

CONFIDENTIAL ITEMS 2003 – AUGUST 2025

#	Date	Item Title	Confidential Order Details	Item being kept confidential - Agenda/ Attachment/ Minutes	Reason regarding retention or recommend-action to release	Resolution Regarding Action	Last Review Date	Next Review Date	Date Released
202	3 April 2023	Confidential Item: Wastewater Infrastructure	Section 90 (3) (b) Order 1. Pursuant to Section 90(3)(b) Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except Chief Executive Officer, Deputy Chief Executive Officer/General Manager Governance, Strategic Projects and Wastewater/Recycled Water, General Manager Infrastructure, Executive Manager to the CEO, General Manager Planning and Community, A/g General Manager Corporate Services, Head of Wastewater, Manager Water Capital Delivery, the Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.1 Wastewater Infrastructure Capital Contribution For Service Upgrade. The Council is satisfied that pursuant to Section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is: - proposing to conduct business; and - would prejudice the commercial position of the Council In addition the disclosure of this information would, on balance, be contrary to the public interest. The public	Council report, related documents and all minutes	The Council is satisfied that pursuant to Section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is: - proposing to conduct business; and - would prejudice the commercial position of the Council In addition the disclosure of this information would, on balance, be contrary to the public interest.	Retained in confidence until formal (binding) arrangements for the project are in place between council and the developer of 64 Alexandrina Road or such lesser period as may be determined by the Chief Executive Officer.	8 Oct 24	Within 12 months	<i>Report, Attachment and Minutes released on website 14 October 2025</i>

CONFIDENTIAL ITEMS 2003 – AUGUST 2025

#	Date	Item Title	Confidential Order Details	Item being kept confidential - Agenda/ Attachment/ Minutes	Reason regarding retention or recommend-action to release	Resolution Regarding Action	Last Review Date	Next Review Date	Date Released
			interest in public access to the meeting has been balanced against the public interest in continued non-disclosure of this information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of Council's commercial position may prejudice Council's ability to be able to negotiate a cost-effective proposal for the benefit of the Council and the community in this matter. <u>Section 91(7) Order</u> 4. Pursuant to Section 90 (3) (b) That having considered Agenda Item 18.1 Wastewater Infrastructure Capital Contribution For Service Upgrade, in confidence under 90(2) and (3)(b) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that the council report, related documents and all minutes be retained in confidence until formal (binding) arrangements for the project are in place between council and the developer of 64 Alexandrina Road or such lesser period as may be determined by the Chief Executive Officer.		The public interest in public access to the meeting has been balanced against the public interest in continued non-disclosure of this information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of Council's commercial position may prejudice Council's ability to be able to negotiate a cost-effective proposal for the benefit of the Council and the community in this matter.				

18. CONFIDENTIAL REPORTS

**18.1 REPORT TITLE: CONFIDENTIAL ITEM: WASTEWATER
INFRASTRUCTURE CAPITAL CONTRIBUTION
FOR SERVICE UPGRADE**

DATE OF MEETING: 3 APRIL 2023

FILE NUMBER: DOC/23/31528

**ATTACHMENTS: Attachment 1 – Wastewater infrastructure
service options (DOC/23/33416)**

Key Contact Michael Wundke, Manager Wastewater Business
Development & Customer Relationships

Manager/Sponsor Helen Edmonds, Head of Wastewater

Community Plan 2020-2035:

CW 4.3 - Undertake town planning, infrastructure provision and asset management to facilitate healthy lifestyles and safety.

CW 4.4 - Provide wastewater treatment services to deliver public health environmental and economic outcomes and climate change adaptation solutions.

ES 1.4 - Apply a high standard of built and operational sustainability performance in infrastructure projects of Council.

EP 3.2 - Collaborate on investment in new and existing infrastructure assets to underpin a sustainable economy .

Annual Business Plan:

Key annual objectives FY 2022/23

- Provide an affordable, cost-effective and reliable service offering to our wastewater customers

Purpose:

To seek Council approval for a contribution by the council wastewater service to the wastewater infrastructure (sewer) upgrade between 64 Alexandrina Road and Whittaker Road, Mount Barker to be carried out by the developer of 64 Alexandrina Road as a development approval requirement, which will result in the replacement of an existing poor condition council wastewater asset.

