

MINUTES

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY BOARD

9:45am Thursday 15 June 2023

The Barossa Council – 43-51 Tanunda Road, Nuriootpa SA

1. Meeting of the Board

1.1 Welcome by the GRFMA Chairperson

Mr Ian Baldwin formally welcomed Board Members, Deputy Board Members, Observers and the Executive Officer and opened the 140th meeting of the Board.

1.2 Present

- Mr Ian Baldwin, Independent Board Member, Chair
- Cr Terry-Anne Keen, Adelaide Plains Council, Board Member
- Ms, Sheree Schenk Adelaide Plains Council, Deputy Board Member
- Mr Ashley Curtis, Adelaide Hills Council, Board Member
- Cr Bruce Preece, The Barossa Council, Board Member
- Mr Martin McCarthy, The Barossa Council, Board Member
- Cr Paul Koch, Town of Gawler, Board Member
- Ms Whendee Young, Town of Gawler, Board Member
- Mr Richard Dodson, Light Regional Council, Board member
- Cr Clint Marsh, City of Playford, Board Member
- Mr Greg Pattinson, City of Playford, Board Member
- Mr David Hitchcock, Executive Officer

1.3 Apologies

- Cr Malcolm Herrmann, Adelaide Hills Council, Board Member
- Mr James Miller, Adelaide Plains Council, Board Member
- Cr Michael Phillips-Ryder, Light Regional Council, Board Member

1.4 Appointment of Observers

GB 35/23 Observers
Moved: Cr Terry-Anne Keen
Seconded: Ms Sheree Schenk

That Cr John Lush be appointed as an Observer.

CARRIED UNANIMOUSLY

1.5 Declarations of Interest

David Hitchcock declared a general interest in item 6.1 regarding the superannuation element and its relevancy to his role.

2. Confirmation of Minutes

2.1 GRFMA Ordinary Meeting Minutes

GB 36/23 **GRFMA Ordinary Meeting Minutes**
Moved: Cr Bruce Preece
Seconded: Mr Greg Pattinson

That the Minutes of the Gawler River Floodplain Management Authority Board meeting held 20/04/2023 be confirmed as a true and accurate record of that meeting.

CARRIED UNANIMOUSLY

2.2 GRFMA Confidential Meeting Minutes

GB 37/23 **GRFMA Confidential Meeting Minutes**
Moved: Cr Bruce Preece
Seconded: Cr Terry-Anne Keen

That the Confidential Minutes of the Gawler River Floodplain Management Authority Board meeting held 20/04/2023 be confirmed as a true and accurate record of that meeting.

CARRIED UNANIMOUSLY

2.3 Actions on Previous Resolutions

Noted.

2.4 Matters Arising from the Minutes

Nil

3. Questions on Notice

Nil

4. Motions on Notice

Nil

5. Presentations

Nil

6. Audit Committee

6.1 Audit Committee Meeting Minutes

GB 38/23 **Audit Committee Meeting Minutes**
Moved: Mr Martin McCarthy
Seconded: Cr Clint Marsh

That the GRFMA:

- 1. Receives the minutes of the Gawler River Floodplain Management Authority Audit Committee meeting held 5/06/2023.*

2. *Acknowledges recommendation for adjustment of BR3 to reflect additional cost associated with super guarantee payment liabilities for the 2022/2023 financial year.*
3. *Endorses recommendation that GRFMA seek to replenish cash reserves and minimise any further short-term funding of projects from such reserves.*
4. *Directs that unpaid super guarantee payments and interest be paid as soon as feasibly possible from the BR3 budget within the financial year ended 30/6/2023.*

CARRIED UNANIMOUSLY

7. Technical Assessment Panel

Nil

8. Reports

8.1 Stormwater Management Plan Progress Report

GB 39/23 Stormwater Management Plan Progress Report

Moved: Mr Martin McCarthy

Seconded: Cr Paul Koch

That the GRFMA:

1. *Notes the report.*
2. *Receives correspondence of 25/5/2023 from the Stormwater Management Authority (SMA).*
3. *Requests the Executive Officer to undertake appropriate actions to progress the Gawler River Stormwater Management Plan as indicated by SMA.*

CARRIED UNANIMOUSLY

8.2 Gawler River Flood Mitigation, Department for Environment and Water

The Board discussed the development of an Advocacy Plan.

