

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY

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W: www.gawler.sa.gov.au/grfma

Dear Member,

NOTICE OF MEETING

Notice is hereby given pursuant to Clause 6 of the Charter that a meeting for the GRFMA Audit Committee has been called for:

DATE: Monday 6 March 2023

TIME: 1:00pm

PLACE: 214 Melbourne Street, North Adelaide SA 5006



David E Hitchcock

EXECUTIVE OFFICER



The Barossa Council

Gawler



AGENDA

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY AUDIT COMMITTEE MEETING

1:00pm Monday 6 March 2023

214 Melbourne Street, North Adelaide SA 5006

- 1. Present**
- 2. Apologies**
- 3. Minutes of the Previous Meeting.....Page 3**
Confirmation of the Minutes of the previous GRFMA Audit Committee meeting held on 28 November 2022.
- 4. Business Arising from the Minutes**
 - 4.1 Actions on Previous Resolutions.....Page 7**
- 5. General Business**
 - 5.1 GRFMA Annual Audit Plan (2023/2024) – Dean Newbery and Partners.....Page 8**
 - 5.2 GRFMA 2022/2023 Budget Review 2.....Page 20**
 - 5.3 2023-2024 GRFMA Business Plan and 2023-2024 Draft Budget.....Page 30**
 - 5.4 GRFMA Policy Review.....Page 54**
- 6. Confidential Items**
 - 6.1 Consultancy Agreement, Executive Officer Employment Obligations.....Page 133**
- 7. Next Meeting**
- 8. Closure**

Agenda Item: **3**
Committee: **GRFMA Audit Committee**
Meeting Date: **6 March 2023**
Title: **Minutes of the Previous Meeting**

Recommendation:

That the minutes of the previous GRFMA Audit Committee meeting held on Monday 28 November 2022 as per copies supplied to Members be adopted as a true and correct record of that meeting.

See attached minutes.

MINUTES

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY AUDIT COMMITTEE MEETING

11am Monday, 28 November 2022
MS Teams Meeting

1. Present

- Mr Peter Brass, Independent Member, Chair
- Cr Malcolm Herrmann, Adelaide Hills Council
- Mr Greg Pattinson, City of Playford
- Mr David Hitchcock, Executive Officer

2. Apologies

Nil

3. Previous Minutes – 8 August 2022

GAC 22/15 Previous Minutes – GRFMA Audit Committee 8 August 2022
Moved: Mr G Pattinson
Seconded: Cr M Herrmann

That the minutes of the previous GRFMA Audit Committee meeting held on Monday 8 August 2022 be adopted as a true and correct record of that meeting.

CARRIED UNANIMOUSLY

4. Business Arising from the Minutes

Nil

5. General Business

5.1 GRFMA Business Plan 2022-2023 and Stormwater Management Plan

Members noted the actions from previous resolutions summary and the 'Progress Report GRFMA Annual Business Plan 2022 – 2023' and registered concern at the continuing delay in completion of the Stormwater Management Plan (SMP) by Water Technology.

The meeting agreed that it is imperative that the draft SMP is presented to the 8 December 2022 GRFMA meeting to ensure timely consideration prior to the pending Christmas / New Year holiday break and the next available GRFMA meeting after that being 16 February 2023.

GAC 22/16 GRFMA Business Plan 2022-2023 and Stormwater Management Plan
Moved: Cr M Herrmann
Seconded: Mr G Pattinson

That the GRFMA Audit Committee:

1. *Receives the progress report of the GRFMA Business Plan 2022-2023; and*
2. *Recommends further action be undertaken by GRFMA Chair, Mr Ian Baldwin to contact Mr Steve Clark, Managing Director, Water Technology, to request provision of the Gawler River Stormwater Management Plan document to the GRFMA by close of business Friday 2 December 2022.*

CARRIED UNANIMOUSLY

5.2 GRFMA 2022/2023 Budget Review 1

GAC 22/17 GRFMA 2022/2023 Budget Review 1
Moved: Mr P Brass
Seconded: Mr G Pattinson

That the Audit Committee:

1. *Notes GRFMA 2022/2023 Budget Review 1.*
2. *Requests the Executive Officer provide the documents to the 8 December 2022 GRFMA meeting for consideration as its amended and current budget for the period ended 30 June 2023.*
3. *Notes the GRFMA Treasury Management Policy requiring the GRFMA to maintain a minimum balance of cash reserves at any one time equivalent to 50% of the annual GRFMA Budget expenditure as determined in accordance with the approved GRFMA Business Plan as amended annually.*
4. *Recommends the GRFMA:*
 - a. *not exceed the determined cash reserve minimum balance equivalent to 50% of the annual GRFMA Budget expenditure when considering use of cash reserves for financial commitment to Project 3 'Lower Gawler River No Regrets'.*
 - b. *endeavour to fund indicated financial commitment to Project 3 'Lower Gawler River No Regrets' from current 2022/2023 budgeted operations and should that not be possible any balance of funds utilised be recouped by the GRFMA 2023/2024 budget estimates.*

CARRIED UNANIMOUSLY

Treasury Management Policy – Cash Reserves

The GRFMA shall maintain a minimum balance of cash reserves at any one time.

Such balance to be equivalent to 50% of the annual GRFMA Budget expenditure as determined in accordance with the approved GRFMA Business Plan as amended annually.

Any Board authorisation of payments from cash reserves that are extraordinary to the Business Plan be required to be repaid by Constituent Council contributions within 12 months following.

The cash reserve balance shall separately identify the proportional value of Consultancy budget values and operational/maintenance Budget values. For clarity and example using the current 2022/2023 GRFMA Budget. Expenditure \$90,100 @ 50% = \$45,050.

5.3 GRFMA Long Term Financial Plan and Asset Management Plan

The Committee was pleased that these two key financial governance documents are now in place for the Authority and regular review and update will guide financial sustainability.

GAC 22/18 GRFMA Long Term Financial Plan and Asset Management Plan
Moved: Mr G Pattinson
Seconded: Cr M Herrmann

That the GRFMA Audit Committee:

1. *Endorses the final draft of the Long Term Financial Management Plan 2023/2032 and the Asset Management Plan 2023/2032.*
2. *Recommends the GRFMA Board adopts the final documents to assist compilation of the GRFMA Annual Plans and Annual Budgets.*

CARRIED UNANIMOUSLY

6. Other Business

All members indicated their interest in reappointment to the GRFMA Audit Committee from 8 December 2022. Subject to GRFMA Board endorsing reappointment.

The GRFMA Executive Officer is to follow up on consultation on a proposed Disaster Levy Fund noted in the LGA Circular that came out today.

7. Next Meeting

10am Monday, 6 March 2023.

Date	Audit Committee meeting schedule 2022/2023	Action
28 November 2022	Operation of the Regional Subsidiary – Business Plan progress. Annual cost estimates and budget variations consideration	Completed 28/11/2022
6 March 2023	Annual Budget and Business Plan Review; External Audit Plan and Schedule 2023.	
June 2022	Annual cost estimates and budget variations consideration.	
August 2022	Annual Financial Statements – Audit report; 2022/2023 – Auditor to attend.	

8. Closure

The Chair thanked the members for their attendance, wished them compliments of the festive season and closed the meeting at 11:37 am.

Chair _____ Date _____

Agenda Item: 4.1
Committee: Audit Committee
Meeting Date: 6 March 2023
Title: Actions on Previous Resolutions

Number	Resolution	Action
22/16	<p><i>That the GRFMA Audit Committee</i></p> <ol style="list-style-type: none"> <i>1. Receives the progress report of the GRFMA Business Plan 2022-2023; and</i> <i>2. Recommends further action be undertaken by GRFMA Chair, Mr. Ian Baldwin to contact Mr Steve Clark, Managing Director, Water Technology, to request provision of the Gawler River Stormwater Management Plan document to the GRFMA by close of business Friday 2 December 2022</i> 	<p>A draft copy of the SMP was received 23/12/22. A further draft was provided 24/2/23.</p>
22/17	<p><i>That the Audit Committee:</i></p> <ol style="list-style-type: none"> <i>1. Notes GRFMA 2022/2023 Budget Review 1.</i> <i>2. Requests the Executive Officer provide the documents to the 8 December 2022 GRFMA meeting for consideration as its amended and current budget for the period ended 30 June 2023.</i> <i>3. Notes the GRFMA Treasury Management Policy requiring the GRFMA to maintain a minimum balance of cash reserves at any one time equivalent to 50% of the annual GRFMA Budget expenditure as determined in accordance with the approved GRFMA Business Plan as amended annually.</i> <i>4. Recommends the GRFMA not exceed the determined cash reserve minimum balance equivalent to 50% of the annual GRFMA Budget expenditure when considering use of cash reserves for financial commitment to Project 3 'Lower Gawler River No regrets'</i> <i>5. Endeavour to fund indicated financial commitment to Project 3 'Lower Gawler River No regrets' from current 2022/2023 budgeted operations and should that not be possible any balance of funds utilised be recouped by the GRFMA 2023/2024 budget estimates.</i> 	<p>Report tabled at 8/12/2023 GRFMA meeting.</p>

Agenda Item:	5.1
Committee:	GRFMA Audit Committee
Meeting Date:	6 March 2023
Title:	GRFMA Annual Audit Plan (2023/2024) – Dean Newbery and Partners

Recommendation:

That the GRFMA Audit Committee receives the external audit plan for the year ending 30 June 2023.

Dean Newbery are the appointed external auditor for the GRFMA for the period 2019/20 – 2023/24.

See separate attachment for a copy of the 2023 Annual Audit Plan as provided by Dean Newbery.

See below for an outline of the proposed audit timing.

Key Audit Milestones Timeframe

- Submission of Audit Plan to the Audit Committee February 20223
- Balance Date Audit requirements checklist to be provided to the Authority June 2023
- Balance Date Audit requirements to be provided to auditors July 2023
- Draft financial statements to be provided to auditors July 2023
- Balance Date audit to commence July 2023
- Exit Meeting with the Administration August 2023
- Meet with Audit Committee August 2023
- Audit Report and Independence Declarations to be issued by auditors August 2023

Ms. Whitney Sandow, Engagement Manager, Dean Newbery and Partners will attend the 6/3/2023 Audit Committee meeting to speak to the annual audit plan.

Gawler River Floodplain Management Authority

External Audit Plan

30 June 2023

DeanNewbery

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Foreword

Mr Peter Brass
Chair - Audit Committee
Gawler River Floodplain Management Authority

6 February 2023

Dear Mr Brass

We are pleased to present to you our Audit Plan which set out our proposed audit procedures and responsibilities for the 2022/23 financial year audit of the Gawler River Floodplain Management Authority (the Authority). Our audit plan is subject to continual review and update as new information and matters arise during the course of the audit. Our proposed audit approach and scope is in accordance with the requirements of the *Local Government Act 1999*, *Local Government (Financial Management) Regulations 2011*, auditing standards and other applicable professional standards.

Our processes and approach to audit matters will continuously be considered and updated where required to address any changes to the operating environment, identified risks and findings identified from work completed.

Our Audit Plan is tailored specifically to the Authority and places a high emphasis on communicating all audit matters and findings to you and the Board on a timely basis. This document is intended for the Authority's Audit Committee and the Authority's Administration only.

I look forward to working with yourself and the other members of the Audit Committee.

Should you require any further information, please feel free to contact me on the details provided within.

Yours sincerely
DEAN NEWBERY

A handwritten signature in black ink, appearing to read 'JK', is positioned above the printed name and title of Jim Keogh.

Jim Keogh
Partner

Key Contacts & Information

Jim Keogh is the Lead Audit Partner appointed to lead the audit team assembled for the engagement. Jim is highly experienced Local Government Audit Partner who has over 30 years experience auditing the Local Government sector.

The Engagement Manager assisting Jim, Whitney Sandow is another key contact for the Authority and will be managing the field work component of the engagement. Jim and Whitney are committed to ensuring that a high quality audit service is provided to the Authority throughout the term of the engagement.



Jim Keogh
Lead Audit Partner

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Whitney Sandow
Engagement Manager

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Introduction

Purpose of this Document

This documents provides an overview of the planned scope and timing of the audit of the financial statements for Gawler River Floodplain Management Authority (the Authority) for the financial year ending 30 June 2023.

Audit Objectives

The objective of the audit process is to undertake the necessary work that will enable us to form an opinion per the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011* as to whether:

- the financial report is prepared, in all material respects, in accordance with the Australian Auditing Standards and the *Local Government Act 1999* (the Act) and applicable Regulations.

The financial statements are to be prepared in accordance with the requirement of the *Model Financial Statements* as required by the *Local Government (Financial Management) Regulations 2011*.

All audit procedures have been designed to be carried out by our audit staff to provide us with reasonable assurance that the financial report, as a whole, is free from material misstatement.

Scope of the Audit

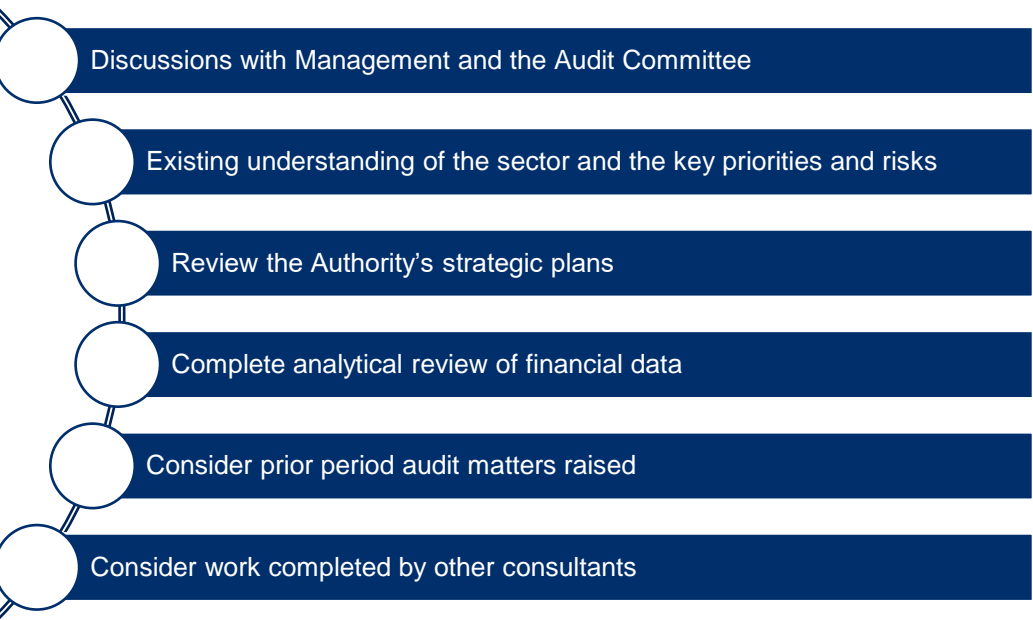
The scope of the engagement per the Act includes the audit of the following:

- The Authority's financial statements for the financial year ending 30 June 2023 which are to be prepared in accordance with the requirements of the Act.

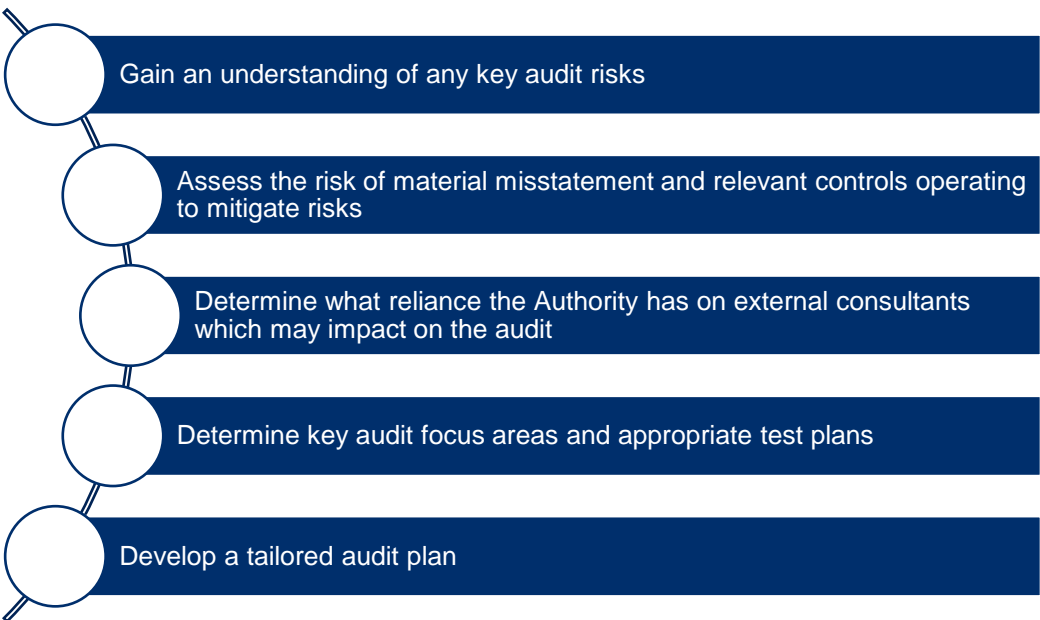
Audit Strategy

We follow a risk-based approach to audit planning that reflects our overall assessment of the relevant risks that apply to the Authority. This approach ensures that our audit focuses on the areas of highest assessed risk.

Our initial planning of the our audit is based on undertaking the following:



In undertaking the initial audit planning tasks, we aim to achieve the following outcomes:



Materiality

Auditors use materiality to assist with making a judgement of the amount of work needed to be performed on specific balances and to evaluate the effect of misstatements on the financial report. In considering what could potentially be deemed as material, our audit considers factors which may influence the decisions of intended users and accordingly, both quantitative and qualitative matters are taken into consideration.

Materiality is therefore considered in the context of its potential impact on the decision making of intended users of the financial report and if the financial information individually or in aggregate was misstated, omitted and/or not disclosed. Materiality is initially calculated at the commencement of the engagement during the planning stage and subsequently reassessed as additional information is obtained during the audit up until the time of issuing the audit opinion. As part of our communication strategy, we will communicate to you any material and, potentially non-material matters that may have other business improvement or governance related benefits, during the course of the engagement when matters arise through our audit correspondence issued.

Internal Controls

A key component to the audit work we undertake is gaining an understanding of the internal controls in operation within the business that is relevant to assisting us with our risk assessment procedures. In testing the effectiveness of controls, we gather evidence by employing the following techniques:

- Inspection of systems
- Observation of control operating
- Inquire of control operations results
- Recalculation and/or re-performance of control
- Assess the Authority's risk assessment process

The objective of the test of controls is to obtain evidence as to whether controls operated as intended to mitigate identified risks.

Should we become aware of any significant deficiencies or consider there to be areas where controls could be further strengthened/improved, we will communicate these matters to the Audit Committee and Administration.

Fraud

Our audit is not designed nor intended to detect whether there is any fraudulent activity occurring however, should we become aware of it, we will ensure to report any matters. As part of our audit procedures, we make enquiries of the Administration and those charged with governance to identify any instances of known or suspected fraud.

As part of considering fraud, we also consider the risk of management overrides of controls.

Key Areas of Audit Focus

Based on our existing knowledge of the Authority and the Local Government sector, we have identified the matters we think present the risk to potential material misstatements in the financial report. Our audit procedures are designed to focus our testing and review of controls on these assessed risk areas based on a risk based approach. Throughout the engagement, we will continue to monitor and assess our risk assessment to ensure that we factor in any additional testing necessary to consider additional risk areas deemed required to be included in our audit testing.

We have highlighted below the risks we have identified along with our planned approach to respond to those risks as part of the audit work we plan to undertake.

Focus Area	Audit Approach	Planned Response
Management override of Controls	Substantive/Controls test	This is a risk that is a required presumption under the Australian Auditing Standards. Our procedures will involve a review of internal controls and test for any unusual transactions within our samples to determine if any transactions do not appear to be within normal business operations/parameters.
Operating Expenditure	Substantive test	Given the material nature and volume of transactions processed by the Authority, a review of controls operating will be reviewed and assessed. Substantive audit procedures will be used to test the substance of transactions recorded to examine the accuracy, completeness and timing of transactions recorded. Our testing includes consideration over the assumptions and data used to process payroll transactions and provisions recorded.
Depreciation	Substantive test	Our procedures will review the assumptions and estimates applied in calculating asset depreciation expense to ensure that it is in line with adopted policies of the Authority and meets the requirements of the accounting standards.
Accounting for Work in Progress	Substantive test	Risk that accounting treatment applied to capital WIP transactions is not in line with accounting standards and that a material error is recorded in the financial statements. Our procedures will review the appropriateness of transactions recorded that are capital in nature to ensure they correctly recorded. Our testing will include examining the ageing of WIP transactions to ensure that costs being carried as WIP relate to current/ongoing projects that will result in an eventual asset being recorded.
Asset Valuations	Substantive test	We will obtain valuation report(s) provided by external valuers and perform a combination of substantive and analytical procedures to assess the appropriate recognition and disclosure of asset valuation data.