Summary – Key Issues:

1. The developer of 64 Alexandrina Road (the site), Mount Barker, as a part of the development, is required to upsize and replace the current wastewater pipe between the site and an existing sewer pipe.

2. Two options are available, with the developer preferring the least cost option (option 1) between 64 Alexandrina Road and the sewer pipe behind Mitre 10, a relatively new council wastewater service asset.
3. The wastewater service has identified that the existing council wastewater pipe in the alignment of option 2, between 64 Alexandrina Road and Whittaker Road, is in poor condition and needs to be replaced in the near future.

Recommendation:

That Council:

Section 90 (3) (b) Order

1. Pursuant to Section 90(3)(b)

Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except Chief Executive Officer, Deputy Chief Executive Officer/General Manager Governance, Strategic Projects and Wastewater/Recycled Water, General Manager Infrastructure, Executive Manager to the CEO, General Manager Planning and Community, General Manager Corporate Services, Head of Wastewater, Risk and Governance Officer and the Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.1 Wastewater Infrastructure Capital Contribution For Service Upgrade.

The Council is satisfied that pursuant to Section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is:

- proposing to conduct business; and
- would prejudice the commercial position of the Council

In addition the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in continued non-disclosure of this information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of Council's commercial position may prejudice Council's ability to be able to negotiate a cost-effective proposal for the benefit of the Council and the community in this matter.

2. Approve a maximum capital contribution from the wastewater service to the developer of \$195k (ex GST) towards the council wastewater infrastructure (sewer) upgrade being option 2 to be carried out by the developer in conjunction with the development of 64 Alexandrina Road.
3. Endorse a total project budget of \$215,000k (ex GST) addition to the wastewater service capital budget to fund the cost to deliver the wastewater service contribution to the project and allow for project management costs and contingency, to be allocated to 2022/23 and to be reflected at Budget Review 3 which is scheduled to be considered at the May 2023 council meeting.

Section 91(7) Order

4. Pursuant to Section 90 (3) (b)

That having considered Agenda Item 18.1 Wastewater Infrastructure Capital Contribution For Service Upgrade, in confidence under 90(2) and (3)(b) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that the council report, related documents and all minutes be retained in confidence until formal (binding) arrangements for the project are in place between council and the developer of 64 Alexandrina Road or such lesser period as may be determined by the Chief Executive Officer.

Background:

1. SA13 Pty Ltd (the developer) is to develop the property at 64 Alexandrina Road creating 12 allotments as a community-titled development.
2. Planning approval was granted on 23 December 2022.
3. During the initial assessment of the development application, it was identified that a traditional Septic Tank Effluent Drainage system (now referred to as Community Wastewater Management System (CWMS) is not suitable due to the proposed allotment size and the wastewater service and Environmental Health teams of council advised that the development must connect to the sewer service.
4. A sewer service is not directly available at the site boundary and the developer is therefore required to upgrade the existing wastewater (CWMS) pipe to a sewer-pipe, as a prerequisite of the development.
5. Due to the location of the site, there are two options available to the developer;

- a. Option 1 - replace the existing 100mm diameter wastewater (CWMS) pipe between 64 Alexandrina Road and Mitre 10, Secker Road, with a 150mm diameter sewer pipe (340 metres in length); or
 - b. Option 2 – replace the existing 100mm diameter wastewater (CWMS) pipe between 64 Alexandrina Road and Whittaker Road with 150mm diameter sewer pipe (480 metres in length)
6. The developer selected option 1 as the preferred solution as it is the least cost method for the development.
 7. The cost difference estimated by council between the two options is \$100,857 (ex GST).
 8. The wastewater service have identified, through onsite inspection, that the existing pipeline along the option 2 route is in poor condition and in need of replacement in the near future.