GB 40/23 Gawler River Flood Mitigation, Department for Environment and Water

Moved: Cr Clint Marsh

Seconded: Mr Richard Dodson

That the GRFMA:

1. *Acknowledges with appreciation the confirmation of funding contributions to the Gawler River Business Case now provided by Constituent Councils.*
2. *Reaffirms support and commitment to assist in completion of the Business Case and to revisit funding contribution considerations at 2023/2024 Budget Review 1.*
3. *Requests the GRFMA Chairperson to write, in reply, to the Acting CEO of the Department for Environment and Water:*
 - a. *advising of the Constituent Council contribution commitment to the Gawler River Business Case and that the GRFMA is not opposed to consideration that Business Case work could be prioritised by re-allocating funds from short term flood management projects.*
 - b. *requesting that the DEW Executive Committee and Steering Committee be informed of the GRFMA considerations.*
4. *Endorses the development of an Advocacy Plan to support the Boards efforts in securing funding from the State and Federal Governments to deliver the preferred flood mitigation measures identified in the Gawler River Stormwater Management Plan and Gawler River Flooding Business Case.*
5. *Seeks the support of the Constituent Council(s) administration in the development of the Advocacy Plan.*

6. *Requests The Advocacy Plan to be presented to the Board no later than the December 2023 Board meeting.*

CARRIED UNANIMOUSLY

8.3 Financial Report and BR3

GB 41/23 Financial Report and BR3

Moved: Mr Martin McCarthy

Seconded: Mr Greg Pattinson

That the GRFMA:

- 1. Receives the financial report as of 31 May 2023 showing a cash at bank balance of \$13,045.85.*
- 2. Notes internal cash lending for CAD offset is \$122,740.*
- 3. Adopts the GRFMA 2022/2023 Budget Review 3 documents May 2023, and the variances contained as its amended and current budget for the period ended 30 June 2023.*

CARRIED UNANIMOUSLY

8.4 Achievements Against the 2022-2023 Annual Business Plan

GB 42/23 Achievements Against the 2022-2023 Annual Business Plan

Moved: Mr Richard Dodson

Seconded: Mr Martin McCarthy

That the GRFMA receives the report.

CARRIED UNANIMOUSLY

8.5 GRFMA Annual Business Plan 2023-2024

GB 43/23 GRFMA Annual Business Plan 2023-2024

Moved: Mr Richard Dodson

Seconded: Mr Greg Pattinson

That pursuant to Clause 12.2 of the Charter, the GRFMA Business Plan 2023-2024 be adopted subject to final ratification from Town of Gawler and The Barossa Council.

CARRIED UNANIMOUSLY

8.6 GRFMA Annual Budget 2023-2024

GB 44/23 GRFMA Annual Budget 2023-2024

Moved: Mr Greg Pattinson

Seconded: Mr Richard Dodson

That the GRFMA resolves subject to final ratification from Town of Gawler and The Barossa Council:

- 1. That pursuant to Section 25 Schedule 2 Part 2 of the Local Government Act 1999, that the GRFMA Budget 2023- 2024 be adopted.*
- 2. That pursuant to Clause 11.1 of the Charter that the subscriptions scheduled below be subscriptions payable for the 2023-2024 year:*

The Schedule:

Part A Flood Mitigation Works – No subscriptions.

Part B Capital works and Maintenance – A total of \$139,758 calculated by the percentage shares prescribed in Clause 10.1 of the Charter:

<i>Adelaide Plains Council</i>	<i>\$40,390</i>
<i>Adelaide Hills Council</i>	<i>\$2,418</i>
<i>The Barossa Council</i>	<i>\$12,117</i>
<i>Town of Gawler</i>	<i>\$24,234</i>
<i>Light Regional Council</i>	<i>\$12,117</i>
<i>City of Playford *</i>	<i>\$48,482</i>
<i>Total</i>	<i>\$139,758</i>

Part C Operation – A total of \$149,630 calculated by even shares prescribed in Clause 11.1 of the Charter

<i>Adelaide Plains Council</i>	<i>\$24,938</i>
<i>Adelaide Hills Council</i>	<i>\$24,938</i>
<i>The Barossa Council</i>	<i>\$24,938</i>
<i>Town of Gawler</i>	<i>\$24,938</i>
<i>Light Regional Council</i>	<i>\$24,938</i>
<i>City of Playford</i>	<i>\$24,938</i>
<i>Total * rounding</i>	<i>\$149,630</i>

CARRIED UNANIMOUSLY

8.7 Big Map

The Board discussed future actions including a potential desktop exercise of a flood event including all relevant agencies. Once the SMP and Business Case have been completed, the Board will consider a way forward.