Audit Timetable

Our audit timetable has been formulated based on information obtained from the Administration along with our existing knowledge of the level of work required to be undertaken to form the audit opinions required by the Act.

A summary of our stages of the audit program and expected milestones has been summarised below. Should there be any changes to the expected timetable below, this will be communicated with the Administration and the Audit Committee.

Key Audit Milestones	Timeframe
Submission of Audit Plan to the Audit Committee	February 2023
Balance Date Audit requirements checklist to be provided to the Authority	June 2023
Balance Date Audit requirements to be provided to auditors	July 2023
Draft financial statements to be provided to auditors	July 2023
Balance Date audit to commence	July 2023
Exit Meeting with the Administration	August 2023
Meet with Audit Committee	August 2023
Audit Report and Independence Declaration to be issued by auditors	August 2023

Communication Strategy

Our Management Letters/Reports are issued at the conclusion of each audit attendance and we will ensure to provide comments and findings as a result of testing completed on key matters reviewed. Our approach is for our Management Letters/Reports to provide only constructive feedback to any audit findings as required by Australian Auditing Standards.

All Management Letters/Reports will be provided as draft reports to the Administration for their review and comment prior to issuing a final version.

External Confirmations

To assist with the gathering of audit evidence necessary to complete the audit, we will be sending the following confirmation requests:

- External bank confirmations for all bank accounts, loans and products (including credit cards)
- Solicitor's representation letter
- Local Government Finance Authority (LGFA) balance confirmations
- External Asset Valuation(s) (where applicable)

Independence

Our audit is required to be conducted to comply with the following independence requirements:

- *Local Government Act 1999*
- *Local Government (Financial Management) Regulations 2011*
- APES 110 – Code of Ethics for Professional Accountants

As part of our audit procedures, we obtain independence declarations from all engagement staff to confirm that all engagement team members meet the above standards prior to the commencement of working on the engagement. We will annually provide the Authority with confirmation that we have met with our independence requirements as required by the above legislation and standards.

Should any situation arise where we become aware that an issue over our independence, we will communicate this immediately to the Authority's Chief Executive Officer and Audit Committee.

We confirm that Dean Newbery has not provided any other services to the Authority as at the time of preparing this Report.

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Dean Newbery

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Agenda Item:	5.2
Committee:	GRFMA Audit Committee
Meeting Date:	6 March 2023
Title:	GRFMA 2022/2023 Budget Review 2

Recommendation:**That the Audit Committee:**

- 1. Notes GRFMA 2022/2023 Budget Review 2.**
 - 2. Requests the Executive Officer provide the documents to the 20 April 2023 GRFMA meeting for consideration as its amended and current budget for the period ended 30 June 2023.**
-

Regulation 9 of Local Government (Financial Management) Regulations 2011 states:

'A report showing a revised forecast of its operating and capital investment activities for the relevant financial year compared with the estimates for those activities set out in the budget presented in a manner consistent with the note in the Model Financial Statements entitled Uniform Presentation of Finances'.

Budget Review 2 (BR2)

BR2 contains movement in:

Income

- Interest LGFA, adjusted to \$1,310 to reflect the bonus payment received.

Expenditure

- Legal Fees, adjusted to \$4,600 to reflect additional legal services required by GRFMA.
- Honorarium Chairperson, adjusted to \$9,400 to reflect increase in honorarium payments as determined by GRFMA.
- Other, adjusted to \$8,000 includes bringing to account 2021/2022 administration payments previously unclaimed.

See attached for:

- Budget Review 2 information as per Local Government Uniform Presentation of Finances as at 20 February 2023.
- MYOB, Profit and Loss Budget Analysis which shows income and expenditure to 20 February 2023.

The MYOB format for the Profit and Loss Budget Analysis as of 20 February 2023 provides presentation of finances on a cash basis. This format is presented (additionally) in this agenda report to facilitate perusal of individual income and expenditure items not readily available in the uniform presentation format.

BR2 as Local Government Uniform Presentation of Finances provides a net adjustment to the 2023 GRFMA Budget as an increase in borrowing from BR1 of (\$3,700).

Being movement from (\$31,000) to (\$34,800).

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY CONSOLIDATED BUDGET 2022/2023 REVIEW 2				
UNIFORM PRESENTATION OF FINANCES				
2021/2022 FULL YEAR ACTUALS		2022/2023 ADOPTED BUDGET	2022/2023 ADOPTED REVIEW 1	2022/2023 ADOPTED REVIEW 2
\$		\$	\$	\$
333,006	Operating Revenues	260,920	260,920	260,920
(583,824)	less Operating Expenses	(533,083)	(613,183)	(616,883)
(250,818)	Operating Surplus / (Deficit) before Capital Amounts	(272,163)	(352,263)	(355,963)
	Less Net Outlays in Existing Assets			
	Capital Expenditure on renewal and replacement of Existing Assets	-	-	-
591,879	less Depreciation, Amortisation and Impairment	(321,163)	(321,163)	(321,163)
(322,298)	less Proceeds from Sale of Replaced Assets	-	-	-
-		(321,163)	(321,163)	(321,163)
269,581				
	Less Net Outlays on New and Upgraded Assets			
-	Capital Expenditure on New and Upgraded Assets	-	-	-
-	less Amounts received specifically for New and Upgraded Assets	-	-	-
-	less Proceeds from Sale of Surplus Assets	-	-	-
-		-	-	-
(520,399)	Net Lending / (Borrowing) for Financial Year	49,000	(31,100)	(34,800)

Cash Management

The table below provides a summary of internal borrowing currently being utilised to offset Cash Advance Debenture interest costs.

GRFMA CAD and internal lending reconcilliation									
Date	Internal Lending	Withdraw internal lending	Capital Repayment	Balance	Comment				
30/04/2022				554,562	Total payment to SGP Civil(ext GST)				
30/03/2022	52,426			502,136	CAD outstanding 30/6/22				
25/10/2022	79,514			422,622	24Hr Cash deposit paid into CAD(offset)				
1/11/2022	100,000			322,622	Cash at Bank paid into CAD(offset)				
	231,940								

Budget Review1 (BR1) – for information

BR1 contained movement in expenditure due to a small increase in insurance premiums and inclusion of commitment for up to \$80,000 cash contribution toward Project 4 Department for Environment and Water.

Financing of the \$80,000 is provided by cash reserves and will subsequently result in a reduction of cash at 30 June.

GB21/99 Gawler River Flood Mitigation, Department for Environment and Water (DEW)

That the GRFMA advises the State Government that the:

- 1. GRFMA supports in principle cash contribution to Project 3 'Flood Warning' on a proportional basis with other State Government agency beneficiaries (including design costs).*
- 2. Final cash contribution amount is to be based on an actual scope of works being provided (with cost estimate) to enable a fair and equitable funding split between all government agencies and GRFMA Councils.*
- 3. GRFMA supports in principle a cash contribution to Project 4 'Lower Gawler River No regrets' the extent of which will be informed by the actual scope and estimated cost of works.*
- 4. GRFMA allocates up to \$100,000 from current GRFMA reserve funds as its contribution to the design development of Projects 3 and 4.*
- 5. Actual cost share in relation to Project 4 between GRFMA Councils be on the basis of a contemporary funding model currently in development and under consideration.*
- 6. GRFMA will consult with Constituent Councils by the end of January 2022, on their position of an in principle support for a cash contribution for Projects 3 and 4.*

CARRIED UNANIMOUSLY

The balance of up to \$20,000, as per item 4, GB21/99, has not yet been included in BR1 (or BR2) estimates.

BR1 Uniform Presentation of Finances provided a forecast net borrowing result of (\$31,100) for the period ended 30/6/2023. Operating loss \$352,263 - \$321,163 (depreciation added back) = \$31,100.

Profit & Loss [Budget Analysis]

July 2022 To June 2023

	Selected Period	Budgeted	\$ Difference
Income			
Admin of GRFMA			
Member Subscriptions	\$165,120	\$165,120	\$0
Interest LGFA	\$1,310	\$1,310	\$0
Total Admin of GRFMA	\$166,430	\$166,430	\$0
Maint Flood Mit Scheme			
Council Subscriptions	\$95,201	\$95,200	\$1
Total Maint Flood Mit Scheme	\$95,201	\$95,200	\$1
Total Income	\$261,631	\$261,630	\$1
Gross Profit	\$261,631	\$261,630	\$1
Expenses			
Admin of GRFMA			
Executive Officer Contract	\$34,548	\$56,400	-\$21,852
Adv, printing, stationery post	\$0	\$1,250	-\$1,250
Travelling Expenses	\$47	\$4,000	-\$3,953
Insurance PL & PI	\$5,303	\$7,000	-\$1,698
Audit Committee	\$1,300	\$2,650	-\$1,350
Audit Fees	\$5,346	\$5,600	-\$254
Bank Fees	\$32	\$120	-\$88
Legal Fees	\$4,569	\$4,600	-\$31
Honorarium - Chairperson	\$5,100	\$7,900	-\$2,800
Other	\$6,505	\$8,000	-\$1,495
Total Admin of GRFMA	\$62,750	\$97,520	-\$34,770
Gawler River Scheme Mark 2			
Consultancies	\$6,090	\$152,000	-\$145,910
Total Gawler River Scheme Mark 2	\$6,090	\$152,000	-\$145,910
Maint Flood Mitigation Scheme			
Maintenance Contractors	\$0	\$25,000	-\$25,000
Rates & Levies	\$124	\$200	-\$76
Total Maint Flood Mitigation Scheme	\$124	\$25,200	-\$25,076
Depreciation			
Depreciation	\$0	\$321,163	-\$321,163
Total Expenses	\$68,964	\$595,883	-\$526,919
Operating Profit	\$192,667	-\$334,253	\$526,920
Total Other Income	\$0	\$0	\$0
Other Expenses			
Interest Expense	\$9,237	\$70,000	-\$60,763
Total Other Expenses	\$9,237	\$70,000	-\$60,763
Net Profit/(Loss)	\$183,430	-\$404,253	\$587,683

STATEMENT OF COMPREHENSIVE INCOME

2021/2022 FULL YEAR ACTUALS \$'000	INCOME	2022/2023 ADOPTED BUDGET \$	2022/2023 BUDGET REVIEW 1 \$	2022/2023 BUDGET REVIEW 2 \$
261,256	Subscriptions	260,320	260,320	260,320
70,518	Grants Subsidies and Contributions	-	-	-
1,132	Investment Income	600	600	600
100	Other	-	-	-
333,006	TOTAL REVENUES	260,920	260,920	260,920
	EXPENSES			
258,251	Materials, Contracts and Other Expenses	190,920	271,020	274,720
3,275	Finance Costs	21,000	21,000	21,000
322,298	Depreciation, amortisation & impairment	321,163	321,163	321,163
583,824	Total Expenses	533,083	613,183	616,883
(250,818)	OPERATING SURPLUS/(DEFICIT) BEFORE CAPITAL AMOUNTS	(272,163)	(352,263)	(355,963)
-	Net gain (loss) on disposal or revaluation of assets	-	-	-
-	Amounts specifically for new or upgraded assets	-	-	-
-	Physical resources received free of charge	-	-	-
(250,818)	TOTAL COMPREHENSIVE INCOME	(272,163)	(352,263)	(355,963)

**GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY
CONSOLIDATED BUDGET 2022/2023 REVIEW 2**

CASH FLOW STATEMENT

2021/2022 FULL YEAR ACTUALS		2022/2023 ADOPTED BUDGET	2022/2023 BUDGET REVIEW 1	2022/2023 BUDGET REVIEW 2
\$		\$	\$	\$
Inflows		Inflows	Inflows	Inflows
(Outflows)		(Outflows)	(Outflows)	(Outflows)
	CASHFLOWS FROM OPERATING ACTIVITIES			
	RECEIPTS			
282,547	Operating Receipts	260,320	260,320	260,320
1,073	Investment Receipts	600	600	600
	PAYMENTS			
(237,090)	Operating payments to suppliers & employees	(190,920)	(271,020)	(274,720)
-	Finance Payments	(21,000)	(21,000)	(21,000)
46,529	Net Cash provided by (or used in) Operating Activities	49,000	(31,100)	(34,800)
	CASH FLOWS FROM INVESTING ACTIVITIES			
	RECEIPTS			
-	Grants specifically for new or upgraded assets	-	-	-
0	Sale of Assets	0	0	0
	PAYMENTS			
(591,879)	Capital Expenditure on renewal/replacement of assets	-	-	-
-	Capital Expenditure on new/upgraded assets	-	-	-
(591,879)	Net Cash provided by (or used in) Investing Activities	-	-	-
	CASH FLOWS FROM FINANCING ACTIVITIES			
	RECEIPTS			
502,136	Proceeds from Borrowings	-	-	-
	PAYMENTS			
-	Repayment of Borrowings	(49,000)	(49,000)	(49,000)
502,136	NET CASH USED IN FINANCING ACTIVITIES	(49,000)	(49,000)	(49,000)
(43,214)	NET INCREASE (DECREASE) IN CASH HELD	-	(80,100)	(83,800)
169,344	CASH AT BEGINNING OF YEAR	163,278	126,130	126,130
126,130	CASH AT END OF YEAR	163,278	46,030	42,330

**GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY
CONSOLIDATED BUDGET 2022/2023 REVIEW 2**

BALANCE SHEET

2021/2022 FULL YEAR ACTUALS		2022/2023 ADOPTED BUDGET	2022/2023 BUDGET REVIEW 1	2022/2023 BUDGET REVIEW 2
	ASSETS			
\$	CURRENT ASSETS	\$	\$	\$
126,130	Cash and cash equivalents	163,278	46,030	42,330
98,664	Trade & other receivables	-	98,664	98,664
-	Inventories	-	-	-
<u>224,795</u>	TOTAL CURRENT ASSETS	<u>163,278</u>	<u>144,695</u>	<u>140,995</u>
	NON-CURRENT ASSETS			
-	Financial Assets	-	-	-
21,959,256	Infrastructure, Property, Plant & Equipment	21,647,349	21,638,093	21,638,093
<u>21,959,256</u>	TOTAL NON-CURRENT ASSETS	<u>21,647,349</u>	<u>21,638,093</u>	<u>21,638,093</u>
<u>22,184,051</u>	TOTAL ASSETS	<u>21,810,627</u>	<u>21,782,788</u>	<u>21,779,088</u>
	LIABILITIES			
	CURRENT LIABILITIES			
61,003	Trade & Other Payables	-	61,003	61,003
502,136	Borrowings	-	453,136	453,136
-	Short-term Provisions	-	-	-
<u>563,139</u>	TOTAL CURRENT LIABILITIES	<u>-</u>	<u>514,139</u>	<u>514,139</u>
	NON-CURRENT LIABILITIES			
-	Long-term Borrowings	491,500	-	-
-	Long-term Provisions	-	-	-
<u>-</u>	TOTAL NON-CURRENT LIABILITIES	<u>491,500</u>	<u>-</u>	<u>-</u>
<u>563,139</u>	TOTAL LIABILITIES	<u>491,500</u>	<u>514,139</u>	<u>514,139</u>
<u>21,620,912</u>	NET ASSETS	<u>21,319,127</u>	<u>21,268,649</u>	<u>21,264,949</u>
	EQUITY			
12,938,939	Accumulated Surplus	12,637,154	12,586,676	12,582,976
8,681,973	Asset Revaluation	8,681,973	8,681,973	8,681,973
-	Other Reserves	-	-	-
<u>21,620,912</u>	TOTAL EQUITY	<u>21,319,127</u>	<u>21,268,649</u>	<u>21,264,949</u>

**GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY
CONSOLIDATED BUDGET 2022/2023 REVIEW 2**

STATEMENT OF CHANGES IN EQUITY

2021/2022 FULL YEAR ACTUALS \$		2022/2023 ADOPTED BUDGET \$	2022/2023 BUDGET REVIEW 1 \$	2022/2023 BUDGET REVIEW 2 \$
	ACCUMULATED SURPLUS			
13,189,757	Balance at end of previous reporting period	12,909,317	12,938,939	12,938,939
-250,818	Net Result for Year	-272,163	-352,263	-355,963
0	Transfer From Reserves	0	0	0
0	Transfer To Reserves	0	0	0
12,938,939	BALANCE AT END OF PERIOD	12,637,154	12,586,676	12,582,976
	ASSET REVALUATION RESERVE			
8,681,973	Balance at end of previous reporting period	8,681,973	8,681,973	8,681,973
0.00	Gain on revaluation of infrastructure, property, plant & equipment	0.00	0.00	0.00
0.00	Transfer to Accumulated Surplus on sale of infrastructure, property, plant & equipment	0.00	0.00	0.00
8,681,973	BALANCE AT END OF PERIOD	8,681,973	8,681,973	8,681,973
21,620,912	TOTAL EQUITY AT END OF REPORTING PERIOD	21,319,127	21,268,649	21,264,949

**GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY
CONSOLIDATED BUDGET 2022/2023 REVIEW 2**

UNIFORM PRESENTATION OF FINANCES

2021/2022 FULL YEAR ACTUALS		2022/2023 ADOPTED BUDGET	2022/2023 ADOPTED REVIEW 1	2022/2023 ADOPTED REVIEW 2
\$		\$	\$	\$
333,006	Operating Revenues	260,920	260,920	260,920
(583,824)	less Operating Expenses	(533,083)	(613,183)	(616,883)
(250,818)	Operating Surplus / (Deficit) before Capital Amounts	(272,163)	(352,263)	(355,963)
	Less Net Outlays in Existing Assets			
591,879	Capital Expenditure on renewal and replacement of Existing Assets	-	-	-
(322,298)	less Depreciation, Amortisation and Impairment	(321,163)	(321,163)	(321,163)
-	less Proceeds from Sale of Replaced Assets	-	-	-
269,581		(321,163)	(321,163)	(321,163)
	Less Net Outlays on New and Upgraded Assets			
-	Capital Expenditure on New and Upgraded Assets	-	-	-
-	less Amounts received specifically for New and Upgraded Assets	-	-	-
-	less Proceeds from Sale of Surplus Assets	-	-	-
(520,399)	Net Lending / (Borrowing) for Financial Year	49,000	(31,100)	(34,800)

Agenda Item:	5.3
Committee:	GRFMA Audit Committee
Meeting Date:	6 March 2023
Title:	2023-2024 GRFMA Business Plan and 2023-2024 Draft Budget

Recommendation:**That the GRFMA Audit Committee:**

- 1. Notes the report.**
 - 2. Requests the Executive Officer provide the Draft 2023/2024 GRFMA Annual Business Plan and Draft 2023/2024 Budget documents to the 16 March 2023 GRFMA special meeting for consideration.**
-

2023/2024 Draft GRFMA Annual Business Plan and Draft 2022/2023 Budget

The Gawler River Floodplain Management Authority is established by the Constituent Councils as a regional subsidiary pursuant to Section 43 and Schedule 2 of the Local Government Act 1999.

The GRFMA Charter (2020) provides that the Authority must prepare a a budget for the forthcoming financial year.

The Budget must:

- deal with each principal activity of the Authority on a separate basis.
- be consistent with and account for activities and circumstances referred to in the Authority's Annual Business Plan.
- be submitted in draft form to each Constituent Council before 31 March for approval.
- not be adopted by the Authority until after 31 May but before 30 September.
- identify the amount of and the reasons for the financial contributions to be made by each Constituent Council to the Authority.

The Authority shall also have an Annual Business Plan in respect of the ensuing 12 months.

The Annual Business Plan must:

- state the services to be provided by the Authority.
- identify how the Authority intends to manage service delivery.
- identify the performance targets which the Authority is to pursue.
- provide a statement of financial and other resources and internal processes that will be required to achieve the performance targets and objectives of the Authority; and
- specify the performance measures that are to be used to monitor and assess performance against targets.

On the basis of the above report, the following information relates to action taken to draft the 2023-2024 GRFMA Annual Business Plan and development of the 2023/2024 draft GRFMA budget.

2023- 2024 GRFMA Draft Annual Business Plan

The format of the Annual Business Plan has been constructed referencing the GRFMA Strategic Plan 2021-2026, the GRFMA Long Term Financial Plan 2022/23-2031/32 and the GRFMA Asset Management Plan 2023-2032.

Key elements contained in the 2023/2024 draft Annual Business Plan identify:

Priority Actions 2023/2024

Work to facilitate delivery of the objectives of the Gawler River Stormwater Management Plan. The Gawler River Stormwater Management Plan is the key GRFMA document to assist in determining physical and other works required to reduce the risks and impacts of flooding.

Review, with Constituent Councils and stakeholders, design standards for infrastructure works including costs and benefits. The default policy position of the Authority has been for a 1 in 100-year design standard. Reviewing that policy position through consideration of the costs and benefits of various design standard scenarios will assist in identifying appropriate standards.

In conjunction with the Constituent Councils, develop and implement a schedule of flood mitigation infrastructure works for the Gawler River referencing the Gawler River Stormwater Management Plan. A schedule of works is to be consolidated from the recommendations from the completed GRFMA Gawler River Stormwater Management Plan and the Department for Environment and Planning, Gawler River Flood Mitigation Business Case. Considered funding will be sought from the State and Federal Governments and where appropriate commercial investment.