Discussion:

9. Based on information available, the infrastructure, both Council and private, within the alignment of option 1 is in good condition and only 12.5% of the asset value has been depreciated.
10. From a recent onsite inspection, through use of CCTV inspection, and historical information on wastewater overflows and septic tank sizing, the infrastructure within the alignment of option 2, both Council (wastewater network) and private (individual septic tanks), is in poor condition and 58% of the asset value has been depreciated.
11. The inspections have shown that the existing council infrastructure (option 2) is in poor condition and not able to be maintained.
12. Desktop analysis of septic tanks in the area shows that most of the connections along the alignment of option 2 are 1,620 litre septic tanks which were installed pre-1980 and are therefore at, or close to, the end of their useful life.
13. Septic tanks are private assets however, when septic tanks fail they can become a public issue as they can present public health and environmental hazards to surrounding properties.
14. The cost of replacement for a septic tank is in excess of \$7,500.
15. Provision of a sewer pipe in this area would allow residents to connect directly to the sewer network bypassing the septic tank at a lower cost

compared to replacing a failed septic tank at a significantly higher cost, but with a higher ongoing service charge under the current pricing model.

16. Taking into consideration the condition of the existing assets, and potential environmental and public health risks in the area, co-funded asset replacement of option 2 will provide benefits to wastewater service customers and the wider community in the area when compared to option 1 which will only benefit the developer.
17. The minimum capital contribution to the developer for the works (option 2) is proposed to be \$100,857 (ex GST), the estimated construction cost difference between the two options.
18. The proposed maximum capital contribution to the developer (option 2) is \$195,009 (ex GST), which has been calculated based on the following costs to council:
 - a. The estimated cost, by council, difference between the two options of \$100,857,
 - b. Asset write-off value of \$73,595, and
 - c. Additional asset replacement works fully funded by the wastewater service of \$20,577 (ex GST) (currently under negotiation) to complete replacement of the pipe segment.
19. The proposed maximum contribution is approximately 45% of the estimated construction cost of the pipe between 64 Alexandrina Road and Whittaker Road.
20. Negotiations with the developer are current which is why there is a need for confidentiality at this time.
21. The wastewater service is requesting a budget variation of \$215,000 (ex GST) for the project, which includes a calculated maximum allowable contribution plus an additional \$20,000 to cover project management expenditure and contingencies.
22. It is forecast that work will be undertaken across FY23 and FY24, however an approved budget is required to be in place before an agreement with the developer is signed.
23. As part of the asset management maturity initiative proposed for the wastewater service over the next 2 to 3 years asset management strategies and policies will be developed to address similar situations.

Community Engagement:

Informing only	Confidential report. Limited information will be available to the community via the Council website until the need for confidentiality ceases to exist
----------------	--

Policy:

The following policies are applicable;

- Asset Management Policy
- Wastewater Accounting Principles policy

Long Term Financial Plan:

The project is not specifically included in the current Wastewater Service Long Term Financial Plans however from FY 2024 onwards a nominal amount is allowed for each year for asset replacement works and also for opportunistic network upgrades in conjunction with works by developers.

Budget:

Adoption of the above recommendations will have a direct budget impact of up to \$215,000 in FY23, however this can be accommodated within the approved FY23 wastewater capital budget as a result of changed timing of other wastewater investment.

Statutory/Legal:

Local Government Act 1999

Section 7 – Functions of a council

To provide infrastructure for its community and for development within its area

As part of the land division development assessment process Council is only able to obtain prescribed requirements under the Planning, Development and Infrastructure Act 2016.

Staff Resource Requirements:

This project will be delivered by the developers and their contractors with project management by existing internal resources.

Environmental:

The project will provide the capacity and opportunity for connection of nearby properties into the sewer service providing positive environmental benefits to the residents in the area.

Social:

Provision of a sewer service to the area will mitigate health and wellbeing risks to the residents in the area as a result of infrastructure in need of replacement.

Risk Assessment:

Council owns more than 213km of 100mm wastewater (CWMS) pipes (73% of the entire gravity network), which are unsuitable for carrying sewerage.

Replacement of the existing pipe between 64 Alexandrina Road and Whittaker Road with a sewer will provide an improved level of service to nearby residents and prevent potential environmental and health risks associated with septic tank failures.

