

MINUTES

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY BOARD

9:45am Thursday 16 February 2023

Adelaide Hills Council – Committee Meeting Room, 36 Nairne Road, Woodside

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 137th meeting of the Board.

1.2 Present

- Mr Ian Baldwin, Independent Board Member, Chair
- Cr Terry-Anne Keen, Adelaide Plains Council, Board Member
- Mr James Miller, Adelaide Plains Council, Board Member
- Cr Malcolm Herrmann, Adelaide Hills Council, Board Member
- Cr Bruce Preece, The Barossa Council, Board Member
- Cr Paul Koch, Town of Gawler, Board Member
- Ms Whendee Young, Town of Gawler, Board Member
- Cr Clint Marsh, City of Playford, Board Member
- Mr Greg Pattinson, City of Playford, Board Member
- Michael Phillips-Ryder, Light Regional Council, Board Member
- Mr David Hitchcock, Executive Officer

1.3 Apologies

- Mr Martin McCarthy, The Barossa Council, Board Member
- Mr Richard Dodson, Light Regional Council, Board Member

1.4 Appointment of Observers

GRB 23/01 Observers
Moved: Cr T Keen
Seconded: Cr C Marsh

That Cr John Lush, Adelaide Plains Council, Deputy Board Member be appointed as Observer.

CARRIED UNANIMOUSLY

1.5 Declarations of Interest

- Cr P Koch advised of a general conflict of interest in item 10.2.
- Mr D Hitchcock advised of a pecuniary interest in item 10.1.
- Mr I Baldwin advised of a pecuniary interest in item 10.2.

Cr Herrmann attended the meeting at 9:55am.

2. Confirmation of Minutes

2.1 GRFMA Ordinary Meeting Minutes

GB02/23 GRFMA Ordinary Meeting Minutes
Moved: Mr G Pattinson
Seconded: Mr J Miller

That the Minutes of the Gawler River Floodplain Management Authority Board meeting held 8/12/2022 as amended (below), be confirmed as record of that meeting.

- Amendment being: Mr D Welsh was in attendance and to be recorded.

CARRIED UNANIMOUSLY

2.2 Actions on Previous Resolutions

Nil

Ms W Young attended the meeting at 10:00am.

3. Questions on Notice

Nil

4. Motions on Notice

Nil

5. Presentations

Nil

6. Audit Committee

Nil

7. Technical Assessment Panel

Nil

8. Reports

8.1 Gawler River Flood Mitigation, Department for Environment and Water

GB03/23 Gawler River Flood Mitigation, Department for Environment and Water
Moved: Mr G Pattinson
Seconded: Cr P Koch

That the GRFMA:

- 1. Notes some constituent councils are yet to consider the proposal of financial contribution toward completion of the Gawler River Flood Mitigation Business Case.*
- 2. That the Chair and EO actively engage with constituent council CEO's on achievement of the Business Case*
- 3. Receives a further report at the proposed 16 March 2023 GRFMA special meeting.*

CARRIED UNANIMOUSLY

The current contribution amounts from each Council being:

- Adelaide Hills: \$10,380 (capital contribution percentage 1.73%)
- Light Regional Council: \$52,0202 (capital contribution percentage 8.67%)
- City of Playford: \$100,000

Noting some contributions based on contributions from other Councils also being committed.

8.2 Stormwater Management Plan Progress Report

GB04/23 Stormwater Management Plan Progress Report

Moved: Cr B Preece

Seconded: Cr M Phillips-Ryder

That the GRFMA:

1. *Notes advice from Water Technology that the State of the Catchment Report will be delivered by 17/2/2023 and the Stormwater Management Plan by 24/2/2023.*
2. *Directs the Executive Officer to correspond with Water Technology requesting completion and delivery of suitable documents by dates as advised; and a further letter be forwarded formally advising, without prejudice that should said documents not be provided by the required date, the GRFMA will initiate dispute resolution action as per the 'Contract of Services GRFMA 1/2021'.*

CARRIED

Members requested the Executive Officer to provide email advice of receipt, or otherwise, of the documents by the identified date.

The meeting adjourned at 11:05am for a short break.

The meeting resumed at 11:20am.

8.3 Charter Review 2 Funding Model

GB05/23 Charter Review 2 Funding Model

Moved: Cr C Marsh

Seconded: Cr B Preece

That the GRFMA defers consideration of the principles of the GRFMA Cost Share Model until the 20/4/2023 GRFMA meeting

CARRIED UNANIMOUSLY

8.4 Financial Report

GB06/23 Financial Report

Moved: Cr M Herrmann

Seconded: Cr Paul Koch

That the GRFMA:

1. *Receives the financial report as of 31 January 2023 showing a cash at bank balance of \$97,287.41.*
2. *Notes internal cash lending for CAD offset is \$231,940.*

CARRIED UNANIMOUSLY

8.5 Draft GRFMA Annual Business Plan and Draft GRFMA 2023/2024 Budget

GB07/23 Draft GRFMA Annual Business Plan and Draft GRFMA 2023/2024 Budget
Moved: Cr M Phillips-Ryder
Seconded: Cr C Marsh

That a special meeting of the GRFMA be held 10am on 16 March 2023 at the City of Playford to facilitate determination of the 2023/2024 GRFMA Annual Business Plan and Budget.