Working with the Constituent Councils, develop a framework to clearly articulate the respective roles and responsibilities of the Authority and the Councils and suitable partnering arrangements to maintain a low-cost base for the Authority. Identification of partnering opportunities within the capacities of the Councils (e.g., in relation to monitoring information about climate change and climate change policy, and water policy) in delivering the functions, operations and project management required of the Authority would help to keep the Authority's administrative costs low.

Continue to advocate for improved governance and funding arrangements for flood avoidance, resilience, and mitigation in South Australia with frontline experience the Authority is well positioned to develop a narrative about changes that are required to improve governance and funding arrangements for flood avoidance and mitigation. The Authority will continue to work with the Department for Environment and Planning, in consultation with constituent councils, on implementation and funding arrangements for the State Government funded Gawler River Flood Mitigation Program.

Assist the Constituent Councils in communicating with general communities and specific interest groups in relation to flood mitigation for the Gawler River. Communication with communities is likely to be a joint activity between the Constituent Councils and the Authority.

Implement the agreed outcomes from Charter Review 2 which was finalised in 2020. Work with constituent councils to achieve consensus support for adoption of the GRFMA Cost Share Model as methodology for negotiating the distribution of constituent council contributions towards future Gawler River flood mitigation capital works and/or maintenance works exceeding \$1 million in any given year.

Maintenance and Operations of the Scheme During 2023 to 2024

Work identified in the previously established, Bruce Eastick North Para Flood Mitigation Dam Maintenance Cost Analysis 2023-2032.

Scheduled inspections and environmental management of land associated with the Dam location. Routine (monthly), Intermediate (annually), Comprehensive (every 5 years due 2023/2024).

Continuation of the revegetation program around land associated with the Bruce Eastick North Para Flood Mitigation Dam.

See attached for a copy of the 2023/2024 draft Annual Business Plan.

2023/2024 Draft Budget

The scope of the GRFMA annual budget is small in comparison to the extensive undertakings by constituent councils.

Drafting of the 2023/2024 GRFMA Budget has been constructed by referencing the GRFMA Strategic Plan 2021-2026, the GRFMA Long Term Financial Plan 2022/23-2031/32 and the GRFMA Asset Management Plan 2023-2032.

Revenue

The budget revenue is sourced from predetermined "formula based" financial contributions by the six constituent councils, opportunistic funding applications and some interest from financial institutions. Recently any shortfalls in income (over expenditure) have been met from reserves.

Expenditure

Expenditure is budgeted on estimated costs of Executive Management and administrative and governance requirements of the Authority according to its charter. Other costs are incurred with maintenance of the Bruce Eastick North Para River Flood Mitigation Dam site and access.

Recently work has been progressed by the Department for Environment and Planning to facilitate the Gawler River Flood Mitigation Business Case.

This is an important and complementary project to the GRFMA Stormwater Management Plan and collaborative approaches will be of benefit to all parties.

There is an expectation by the State Government that the GRFMA (including Constituent Councils) will contribute to the development and completion of the business case.

Operational Contributions (Member subscriptions)

Operational contributions are calculated to include the costs reflective of Administration of the GRFMA, plus general costs for the provision of consultancies to pursue outcomes envisaged in flood mitigation strategies (Gawler River Mark 2) and does not include capital works or maintenance of Assets. Interest received is deducted from total subscriptions required.

For 2023/2024 operational activities, not otherwise administrative will be directed toward matters identified in the Gawler River Stormwater Management Plan and towards the Department for Environment and Planning Gawler River Flood Mitigation Business Case.

Budget Outcome Operational

- \$97,573 Administration of the GRFMA
- \$46,080 Gawler River Scheme Mk2 – Consultancies Feasibility or initial design studies
SMP or Business Case
- \$143,653
- \$ 523 Less income earned.

Total Operation cost: \$143,130 = Member Subscriptions.

Maintenance Contributions (Council subscriptions)

Maintenance contributions are calculated from the costs reflective of capital works or maintenance works for the Bruce Eastick Flood Mitigation Dam and any approved flood mitigation capital works.

The Authority will continue to work with the Department for Environment and Planning, in consultation with constituent councils, on implementation and funding arrangements for the State Government funded Gawler River Flood Mitigation Program and Business Case.

Maintenance and Operations

Maintenance and operations of the scheme during 2023 to 2024 will include work identified in the previously established, Bruce Eastick North Para Flood Mitigation Dam Maintenance Cost Analysis 2023-2032, continuation of the revegetation program around land associated with the Bruce Eastick and repayment of the Cash Advance Debenture previously raised to fund Dam repairs in 2022.

Budget Outcome Maintenance

- \$69,550 Dam Maintenance Cost Analysis 2023/2024
- \$ 208 Rates and levies, ESL
- \$70,000 Cash Advance Debenture repayments

Total Maintenance cost \$139,758 = Council Subscriptions.

Depreciation of Assets

URS Australia Pty Ltd, Dam Designers, have previously advised that a concrete RCC dam wall (as per the Bruce Eastick North Para Flood Mitigation Dam) can be expected to have a life of 80 years after completion.

On that basis the Bruce Eastick North Para Flood Mitigation Dam wall has been depreciated at the rate of 1.25% annually (\$322,298 pa).

The GRFMA Asset Management Plan 2023-2032 provides:

Funding (cash allocation) of annual depreciation calculations is not undertaken, rather the policy is ensuring the GRFMA is provided with sufficient cash flow to maintain the Dam at required service provision levels.

This plan covers the infrastructure assets that provide Flood Mitigation comprising of: • Bruce Eastick North Para Flood Mitigation Dam • Associated land • Road Access

The projected outlays necessary to provide the services covered by this Asset Management Plan (AM Plan) includes operations, maintenance, renewal and upgrade of existing assets over the 10-year planning period is \$1,233,642.

The net equity share (of annual depreciation costs) of each Constituent Council is subsequently reflected in the (Financial Statements) Schedule of Constituent Councils interest in net assets as at 30 June each year and a statement is prepared to meet the requirements of clause 15.5 of the GRFMA charter.

Cost Escalator

GRFMA Long Term Financial Plan 2022/23-2031/32:

The basic assumptions in relation to the major drivers of GRFMA expenditure including inflation (Consumer Price Index), as well as a number of expenditure influencers and capital expenditure projections are detailed below.

The underlying assumption is that the levels of service being provided are relatively unchanged. As indicated above some of these levels are externally determined. Others depend on GRFMA policy. For instance, if GRFMA wishes to increase the level of expenditure on renewal of assets or to construct new assets then that is an increase in service level. This increase must be accompanied by an increase in funding either from an increase in income such as constituent council contributions, state or federal government funding or borrowings.

The Consumer Price Index (CPI) is regarded as Australia's key measure of inflation. It is designed to provide a general measure of price inflation for the Australian household sector as a whole. The CPI measures changes over time in a wide range of consumer goods and services acquired by Australian metropolitan households and is measured quarterly this is assumed to be 4% for 2023/2024 & 2024/2025 decreasing to 2.5%

Summary

The 2023/2024 draft Budget has been constructed referencing the GRFMA Strategic Plan 2021-2026, the GRFMA Long Term Financial Plan 2022/23-2031/32, the GRFMA Asset Management Plan 2023-2032 and the 2023/2024 GRFMA draft Annual Business Plan.

Refer to the following link for copies of the Strategic Management Documents: <https://1drv.ms/u/s!AmN1235qblGFg5U17dO4s1-rXNpoXg?e=LCM6el> – Password: Audit2023.

The draft Budget proposal has been formulated with an inclusive approach to identified service and project requirements for 2023/2024. This has been effected with allocation of capital and maintenance expense estimates.

Revenue requirement calculations for constituent council contributions, shown at Table 1, have been based on this inclusive approach. Any budget amendments directed by meeting considerations will subsequently be reflected in the quantum of revenue to be sought from Constituent Councils.

Constituent Council contributions for 2023/2024 total \$282,877 which is a budgeted increase from \$260,320 in 2022/2023.

Contribution increases will vary within the 2023/2024 subscription quantum because of allocation of \$69,550 maintenance costs 2023/2024 as per the Dam Maintenance Cost Analysis 2023-2032.

A net Operating Loss of (\$322,298) is forecast for 2023/2024. This is the amount of unfunded depreciation.

See below Table 1 – Constituent Council shares proposed as per draft 2023/2024 GRFMA Budget and further copy of details (MYOB format) of the GRFMA Budget functions which identifies the current 2022/2023 Budget BR2 against Year to Date (20/2/2023) income and expenditure and the 2022/2024 Draft Budget income and expenditure proposals.

See separate attachment copy of GRFMA 2023/2024 budgeted financial statements presented, in a manner consistent with the Model Financial Statements, pursuant to section 123(10)(b) of the Local Government Act 1999: and LTFP Comprehensive Income Statement 2022-2032 extract.

Table 1

Constituent Council shares proposed as per draft 2022/2023 GRFMA Budget - Refer 1.1 Member Subscriptions (\$143,130) and 3.1 Council Subscriptions (\$139,758).

Council	2022/23 Operational	2022/23 Maint	2022/23 Total	2023/24 Operational	2023/24 Maint	2023/24 TOTAL
Adelaide Plains Council	27,520	27,513	\$55,033	23,293	41,365	\$64,657
Adelaide Hills Council	27,520	1,647	\$29,167	23,293	2,476	\$25,769
The Barossa Council	27,520	8,254	\$35,774	23,293	12,409	\$35,702
Town of Gawler	27,520	16,508	\$44,028	23,293	24,819	\$48,112
Light Regional Council	27,520	8,254	\$35,774	23,293	12,409	\$35,702
City of Playford	27,520	33,025	\$60,545	23,293	49,651	\$72,944
Total	165,120	95,200	\$260,320	139,758	143,130	\$282,887

Table 2 Percentage Share

Constituent Council	Capital Works Percentage Share	Maintenance of Assets Percentage Share	Operational Costs Percentage Share
Adelaide Plains Council	28.91%	28.91%	16.66%
Adelaide Hills Council	1.73%	1.73%	16.66%
The Barossa Council	8.67%	8.67%	16.66%
Town of Gawler	17.34%	17.34%	16.66%
Light Regional Council	8.67%	8.67%	16.66%
City of Playford	34.68%	34.68%	16.66%
Total	100%	100%	100%

Gawler River Floodplain Management Authority Budget - Functions & Items 2023/2024
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Code			2022-2023			2023-2024
			Budget	YTD		Budget
		REVENUE				
		Administration of the GRFMA				
1,1		Member Subscriptions	165,120	165,120		143,130
1,3		Interest LGFA	1,310	1,310		419
1,4		Interest BankSA				104
1,5		Other				
		Total	166,430	166,430		143,653
		Operations Flood Mitigation Scheme				
2,1		Council Subscriptions				
2,3		State Grant				
2,4		Commonwealth Grant				0
2,5		Sale of Land				0
2,6		Other				0
		Total	0	0		0
		Maintenance Flood Mitigation Scheme				
3,1		Council Subscriptions	95,200	95,201		139,758
3,3		Other				
		Total	95,200	95,201		139,758
		TOTAL INCOME	261,630	261,631		283,411

			2022-2023			2023-2024
		EXPENDITURE	Budget	YTD		Budget
		Administration of the GRFMA				
6,1		Executive Officer Contract	56,400	34,548		58,656
6,2		Advt, Print, Stat, Postage	1,250			1,300
6,3		Travelling Expenses	4,000	47		4,160
6,4		Insurance - PL & PI	7,000	5,303		7,280
6,41		Audit Committee	2,650	1,300		2,756
6,5		Audit Fees	5,600	5,346		5,824
6,6		Bank Fees	120	32		125
6,7		Legal Advice	4,600	4,569		2,080
6,8		Honorarium Chairperson	7,900	5,100		9,048
6,9		Other	8,000	6,505		6,344
		Total	97,520	62,750		97,573
		Gawler River Scheme Mark 2				
9,7		Consultancies	152,000	6,090		46,080
9,8		EO Supervision				0
		Total	152,000	6,090		46,080
		Maintenance Flood Mitigation Scheme				
10,2		Maintenance Contractors	0	0		
10,3		BENPFM Dam Maintenance	25,000	0		69,550
10,31		Rates - GST Free	200	124		208
10,4		Depreciation Dam	321,163			322,298
		Total	346,363	124		392,056
		Other Expense Finance **	70,000	9,237		70,000
		ALL EXPENDITURE	\$665,883	\$78,201		\$605,709
		SURPLUS/DEFICIT	-404,253	183,430		-322,298

** MYOB cash format representing Interest and principal payments.

Local Government Model Financial Statements represent interest payments as operational expenditure and finance repayment, CAD, as reduction in liability (Balance Sheet).

Gawler River Flood Management Authority

Long Term Financial Plan Model

ESTIMATED COMPREHENSIVE INCOME STATEMENT

Year Ended 30 June:	Indexing	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032
	Factor	Actual	Actual	Actual	Plan	Plan	Plan	Plan	Plan	Plan	Plan	Plan	Plan	Plan
	CPI LTFF				Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
	4% for years 2 & 3, 2.5% for the remainder													
INCOME														
Member Subscriptions		145,000	145,935	176,052	165,120	143,861	149,615	153,356	157,190	161,119	165,147	169,276	173,508	177,845
Council Subscriptions		85,300	50,300	85,200	95,200	138,207	138,207	138,207	138,207	138,207	138,207	138,208	113,438	69,550
Grants, subsidies, contributions		98,980	20,000	70,518	0	0	0	0	0	0	0	0	0	0
Investment Income	0.5% on Closing Balance of Account	1,042	1,009	1,132	631	419	422	424	427	430	432	435	438	440
Other Revenue		100	100	104	104	104	104	104	104	104	104	104	104	104
Total Revenues		330,422	217,344	333,006	261,055	282,591	288,348	292,091	295,927	299,860	303,891	308,024	287,490	247,942
EXPENSES														
Executive Officer Contract		57,330	56,280	56,826	56,400	58,656	61,002	62,527	64,090	65,693	67,335	69,018	70,744	72,512
Adv, Printing, Stationary Post		510	396	304	1,250	1,300	1,352	1,386	1,420	1,456	1,492	1,530	1,568	1,607
Travelling Expenses		1,400	0	146	4,000	4,160	4,326	4,435	4,545	4,659	4,776	4,895	5,017	5,143
Insurance PL & PI		6,225	6,412	6,733	7,000	7,280	7,571	7,760	7,954	8,153	8,357	8,566	8,780	9,000
Audit Committee		1,950	2,600	2,600	2,650	2,756	2,866	2,938	3,011	3,087	3,164	3,243	3,324	3,407
Audit Fees		7,712	5,000	5,188	5,600	5,824	6,057	6,208	6,364	6,523	6,686	6,853	7,024	7,200
Bank Fees		51	55	55	120	125	130	133	136	140	143	147	151	154
Legal Fees		2,133	0	2,000	2,000	2,080	2,163	2,217	2,273	2,330	2,388	2,447	2,509	2,571
Honorarium - Chairperson		9,600	9,250	8,300	8,700	9,048	9,410	9,645	9,886	10,133	10,387	10,646	10,913	11,185
Other Expenses		3,243	5,122	6,108	6,100	6,344	6,598	6,763	6,932	7,105	7,283	7,465	7,651	7,843
Consultancies - Gawler River Scheme Mark 2		139,025	84,737	159,957	152,000	46,080	47,923	49,121	50,349	51,608	52,898	54,221	55,576	56,966
Maintenance Contractors Flood Mitigation		27,736	7,560	9,909	25,000	0	0	0	0	0	0	0	0	0
Rates and Levies Flood Mitigation		122	124	126	200	208	216	222	227	233	239	245	251	257
Comprehensive Inspection Dam						69,550	69,550	69,550	69,550	69,550	69,550	69,550	69,550	69,550
LLOP Dewater & Inspection														
Repairs & Maintenance Contingency														
Depreciation		321,163	321,163	322,298	322,298	322,298	331,353	331,353	331,353	331,353	331,353	341,042	341,042	341,042
Finance Costs		0	0	3,275	21,000	15,860	14,012	12,099	10,120	8,071	5,950	3,756	1,484	0
Total Expenses		578,198	498,698	583,824	614,318	551,569	564,530	566,358	568,213	570,094	572,001	583,624	585,584	588,438
OPERATING SURPLUS/(DEFICIT) BEFORE CAPITAL AMOUNTS		(247,777)	(281,354)	(250,818)	(353,263)	(268,978)	(276,183)	(274,267)	(272,285)	(270,234)	(268,110)	(275,600)	(298,095)	(340,496)
Amounts specifically for new assets		0	0	0	0	0	0	0	0	0	0	0	0	0
NET SURPLUS/(DEFICIT)		(247,777)	(281,354)	(250,818)	(353,263)	(268,978)	(276,183)	(274,267)	(272,285)	(270,234)	(268,110)	(275,600)	(298,095)	(340,496)

**GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY
CONSOLIDATED DRAFT BUDGET 2023/2024**

STATEMENT OF COMPREHENSIVE INCOME

2022/2023 FULL YEAR REVISED ESTIMATE		2023/2024 DRAFT BUDGET
\$	INCOME	\$
260,320	Subscriptions	282,888
-	Grants Subsidies and Contributions	-
600	Investment Income	419
-	Other	104
<hr/>		<hr/>
260,920	TOTAL REVENUES	283,411
	EXPENSES	
274,720	Materials, Contracts and Other Expenses	213,411
21,000	Finance Costs	15,000
321,163	Depreciation, amortisation & impairment	322,298
<hr/>		<hr/>
616,883	Total Expenses	550,709
	OPERATING SURPLUS/(DEFICIT)	
(355,963)	BEFORE CAPITAL AMOUNTS	(267,298)
-	Net gain (loss) on disposal or revaluation of assets	-
-	Amounts specifically for new or upgraded assets	-
-	Physical resources received free of charge	-
 (355,963)	TOTAL COMPREHENSIVE INCOME	 (267,298)
<hr/> <hr/>		<hr/> <hr/>

**GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY
CONSOLIDATED DRAFT BUDGET 2023/2024**

CASH FLOW STATEMENT

2022/2023 FULL YEAR REVISED ESTIMATE		2023/2024 DRAFT BUDGET
\$		\$
Inflows (Outflows)		Inflows (Outflows)
	CASHFLOWS FROM OPERATING ACTIVITIES	
	RECEIPTS	
260,320	Operating Receipts	282,992
600	Investment Receipts	419
	PAYMENTS	
(274,720)	Operating payments to suppliers & employees	(213,411)
(21,000)	Finance Payments	(15,000)
(34,800)	Net Cash provided by (or used in) Operating Activities	55,000
	CASH FLOWS FROM INVESTING ACTIVITIES	
	RECEIPTS	
-	Grants specifically for new or upgraded assets	-
0	Sale of Assets	0
	PAYMENTS	
-	Capital Expenditure on renewal/replacement of assets	-
-	Capital Expenditure on new/upgraded assets	-
-	Net Cash provided by (or used in) Investing Activities	-
	CASH FLOWS FROM FINANCING ACTIVITIES	
	RECEIPTS	
-	Proceeds from Borrowings	-
	PAYMENTS	
(49,000)	Repayment of Borrowings	(55,000)
(49,000)	NET CASH USED IN FINANCING ACTIVITIES	(55,000)
(83,800)	NET INCREASE (DECREASE) IN CASH HELD	-
126,130	CASH AT BEGINNING OF YEAR	42,330
42,330	CASH AT END OF YEAR	42,330

**GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY
CONSOLIDATED DRAFT BUDGET 2023/2024**

BALANCE SHEET

2022/2023 FULL YEAR REVISED ESTIMATE		2023/2024 DRAFT BUDGET
	ASSETS	
	CURRENT ASSETS	
\$		\$
42,330	Cash and cash equivalents	42,330
98,664	Trade & other receivables	98,664
-	Inventories	-
<u>140,994</u>	TOTAL CURRENT ASSETS	<u>140,994</u>
	NON-CURRENT ASSETS	
-	Financial Assets	-
21,638,093	Infrastructure, Property, Plant & Equipment	21,315,795
<u>21,638,093</u>	TOTAL NON-CURRENT ASSETS	<u>21,315,795</u>
<u>21,779,088</u>	TOTAL ASSETS	<u>21,456,790</u>
	LIABILITIES	
	CURRENT LIABILITIES	
61,003	Trade & Other Payables	61,003
453,136	Borrowings	453,136
-	Short-term Provisions	-
<u>514,139</u>	TOTAL CURRENT LIABILITIES	<u>514,139</u>
	NON-CURRENT LIABILITIES	
-	Long-term Borrowings	(55,000)
-	Long-term Provisions	-
<u>-</u>	TOTAL NON-CURRENT LIABILITIES	<u>(55,000)</u>
<u>514,139</u>	TOTAL LIABILITIES	<u>459,139</u>
<u>21,264,949</u>	NET ASSETS	<u>20,997,651</u>
	EQUITY	
12,582,976	Accumulated Surplus	12,315,678
8,681,973	Asset Revaluation	8,681,973
-	Other Reserves	-
<u>21,264,949</u>	TOTAL EQUITY	<u>20,997,651</u>

**GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY
CONSOLIDATED DRAFT BUDGET 2023/2024**

STATEMENT OF CHANGES IN EQUITY

2022/2023 FULL YEAR REVISED ESTIMATE		2023/2024 DRAFT BUDGET
\$		\$
	ACCUMULATED SURPLUS	
12,938,939	Balance at end of previous reporting period	12,582,976
-355,963	Net Result for Year	-267,298
0	Transfer From Reserves	0
0	Transfer To Reserves	0
<hr/>		<hr/>
12,582,976	BALANCE AT END OF PERIOD	12,315,678
	ASSET REVALUATION RESERVE	
8,681,973	Balance at end of previous reporting period	8,681,973
0.00	Gain on revaluation of infrastructure, property, plant & equipment	0.00
0.00	Transfer to Accumulated Surplus on sale of infrastructure, property, plant & equipment	0.00
<hr/>		<hr/>
8,681,973	BALANCE AT END OF PERIOD	8,681,973
<hr/>		<hr/>
21,264,949	TOTAL EQUITY AT END OF REPORTING PERIOD	20,997,651

**GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY
CONSOLIDATED DRAFT BUDGET 2023/2024**

UNIFORM PRESENTATION OF FINANCES

2022/2023 FULL YEAR REVISED ESTIMATE		2023/2024 DRAFT BUDGET
\$		\$
260,920	Operating Revenues	283,411
(616,883)	less Operating Expenses	(550,709)
<u>(355,963)</u>	Operating Surplus / (Deficit) before Capital Amounts	<u>(267,298)</u>
	Less Net Outlays in Existing Assets	
	Capital Expenditure on renewal and replacement of Existing Assets	-
-	less Depreciation, Amortisation and Impairment	(322,298)
(321,163)	less Proceeds from Sale of Replaced Assets	<u>-</u>
<u>-</u>		<u>(322,298)</u>
(321,163)		
	Less Net Outlays on New and Upgraded Assets	
-	Capital Expenditure on New and Upgraded Assets	-
-	less Amounts received specifically for New and Upgraded Assets	-
-	less Proceeds from Sale of Surplus Assets	<u>-</u>
<u>-</u>		<u>-</u>
-		
(34,800)	Net Lending / (Borrowing) for Financial Year	55,000

GRFMA ANNUAL BUSINESS PLAN

2023-2024 Draft

Gawler River Floodplain Management Authority

Constituent Councils:

Adelaide Hills Council

Adelaide Plains Council

The Barossa Council

Town of Gawler

Light Regional Council

City of Playford

Gawler



Business Plan 2023-2024

Gawler River Floodplain Management Authority (GRFMA)

The Gawler River

The Gawler River is formed by the confluence of the North Para and South Para in the town of Gawler and is located in the Adelaide Plains district of South Australia. The district surrounding the river produces cereal crops and sheep for both meat and wool, as well as market gardens, almond orchards and vineyards. The farm gate output of the Gawler River floodplain horticultural areas is estimated to be at least \$355 million.