Risk to the developer of capital cost of the infrastructure exceeding the preliminary cost estimate, and therefore risk they will seek additional council contributions, which will be managed through application of project management principles and be managed within the contingency allowed for within the proposed budget.

Asset Management:

The existing asset will be replaced with a new and upgraded asset to meet the standards of the council wastewater service. Overall the capital contribution will upgrade an asset in poor condition and improve the service level delivered to customers.

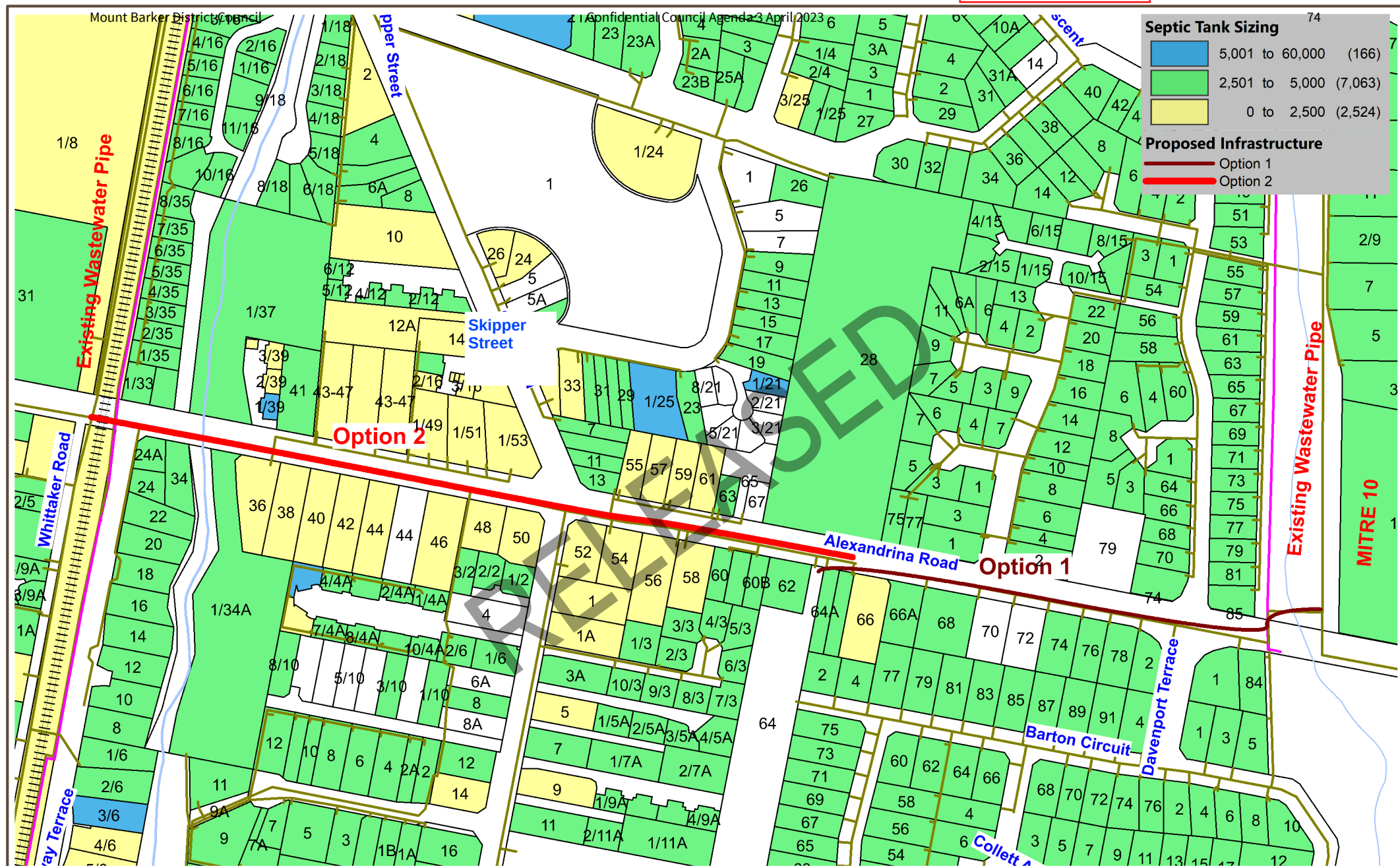
The estimated value of the asset to be disposed of is \$73,595 as of 30 June 2022.

