This land is currently zoned residential and has been included to date in the draft district wide Residential Plan Amendment Report.

The land owner may choose to seek that Council consider the land area that would be required for the flood detention basin (likely to be around 1.5 hectares) being included as portion of the necessary open space contribution for the residential development of the total land held by the Gallaschs (approximately 24 hectares and assumes that development would occur on the basis of the two parcels not separately). The total required open space contribution (12.5%) on this basis would equate to approximately 3 hectares.

The existing natural watercourse that runs through the land parcel held by Mrs Gallasch is also expected to ultimately vest in Council as open space (in the order of 0.7 hectares in area excluding the area that would be required for the flood detention basin).

This watercourse has been identified in the plan provided to the land owners (at the Developer Contribution Forum last week) as being the route for a pedestrian/bicycle link from Hawthorn Road to Adelaide Road.

The design brief would require the identification of potential recreational use of the area of land that would be needed for the flood detention basin.

The location may dictate that some land not directly required for the flood detention basin is not able to be utilised for residential purposes and could also form open space.

There would be potential opportunities to link the flood detention basin to existing Council reserves (corridor connection to Dumas Street/ Adelaide Road) and the adjoining Mount Barker Primary School.

Locating a flood detention basin on this site may have some attraction for the land owner given the requirement that the development of the land for residential purposes not impact on stormwater discharge from the site.

It is proposed to commission preliminary design options from external consultants for the location of the flood detention basin on each side of Hawthorn Road. With the benefit of these two preliminary designs a report can then be prepared for Council consideration that sets out the relative costs and benefits for both possible sites.

Council would then be in a position to determine the preferred site. This would be subject to detailed design and negotiations with the relevant land owner.

POLICY IMPLICATIONS

1. Financial/budget

The draft Council budget for 2006/07 makes provision for \$650,000 for land acquisition and the construction of a flood detention basin in this vicinity.

External funding sources will also be pursued, including the Stormwater Investment Fund/Catchment Management Subsidy Scheme (State Government) and the Murray Darling Basin Natural Resources Management Board.

2. Legal

Advice has been obtained in relation to the role and obligations of Council regarding stormwater management. This assisted in the formulation of a Council stormwater policy position on 1 May 2006.

3. Staffing/Work Plans

Design work for the flood detention basin is proposed to be outsourced. Council officers will continue to undertake discussions with relevant land owners.

4. Environmental

Environmental needs will be factored in to the decision making process regarding both site selection and design.

5. Social

Construction of the flood detention basin would provide significant social benefits to the Mount Barker central business area.

The potential site implications for land owners on both sides of Hawthorn Road are being considered with appropriate sensitivity.

6. Strategic Plans

1. Lifestyle

Support and encourage a well planned District that provides for the needs of the community, enhances the quality of life, and is safe and accessible for all.

6. Ensure that public safety is optimised at all times.

2. Economic Development

Actively encourage economic development to expand opportunities for local employment and support investment in a broad range of economic activities

2.4 Ensure that Mount Barker Regional Town Centre is the economic, retail, service delivery and entertainment hub of the inner region of the Mount Lofty Ranges

5. Community Assets

Provide a comprehensive range of accessible services and facilities in a financially, socially and environmentally responsible manner.

COMMUNITY CONSULTATION

1. Customer Needs Analysis

Construction of the flood detention basin will provide significant benefits for the Morphett Street precinct.

2. Promotion/Communications

Not intended to occur until the actual site has been determined and land access has been finalised.

ATTACHMENT 1**COUNCIL STORMWATER MANAGEMENT POLICY
(AS ADOPTED ON 1 MAY 2006)**

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).*

ATTACHMENT 2

LOCATION PLAN