History

The river is subject to periodic flood events.



Desirable Levels of Protection Cost of Flooding

Flood Frequency (ARI)	Estimated Damages
1 in 10	\$15m
1 in 20	\$24m
1 in 50	\$102m
1 in 100	\$182m
1 in 200	\$212m
Average Annual Damage	\$7.40m
Present Value of Damages	\$109m

Properties at Risk

Flood Frequency (ARI)	Number of residential properties within each hazard rating			
	Low	Medium	High	Extreme
1 in 50	1056	785	483	236
1 in 100	1559	1451	1179	457
1 in 200	1814	1652	1419	615

Purpose of the GRFMA

The Gawler River Floodplain Management Authority (GRFMA) was formed as a Regional Subsidiary under Section 43 and Schedule 2 of the Local Government Act 1999 on 22 August 2002. The Constituent Councils are the Adelaide Hills Council, The Adelaide Plains Council, The Barossa Council, The Town of Gawler, Light Regional Council, and the City of Playford.

The Authority has been established for the following purposes:

- to co-ordinate the construction, operation and maintenance of flood mitigation infrastructure for the Gawler River. This purpose is the core business of the Authority;
- to raise finance for the purpose of developing, managing and operating and maintaining works approved by the Board;
- to provide a forum for the discussion and consideration of topics relating to the Constituent Council's obligations and responsibilities in relation to management of flood mitigation for the Gawler River; and
- upon application of one or more Constituent Councils pursuant to clause 12.4:
 - to coordinate the construction, maintenance and promotion and enhancement of the Gawler River and areas adjacent to the Gawler River as recreational open space for the adjacent communities; and
 - to enter into agreements with one or more of the Constituent Councils for the purpose of managing and developing the Gawler River.

Numerous factors have a significant influence on the operations of the Authority.

These include:

- Arrangements for managing stormwater in South Australia are very complicated, reflecting incremental changes over time in legislation, guidelines, structures, and funding arrangements.

For the Authority, specific concerns are:

- There is no clear definition of the responsibilities of levels of government for managing stormwater.
- Floodplain management is not well recognised in the current framework for stormwater management.
- Responsibilities for different aspects of managing the Gawler River sit with various (mostly SA Government) agencies, yet there is no overarching structure, body, or plan to ensure an integrated approach to managing it.
- Most of the Gawler River is located on private land (a common situation in South Australia) which restricts the ability of the Authority (and other bodies) to carry out its functions.
- Most flood management initiatives within the Gawler River catchment and floodplain are beyond the capacity of Constituent Councils to fund and State and Federal Government engagement and funding support will be required before any such initiatives are to be realised.

- The effects of flooding on intensive food production and residential properties on the Northern Adelaide Plains.
- Impacts of climate change on the timing, frequency, and volumes of flows into the river.
- Changes in stormwater flows and the risks of flooding associated with new residential development in the Gawler River catchment.
- The level of community understanding of the risks of flooding within the entire catchment and how individuals can reduce the risks.
- Signs of growing interest in the concept of water cycle management with greater integration of different aspects of water management, including stormwater and floodwater.
- Differences in perspectives and priorities between upstream and downstream Constituent Councils in relation to beneficiaries, funding arrangements, and priorities.
- The limited resource base of the Authority, which is supplemented on an ad-hoc basis through partnering with Constituent Councils.

Governance

The Authority is governed by the Board of Management. The Board comprises of:

- One independent person, who is not an officer, employee or elected member of a Constituent Council, to be appointed as the Chairperson of the Board of Management of the GRFMA for a term of two years.
- Two persons appointed from each of the six constituent councils (12 members in total). Council appointees comprise of the Council CEO, or delegate and one Elected Member.
- Deputy Board members as appointed by each constituent council.

The Board

The Members of the Board are:

Council	Board Members	Deputy Board Members
Chairperson and Independent Member	Mr Ian Baldwin	
Adelaide Hills Council	Cr Malcolm Herrmann Mr Ashley Curtis	Ms Natalie Armstrong
Adelaide Plains Council	Cr Terry-Anne Keen Mr James Miller	Cr John Lush Ms Sheree Schenk
The Barossa Council	Cr Bruce Preece, Mr Martin McCarthy	Ben Clark
Town of Gawler	Cr Paul Koch Ms Whendee Young	Cr Brian Sambell
Light Regional Council	Cr Michael Phillips-Ryder, Mr Richard Dodson	Mr Andrew Philpott
City of Playford	Cr Clinton Marsh Mr Greg Pattinson	Cr Peter Rentoulis

A Technical Assessment Panel has been appointed to support the decision-making processes of the Board with delegated powers to provide advice and manage the technical aspects of the design, assessment and construction of the various parts of the Scheme.

The Members of the Panel are:

- Mr Ian Baldwin, Independent Chair
- Ms Ingrid Franssen, Manager Flood Management, DEW
- (vacant), SA Water
- 1 constituent council representative, Mr. Braden Austin, City of Playford
- 1 constituent council representative, Mr. Ben Clark, The Barossa Council
- Mr David Hitchcock, Executive Officer

An Audit Committee has been appointed to review:

- The annual financial statements to ensure that they present fairly the financial state of affairs of the Board; and
- The adequacy of the accounting, internal control, reporting and other financial management systems and practices of the Board on a regular basis.

The Members of the Audit Committee are:

- Mr. Peter Brass, Independent Member and Chair
- Cr Malcolm Herrmann, Adelaide Hills Council
- Mr. Greg Pattinson, City of Playford

A suite of Policies has been adopted to provide management guidelines for the day-to-day business of the GRFMA.

Policies include.

- Fraud, Corruption, Misconduct and Maladministration
- Consultation with Constituent Councils
- Procurement and Operations
- Code of Practice for Meeting Procedures
- Internal Review of Decisions
- Freedom of Information Statement
- Work Health and Safety
- Anti-Discrimination/Fair Treatment
- Dam Valuation
- Treasury Management



To meet the statutory and operational responsibilities the Authority maintains appointment of a part time Executive Officer, and External Auditor, on a contract basis.

Dean Newbery and Partners have been appointed as the external auditor until 2023/24.

The Authority has also facilitated the appointment of a part time administrative assistant on a contract basis.

The Authority is required to hold a minimum of 6 meetings per year and to provide the required Business Plans, Budgets Reports and Audited Statements to its Constituent Councils required by the Charter and Local Government 1999.

The format of the Annual Business Plan has been constructed referencing the GRFMA Strategic Plan 2021-2026, the GRFMA Long Term Financial Plan 2022/23 – 2031/32 and the GRFMA Asset Management Plan 2023-2032.

The Authority will conduct two reviews each year of its performance against the targets set in this Annual Business Plan that will form part of the report to its constituent councils and will be included in its Annual Report.

Cost of Operations

The budget revenue is sourced from predetermined “formula based” financial contributions by the six constituent councils, opportunistic funding applications and some interest from financial institutions. Recently any shortfalls in income (over expenditure) have been met from reserves.

Expenditure is budgeted on estimated costs of executive management and administrative and governance requirements of the Authority according to its charter. Other costs are incurred with maintenance of the Bruce Eastick North Para River Flood Mitigation Dam site and access.

Recently work has been progressed by the Department for Environment and Planning to facilitate the Gawler River Flood Mitigation Business Case. This is an important and complementary project to the GRFMA Stormwater Management Plan and collaborative approaches will be of benefit to all parties. There is an expectation by the state Government that the GRFMA (including constituent councils) will contribute to the development and completion of the business case.

The contributions of the constituent councils are based on the following percentage shares for capital works, maintenance of Scheme assets and operational costs of the Authority. (GRFMA Charter Clause 10).

Constituent Council Shares for Contributions

Constituent Council	Capital Works	Maintenance of Assets	Operational Costs
	Percentage Share	Percentage Share	Percentage Share
Adelaide Hills Council	1.73%	1.73%	16.66%
Adelaide Plains Council	28.91%	28.91%	16.66%
The Barossa Council	8.67%	8.67%	16.66%
Town of Gawler	17.34%	17.34%	16.66%
Light Regional Council	8.67%	8.67%	16.66%
City of Playford	34.68%	34.68%	16.66%
Total	100%	100%	100%

The GRFMA Strategic Plan 2021-2026 is arranged under three themes, each with its own objective, related to the outcomes to be pursued.

Theme 1: Design, build, and maintain physical flood mitigation infrastructure.

Objective: To have in place an agreed extent of physical flood mitigation infrastructure that is fit for purpose and achieves the targeted levels of performance.

Theme 2: Develop and evolve key relationships.

Objective: To maintain key relationships that are most important to the Authority achieving its purpose.

Theme 3: Ensure good governance and ongoing financial sustainability.

Objective: To ensure that the Authority meets legislative requirements and contemporary standards of governance and is financially sustainable for the long term.

Priority Actions 2023/2024

Work to facilitate delivery of the objectives of the Gawler River Stormwater Management Plan. The Gawler River Stormwater Management Plan is the key GRFMA document to assist in determining physical and other works required to reduce the risks and impacts of flooding.

Review, with Constituent Councils and stakeholders, design standards for infrastructure works including costs and benefits. The default policy position of the Authority has been for a 1 in 100-year design standard. Reviewing that policy position through consideration of the costs and benefits of various design standard scenarios will assist in identifying appropriate standards.

In conjunction with the Constituent Councils, develop and implement a schedule of flood mitigation infrastructure works for the Gawler River referencing the Gawler River Stormwater Management Plan. A schedule of works is to be consolidated from the recommendations from the completed GRFMA Gawler River Stormwater Management Plan and the Department for Environment and Planning, Gawler River Flood Mitigation Business Case. Considered funding will be sought from the State and Federal Governments and where appropriate commercial investment.

Working with the Constituent Councils, develop a framework to clearly articulate the respective roles and responsibilities of the Authority and the Councils and suitable partnering arrangements to maintain a low-cost base for the Authority. Identification of partnering opportunities within the capacities of the Councils (e.g., in relation to monitoring information about climate change and climate change policy, and water policy) in delivering the functions, operations and project management required of the Authority would help to keep the Authority's administrative costs low.

Continue to advocate for improved governance and funding arrangements for flood avoidance, resilience, and mitigation in South Australia with frontline experience the Authority is well positioned to develop a narrative about changes that are required to improve governance and funding arrangements for flood avoidance and mitigation.

The Authority will continue to work with the Department for Environment and Planning, in consultation with constituent councils, on implementation and funding arrangements for the State Government funded Gawler River Flood Mitigation Business Case.

Assist the Constituent Councils in communicating with general communities and specific interest groups in relation to flood mitigation for the Gawler River. Communication with communities is likely to be a joint activity between the constituent councils and the Authority.

Implement the agreed outcomes from Charter Review 2 which was finalised in 2020. Work with constituent councils to achieve consensus support for adoption of the GRFMA Cost Share Model as methodology for negotiating the distribution of constituent council contributions towards future Gawler River flood mitigation capital works and/or maintenance works exceeding \$1 million in any given year.

Maintenance and operations of the scheme during 2023 to 2024

- Work identified in the previously established, Bruce Eastick North Para Flood Mitigation Dam Maintenance Cost Analysis 2023-2032.
- Scheduled inspections and environmental management of land associated with the Dam location. Routine (monthly), Intermediate (annually), Comprehensive (every 5 years due 2023/2024).
- Continuation of the revegetation program around land associated with the Bruce Eastick North Para Flood Mitigation Dam.



Agenda Item:	5.4
Committee:	GRFMA Audit Committee
Meeting Date:	6 March 2023
Title:	GRFMA Policy Review

Recommendation

That the GRFMA Audit Committee:

1. **Receives the GRFMA Policy review documents as amended by Norman Waterhouse.**
 2. **Requests the Executive Officer to:**
 - a) **Facilitate identified document amendments.**
 - b) **Provide the amended policies to the 20 April 2023 GRFMA meeting for consideration and adoption.**
-

GRFMA resolution 22/23 provides:

That the GRFMA requests the Executive Officer to initiate legal review of the Public Consultation Policy, Code of Practice, Access to Meetings and Documents and the Internal Review of Decisions Policy, as feasible within budget allocations of \$4,000.

Norman Waterhouse Lawyers have now amended the following existing GRFMA policies:

- Fraud and Corruption Policy (now titled the Fraud, Corruption, Misconduct and Maladministration Policy)
- Public Consultation Policy (now titled the Consultation with Constituent Councils Policy)
- Procurement and Operations Policy

The following new policies have also been drafted:

- Code of Practice for Meeting Procedures
- Internal Review of Decisions Policy
- Work Health and Safety Policy * and
- Anti-Discrimination/Fair Treatment Policy

* Norman Waterhouse Lawyers were asked whether GRFMA requires a work health and safety policy and/or discrimination and bullying policy.

Response:

While GRFMA does not have any employees, under work health and safety legislation GRFMA still has an obligation to ensure the health and safety of its workers (which is not limited to employees and would also include contractors, consultants or volunteers) and other persons. GRFMA's officers must also exercise due diligence to ensure that GRFMA meets these obligations. It is therefore prudent to have such policies, especially as several Board members are Council members who may be accustomed to being exempt from WHS 'officer' status in their capacity as Council members. In our view these members are not similarly exempt in their capacity as GRFMA Board members.

Adopting these Work Health and Safety Policy and Anti-Discrimination/Fair Treatment Policies will in our view assist GRFMA's officers in discharging their duty of due diligence (but of course does not fully discharge the duty, which is an ongoing and proactive duty). These policies have been tailored to make them appropriate for an organisation of GRFMA's relatively small size.

We also note you have indicated that GRFMA does not have a freedom of information statement pursuant to section 9(1a) of the Freedom of Information Act 1991 (SA). We have not drafted one as realistically this is something which GRFMA is best placed to prepare. It should not be particularly onerous. However, we can provide further advice about this if requested.

The GRFMA Executive Officer has now drafted a freedom of information statement.

Existing policies not legally reviewed at this time, due to budget constraint are:

- Dam Valuation Policy
- Grant Policy
- Treasury Management Policy

The three policies will be reviewed at a future date.

Following discussion with the GRFMA Audit Committee Chair the policy review draft documents, were provided to Audit Committee Members to facilitate perusal and consideration prior to the 6 March 2023 GRFMA Audit Committee meeting (ie suitable lead time to read and provide any comment prior to the meeting and enable any relevant amendments before adoption).

Refer attached *Policy Review Committee Member Feedback* which provides collated received responses.

Draft policy documents attached:

- Fraud, Corruption, Misconduct and Maladministration Policy.
- Consultation with Constituent Councils Policy
- Procurement and Operations Policy as drafted.
- Code of Practice for Meeting Procedures.
- Internal Review of Decisions Policy.
- Work Health and Safety Policy; and
- Anti-Discrimination/Fair Treatment Policy.
- Freedom of information statement

Also attached City of Playford Procurement Policy and Procedures as example.

Policy Review – Audit Committee Member Feedback – February 2023

Policy	Comment	Action
Fraud, Corruption, Misconduct and Maladministration	<p>Definitions and 2.5 should be expanded to give examples of fraud similar to 2.2.1 for corruption.</p> <p>Fraud includes Theft such as stealing property, cash, Authority funds or assets; Falsification of records, accounts, or documents to deceive; Dishonestly destroying or concealing accounts or records; Embezzlement or misappropriation of funds or other assets; Misuse of assets or property for personal benefit; and Forgery or issuing false or misleading statements with intent to obtain financial advantage or deceive Heading 6 should be changed to Reporting Fraud (remover other)</p>	Inserted Track changes
Consultation with Constituent Councils	<p>There is a fundamental question to ask regarding this policy. Is there an expectation by the constituent councils that the GRFMA conduct community consultation on the activities of the Board, eg. On the development of the Stormwater Management Plan. Constituent councils would have the view that the Board should be doing this and in fact the Board has been doing this level of consultation in the past. The policy should be broadened to the Consultation with Community and Constituent Councils Policy. The Board could then consult with the Constituent Councils on the expectation and extent of community consultation.</p>	For Audit Committee discussion
Procurement and Operations Policy	<p>Suggestion that the procurement section of this policy is totally rewritten. It is highly prescriptive and too detailed. An example the City of Playford Procurement Policy and Procedures which provides high level principles, and enough detail to implement a procurement process, but are not prescriptive in every step to take. This could be a basis for rewriting this policy.</p>	For Audit Committee discussion
Code of Practice for Meeting Procedures	Nil	
Internal Review of Decisions Policy	Nil	

Policy	Comment	Action
Work Health and Safety Policy	<p>Applicable legislation should include WHS SA Act.</p> <p>Under 2 Scope should also include Committee members after Board members. Under 7. Reporting Incidents should there be a 7.3 to note any reporting requirements to SafeWork SA (I note there is a mention in 5.1.6).</p>	<p>Inserted Track changes</p> <p>Inserted Track changes</p> <p>For Audit Committee discussion</p>
Anti-Discrimination/ Fair Treatment Policy	The policy should be updated where statements note a worker must not harass to= workers must not bully and harass. The policy has separate definitions for bullying and harassment. Applicable Legislation should also include WHS SA Act.	Inserted Track changes
Freedom of information statement	Ensure that there is a procedure to publish the Information Statement annually.	Inserted Track changes (publish via Annual Report)
All Policies	<p>Suggestion that the review period for all policies be 4 years rather than 3. Given the timing of this review, this will align with the Council election cycle and resulting influx of new members of the Board. This would give the new board an opportunity to review the policy framework and sign off on it.</p> <p>Policies headings should only indicate the website address where copies of policies can be accessed</p>	<p>Inserted Track changes</p> <p>Inserted Track changes</p> <p>Typographical errors, where indicated, have been corrected.</p>

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY

Address: ~~266 Seacombe Road Seacliff Park, South Australia 5049~~

Telephone: ~~0407 717 368~~

Email: ~~david.hitchcock@bigpond.com~~

Website: www.gawler.sa.gov.au/grfma

Anti-Discrimination / Fair Treatment Policy

Strategic Reference:	Policy Documents
File Reference:	GRFMA, Admin, Policy
Responsibility:	Executive Officer
Applicable Legislation:	Local Government Act 1999 Work Health and Safety Act 2012
Related Policies/Codes:	
Related Procedures:	
Adopted:	
Minutes Reference:	
Revision Number:	1
Frequency of Review:	Every Three <u>Four</u> Years
Next Review Due:	February 202 7 <u>6</u>

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1. Introduction

- 1.1 This Policy has been developed recognising the need to reflect GRFMA's commitment to fairness and equal opportunity in the workplace.
- 1.2 This Policy applies to all GRFMA Board members, employees (including employees of other entities seconded to or otherwise placed in GRFMA), contractors, consultants and volunteers. In this Policy, these people are referred to as "Workers."
- 1.3 This Policy aims to provide information and set boundaries for Workers in terms of appropriate and acceptable behaviour in the workplace, and what constitutes inappropriate and unacceptable behaviour in the workplace.
- 1.4 This Policy intends to create a positive, respectful and productive working environment. It is important that all areas within GRFMA are working harmoniously and effectively.