GB 45/23 Big Map

Moved: Cr Bruce Preece

Seconded: Cr Terry-Anne Keen

That:

- 1. The key points identified from the 31 May 2023 Big Map exercise be included as component of priority action “Assist the Constituent Councils in communicating with general communities and specific interest groups in relation to flood mitigation for the Gawler River” in the 2023/2024 Business Plan.*
- 2. The GRFMA pursue and promote interstate Reconstruction Department models (Qld & NSW) for implementation in SA.*

CARRIED

8.8 Flood Managers Australia

GB 46/23 Flood Managers Australia

Moved: Cr Terry-Anne Keen

Seconded: Cr Paul Koch

That the GRFMA receives the report.

CARRIED UNANIMOUSLY

8.9 New Corporate Details GRFMA

GB 47/23 New Corporate Details GRFMA

Moved: Mr Martin McCarthy

Seconded: Mr Greg Pattinson

That changes to new contact details for the GRFMA be noted.

CARRIED UNANIMOUSLY

9. Correspondence

Correspondence received was reported within items 8.1 and 8.2.

10. Confidential

10.1 GRFMA Executive Services Consultancy Agreement for the 2024-2025 Service Period

GB 48/23 GRFMA Executive Services Consultancy Agreement for the 2024-2025 Service Period

Moved: Cr Bruce Preece

Seconded: Ms Sheree Schenk

That:

- 1. Pursuant to Section 90(2) of the Local Government Act 1999, an Order is made that the public be excluded from attendance at the meeting in order to consider in confidence agenda item 10.1 GRFMA Executive Services Consultancy Agreement for the 2024-2025 Service Period, pursuant to Section 90(3)(a) of the Local Government Act 1999 on the basis of: containing information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).*
- 2. This matter is confidential because the information herein provides commercial terms and conditions for the position of GRFMA Executive Officer.*
- 3. On the basis of this information, the principle that meetings of the GRFMA should be conducted in a place open to the public has been outweighed in this instance: the Committee consider it necessary to consider this matter in confidence.*

CARRIED UNANIMOUSLY

10:45am David Hitchcock left the meeting.

10:45am the confidential session commenced.

GB 49/23 GRFMA Executive Services Consultancy Agreement for the 2024-2025 Service Period

Moved: Mr Richard Dodson

Seconded: Cr Bruce Preece

That the GRFMA:

- 1. Under mutual agreement with David Hitchcock, agrees to void the current Gawler River Flood Plan Management Authority Executive Officer Service Agreement (Contract: 1/22) at the end of day on the 30 June 2023.*
- 2. Agrees to the engagement of David Hitchcock's corporate identity (to be confirmed) to provide Executive Services to the Gawler River Floodplain Management Authority for the period 1 July 2023 – 31 December 2025.*

3. *Requests the Chairperson to engage legal advice to prepare a new Gawler River Floodplain Management Authority Executive Services Agreement with David Hitchcock's corporate identity (to be confirmed) for the period 1 July 2023 – 31 December 2025, incorporating current services rates (CPI adjusted annually capped at 2.5%) and the revised schedule of Key Performance Indicators attached to this report.*

LOST

GB 50/23 GRFMA Executive Services Consultancy Agreement for the 2024-2025 Service Period

Moved: Mr Greg Pattinson

Seconded: Cr Paul Koch

That the GRFMA:

1. *Under mutual agreement with David Hitchcock, agrees to void the current Gawler River Flood Plan Management Authority Executive Officer Service Agreement (Contract: 1/22) at the end of day on the 30 June 2023.*
2. *Agrees to the engagement of David Hitchcock's corporate identity (to be confirmed) to provide Executive Services to the Gawler River Floodplain Management Authority for the period 1 July 2023 – 31 December 2025.*
3. *Requests the Chairperson to engage legal advice to prepare a new Gawler River Floodplain Management Authority Executive Services Agreement with David Hitchcock's corporate identity (to be confirmed) for the period 1 July 2023 – 31 December 2025, incorporating current services rates (to be maintained for 12 months and then reviewed annually) and the revised schedule of Key Performance Indicators attached to this report.*

CARRIED

GB 51/23 GRFMA Executive Services Consultancy Agreement for the 2024-2025 Service Period

Moved: Cr Bruce Preece

Seconded: Cr Terry-Anne Keen

That:

1. *Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the GRFMA orders that the following aspects of item 10.1 GRFMA Executive Services Consultancy Agreement for the 2024-2025 Service Period, be kept confidential in accordance with the GRFMA Boards reasons to deal with this item in confidence pursuant to section 90(3)(d)(e) of the Local Government Act 1999:*
 - *Report for Item 10.1.*
 - *Attachment for item 10.1.*
2. *This order shall operate until reviewed and determined as part of the annual review by the Authority*

CARRIED UNANIMOUSLY

10:58am the confidential session concluded.

10:58am David Hitchcock returned to the meeting.

10.2 GRFMA Chairperson, Independent Member Panel Report

GB 52/23 GRFMA Chairperson, Independent Member Panel Report

Moved: Cr Clint Marsh

Seconded: Ms Sheree Schenk

That:

- 1. Pursuant to Section 90(2) of the Local Government Act 1999, an Order is made that the public be excluded from attendance at the meeting in order to consider in confidence agenda item 10.2 GRFMA Chairperson, Independent Member Panel Report, pursuant to Section 90(3)(a) of the Local Government Act 1999 on the basis of : containing information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).*
- 2. This matter is confidential because the information herein provides commercial terms and conditions for the position of GRFMA Chairperson, Independent Member.*
- 3. On the basis of this information, the principle that meetings of the GRFMA should be conducted in a place open to the public has been outweighed in this instance: the Committee consider it necessary to consider this matter in confidence.*

CARRIED UNANIMOUSLY

10:59am the confidential session commenced

The Panel provided a briefing on the decision.

GB 53/23 GRFMA Chairperson, Independent Member

Moved: Cr Clint Marsh

Seconded: Cr Bruce Preece

That the GRFMA:

- 1. Acknowledges the term of appointment of Mr Ian Baldwin GRFMA Chairperson, Independent Member expires on 1/9/2023.*
- 2. Following process of public call for expressions of interest, GRFMA Chairperson, Independent Member, and subsequent recommendation by the Panel, endorses Mr Des Bilske as the preferred candidate for appointment to that position for a term of three years commencing 2/9/2023.*
- 3. Directs the GRFMA Executive Officer to correspond with Constituent Councils seeking resolution for appointment of Mr Bilske, as required pursuant to Section 4.4.1 of the GRFMA Charter.*

CARRIED UNANIMOUSLY

GB 54/23 GRFMA Chairperson, Independent Member

Moved: Cr Bruce Preece

Seconded: Cr Paul Koch

That:

- 1. Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the GRFMA orders that the following aspects of item 10.2 GRFMA Chairperson, Independent Member Panel Report be kept confidential in accordance with the GRFMA Boards reasons to deal with this item in confidence pursuant to section 90(3) (d) (e) of the Local Government Act 1999:*
 - Report for Item 10.2.*

- *Attachment for item 10.2.*
- 2. *This order shall operate until reviewed and determined as part of the annual review by the Authority in accordance with Section 91(9)(a) of the Local Government Act 1999.*

CARRIED UNANIMOUSLY

11:06am the confidential session concluded.

11. Urgent Matters Without Notice

The Board discussed the recent announcement that the Department for Environment and Water had received \$3M in funding for levy banks.

The Board thanked the Town of Gawler for hosting the 'Big Map' exercise.

12. Next Meeting

Date and Time: Thursday, 17 August 2023

Host: Town of Gawler

13. Closure

The Chairperson thanked the host Council and members for their attendance and contributions and closed the meeting at 11:09am.

Chair _____ Date _____