CARRIED UNANIMOUSLY

9. Correspondence

Nil

10. Confidential

Mr D Hitchcock declared a pecuniary interest in item 10.1 as the matter relates to Executive Officer contract service provision. Mr D Hitchcock left the meeting at 11:53am.

10.1 Executive Officer Review - Interim

GB08/23 Executive Officer Review - Interim
Moved: Cr M Phillips-Ryder
Seconded: Cr B Preece

That:

- 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, except for:*
 - Observers*

in order to consider in confidence agenda item 10.1 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).

This matter is confidential because the information herein provides commercial terms and conditions for the position of GRFMA Executive Officer.

- On the basis of this information, the principle that meetings of the GRFMA Board should be conducted in a place open to the public has been outweighed in this instance: the Board consider it necessary to consider this matter in confidence.*

CARRIED UNANIMOUSLY

GB09/23 Executive Officer Review - Interim
Moved: Mr G Pattinson
Seconded: Cr M Herrmann

That the GRFMA:

- Acknowledges the continuing effective and efficient services provided by the Executive Officer in compliance with the current Consultancy Agreement (Contract No: 1/22).*
- Requests the Chairman to convey the above acknowledgment to the Executive Officer by letter on the Board's behalf for the purpose of this Interim Review.*

3. *Requests the GRFMA Chairperson to include an item for the April 2023 Board Agenda to initiate a review of the Executive Services Consultancy Agreement for the 2024 - 2026 service period.*

CARRIED UNANIMOUSLY

GB10/23 Executive Officer Review - Interim

Moved: Mr J Miller

Seconded: Mr C Marsh

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 Chairperson Review 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.*
 - *Report Attachment for Item 10.1.*
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

Mr D Hitchcock returned to the meeting at 12:03pm.

10.2 GRFMA Chairperson Review

Mr I Baldwin declared a pecuniary interest in item 10.2 as the matter relates to the provision of Chairperson services and remuneration and left the meeting at 12:04pm.

Cr P Koch declared a general conflict of interest in item 10.2 on the basis of having been a work college to Mr Baldwin 17 years previously. Cr Koch noted the declaration for completeness and intended to remain in the meeting and discussion of the item.

Mr J Miller was elected as interim Chairperson for the duration of item 10.2.

GB11/23 GRFMA Chairperson Review

Moved: Cr M Herrmann

Seconded: Cr B Preece

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, with the exception of:*
 - *Observers*

in order to consider in confidence agenda item 10.2 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).

This matter is confidential because the information herein provides commercial terms and conditions for the position of GRFMA Chairperson.

2. *On the basis of this information, the principle that meetings of the GRFMA Board should be conducted in a place open to the public has been outweighed in this instance: the Board consider it necessary to consider this matter in confidence.*

CARRIED UNANIMOUSLY

GB12/23 GRFMA Chairperson Review
Moved: Cr C Marsh
Seconded: Cr T Keen

That the GRFMA:

1. *Requests the GRFMA Chairperson Review Panel, forthwith, undertakes a review of the experience, expertise, and qualification requirements of the GRFMA Independent Chair and provide a further report to the 16/3/2023 GRFMA Special Meeting.*
2. *Acknowledges the contribution of incumbent GRFMA Chairperson Mr Ian Baldwin and that his tenure be extended by 6 months from cessation of the current appointment term (1/3/2023 - 1/9/2023) with a concerted focus in this period being on completion of the Business Case, Stormwater Management Plan and Cost Contribution Model.*
3. *Approves provision of an honorarium/sitting fee of \$650 per GRFMA meeting and \$350 per Technical Assessment Panel and key stakeholder meetings requiring GRFMA Chairperson attendance, with a maximum annual honorarium threshold of \$10,500.*
4. *Requests the Independent Chairperson role be 'market tested' by the review panel prior to the conclusion of the extension of the current Chair's tenure expiring (1/9/2023) with the current Chairperson encouraged to apply with the report and associated recommendations to be provided to the GRFMA Board as soon as practicable*
5. *Approves that membership of the review panel will comprise:*
 - a. *James Miller*
 - b. *Bruce Preece*
 - c. *Whendee Young*
 - d. *Michael Phillips-Ryder*
 - e. *Greg Pattinson*

CARRIED UNANIMOUSLY

GB13/23 GRFMA Chairperson Review
Moved: Cr C Marsh
Seconded: Cr M Phillips-Ryder

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 Chairperson Review 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.*
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

Mr J Miller vacated the position as interim Chairperson.
Mr I Baldwin returned to the meeting at 12:50pm.

11. Urgent Matters Without Notice

Chairperson Mr I Baldwin provided comment on the recent Big Map exercise undertaken in conjunction with Disaster Relief Australia.

The meeting supported conduct of further events with a focus on community and Constituent Councils.

12. Next Meeting

Date and Time: Thursday, 20 April 2023, 9:45am

Host: Light Regional Council

13. Closure

The Chairperson thanked the members for their attendance and contributions and the Adelaide Hills Council as host for the venue and closed the meeting at 12.55 pm

Chair _____ Date _____