2. Purpose

- 2.1 The objective of this Policy is to provide information and set boundaries for Workers in terms of appropriate and acceptable behaviour in the workplace, and negative behaviour that will not be accepted.
- 2.2 The objectives of the Policy are as follows:
 - 2.2.1 Provide access to all Workers about information and advice so they are able to carry out their duties in accordance with GRFMA's expectations;
 - 2.2.2 Educate and inform all Workers with respect to how to positively interact with each other, and what behaviour will be considered to be negative, harmful and unacceptable.
 - 2.2.3 Create a supportive environment among Workers that encourages a positive atmosphere;
 - 2.2.4 Encourage all Workers to have a healthy work/life balance, to not be subject to undue pressure;
 - 2.2.5 Ensure all Workers show respect to each other and to other GRFMA stakeholders;
 - 2.2.6 Inform all Workers of how to deal with conflicts in an appropriate manner, and if required follow due process; and
 - 2.2.7 Emphasise that negative and unacceptable behaviour that may include, but is not limited to: Bullying; Harassment; Sexual Harassment; racial discrimination; stereotyping cultures or behaviour; and intimidation, will not be tolerated in any form. These behaviours will be faced up to firmly and will be positively addressed.
- 2.3 GRFMA is committed to providing a safe and Harassment free workplace for Workers.

- 2.4 Workers must not **bully or** harass, discriminate against, or support others who harass, **bully** and discriminate against colleagues or members of the public. This includes, but is not limited to Harassment and discrimination on the grounds of sex, pregnancy, age, race (including colour, nationality, descent, ethnic or religious background), political affiliation, marital status, disability, sexuality, transgender or intersex status or carer's responsibility. It is the responsibility of everyone who is a part of, or associated with, GRFMA to eliminate such behaviours to create a positive and constructive culture for all to enjoy at work.
- 2.5 GRFMA has a duty of care and needs to balance Confidentiality of these issues with our legislative obligations. GRFMA will endeavour to maintain Confidentiality where applicable.

3. Scope and Application

- 3.1 This Policy applies to all Workers engaged by GRFMA.
- 3.2 This Policy applies to behaviours that occur:
- 3.2.1 in connection with work, even if it occurs outside normal working hours;
 - 3.2.2 during work activities, for example at meetings of GRFMA or when dealing with employees of Constituent Councils;
 - 3.2.3 at work-related events, for example at conferences and work-related social functions; and
 - 3.2.4 on social media where Workers interact with colleagues or other stakeholders and their actions may affect them either directly or indirectly.

4. Definitions

Alleged Offender	Person against whom a Complaint has been lodged.
Bullying	Workplace Bullying is repeated and unreasonable behaviour directed towards a Worker or a group of Workers that creates a risk to health and safety.
Complaint	A type of problem, concern or complaint related to work or the work environment. A Complaint may be about any act, omission, situation or decision that a person thinks is unfair, discriminatory or unjustified.
Complainant	Person who feels they have been subjected to some form of unfair, discriminatory or unjustified treatment.
Confidentiality	Only those persons directly involved in lodging or investigating a Complaint (which may include the Alleged Offender) will have access to information about the Complaint.
Executive Officer	The Executive Officer of GRFMA

GRFMA	Gawler River Floodplain Management Authority
Harassment	Any unwanted, unsolicited and unreciprocated behaviour, act or statement that offends, humiliates or distresses the recipient.
Sexual Harassment	<p>A person sexually harasses another person (the person harassed) if:</p> <ul style="list-style-type: none"> the person makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to the person harassed; or engages in other unwelcome conduct of a sexual nature in relation to the person harassed, <p>in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.</p>
Victimisation	<p>Any unfavourable treatment of, or disadvantage to, a person lodging a Complaint and/or person acting as a witness or assisting the Complainant, as a consequence of their involvement in a Complaint.</p> <p>The law protects the abovenamed persons from further disadvantage or mistreatment and management will take all necessary steps to ensure Victimisation does not occur.</p>
Vilification	<p>Any act that happens publicly, as opposed to privately, and that could incite (encourage, urge or stir up) others to hate or have serious contempt for, or severely ridicule a person, or a group of people, because of a personal attribute such as their race, sexuality, HIV or AIDS status or transgender status.</p> <p>Exceptions under the law include a fair report by media, acts of vilification that are done “reasonably and in good faith” for academic, artistic, scientific, research or other purposes in the “public interest” and material in parliamentary, court or tribunal proceedings or other Government inquiries.</p>

5. General Behaviour

5.1 GRFMA's constructive culture requires:

- 5.1.1 Treating everyone with respect, courtesy and dignity;
- 5.1.2 Open and balanced communication;
- 5.1.3 Respecting the roles of the other person;
- 5.1.4 Remembering basic courtesies;
- 5.1.5 Including people, rather than excluding people because of prejudice; and
- 5.1.6 Moving from blame to problem solving to deal with differences of opinion.

5.2 Workers must, at all times:

- 5.2.1 Act honestly in the performance of official duties at all times;
- 5.2.2 Act with reasonable care and diligence in the performance of official duties;
- 5.2.3 Discharge duties in a professional manner;
- 5.2.4 Act in a way that generates community trust and confidence in GRFMA;
- 5.2.5 Act in a reasonable, just, respectful and non-discriminatory way when dealing with all people;
- 5.2.6 Behave in a responsible and professional manner;
- 5.2.7 Treat others in the workplace with courtesy and respect;
- 5.2.8 Be fair and honest in their dealings with others.

6. Bullying and Harassment

6.1 GRFMA has a zero-tolerance stance in relation to Bullying and Harassment in the workplace.

6.2 Bullying can adversely affect the psychological and physical health of a person.

6.3 Bullying can be harmful to the person experiencing it and to those who witness it. The effects will vary depending on individual characteristics as well as the specific situation and may include one or more of the following:

- 6.3.1 distress, anxiety, panic attacks or sleep disturbance;
- 6.3.2 physical illness, for example muscular tension, headaches, fatigue and digestive problems;
- 6.3.3 loss of self-esteem and self-confidence;

- 6.3.4 feelings of isolation;
- 6.3.5 deteriorating relationships with colleagues, family and friends;
- 6.3.6 negative impact on work performance, concentration and decision-making ability;
- 6.3.7 depression; and
- 6.3.8 thoughts of suicide.
- 6.4 Bullying can be harmful to organisations as well as individuals, resulting in:
 - 6.4.1 high levels of absenteeism and staff turnover;
 - 6.4.2 breakdown of teams and work relationships;
 - 6.4.3 poor public image in terms of becoming known as a difficult place to work;
 - 6.4.4 reduced efficiency, productivity and profitability;
 - 6.4.5 unsafe work environment;
 - 6.4.6 poor morale, erosion of loyalty and commitment;
 - 6.4.7 increased costs associated with counselling, mediation and compensation claims, recruitment and retraining of new staff, management time; and
 - 6.4.8 potential litigation and associated costs.
- 6.5 Bullying is repeated and unreasonable behaviour directed towards a worker or a group of workers that creates a risk to health and safety.
- 6.6 Repeated behaviour refers to the persistent nature of the behaviour and can involve a range of behaviours over time.
- 6.7 Unreasonable behaviour means behaviour that a reasonable person, having considered the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening.
- 6.8 Examples of behaviour, whether intentional or unintentional, that may be workplace Bullying if they are repeated, unreasonable and create a risk to health and safety include but are not limited to:
 - 6.8.1 abusive, insulting or offensive language or comments;
 - 6.8.2 aggressive and intimidating conduct;
 - 6.8.3 belittling or humiliating comments;
 - 6.8.4 victimisation;
 - 6.8.5 practical jokes or initiation;

- 6.8.6 unjustified criticism or Complaints;
- 6.8.7 deliberately excluding someone from work-related activities;
- 6.8.8 withholding information that is vital for effective work performance;
- 6.8.9 setting unreasonable timelines or constantly changing deadlines;
- 6.8.10 setting tasks that are unreasonably below or beyond a person's skill level;
- 6.8.11 denying access to information, supervision, consultation or resources to the detriment of the worker;
- 6.8.12 spreading misinformation or malicious rumours;
- 6.8.13 changing work arrangements such as rosters and leave to deliberately inconvenience a particular worker or workers;
- 6.9 If the behaviour involves violence, for example physical assault or the threat of physical assault, it should be reported to the police.
- 6.10 A single incident of unreasonable behaviour is not workplace Bullying, however it may be repeated or escalate and so should not be ignored.
- 6.11 Reasonable management action taken in a reasonable manner does not constitute workplace Bullying. Reasonable management action may include:
 - 6.11.1 setting realistic and achievable performance goals, standards and deadlines;
 - 6.11.2 fair and appropriate rostering and allocation of working hours;
 - 6.11.3 transferring a worker to another area or role for operational reasons;
 - 6.11.4 deciding not to select a worker for a promotion where a fair and transparent process is followed;
 - 6.11.5 informing a worker about unsatisfactory work performance in an honest, fair and constructive way;
 - 6.11.6 informing a worker about unreasonable behaviour in an objective and confidential way;
 - 6.11.7 implementing organisational changes or restructuring; and/or
 - 6.11.8 taking disciplinary action, including suspension or terminating employment where appropriate or justified in the circumstances.
- 6.12 Workers must not engage in Bullying or Harassment inside or outside of the workplace and are expected to comply with the standards of conduct set out in this Policy at all times.

7. Unacceptable Behaviour

- 7.1 Further to section 6 of this Policy, the following types of conduct constitute unacceptable behaviour (these are non-exhaustive):
- 7.1.1 Workers demanding, without appropriate notice, access to information in a way that is not respectful of the position or time constraints of the other;
 - 7.1.2 Displaying confronting behaviour, such as abusive language, rudeness and aggression (i.e swearing, making a fist with hand);
 - 7.1.3 Undermining other Worker(s);
 - 7.1.4 Workers making personal attacks in a public forum;
 - 7.1.5 Behaviour, such as threats or intimidation (i.e invading personal space);
 - 7.1.6 Excluding others;
 - 7.1.7 Gossiping;
 - 7.1.8 Racist or sexual slurs;
 - 7.1.9 Victimisation or Harassment (including Sexual Harassment);
 - 7.1.10 Vilification;
 - 7.1.11 Workers, outside of their contractual responsibility, becoming directly involved in our business;
 - 7.1.12 Intimidation or use of perceived position of power to coerce others by fear, reprimand, humiliation or other threats;
 - 7.1.13 Psychological or physical Harassment, including Bullying or psychological threats;
 - 7.1.14 Violence and assault of another.

8. Responsibilities

- 8.1 **All Workers** have a role in demonstrating acceptable workplace behaviour.
- 8.2 **The Executive Officer and the Board** have a strong leadership role in demonstrating acceptable workplace behaviour. They are responsible for ensuring the endorsement, support and implementation of the policy and procedure. They are also responsible for:
- 8.2.1 Making sure that GRFMA meets its legal obligations with respect to Bullying and Harassment prevention;
 - 8.2.2 Fostering the development of a culture within the organisation that is respectful of individual Workers, and discourages Bullying, Harassment and discrimination of any sort;

- 8.2.3 Assisting reconciliation between the parties and investigating Complaints whether written or verbal;
 - 8.2.4 Ensuring that this Policy and information is made available to all Workers;
 - 8.2.5 Being available to other persons to answer enquiries about Harassment and Bullying and to assist in the resolution of Harassment and Bullying Complaints if requested;
 - 8.2.6 Ensuring Confidentiality and privacy is maintained in all matters as far as practicable;
 - 8.2.7 Considering and, where appropriate, investigating all Complaints, whether written, verbal, formal or informal;
 - 8.2.8 Acting as a mediator, when requested, ensuring that mediation meetings are fair, that all parties are heard without bias, and that all known facts of the Complaint are given the opportunity to be brought forward;
 - 8.2.9 Ensuring Complaints are resolved promptly, sensitively and with impartiality; and
 - 8.2.10 Continually monitoring Complaints that have been resolved to ensure that the negotiated outcomes have been implemented and that an assessment of the effectiveness of the negotiated strategies is conducted.
- 8.3 **Workers** are responsible for respecting the rights of other persons and to never encourage or condone Harassment or Bullying. Workers must comply with this Policy at all times. If a Worker believes that a fellow colleague is being harassed, he or she can help prevent further incidents of Harassment occurring by offering support to the person being harassed. Examples include:
- 8.3.1 Informing them that he or she is willing to act as a witness if the person being harassed decides to lodge a Complaint;
 - 8.3.2 Refusing to join in with any harassing activity; and
 - 8.3.3 Supporting the person being harassed.
- 8.4 It is not the responsibility of the person witnessing the Harassment to say anything to the offender.

9. Review

- 9.1 This Policy shall be reviewed by GRFMA every ~~three~~four years.
- 9.2 Upon review, GRFMA will communicate the updated Policy to all relevant persons.

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Code of Practice for Meeting Procedures

Strategic Reference:	Policy Documents
File Reference:	GRFMA, Admin, Policy
Responsibility:	Executive Officer
Applicable Legislation:	Local Government Act 1999
Related Policies/Codes:	
Related Procedures:	
Adopted:	
Minutes Reference:	
Revision Number:	1
Frequency of Review:	Every Three <u>Four</u> Years
Next Review Due:	February 202 7 <u>6</u>

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1. Introduction

- 1.1 Pursuant to clause 6.3.10 of the Charter of the Gawler River Floodplain Management Authority (GRFMA), the Board of GRFMA must adopt a Code of Practice for Meeting Procedures to apply to the proceedings at and conduct of meetings of the Board.
- 1.2 This Code of Practice for Meeting Procedures sets out the procedures to be followed at all meetings of the Board.
- 1.3 This Code should be read in conjunction with the GRFMA Charter.
- 1.4 In the event of any inconsistency between the Charter and this Code, the Charter shall prevail.

2. Scope

This Code applies to all meetings of the Board of GRFMA.

3. Principles

The following principles should be applied with respect to the procedures to be observed at Board meetings:

- 3.1 Procedures should facilitate open, transparent and informed decision-making;
- 3.2 Procedures should encourage appropriate community participation in the affairs of GRFMA;
- 3.3 Procedures should reflect levels of formality appropriate to the nature and scope of responsibilities exercised at a meeting; and
- 3.4 Procedures should be sufficiently certain to provide decision-makers with confidence in the deliberations undertaken at the meeting.

4. Notice of Meetings

- 4.1 Meetings will be held every two months on the third Thursday of the month (excluding Januarys), or as otherwise agreed between the members of the Board.
- 4.2 At least three clear days before a Board meeting, the Executive Officer must give written notice to all Board Members and Constituent Councils:
 - 4.2.1 setting out the date, time and place of the meeting;
 - 4.2.2 the agenda for the meeting; and
 - 4.2.3 providing any relevant documents or reports to be discussed at the meeting, to allow Board members sufficient time to review.

5. The Role of the Chair

- 5.1 The Chair is required to control the meeting procedures and has the task of:
- 5.1.1 ensuring proper notice was given and an agenda provided;
 - 5.1.2 checking (and usually signing) the minutes of previous meetings;
 - 5.1.3 ensuring the meeting gets through its business in a timely fashion;
 - 5.1.4 dealing with the order of business;
 - 5.1.5 keeping order and facilitating discussion;
 - 5.1.6 receiving motions, putting them to the vote and declaring the result;
 - 5.1.7 making sure decisions are reached on issues discussed and that everyone understands what the decisions are; and
 - 5.1.8 declaring the meeting closed.
 - 5.1.9 The Chair has a deliberative vote but in the event of an equality of votes does not have a casting vote.

6. Meeting Procedures

6.1 Convening meetings

- 6.1.1 All Board meetings must be properly convened in accordance with the Charter.
- 6.1.2 Ordinary meetings may be convened at such times and places as determined by the Board, except that there must be at least one ordinary meeting of the Board every two months.
- 6.1.3 Special meetings may be convened in accordance with clause 6.3.7 of the Charter.

6.2 Quorum

Before the Board meeting, a quorum must be established in accordance with the Charter. A quorum must then be maintained during the meeting. A valid resolution cannot be made unless a quorum is established.

6.3 Electronic meetings

- 6.3.1 At the discretion of the Board, a meeting may be held by telephone or audiovisual means (e.g. Zoom or Microsoft Teams) rather than in person.
- 6.3.2 Any electronic meeting is deemed to constitute a meeting of the Board provided that a quorum is present.

- 6.3.3 Each Board member taking part in the electronic meeting must at all times be able to hear and be heard by each of the other Board members present.
- 6.3.4 At the commencement of or upon entering an electronic meeting, each Board member must announce their presence to all other Board Members taking part in the meeting.
- 6.3.5 A Board member must not disconnect from an electronic meeting without first notifying the Chair of the meeting.
- 6.3.6 Public access should be provided to any electronic meeting in accordance with clause 6.4 of this Code.

6.4 Public access to meetings

- 6.4.1 The Charter provides that Chapter 6, Part 3 of the Local Government Act 1999 (SA) (LG Act) extends to GRFMA as if it were a Council.
- 6.4.2 Accordingly, all Board meetings are open to the public, except to the extent that it is appropriate for the meeting to be closed to the public as set out in section 90 of the LG Act.

7. Voting Procedures

7.1 Putting forward and voting on a motion

- 7.1.1 All motions provided with notice must be included in the agenda and circulated to Board members for consideration before a meeting for discussion and a decision. If a motion is passed it becomes a resolution. Resolutions are binding and should be recorded in the minutes of the meeting.
- 7.1.2 A motion may be proposed and passed in accordance with the following procedure:
 - 7.1.2.1 a Board member puts forward a motion, being a clear and concise proposal for a decision or action, to the meeting via the Chair.
 - 7.1.2.2 a second Board member agrees to 'second' the motion so it can be put before the meeting for consideration. A motion that is not seconded will lapse.
 - 7.1.2.3 there is an opportunity for Board members to discuss and speak for or against the motion.
 - 7.1.2.4 the motion is read aloud and voted on.
 - 7.1.2.5 if the motion is passed, it becomes a resolution. A resolution passed by a simple majority of votes (more than half of the Board members who cast a vote) is known as an ordinary resolution.
 - 7.1.2.6 the resolution is formally documented in the minutes along with the name of mover and seconder.

- 7.1.3 The Chair may refuse to accept a motion if the subject matter is, in their opinion, beyond the power of the Board.

7.2 Formal motions

- 7.2.1 A Board member who has not spoken in the debate on a question may move a formal motion.
- 7.2.2 A formal motion must be in the form of a motion set out in Clause 8.5 (inclusive) and no other formal motion to a different effect will be recognised.
- 7.2.3 If the formal motion is:
 - 7.2.3.1 that the meeting proceed to the next business, then the effect of the motion, if successful, is, in the case of an amendment, that the amendment lapses and the meeting proceeds with the consideration of the motion before the meeting without further reference to the amendment and, in the case of a motion, that the motion lapses and the meeting proceeds to the next item of business;
 - 7.2.3.2 that the question be put, then the effect of the motion, if successful, is that debate is terminated and the question put to the vote by the Chair without further debate;
 - 7.2.3.3 that the question lie on the table, then the effect of the motion, if successful, is that the meeting immediately moves to the next item of business and the question can then only be retrieved at a later time by resolution (and, if so retrieved, debate is then resumed at the point of interruption);
 - 7.2.3.4 that the question be adjourned, then the effect of the motion, if successful, is that the question is disposed of for the time being but debate can be resumed at the later time (at the point of interruption);
 - 7.2.3.5 that the meeting be adjourned, then the effect of the motion, if successful, is that the meeting is brought to an end immediately without the consideration of further business.
- 7.2.4 If seconded, a formal motion takes precedence and will be put by the Chair without discussion unless the motion is for an adjournment (in which case discussion may occur (but only occur) on the details for resumption).
- 7.2.5 A formal motion does not constitute an amendment to a substantive motion.
- 7.2.6 If a formal motion is lost:
 - 7.2.6.1 the meeting will be resumed at the point at which it was interrupted; and

7.2.6.2 if the formal motion was put during debate (and not at the end of debate) on a question, then a similar formal motion (ie a motion to the same effect) cannot be put until at least 1 Board member has spoken on the question.

