

Southern Mallee District Council

Minutes of the Confidential Council Meeting held in the Council Chambers situated at Railway Terrace North Lameroo on Wednesday 9 April 2014

The Mayor Cr Robert Sexton opened the meeting at 10.33 am and welcomed those in attendance

1 Attendance

Cr Robert Sexton [Mayor]
Cr Brian Toogood [Deputy Mayor]
Cr Gordon Hancock
Cr Barry Lukins
Cr Jeff Nickolls
Cr Neville Pfeiffer
Cr Bruce Summerton
Cr Alf Walker

Released
Jan 2017

Staff in Attendance

Tony Renshaw [Chief Executive Officer]
Shona Hyde [Customer Service Officer and Minute Secretary]
Matthew Sherman [Manager Infrastructure and Engineering Services]

Guest

Mike Stephenson [Rashlee Pty Ltd]

2 Apologies

The Council noted the apology of Cr Allan Dunsford

3 Business

3.1 Lameroo Community Wastewater Management Scheme

The Elected Members were provided with a copy of correspondence the Council has forwarded to Kellogg Brown and Root Pty Ltd [Ref: IENVIR201439] and Mike Stephenson lead the Council through these matters and the current situation with Kellogg Brown and Root Pty Ltd and the Lameroo Community Wastewater Management Scheme

3 Business

3.1 Lameroo Community Wastewater Management Scheme

- 3.1.1 Cr Hancock moved Cr Lukins seconded that the Council seek legal advice on negotiating an outcome with Kellogg Brown and Root Pty Ltd

Carried 1 / 0414

11.23 am Mike Stephenson [Rashlee Pty Ltd] left the meeting

11.23 am Matthew Sherman Manager Infrastructure and Engineering Services left the meeting

3.2 Mallee Mobile Childcare Service

- 3.2.1 Cr Hancock moved Cr Summerton seconded that the Council acknowledge that the Chief Executive Officer has advised the Council of the current situation of the Mallee Mobile Childcare Service and that the Council shall authorise the Chief Executive Officer to proceed with discussions with the District Council of Karoonda East Murray, Pinnaroo Community Incorporated and Lameroo and Districts Investment Fund on the future operations of the Mallee Mobile Child Care Service

Carried 2 / 0414

4 Closure

There being no further confidential business the Mayor Cr Sexton closed the confidential meeting, and as set in the Local Government Act Section 91 [7], having considered this agenda item in confidence under Section 90 and Section 90 [3a] and [3b] , the Council orders that the item and the minutes, reports and all other records, relating to the matter be retained on a confidential basis until the Council determines that the matters are no longer confidential and or at the conclusion of the Ordinary Council meeting to be held in March 2015 and on this basis the public shall be invited to re-join the meeting at 11.49 am

KBR

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AEG016-C2-S0053

PJS:ajt

30 January 2014

Tony Renshaw
Chief Executive Officer
Southern Mallee District Council
Day Street, Pinnaroo SA 5304

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| RECEIVED | |
| 03 FEB 2014 | |
| Record No | ENVIR 2014 39 |
| File No | 5.21/3 |
| GDS 20/Version | S |

Dear Tony

Lameroo Wastewater Treatment Plant Upgrade Construction Issues

We refer to our ongoing meetings with respect to concerns raised by Southern Mallee District Council (Council) in relation to the Lameroo wastewater treatment plant upgrade project and our contract described in our proposal letter to Council (KBR reference AEG016-C-S0049, dated 26 September 2011) and Council's acceptance of our proposal by provision of a works order (Order No. 13163, dated 15 November 2011) ("the Contract").

Kellogg Brown & Root Pty Ltd (KBR) would like to continue cooperating with Council to resolve these concerns. However, this matter has progressed to a point now where a more formal course of action is required.

If Council believes KBR's services have not been performed in accordance with the Contract, then KBR requires a written notice detailing:

- KBR's alleged non-performance of the Contract including the reason why Council believes KBR did not perform the Services in accordance with the Contract; and
- the resolution that Council is seeking.

For the avoidance of doubt and until agreed otherwise, any remedial action that Council takes or expense that is incurred is done so entirely at Council's risk.

I look forward to your reply and working with Council to come to a mutually satisfactory outcome.

Yours sincerely



Mark Teicher
Manager Water, SA

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