Asset management will be an ongoing wastewater service responsibility

Conclusion:

It is recommended that approval is given to allocate additional capital funds of \$215,000 (ex GST) to the wastewater service capital budget 2022/23 to proceed with a contribution to wastewater asset replacement works as a part of the development at 64 Alexandrina Road Mount Barker, to provide improved wastewater levels of service and reduce the potential environmental and health risks to residents and the community in the area.

Previous Decisions By/Information Reports to Council - Nil



Mount Barker District Council
6 Dutton Road
Mount Barker SA 5251

Telephone (08) 8391 7200

© Mount Barker District Council.
Apart from any use permitted under the Copyright Act 1968 (Cwlth), no part may be reproduced
by any process without prior written permission obtained from Mount Barker District Council.
Requests and enquiries concerning reproduction and rights should be directed to the Chief
Executive Officer, Mount Barker District Council, PO Box 54, Mount Barker SA 5251.

Mount Barker District Council, its employees and servants do not warrant or make any
representations regarding the use, or results of use of the information contained herein as to its
correctness, accuracy, currency or otherwise. Mount Barker District Council, its
employees and servants expressly disclaim all liability or responsibility to any person using the
information or advice contained herein.

Date Compiled: 07/09/2022

Drawn by: Madhawa



Mount Barker District Council

Wastewater Infrastructure Requirements
64 Alexandrina Road

18. CONFIDENTIAL REPORTS

**18.1 REPORT TITLE: CONFIDENTIAL ITEM: WASTEWATER
INFRASTRUCTURE CAPITAL CONTRIBUTION
FOR SERVICE UPGRADE**
DATE OF MEETING: 3 APRIL 2023
FILE NUMBER: DOC/23/31528
**ATTACHMENTS: 1 - DOC/23/33416 - WASTEWATER
INFRASTRUCTURE SERVICE OPTIONS**

Moved Councillor Szilassy that Council:

Section 90 (3) (b) Order

1. Pursuant to Section 90(3)(b)

Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except Chief Executive Officer, Deputy Chief Executive Officer/General Manager Governance, Strategic Projects and Wastewater/Recycled Water, General Manager Infrastructure, Executive Manager to the CEO, General Manager Planning and Community, A/g General Manager Corporate Services, Head of Wastewater, Manager Water Capital Delivery, the Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.1 Wastewater Infrastructure Capital Contribution For Service Upgrade.

The Council is satisfied that pursuant to Section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is:

- proposing to conduct business; and
- would prejudice the commercial position of the Council

In addition the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in continued non-disclosure of this information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of Council's commercial position may prejudice Council's ability to be able to negotiate a cost-effective proposal for the benefit of the Council and the community in this matter.

Seconded Councillor Jones

CARRIED
OM20230403.08

Moved Councillor Seager that Council:

2. Approve a maximum capital contribution from the wastewater service to the developer of \$195k (ex GST) towards the council wastewater infrastructure (sewer) upgrade being option 2 to be carried out by the developer in conjunction with the development of 64 Alexandrina Road.
3. Endorse a total project budget of \$215,000k (ex GST) addition to the wastewater service capital budget to fund the cost to deliver the wastewater service contribution to the project and allow for project management costs and contingency, to be allocated to 2022/23 and to be reflected at Budget Review 3 which is scheduled to be considered at the May 2023 council meeting.

Seconded Councillor Hewett

CARRIED
OM20230403.09

Moved Councillor Seager that Council:

Section 91(7) Order

4. Pursuant to Section 90 (3) (b)
That having considered Agenda Item 18.1 Wastewater Infrastructure Capital Contribution For Service Upgrade, in confidence under 90(2) and (3)(b) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that the council report, related documents and all minutes be retained in confidence until formal (binding) arrangements for the project are in place between council and the developer of 64 Alexandrina Road or such lesser period as may be determined by the Chief Executive Officer.

Seconded Councillor Hardingham

CARRIED
OM20230403.10