7.2.7 A formal motion for adjournment must include the reason for the adjournment and the details for resumption.

7.3 Motions without notice

7.3.1 A Board member may bring forward any business by way of a motion without notice.

7.3.2 The Chair may refuse to accept a motion without notice if, after taking into account the principles (at Clause 3), they consider that the motion should be dealt with by way of a written notice of motion.

7.4 Varying a motion or resolution

7.4.1 The mover with the agreement of the meeting may vary a motion. Alternatively, a Board member may move an amendment to the original motion, which if successful will form part of the motion.

7.4.2 Any Board member may move an amendment to the original motion. Every proposed amendment must have a seconder.

7.4.3 A maximum of two (2) amendments can be made to any motion. However, there is no limit on the number of times the mover may vary the motion with the agreement of the meeting.

7.4.4 Resolutions can be withdrawn or cancelled at the same meeting by using the same procedure that applies for moving and adopting a resolution.

7.5 Questions

7.5.1 A Board member may ask a question on notice by giving the Chair written notice of the question at least five clear days before the date of the meeting at which the question is to be asked.

7.5.2 If notice of a question is given under Clause 10.1:

7.5.2.1 the Chair must ensure that the question is placed on the agenda for the meeting at which the question is to be asked; and

7.5.2.2 the question and the reply must be entered in the minutes of the relevant meeting.

7.5.3 A Board member may ask a question without notice at a meeting.

7.5.4 The Chair may allow the reply to a question without notice to be given at the next meeting.

7.5.5 A question without notice and the reply will not be entered in the minutes of the relevant meeting unless the Board members present at the meeting resolve that an entry should be made.

7.5.6 The Chair may rule that a question with or without notice not be answered if the Chair considers that the question is vague, irrelevant, insulting or improper.

7.6 Voting methods

7.6.1 The following methods of voting may be adopted at a meeting where the majority of Board members agree:

7.6.1.1 show of hands: Board members vote by raising their hand when asked if they are in favour or against the motion and a count is taken.

7.6.1.2 voice vote: a simple method by which Board members indicate their vote by saying 'yes' or 'no'. The decision is based on the volume of sound and there is no clear count of those in favour and against the motion;

7.6.1.3 rising method: similar to show of hands but Board members exercise their vote by standing up;

7.6.1.4 ballot: Board members cast their vote in writing;

7.6.1.5 proxy and/or postal votes;

7.6.2 In the absence of specific agreement otherwise, any vote will be conducted by show of hands.

7.7 Points of order

7.7.1 When a Board member is speaking in a meeting, another Board member should not interrupt that Board member unless:

7.7.1.1 the Chair interrupts in the interest of orderly conduct; or

7.7.1.2 there is a point of order.

7.7.2 A Board member may challenge a speaker's right to continue by raising a point of order. It may be that:

7.7.2.1 the speaker is addressing issues outside the subject matter of the motion;

7.7.2.2 fair rules of debate are not being followed;

7.7.2.3 the speaker is taking an unreasonable amount of time;

7.7.2.4 a quorum is not present; or

7.7.2.5 the language is offensive or abusive.

7.7.3 The original debate is suspended while the Chair listens to the reasons why the point of order has been raised and may invite discussion about the issue. It is the task of the Chair to rule on the point of order and their decision is final.

8. Review

8.1 This Policy shall be reviewed by GRFMA every ~~three~~four years.

8.2 Upon review, GRFMA will communicate the updated Policy to all relevant persons.

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY

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Consultation with Community and Constituent Councils Policy

Strategic Reference:	Policy Documents
File Reference:	GRFMA, Admin, Policy
Responsibility:	Executive Officer
Applicable Legislation:	
Related Policies/Codes:	
Related Procedures:	
Adopted:	
Minutes Reference:	
Revision Number:	1
Frequency of Review:	Every Four <u>Three</u> Years
Next Review Due:	February 202 <u>7</u> 6

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1. Introduction

- 1.1 The Gawler River Floodplain Management Authority (GRFMA) is committed to open, accountable and responsive decision making, which is informed by effective communication and consultation with its Constituent Councils and the community.

2. Policy Objective

- 2.1 The purpose of this policy is to ensure that the GRFMA engages in an appropriate level of consultation with its constituent councils and the community before making decisions by:
 - 2.1.1 Using appropriate and cost-effective methods which are relevant to the specific circumstances of each consultation topic;
 - 2.1.2 Identifying the level of impact on the community and key stakeholders;
 - 2.1.3 Informing and involving the local community, key stakeholders and interested parties (underpinned by a communication strategy); and
 - 2.1.4 Using feedback to enhance decision making.

3. Scope

- 3.1 This policy applies to the Board of GRFMA, and contractors, agents and consultants acting for or on behalf of the GRFMA.
- 3.2 The Executive Officer is responsible for the implementation of the Consultation with constituent councils Policy, establishing the consultation level, reporting outcomes of the consultations to the GRFMA, reviewing the value of the policy, and determining elements within that process where GRFMA has delegated responsibility.
- 3.3 GRFMA may, from time to time, alter this policy or substitute it with a new policy.

4. Consultation Required Pursuant to the Charter

- 4.1 The GRFMA Charter sets out the following circumstances in which GRFMA is required to engage in consultation with the constituent councils:
 - 4.1.1 The Authority must, in consultation with the constituent councils, conduct a review of its Asset Management Plan and Long Term Financial Plan as soon as practicable after the annual review of its Business Plan, concurrently with any review of the Strategic Plan, or in any event every four years.
 - 4.1.2 The Authority must review its Strategic Plan in consultation with the constituent councils every four years.
 - 4.1.3 The Authority must submit to each constituent council for approval, any proposed amendment to the budget.

5. Other Consultation Requirements

- 5.1 GRFMA may also engage in consultation with the constituent councils and the community in other circumstances at its discretion.
- 5.2 The types of factors that might be considered in determining whether consultation is warranted include:
 - 5.2.1 The number of stakeholders likely to be impacted;
 - 5.2.2 The scale of likely impacts; and
 - 5.2.3 Likely community interests.

6. Methods of Consultation

- 6.1 Generally, the Executive Officer is responsible for carrying out consultation and maintaining relationships with relevant contacts at constituent councils.
- 6.2 The Executive Officer will report the fact and outcome of consultation to the GRFMA Board as often and in the manner deemed appropriate by the Executive Officer, or as directed by the Board of GRFMA.
- 6.3 GRFMA generally does not perform public consultation. -Public consultation is typically carried out by constituent councils. However, if circumstances arise which in the view of the GRFMA Board may warrant GRFMA undertaking public consultation, the Executive Officer will communicate this to the constituent councils. -GRFMA will only conduct public consultation if directed by the constituent councils pursuant to clause 26 of Schedule 2 of the Local Government Act 1999 (SA).

7. Review

- 7.1 This Policy shall be reviewed by GRFMA every ~~three~~four years.
- 7.2 Upon review, GRFMA will communicate the updated Policy to all relevant persons.
- 7.3 This policy is available for inspection and download, free of charge, from the GRFMA website: www.gawler.sa.gov.au/grfma.

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Fraud, Corruption, Misconduct and Maladministration Prevention Policy

Strategic Reference:	Policy Documents
File Reference:	GRFMA, Admin, Policy
Responsibility:	Executive Officer
Applicable Legislation:	Independent Commission Against Corruption Act 2012 (SA) Ombudsman Act 1972 (SA) Public Interest Disclosure Act 2018 (SA)
Related Policies/Codes:	
Related Procedures:	
Adopted:	
Minutes Reference:	
Revision Number:	1
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Next Review Due:	February 2026

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1. Introduction and Scope

- 1.1 The Gawler River Floodplain Management Authority (GRFMA) is committed to acting in the best interests of its constituent councils and the community and to upholding the principles of honesty, integrity and transparency.
- 1.2 The purpose of this Policy is to:
 - 1.2.1 provide a clear statement to all Board members and employees that fraudulent conduct, Corruption, Misconduct and/or Maladministration is not acceptable and will not be tolerated;
 - 1.2.2 protects GRFMA assets, interests and reputation from the risks associated with Fraud, Corruption, Misconduct and/or Maladministration;
 - 1.2.3 outline GRFMA's approach to the prevention, detection and response to Fraud, Corruption, Misconduct and Maladministration;
 - 1.2.4 foster an ethical environment and culture which is conscious of, actively discourages, does not tolerate and appropriately deals with Fraud, Corruption, Misconduct and Maladministration;
 - 1.2.5 educates GRFMA Board members, employees, contractors, consultants, volunteers and members of the public about requirements and processes for reporting conduct reasonably suspected of being Fraud, Corruption, Misconduct and/or Maladministration;
 - 1.2.6 ensure that GRFMA develops a consistent approach to the establishment and maintenance of effective systems and internal controls to guard against fraud, corruption, misconduct and maladministration.
- 1.3 This Policy is intended to complement and be implemented in conjunction with the GRFMA Charter and GRFMA policies.
- 1.4 GRFMA will review and update this Policy following each general local government election (which results in new appointments to the Board).
- 1.5 This Policy applies to all GRFMA Board members, employees, contractors, consultants and volunteers of GRFMA.
- 1.6 This Policy is separate from any obligations which may arise under the Public Interest Disclosure Act 2018 (SA).

2. Definitions

For the purposes of this Policy the following definitions apply:

- 2.1 Commissioner means the person holding or acting in the office of the principal officer of the Independent Commission Against Corruption per section 8 of the ICAC Act.

- 2.2 Corruption means corruption in public administration, as provided for in section 5(1) of the ICAC Act, and in particular means conduct that constitutes:
- 2.2.1 an offence against Part 7 Division 4 (offences relating to public officers) of the Criminal Law Consolidation Act 1935, which includes the following offences:
 - 2.2.1.1 bribery or corruption of public officers;
 - 2.2.1.2 threats or reprisals against public officers;
 - 2.2.1.3 abuse of public office;
 - 2.2.1.4 demanding or requiring benefit on basis of public office;
 - 2.2.1.5 offences relating to appointment to public office; or
 - 2.2.2 an offence against the Public Sector (Honesty and Accountability) Act 1995 or the Public Corporations Act 1993, or an attempt to commit such an offence; or
 - 2.2.3 an offence against the Lobbyist Act 2015, or an attempt to commit such an offence; or
 - 2.2.4 any of the following in relation to an offence referred to in a preceding paragraph:
 - 2.2.4.1 aiding, abetting, counselling or procuring the commission of the offence;
 - 2.2.4.2 inducing, whether by threats or promises or otherwise, the commission of the offence;
 - 2.2.4.3 being in any way, directly or indirectly, knowingly concerned in, or party to, the commission of the offence;
 - 2.2.4.4 conspiring with others to affect the commission of the offence.
- 2.3 GRFMA means Gawler River Floodplain Management Authority.
- 2.4 Employee refers to all GRFMA employees whether they are working in a full-time, part-time or casual capacity and includes persons employed by other entities (such as Constituent Councils) who are seconded to or otherwise placed in GRFMA.
- 2.5 Fraud includes an intentional dishonest act or omission done with the purpose of deceiving for example:
- 2.5.1 theft such as stealing property, cash, Authority funds or assets;
 - 2.5.2 falsification of records, accounts, or documents to deceive;
 - 2.5.3 dishonestly destroying or concealing accounts or records;
 - 2.5.4 embezzlement or misappropriation of funds or other assets;

2.5.5 misuse of assets or property for personal benefit; and

2.5.6 forgery or issuing false or misleading statements with intent to obtain financial advantage or deceive.-

Note: There is no statutory or agreed common law definition of Fraud. Offences addressed under Part 5 and Part 6 of the Criminal Law Consolidation Act 1935 are considered to constitute Fraud offences. An ordinary or lay meaning of Fraud is 'to obtain dishonestly that which the person is not entitled to'. Fraud is a broad label applicable to conduct / practices that involve knowingly dishonest or deceitful behaviour meant to obtain an unjust benefit. Dishonesty is the key element in fraudulent behaviour, as provided for under section 131 of the Criminal Law Consolidation Act 1935.

2.6 ICAC Act is the Independent Commission Against Corruption Act 2012.

2.7 Maladministration means maladministration in public administration as defined in section 4(2) of the Ombudsman Act and in particular

2.7.1 means:

2.7.1.1 conduct of a public officer, or a practice, policy or procedure of a public authority, that results in an irregular and unauthorised use of public money or substantial mismanagement of public resources; or

2.7.1.2 conduct of a public officer involving substantial mismanagement in or in relation to the performance of official functions; and

2.7.2 includes conduct resulting from impropriety, incompetence or negligence; and

2.7.3 is to be assessed having regard to relevant statutory provisions and administrative instructions and directions.

2.8 Misconduct means misconduct in public administration as defined in section 4(1) of the Ombudsman Act and in particular means 'an intentional and serious contravention of a code of conduct by a public officer while acting in their capacity as a public officer that constitutes a ground of disciplinary action against the officer.'

2.9 Office for Public Integrity (OPI) is the office established under the ICAC Act that has the function to:

2.9.1 receive and assess complaints about public administration from members of the public;

2.9.2 receive and assess reports about corruption, misconduct and maladministration in public administration from inquiry agencies (including the Ombudsman), public authorities (including GRFMA) and public officers; and

- 2.9.3 refer complaints and reports to inquiry agencies, public authorities and public officers in circumstances approved by the Commissioner or make recommendations as to whether and by whom complaints and reports should be investigated.

2.10 Ombudsman Act means the Ombudsman Act 1972 (SA)

2.11 PID Act means the Public Interest Disclosure Act 2018.

2.12 Public Officer has the meaning given by section 4 and Schedule 1 of the ICAC Act, and includes:

- 2.12.1 a GRFMA Board member; and

- 2.12.2 an employee or officer of GRFMA;

2.13 Publish is defined in section 4 of the ICAC Act, and means publish by:

- 2.15.1 newspaper, radio or television;

- 2.15.2 internet or other electronic means of creating and sharing content with the public or participating social networking with the public; or

- 2.15.3 any similar means of communication with the public.

3. Prevention

3.1 GRFMA recognises that the occurrence of Fraud, Corruption, Misconduct and Maladministration will be more likely to prevail in an administrative environment where opportunities exist for waste and abuse.

3.2 GRFMA also recognises that the most effective way to prevent the occurrence of Fraud, Corruption, Misconduct and Maladministration is to instill and continually reinforce a culture across GRFMA of acting lawfully, ethically and in a socially responsible manner, and to support this culture with the implementation of appropriate internal control mechanisms.

3.3 GRFMA expects Board members, employees, contractors, consultants and volunteers will assist in facilitating a sound ethical culture and preventing Fraud, Corruption, Misconduct and Maladministration by:

- 3.3.1 understanding the responsibilities of their positions;

- 3.3.2 familiarising themselves with GRFMA policies and procedures and adhering to them;

- 3.3.3 understanding what behaviour constitutes Fraud, Corruption, Misconduct and/or Maladministration;

- 3.3.4 maintaining an awareness of the strategies that have been implemented by GRFMA to minimise Fraud, Corruption, Misconduct and Maladministration;

- 3.3.5 being continuously vigilant to the potential for Fraud, Corruption, Misconduct and Maladministration to occur in the GRFMA environment; and
- 3.3.6 reporting suspected or actual occurrences of Fraud, Corruption, Misconduct and Maladministration in accordance with Part 5 and 6 of this Policy.

4. Education and Awareness

- 4.1 GRFMA recognises that the success and credibility of this Policy will largely depend upon how effectively it is communicated throughout the organisation and beyond.
- 4.2 GRFMA will, therefore, from time to time take proactive steps towards ensuring that the wider community is aware of GRFMA's zero-tolerance stance towards Fraud, Corruption, Misconduct and Maladministration, including by:
 - 4.2.1 promoting GRFMA's initiatives and policies regarding the control and prevention of Fraud, Corruption, Misconduct and Maladministration on the GRFMA website and at GRFMA offices; and
 - 4.2.2 referring to GRFMA's Fraud, Corruption, Misconduct and Maladministration initiatives in GRFMA's Annual Report.

5. Reporting Corruption, Misconduct or Maladministration

- 5.1 Any Public Officer who has or acquires knowledge of actual or reasonably suspected Corruption in GRFMA or in other public administration must report this information to the OPI as soon as practicable in accordance with the Directions and Guidelines for Public Officers published by the OPI pursuant to section 18B(1) of the ICAC Act.

- 5.1.1 A report to the OPI should be made using the online report form available at: <http://publicintegrity.sa.gov.au>

Note: Particulars of what a report should include are available in the Directions and Guidelines for Public Officers.

- 5.2 Any Public Officer who has or acquires knowledge of actual or reasonably suspected Misconduct or Maladministration should report this information to the Ombudsman as soon as practicable in accordance with the Ombudsman's Directions and Guidelines.

- 5.2.1 A report to the Ombudsman should be made using the online report form available at: <https://www.ombudsman.sa.gov.au/make-a-report>

Note: Particulars of what a report should include are available in the Ombudsman's Directions and Guidelines.

- 5.3 Any member of the public who has or acquires knowledge of reasonably suspected Corruption, Misconduct or Maladministration may make a complaint to the OPI or Ombudsman, as the case may be.

- 5.4 Nothing in this section is intended to prevent a Public Officer or member of the public from reporting reasonably suspected Corruption or Maladministration in GRFMA or in other public administration to another relevant authority for the purposes of the PID Act. Relevant authorities for the purposes of the PID Act include (depending on the circumstances) the Environment Protection Agency, the Auditor-General or a member of the police force. Such a disclosure may be protected under the PID Act.
- 5.5 Further information about reporting requirements is available at the OPI's website: <https://publicintegrity.sa.gov.au> and the Ombudsman's website: <http://ombudsman.sa.gov.au>
- 5.6 Where a GRFMA Board member, employee, contractor, consultant, volunteer or member of the public acquires knowledge of reasonably suspected Corruption, Misconduct or Maladministration in GRFMA, they are encouraged to also bring this matter to the attention of the Executive Officer (separate to any report or complaint made to OPI or the Ombudsman), but only if they feel comfortable to do so. The Executive Officer will endeavour to keep the matter confidential as far as practicable and to the extent permissible by law.

6. Reporting ~~Other~~ Fraud

- 6.1 Where a GRFMA Board member, employee, contractor, consultant or volunteer has or acquires knowledge of actual or reasonably suspected Fraud or other similar conduct that does not constitute Corruption or Misconduct or Maladministration, that knowledge should be reported to GRFMA's Executive Officer. The Executive Officer will endeavour to keep the matter confidential as far as practicable and to the extent permissible by law.

7. Confidentiality and Publication Prohibitions

- 7.1 A person who receives information knowing that the information is connected with a matter that forms or is the subject of a complaint, report, assessment, investigation, referral or evaluation under the ICAC Act must not disclose that information, other than in the limited circumstances set out in section 54(3) of the ICAC Act or section 29A(3) of the Ombudsman Act.
- 7.2 A person must not, other than as authorised by the Commissioner or the Director of OPI in the case of matters under the ICAC Act, or the Ombudsman or a person approved by the Ombudsman in the case of matters under the Ombudsman Act, publish or cause to be published any of the following:
- 7.2.1 information tending to suggest that a particular person is, has been, may be, or may have been, the subject of a complaint, report, assessment, investigation or referral under the ICAC Act or the Ombudsman Act;
 - 7.2.2 information that might enable a person who has made a complaint or report under the ICAC Act or the Ombudsman Act to be identified or located;
 - 7.2.3 the fact that a person has made or may be about to make a complaint or report under the ICAC Act or the Ombudsman Act;

- 7.2.4 information that might enable a person who has given or may be about to give information or other evidence under the ICAC Act or the Ombudsman Act to be identified or located;
 - 7.2.5 the fact that a person has given or may be about to give information or other evidence under the ICAC Act or the Ombudsman Act; or
 - 7.2.6 any other information or evidence which the Commission or the Ombudsman has prohibited from publication.
- 7.3 A failure to comply with confidentiality requirements pursuant to the ICAC Act or the Ombudsman Act can constitute an offence. A GRFMA employee who fails to comply with these requirements may also face disciplinary action which may include dismissal from employment.

8. Action by the Executive Officer

- 8.1 Unless otherwise directed by the OPI, ICAC, Ombudsman or SAPOL, the Executive Officer will investigate how the alleged Corruption, Fraud, Misconduct or Maladministration occurred to determine the cause for the breakdown in controls and identify if any recommendations as to changes in policies, procedures or internal controls should be made to GRFMA. The investigation should:
- 8.1.1. occur as soon as practicable after the alleged incident; and
 - 8.1.2. not impose on or detract from any investigation being undertaken by ICAC, the Ombudsman or SAPOL;
 - 8.1.3. have regard to any recommendations in any report received from the ICAC, the Ombudsman or SAPOL on the incident.
- 8.2 The Executive Officer will, in conducting the investigation and deciding whether and how to report on the investigation to GRFMA, have regard to any confidentiality requirements under the ICAC Act, Ombudsman Act or PID Act.
- 8.3 Action taken by the Executive Officer following an investigation into alleged Fraud, Corruption, Misconduct or Maladministration may include disciplinary action against any employee involved in the incident.

9. False Disclosure

- 9.1 A person who knowingly makes a false disclosure or a false or misleading statement in a complaint or report may be guilty of an offence under the ICAC Act or the Ombudsman Act.
- 9.2 A GRFMA employee who makes a false disclosure may also face disciplinary action which may include dismissal from employment.

10. Review

- 10.1 This Policy shall be reviewed by GRFMA every ~~three~~four years.
- 10.2 Upon review, GRFMA will communicate the updated Policy to all relevant persons.

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY

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Freedom of Information Statement Policy

Strategic Reference:	Policy Documents
File Reference:	GRFMA, Admin, Policy
Responsibility:	Executive Officer
Applicable Legislation:	Local Government Act 1999
Related Policies/Codes:	
Related Procedures:	
Adopted:	
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Next Review Due:	February 202 <u>7</u> 6

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1. Introduction

- 1.1 This Freedom of Information Statement is published by the Gawler River Floodplain Management Authority (GRFMA) in accordance with Section 9 of the Freedom of Information Act 1991 (SA) (FOI Act). The GRFMA is pleased to comply with the legislation and publishes an updated Information Statement every twelve months to provide an overview of the types of information held by the Authority.
- 1.2 The purpose of this statement is to assist members of the public to identify the functions and decision making processes of GRFMA, detail the type of information held by GRFMA and advise how it can be accessed by the public.

2. Structure of GRFMA

- 2.1 ~~GRFMA~~ The GRFMA was formed as a Regional Subsidiary under Section 43 and Schedule 2 of the Local Government Act 1999 on 22 August 2002. The Constituent Councils are the Adelaide Hills Council, The Adelaide Plains Council, The Barossa Council, The Town of Gawler, Light Regional Council, and the City of Playford.

3. Functions of GRFMA

- 3.1 The Charter sets down the powers, functions, safeguards, accountabilities, and an operational framework.
- 3.2 The Authority has been established for the purpose of coordinating the planning, construction, operation, and maintenance of flood mitigation infrastructure for the Gawler River, and for the following functions:
 - 3.2.1 to raise finance for the purpose of developing, managing, and operating and maintaining works approved by the Board;
 - 3.2.2 to provide a forum for the discussion and consideration of topics relating to the Constituent Council's obligations and responsibilities in relation to management of flooding of the Gawler River;
 - 3.2.3 to advocate on behalf of the Constituent Councils and their communities where required to State and Federal Governments for legislative policy changes on matters related to flood mitigation and management and associated land use planning with Gawler River flood mitigation;
 - 3.2.4 to facilitate sustainable outcomes to ensure a proper balance between economic, social, environmental, and cultural consideration; and
 - 3.2.5 to provide advice as appropriate to the Constituent Councils in relation to development applications relevant to the Authority's roles and functions.

4. Full GRFMA and Provisions for Meeting Procedures

- 4.1 The Authority is governed by the Board of management. The Board comprises of
 - 4.1.1 One independent person, who is not an officer, employee, or elected member of a constituent council, to be appointed as the Chairperson of the Board of Management of the GRFMA for a term of three years.

- 4.1.2 Two persons appointed from each of the six constituent councils (12 members in total). Council appointees comprise of the Council CEO, or delegate and one Elected Member.
- 4.1.3 Deputy Board members as appointed by each constituent council
- 4.2 Meetings of the Board are held at such time and such place as the Board decides subject only to the requirement that there will be at least one meeting in every two calendar months. A special meeting of the Board may be held at any time and may be called at the request of the Chairperson or at the written request of six members of the Board representing all the Constituent Councils.
- 4.3 Ordinary meetings of the Board are generally held bi-monthly on the third Thursday of the even months commencing at 9.45am: excepting December which is held on the second Thursday. Meetings are hosted by the Constituent Councils on a rotational roster.
- 4.4 All meetings are open to the public, except for any matters subject to an order of confidentiality. (S90, LG Act).
- 4.5 Notices of all meetings of GRFMA and its Committees are available on the GRFMA website www.gawler.sa.gov.au/grfma.

5. GRFMA Committees

- 5.1 The Authority may establish committees pursuant to clause 9 of the GRFMA charter.
- 5.2 A list of GRFMA Committees is listed below:
 - 5.2.1 GRFMA Audit Committee
- 5.3 The Audit Committee monitors and makes recommendations to GRFMA about a range of matters related to financial reporting, internal controls, risk management systems and other relevant functions, as set out in the Audit Committee's Terms of Reference.

6. GRFMA and GRFMA Committee Agendas and Minutes

- 6.1 All agendas and minutes of a meeting of the GRFMA, or a key GRFMA Committee are available on GRFMA's website.
- 6.2 Agendas can be accessed no less than three (3) working days prior to the meeting and minutes are available within five (5) working days after the meeting.
- 6.3 Items on the Agenda considered under Section 90 of the LG Act are unavailable for viewing and that part of the meeting will be closed to the public.

7. Information and Briefing Sessions

- 7.1 Informal gatherings are for information purposes only and not for decision making.
- 7.2 The GRFMA or the Executive Officer may arrange for the holding of an information or briefing session. To constitute an information or briefing session under the Local Government Act more than one (1) member of the GRFMA or GRFMA committee must be invited to attend or be involved in the session. The session must be convened for the purposes of providing information or a briefing to attendees (S90A(1) of the LG Act).

8. Consultation

- 8.1 The GRFMA Charter sets out the following circumstances in which GRFMA is required to engage in consultation with the constituent councils:
 - 8.1.1 The Authority must, in consultation with the constituent councils, conduct a review of its Asset Management Plan and Long Term Financial Plan as soon as practicable after the annual review of its Business Plan, concurrently with any review of the Strategic Plan, or in any event every four years.
 - 8.1.2 The Authority must review its Strategic Plan in consultation with the constituent councils every four years.
 - 8.1.3 The Authority must submit to each constituent council for approval, any proposed amendment to the budget.
- 8.2 GRFMA may also engage in consultation with the constituent councils in other circumstances at its discretion.
- 8.3 The types of factors that might be considered in determining whether consultation is warranted include:
 - 8.3.1 The number of stakeholders likely to be impacted.
 - 8.3.2 The scale of likely impacts; and
 - 8.3.3 Likely community interests
 - 8.3.4 Likely community interests.

9. Access to GRFMA Documents

- 9.1 GRFMA holds a number of different types of documents. There is no charge to inspect certain documents without recourse to the Freedom of Information Act 1991 (SA) and many are available on GRFMA's website. In most cases, copies of the documents (or extracts) may be purchased.
- 9.2 Where copyright laws apply to a document GRFMA must have written permission of the copyright owner to reproduce it.

9.3 This Statement will be published annually on GRFMA's website.

10. Other Information Reports

- 10.1 Requests for other information not publicly available will be considered in accordance with the FOI Act. Under this legislation, applicants seeking access to documents held by GRFMA must provide sufficient information to enable the correct documents to be identified and must complete the required application form and lodge it at the GRFMA office.
- 10.2 Before making an application you may wish to speak to the Executive Officer who will be able to tell you if making an FOI application is the best approach.
- 10.3 Applications must be in writing and must specify that they are made under Section 13 of the FOI Act. Application forms are available from the GRFMA and State Records Website.
- 10.4 Under freedom of information you can apply to have documents concerning your personal affairs amended, by completing an Amendment Application Form, if they are incomplete, incorrect, misleading or out-of-date.
- 10.5 If the documents relate to the applicant's personal affairs, proof of identity may be requested. If documents are being sought on behalf of another person relating to their personal affairs, GRFMA may ask for a consent form signed by that person.
- 10.6 On receiving an FOI application, an officer may assist the applicant to direct the application to another agency or transfer the application to another agency if appropriate.
- 10.7 Requests will be dealt with as soon as practicable (and in any case, within thirty (30) days) after receipt.
- 10.8 In some cases, retrieving the requested information involves considerable officer time. It is important to specify what is required as clearly as possible so staff can assist quickly and efficiently. If extraordinary officer time is required to comply with an information request, charges may apply.
- 10.9 If GRFMA refuses access to a document, the GRFMA must issue a certificate stating why the document is a restricted document.
- 10.10 All general enquiries on FOI Act issues should be directed to Executive Officer.
- 10.11 Freedom of Information Application Fees and Processing Charges
- 10.12 Approved application fees are set in the FOI (Fees and Charges) Regulations 2003
- 10.13 If, in the GRFMA's opinion, the cost of dealing with an application is likely to exceed the application fee, an advance deposit may be requested. The request will be accompanied by a notice that sets out the basis on which the amount of the deposit has been calculated. The Executive Officer will endeavour to work with the applicant to define the scope of the request and the costs involved.

11. Review

- 11.1 This Statement will be reviewed and updated each financial year and the updated Statement published on GRFMA's website.

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY

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Internal Review of Decisions Policy

Strategic Reference:	Policy Documents
File Reference:	GRFMA, Admin, Policy
Responsibility:	Executive Officer
Applicable Legislation:	Local Government Act 1999
Related Policies/Codes:	
Related Procedures:	
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1. Introduction

- 1.1 The Gawler River Floodplain Management Authority (GRFMA) acknowledges that, as a regional subsidiary, its decisions made on behalf of its Constituent Councils should be subject to appropriate review, to ensure decisions made are fair, reasonable and objective.
- 1.2 Pursuant to section 270(a1) of the Local Government Act 1999 (SA), there must be policies, practices and procedures for dealing with complaints about actions of persons acting on behalf of local government councils.
- 1.3 GRFMA has implemented this Policy to facilitate the review of decisions made by GRFMA on behalf of its Constituent Councils.

2. Scope

- 2.1 This Policy applies to any decisions made by GRFMA on behalf of one or more Constituent Councils.
- 2.2 The following decisions will not fall under the scope of this policy:
 - 2.2.1 decisions made by GRFMA which are not on behalf of one or more Constituent Councils;
 - 2.2.2 decisions made by a Constituent Council (even if related to a matter in which GRFMA has an interest);
 - 2.2.3 any other decisions which are not subject to review for any of the reasons set out in clause 3 of this Policy.

3. Definitions

Application	An application for review of a Reviewable Decision made in accordance with this Policy.
Applicant	A person who has made an application.
Constituent Councils	The Constituent Councils of GRFMA.
Executive Officer	The Executive Officer of GRFMA.
Reviewable Decision	A decision made by GRFMA on behalf of the Constituent Councils which is reviewable under this Policy.
Reviewed Decision	A Reviewable Decision which is the subject of an application.

4. Decisions Subject to Review

- 4.1 This Policy will not apply to all actions or decisions by GRFMA made on behalf of the Constituent Councils.
- 4.2 Actions or steps taken during the process of decision-making (including but not limited to requests for further information, internally considering a matter or referring a matter to an external advisor) are not Reviewable Decisions and this Policy will not apply to such actions.
- 4.3 Decisions which are reviewable under this Policy are those made when a matter, issue or query is finally determined.
- 4.4 This Policy will not apply where applicable legislation specifically provides for a different internal review process.
- 4.5 This Policy will not apply where its operation would override or operate inconsistently with statutory review or appeal processes which may apply to decisions GRFMA has made on behalf of its Constituent Councils.
- 4.6 GRFMA may refuse to consider an Application for review if:
 - 4.6.1 the Application is made by an employee of GRFMA and relates to an issue concerning their employment;
 - 4.6.2 the Application is trivial, frivolous or vexatious; or
 - 4.6.3 the Applicant does not have a sufficient interest in the matter.

5. Applying for Review

- 5.1 A person who has a sufficient interest in a Reviewable Decision may make a written Application to the Executive Officer.
- 5.2 The Applicant's written Application must include:
 - 5.2.1 the reasons for applying for the review (that is, why the applicant believes that the Reviewable Decision is wrong); and
 - 5.2.2 any additional information, material or evidence to support the application.
- 5.3 An Application must be made within three months of the Reviewable Decision being made (unless a longer period for submitting an Application has been approved by the Executive Officer).
- 5.4 GRFMA will provide assistance where appropriate to Applicants requiring assistance to apply for review, for example, providing access to interpreters or aids.

6. Review Process

- 6.1 Where possible, the Executive Officer will acknowledge receipt of an Application within 5 business days. The Executive Officer will also set out an expected timeframe in which the review will be finalised.

- 6.2 The Executive Officer is responsible for reviewing the Reviewed Decision at the first instance. However, the Board of GRFMA, at its discretion, may appoint an alternate reviewer.
- 6.3 The reviewer may be assisted by an external person or body in undertaking the review.
- 6.4 The reviewer will be required to:
 - 6.4.1 assess the Reviewed Decision and the Application;
 - 6.4.2 undertake a merits review of the Reviewed Decision, taking into consideration all materials and information which were before the original decision maker and any additional relevant material which has been provided or become available since the Reviewed Decision was made;
 - 6.4.3 determine the best or preferable decision; and
 - 6.4.4 prepare a report to the Board of GRFMA recommending whether to affirm, vary or revoke the Reviewed Decision (the Recommended Outcome).
- 6.5 The Board of GRFMA must consider the report prepared by the reviewer under clause 6.4.4. The Board of GRFMA may, but need not, adopt the Recommended Outcome. The Board of GRFMA will only depart from the Recommended Outcome if there are cogent reasons to do so.
- 6.6 The reviewer will provide the Applicant with reasons for the Outcome, unless this is not possible, practicable or lawful.
- 6.7 Throughout this process, the reviewer must observe the principles of procedural fairness. This means that:
 - 6.7.1 the Applicant will be entitled to put forward information and materials in support of their Application;
 - 6.7.2 the Applicant will be informed of the proposed outcome of the review, have the opportunity to make submissions to the reviewer on the proposed outcome, and have these submissions taken into account; and
 - 6.7.3 the reviewer must not have a bias or a perceived bias in respect of undertaking the review.
- 6.8 The reviewer will, as far as practicable, provide the Applicant with regular updates as to the progress of the review.

7. Review

- 7.1 This Policy shall be reviewed by GRFMA every ~~three~~four years.
- 7.2 Upon review, GRFMA will communicate the updated Policy to all relevant persons.

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY

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Procurement and Operations Policy

Strategic Reference:	Policy Documents
File Reference:	GRFMA, Admin, Policy
Responsibility:	Executive Officer
Applicable Legislation:	
Related Policies/Codes:	
Related Procedures:	
Adopted:	
Minutes Reference:	
Revision Number:	1
Frequency of Review:	Every Three <u>Four</u> Years
Next Review Due:	February 202 <u>7</u> 6

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1. Introduction

The purpose of this Procurement and Operations Policy is to provide prudent management guidelines for the day-to-day management of the affairs of the Authority, to ensure transparency in its dealings with public funds.

2. Definitions

The following definitions shall apply:

- **“Authority”** Shall mean the Gawler River Floodplain Management Authority.
- **“Authorised Officer”** Any person appointed by the Gawler River Floodplain Management Authority, and shall include the Executive Officer, for the purposes of the Code.
- **“Code”** The Standard Code of Tendering.
- **“GRFMA”** Shall mean the Gawler River Floodplain Management Authority.

3. Monies Received

- 3.1 A receipt shall be issued for all monies received by the Authority. All receipts shall be consecutively numbered and accounted for in a monthly operations statement.
- 3.2 The Executive Officer shall cause all cheques received by the Authority to be crossed "NOT NEGOTIABLE - Credit the GRFMA."

4. Banking of Monies Received

- 4.1 Monies received by the Authority must be banked not more than one business day after it is receipted. Prior to banking, all monies received must be secured in a locked safety receptacle prior to banking.
- 4.2 The monies banked must be reconciled daily with the monies received.
- 4.3 Cheques received and not banked must be secured in safe custody.

5. Purchasing Procedures

- 5.1 No goods or services are to be purchased by the Authority unless they have been included in the approved Budget of the Authority.
- 5.2 Goods and services shall be obtained only on the written authority of the Executive Officer or the Chairperson of the Authority.. A copy of the written authority shall be retained and filed with the payment voucher for the service.
- 5.3 All goods must be assessed as to their qualities and safety aspects appropriate to the goods being purchased and to ensure that the goods are appropriate for the purpose for which they are required.

6. Receipt of Goods

- 6.1 All goods and services received shall be checked to ensure that:
- the quantity of goods conforms with the written request;
 - the goods are in good order and condition;
 - the price charged is in accordance with the written request and is fair and reasonable; and
 - all calculations are correct and comply with GST requirements.
- 6.2 The Executive Officer shall sign the duplicate copy of the request for service to indicate that the appropriate checks have been made.

7. Accounts for Payment

- 7.1 Disbursements of the Authority shall be by electronic funds transfer (EFT), or, where EFT is not possible, by cheque.
- 7.2 All invoices, together with the copy of the request for service, goods received notification packing notes and cart notes and payment and posting voucher, are to form the originating documents for payment by either EFT or cheque.
- 7.3 All relevant supporting documents indicated in clause 7.02 shall be provided to the signatories of the Authority's bank account for authorisation, who will be appointed by the Board. Two signatories must authorise the payment before it can be made. Signatories shall not authorise payment transactions or sign the cheque unless it is accompanied by the supporting documentation which shows that the goods and services were requested, have been received in good order, have been priced correctly, and that computations are correct.
- 7.4 All EFT payments and cheques drawn shall be listed in a monthly operations statement of the Authority.

8. Bank Accounts

- 8.1 The Authority shall operate a Trading Bank Account with an Australian authorised deposit-taking institution.
- 8.2 Bank reconciliations are to be performed monthly.
- 8.3 The Authority may operate Term Deposit Investment Accounts and Trading Advance Accounts with an Australian authorised deposit-taking institution and / or the Local Government Finance Authority of South Australia.
- 8.4 Any bank account can only be opened with approval from the Board.

9. Financial Reporting

9.1 The Executive Officer shall prepare for every Board Meeting of the Authority:

9.1.1 A monthly operations statement that shall show the details of all receipts and payments to and from all sources by the Authority.

9.1.2 A monthly statement of operations comparing the receipts and payments with the approved budget.

9.1.3 A reconciliation statement of all bank accounts with the monthly operations statement.

9.1.4 A report showing the time spent each month by the Executive Officer on each duty under the contract job description.

9.2 The Executive Officer shall prepare a Draft Budget for consideration by the Board at its February meeting each year.

9.3 The final Budget will be approved by the Board at its June meeting.

9.4 Annual Reporting, Significant Accounting Policies

9.4.1 The Local Government Reporting Entity

- The Gawler River Floodplain Management Authority general purpose financial report is prepared in accordance with Australian Accounting Standards as they apply to not-for-profit entities, other authoritative pronouncements of the Australian Accounting Standards Board, Interpretations and relevant South Australian legislation.
- The Gawler River Floodplain Management Authority is a Regional Subsidiary under Section 43 and Schedule 2 of the Local Government Act 1999 (SA). The Constituent Councils are the Adelaide Hills Council, The Adelaide Plains Council, The Barossa Council, Town of Gawler, Light Regional Council and The City of Playford.
- All funds received and expended by the Authority are included in the financial statements forming part of the financial report.

9.4.2 Basis of Accounting

The financial report is prepared on an accrual basis and is based on historical costs and does not take into account changing money values, or except where specifically stated, current valuation of non-current assets.

9.4.3 Employees

The Authority has no employees.

9.4.4 Investments

Investments are valued at cost. Interest revenues are recognised as they accrue.

9.4.5 Cash

For purposes of the statement of cash flows, cash includes cash deposits which are readily convertible to cash on hand and which are used in the cash management function on a day to day basis, net of outstanding bank overdraft.

9.4.6 Infrastructure

The Bruce Eastick North Para Flood Mitigation Dam was constructed in 2007. The valuation includes all materials, contractor's costs plus costs incidental to the acquisition, including engineering design and supervision fees and all other costs incurred.

9.4.7 Land

The dam land includes the land on which the dam is constructed, rights of way access to the land and 'right to flood' easements over the land upstream from the dam that will be inundated by dam waters for short periods of time during a flood event. The Board valuation was undertaken at 30th June 2018.

9.4.8 Revaluation and Depreciation

Refer to the separate Dam (Bruce Eastick North Para Flood Mitigation Dam) Depreciation Policy on this matter.

9.4.9 Revenue

Revenue from the sale of services is recognised upon the delivery of the service to customers. Interest revenue is recognised on a proportional basis taking into account the interest rates applicable to the financial assets. Dividend revenue is recognised when the rights to receive a dividend has been established. All revenue is stated net of the amount of goods and services tax (GST).

9.4.10 Functions / Activities of the Authority

Revenues and expenses have been attributed to the following functions / activities, descriptions.

- Administration: The operations of the Authority and its Board
- Other Environment: Flood Mitigation
- Functions of the Gawler River Floodplain Management Authority (excluding depreciation)

10. Code of Tendering

Process

- 10.1 The GRFMA shall only enter into purchasing contracts as herein defined.
- 10.2 Before tenders are publicly invited the GRFMA shall
 - 10.2.1 Facilitate the preparation of Tender Documents.
 - 10.2.2 Appoint Authorised Officers for the management of the tender process (refer to 12.3.1).
 - 10.2.3 Invite tenders for the contract for a duration period of at least 14 days before the closing date for receipt of such tenders unless circumstances make a shorter period desirable as resolved by the GRFMA.
- 10.3 Tenders shall be invited by notice in newspapers circulating generally in the State of South Australia as to encourage and promote a reasonable measure of competition. The notice shall specify:
 - 10.3.1 Tender Identification Number and/or a brief description of the tender sought.
 - 10.3.2 Address from which Tender Documents may be sought or inspected.
 - 10.3.3 The time and date when and the place or places where tenders close.
- 10.4 The conditions of Tendering shall, without limitation to their contents:-
 - 10.4.1 Tender Identification Number and/or a brief description of the tender sought.
 - 10.4.2 Require the disclosure on every tender the full Christian names, surname, and address of the Tenderer; and when in the case of a partnership, the names in full of each member of the partnership and each of their respective addresses. Where the tender is by a Company there shall be set forth the name of the Company and the address of the registered office of the Company; including Company's ACN and ABN.
 - 10.4.3 Require all tenders to be submitted in the form prescribed and provide that any non-conforming tender may be rejected from further consideration.
 - 10.4.4 State that every tender shall be enclosed in a sealed envelope addressed and labelled in the manner herein prescribed.
 - 10.4.5 State that tenders may be lodged by post or by registered mail otherwise they shall be lodged in the tender box at the public office of GRFMA by being placed therein before the time specified for the closing of tenders, and further state that any tender not placed in the tender box received prior to the specified closing time shall not be considered unless the GRFMA is satisfied that:
 - a) the tender was delivered to the GRFMA before the specified closing time: or

- b) was either posted or despatched by a recognised carrier providing a direct delivery service to the registered office of GRFMA in sufficient time to reach the GRFMA under normal circumstances before the specified closing time, but was still in course of delivery by post or by the recognised carrier at the specified closing time.

10.4.6 State that no tender received by facsimile shall be considered.

10.4.7 Where the tender is for the execution of infrastructure works, state that 'Tenderers are required to visit the work site and familiarise themselves with the conditions and facilities and that the GRFMA will not be liable for any claim on the grounds of insufficient information';

10.4.8 Where it is appropriate to supply for information only quantities and/or items, the reference be made that GRFMA accepts no responsibility for their accuracy.

10.4.9 Where the contract tendered for is a Lump Sum Contract, and GRFMA so requires it, state that every Tenderer shall deposit with the tender a Schedule of Quantities, Prices and computations to agree with the lump sum of the tender and signed by the Tenderer.

10.4.10 Where the contract tendered for is a Schedule of Rates Contract, require the Tenderer to state in Schedule of Quantities and Rates Schedule, the rates at which he offers to perform the contract and state the total price arrived at by summing the itemised amounts. The sum to be inserted in the tender shall agree with the total in the Schedule of Quantities and Rates and shall not be or be deemed or taken to mean a Lump Sum Contract, but shall be inserted merely to enable the Authority to ascertain which tender is the lowest.

10.4.11 State whether or not and on what conditions, the contract is subject to a variation of price contingent on variation in rates of wages, price of materials or other factors and draw particular attention to the relevant provisions of the Tender Documents in this behalf; where the contract is subject to any such variation and the other Tender Documents do not prescribe a method of determining such variation the Conditions of Tendering shall require the Tenderer to lodge with his tender;-

- a) written particulars clearly defining the method to be adopted in determining any and every such variation.
- b) complete basic information necessary to enable the defined method of variation to be applied.

10.4.12 Unless a time is specified in the Tender Documents, require each Tenderer to detail in the tender, the time period within which the performance of the contract will be carried out. State that any tender which does not comply in every respect with the requirements of the Tender Documents may be rejected.

10.4.13 State that GRFMA shall not be bound to accept any tender.

10.4.14 State that GRFMA shall not be bound by any oral advice given or information furnished by any member or authorised officer of GRFMA in respect of the tender but shall be bound only by written advice or information furnished by GRFMA or by an Authorised Officer of GRFMA;

10.4.15 Draw the attention of Tenderers to the provisions of the Code which may:-

- a) be supplied on request or be available for inspection by Tenderers at a specified place; or
- b) be included with the Tender Documents;

10.4.16 Where GRFMA requires tenderers to lodge tender deposits:-

- a) state, that such deposits are required as a guarantee of good faith;
- b) state that the amount of any such deposit is a fixed sum of money and variable upon the tender price;
- c) require such deposits to be in the form of bank cheques, money orders, or Australian Currency Notes.
- d) state the conditions under which such deposits will be returned or forfeited, as the case may be.

10.4.17 If so required by GRFMA require the successful Tenderer:-

- a) within the time specified by GRFMA, following the notification of its acceptance of the tender, to deposit with GRFMA security in the specified form for the due and faithful performance and fulfilment of the specified thereof; and/or
- b) within such time as shall be specified or if not so specified then as required by GRFMA to execute sign and deliver to GRFMA a deed or agreement as specified for the due and faithful performance and fulfilment of the tender and the contract arising out of the acceptance thereof;

10.4.18 State that if the successful Tenderer (if any) shall fail, neglect or refuse to comply with the provisions of the last preceding paragraph (xix), GRFMA in addition and without prejudice to anything contained in the Conditions of Tendering or to any other right power or remedy of GRFMA, may by notice in writing to the Tenderer elect to rescind the acceptance of the tender and forfeit all moneys and/or securities theretofore deposited by the Tenderer in respect of the tender.

10.5 Where tender deposits are required by the conditions of tendering pursuant to Clause 10.4 (xix), then these shall be returned to all tenderers, except those whose tenders are still being seriously considered, within fourteen days after the closing date for receipt of tenders.

- 10.6 GRFMA shall provide a locked tender box at its public office. One key to such box shall be retained by the Authorised Officer.
- 10.7 Any tender which is received through the post before the closing time for the receipt of tenders shall be forthwith placed in the tender box by the officer responsible for the receipt and registering of mail or by another Authorised Officer.
- 10.8 Should GRFMA require an extension to the original closing time for the receipt of tenders, notice shall be given in with the same manner as the notice given under Clause 10.3.
- 10.9 Any GRFMA member or officer of who becomes aware of any incident connected with the receipt, opening, or dealing with tenders which affects or interferes with correct procedure or offends against propriety shall immediately report such incident to the Executive Officer of GRFMA.
- 10.10 As hereinafter provided, no Board Member of GRFMA and no officer of GRFMA whether the Executive Officer, an Authorised Officer or otherwise shall permit any Tenderer, or any person or persons for or on behalf of such Tenderer, to discuss or attempt to discuss with them any tender.
- 10.11 Should any Tenderer or any person on behalf of the Tenderer desire to make any verbal explanation or to submit verbally any additional information concerning the tender submitted by such Tenderer, they may make written application to the Executive Officer of GRFMA for permission to interview the appropriate officer and set out the reasons why they desire such interview. Where it is the opinion of the Executive Officer that the interests of GRFMA would be best served if such Tenderer or such person were permitted to interview the officer, he may grant such permission subject to the interview taking place with an officer or officers authorised by him to give such interview.
- 10.12 If in the opinion of the Executive Officer it is in the interest of GRFMA that clarification should be sought and obtained from a Tenderer or the representative should be sought and obtained from a Tenderer or the representative or agent of such Tenderer after the closing time for the tender submitted by such Tenderer and before it is accepted or rejected, with a view to obtaining such clarification concerning such tender, he may authorise an officer, or officers, to seek an interview with such Tenderer, representative or agent.
- 10.13 Immediately after every authorised interview has taken place such officer or officers shall make an accurate report in writing of the proceedings at such interview and deliver it to the Executive Officer.
- 10.14 Any such information as aforesaid may be requested by an Authorised Officer in writing or by telephone to such Tenderer, representative or agent, provided that any such telephone request shall forthwith be confirmed in writing. Any such information furnished by or on behalf of the tenderer shall forthwith be confirmed in writing.
- 10.15 GRFMA shall either generally or in any particular case authorise an officer to report on all tenders received. Such report shall be made in writing and shall, without limit to its content, list all tenders received and the respective tender prices:

- 10.15.1 Note any late tenders.
- 10.15.2 Note any tenders which were excluded from consideration and the reasons for their exclusion.
- 10.15.3 State in the case of each tender considered, whether the tender complies in each and every respect with the requirements of the Tender Documents.
- 10.15.4 Where any tender considered fails to comply in any respect with the requirements of the Tender Documents state in what respects it so fails to comply.
- 10.15.5 State the recommendation of that officer as to the acceptance of tenders and the reasons for the recommendation.
- 10.16 Any prospective Tender may within a reasonable time before the specified closing time request information on any technical point of doubt in the Specification Plans or Drawings, but no such request shall be considered unless it is submitted in writing to GRFMA. Advice in writing in respect of the information requested shall be given by GRFMA with as little delay as possible and where, in the opinion of GRFMA, such advice could have an effect on tenders similar written advice shall be given forthwith by the Authority to all known prospective Tenderers.

11. Tenders and Quotations

General Principles

- 11.1 Contracts for supply of goods, rendering of service or construction of work may only be entered by GRFMA after complying with this Policy.
- 11.2 Contracts exceeding \$100,000
 - 11.2.1 Where the value or estimated value of a contract for the supply of goods, the rendering of a service or construction of works exceeds \$100,000 tenders shall be called and the procedure be followed and in connection with the calling of such tenders shall, with all necessary adaptations, be in accordance with this policy.
- 11.3 Contracts exceeding \$20,000 but not exceeding \$100,000
 - 11.3.1 Where the value or estimated value of a contract for supply of goods, the rendering of a service or the construction of work exceeds \$20,000 but does not exceed \$100,000, quotations in writing shall be invited so as to ensure a reasonable measure of competition, and the most advantageous quotation received, having regard to quality, suitability and other relevant considerations, shall be accepted.

- 11.3.2 The Executive Officer may approve in the case of an emergency or for any other extraordinary cause (particulars of which emergency or other cause shall be indicated in the approval) that this requirement be set aside in the particular case and may substitute alternative arrangements. All such approvals under this Clause must be reported in full to the next meeting of the Board.
- 11.4 Contracts not exceeding \$20,000
 - 11.4.1 Where the value or estimated value of a contract for the supply of goods, rendering of a service or the construction of works does not exceed \$20,000, written quotations shall be obtained so as to ensure a reasonable measure of competition and the most advantageous quotation received having regard to value for money, quality, suitability and other relevant considerations, shall be accepted. Particulars of those quotations shall be recorded appropriately.
 - 11.4.2 The Executive Officer may approve in the case of emergency or for any other extraordinary cause (particulars of which emergency or other cause shall be indicated in the approval) that this requirement be set aside in a particular case and may substitute alternative arrangements. All such approvals under this Clause must be reported in full to the next meeting of the Board.
- 11.5 Contracts Generally
 - 11.5.1 When several identical items are required, the quotation limits apply to the value of the total requirement, not the cost of each item.
 - 11.5.2 If a reasonable number of quotations cannot be obtained, an explanation shall be recorded on the relevant purchase order for audit inspection.
 - 11.5.3 All invitations for quotations and tenders shall specify that the price offered shall include the Goods and Services Tax (GST).
- 11.6 Common or Professional Consulting Services
 - 11.6.1 Where the Executive Officer considers a Professional Consulting Service should be rendered to the GRFMA in a case where, because of the established practices in a profession, the calling of tenders or quotations is not practical, he shall cause to be set forth particulars of the requirements with respect to those services in writing and furnish those particulars to such a number of suitably qualified consultants as he determines with a request that they submit to its proposals relative to those requirements.
 - 11.6.2 The Executive Officer shall consider such proposals as are submitted and, subject to clauses 11.3.1 and 11.4.2, may authorise a contract for services with the consultant who submitted proposals or, where more than one has submitted proposals, with one of those consultants selected by it.
 - 11.6.3 Before approving a contract for services for the Consultant pursuant to clause 11.3.1 the Executive Officer:

- 11.6.3.1 Shall, in the case of a contract for the engagement of a consultant in the managerial, administrative, legal, computer and associated fields (hereinafter called a “Management Consultant”), consult with Board Members, and where appropriate, Audit Committee Members and Technical Assessment Panel Members of GRFMA (which may seek advice as it sees fit) and regard to any recommendations made following such consultation.
- 11.6.3.2 Shall in the case of a contract for the engagement of a management consultant or a consultant other than a management consultant, have regard to -
- (a) the skill, knowledge, and suitability of the consultant
 - (b) the experience and competence, including qualifications/certifications of the consultant in the field in which the services are required
 - (c) the adequacy of the resources of the consultant
 - (d) the location of the consultant’s place of business in relation to the place from which the services are to be provided
 - (e) the assessed performance of the consultant in rendering services of similar nature to those that are required
 - (f) the equitable distribution of contracts amongst consultants qualified as specified in (a) to (e) inclusive
 - (g) the scale of fees or estimate of costs in relation to the services proposed to be rendered
- 11.7 Upon acceptance of a proposal and the engagement of a consultant in accordance with this, the Executive Officer shall advise the consultant in writing accordingly and furnish to him/her:
- 11.7.1 particulars of the requirements of GRFMA with respect to the services requested;
 - 11.7.2 the proposals submitted by the consultant;
 - 11.7.3 the terms and conditions agreed upon between GRFMA and the consultant
 - 11.7.4 information in respect to the calculation and payment of fees and expenses to be paid to the consultant, inclusive of GST.

12. Tenders – Calling and Acceptance

- 12.1 Contract in excess of 100,000
- 12.1.1 When the value of a contract for supply of goods and services or for the construction of goods and services exceeds \$100,000 tenders must be invited (refer clause 11.2.1).

12.2 Public Invitation

- 12.2.1 All tenders shall be publicly invited by press advertisements in order to give all persons interested an opportunity to tender. The closing date for the receipt of tenders normally shall not be less than two (2) weeks from the date of the advertisement. The principle must be that an interested supplier should be allowed a reasonable time to submit a tender.
- 12.2.2 The advertisement may be drawn to the attention of likely tenderers by sending to them a copy of the specifications for the goods or services required.
- 12.2.3 GRFMA shall maintain a list of firms to whom a copy of particular specifications has been given.

12.3 Delegated Authority

- 12.3.1 Not less than two persons, that may include the Executive Officer, delegate, agent, consultant or Board Member, will have delegated authority to transact the receipting of tenders and consideration of recommendations concerning acceptance of tenders.
- 12.3.2 Appointments other than contemplated in 10.2.2 may be made by GRFMA at any time.
- 12.3.3 Tenders shall be returnable to the Executive Officer of GRFMA and shall be placed unopened in a tender box at the designated location. If a tender is opened inadvertently it shall be re-sealed in its envelope, shall be marked specification number and date of receipt. The Officer re-sealing the envelope shall mark the envelope 'opened inadvertently by [insert name]', I initial the endorsement and give it to the Executive Officer to place in the tender box.
- 12.3.4 Each tender box shall be fitted with a lock and the key held by the Executive Officer or a nominated person.
- 12.3.5 The contents of the tender box shall be inspected by at least 2 persons (refer paragraph 10.2.2 who shall separate any tenders to be opened that day. The remaining tenders shall be checked for closing dates and be placed in the tender box. Not less than 2 persons (refer paragraph 10.2.2 will then meet to open the tenders which shall each be numbered in serial order according to the specification concerned. The date the tender was opened shall be noted on the tender. Each person present shall initial each tender. Any alterations appearing in the tender shall also be initialled by the persons present. The tender number, name and address of the tenderer, the date of opening shall be recorded in a register of tenders, and each member present shall initial the tender register immediately after the last tender is recorded for each specification.
- 12.3.6 The tenders shall then be forwarded for assessment and recommendation of GRFMA Board or delegated authority.

- 12.3.7 Tenders received after specified closing date and time shall be processed as set out above, shall be marked late and the tender register endorsed accordingly. The envelope containing such a tender be retained with the tender documents. A tender marked late shall not be accepted for consideration without approval of the GRFMA Board or delegated authority. A guiding principle in acceptance of a late tender for consideration will be evidence of posting by the tenderer before the closing date.

The tenders shall be returned with recommendations to the Executive Officer. Adequate reasons must be given for the rejection of a tender lower in price than that recommended for acceptance. In particular attention would be drawn to any features that do not comply with the specification.

- 12.3.8 Since it is essential that GRFMA's purchasing procedures should be seen to be beyond reproach, a person who has a conflict or potential conflict of interest in any way with the potential supplier of goods or services must not take part in the consideration of any tender or quotation submitted by that supplier. If this situation appears likely to occur, the person concerned should make a full disclosure of their conflict or potential conflict of interest to the Executive Officer and, if it appears desirable, the person should be excluded from any involvement in the particular transaction.
- 12.3.9 An unsuccessful tenderer shall be notified in writing that their tender was not successful.

12.4 Procedure

- 12.4.1 The Executive Officer will arrange:
- (a) for the insertion of an advertisement in the press and local paper inviting tenders for the goods, services or works.
 - (b) for likely tenderers to be advised of the advertisements and sent copies of the specifications.
 - (c) for a record to be kept of firms etc. to whom copies of the specification have been sent.
- 12.4.2 The Executive Officer receives the tenders and places them in the tender box
- 12.4.3 At least two Members (refer paragraph 10.2.2 on the day that the tenders are to be opened extract from the tender box the tenders to be opened that day.
- 12.4.4 At least three Members (refer paragraph 10.2.2 open the tenders and:
- (a) number each tender in serial order according to the specification concerned.
 - (b) record the date of opening of the tender

(c) each member initials each tender and alterations that appear in the tender

(d) record in the register of tenders -

- tender number
- name and address of tenderer
- date of opening
- amount of deposit money received.

Each member signing immediately after the last tender entered for specification.

(e) pass tenders, comment, deposit monies and register to the Executive Officer.

12.5 Executive Officer

12.5.1 Forwards the tenders for assessment and recommendation of the GRFMA Board or delegated authority

12.5.2 Arranges for the deposit of monies received.

12.6 Issue of Contracts and Variations

General Principles

12.6.1 Contracts shall be issued for goods or services for which the prices have been determined as a result of public invitation of tenders except those resulting in a decision under clause 11.2.1.

12.6.2 Contracts are required to be executed under the seal of GRFMA following a resolution from GRFMA Board.

12.7 Authority to Issue

12.7.1 Subject to restrictions or special arrangements in these procedures, contracts for supplies and services may be issued by GRFMA within the limits of authority to incur expenditure as set down in GRFMA's policies.

12.7.2 Contracts for amounts exceeding the limits of authority to incur expenditure held at GRFMA may be issued only after the necessary prior approvals to incur the expenditure involved have been obtained.

12.7.3 It is a breach of authorisation to separate a single supply or service into parts with the object of issuing two or more contracts which individually do not exceed a limitation to incur expenditure, whereas the total cost would do so. Where orders are placed for services for an indeterminate period, e.g. the hire or servicing of equipment, the operative amount for the purpose of limitation is the cost per annum.

12.8 Progress Payment

12.8.1 Where the proposed terms of a contract for goods or services provide for progressive payments for delivery of completion, the letter accepting the tender shall state that progress payments will require the submission of bank guarantees by the contractor to the extent of the payments involved. Generally, bank guarantees will not be required for contracts for the execution of work on GRFMA property. In these cases the specification should provide for progressive payments to be made following a certification of the value of work performed from the officer responsible for its supervision.

12.8.2 Terms of the Contract may be varied during its currency to provide for progress payments, subject to the restrictions of clause 12.10.

12.8.3 Approval from GRFMA shall be sought where a contract proposes an alternative to the submission of a bank guarantee.

12.9 Register of Contracts

12.9.1 Particulars of every contract made under this Policy shall be recorded in a Register of Contracts and all payments on account of each contract shall be entered in that register.

12.9.2 Payments to be made against a contract shall be checked before payment against the relevant terms and conditions of the contract, the history of the contract as indicated in the Register of contracts, and previous payments made under the contract and, except with the prior approval from GRFMA or person who approved the letting of the contract, such payments shall conform in all respects with the terms and conditions of that contract.

12.10 Variation of Contract

12.10.1 The scope and value of variations to contracts for any amount less than 10% or \$20,000 are agreed upon involving those members and officers as per Clause 11.6.3.2.

12.10.2 Variations to Contracts shall be properly authorised -

- (a) for contracts not included in an approved budget, approval shall be in accordance with clause 12.7.2.
- (b) for contracts included in an approved budget approval shall, if practical, be by the Officer who approves the original contract provided the new value of the contract is within his financial delegations, or alternatively by any Officer acting within his financial delegations.

12.10.3 Any variations to the contract, the authorising Officer is to advise the accounts payable clerk the new value and to amend the commitment on GRFMA's actual budget.

12.11 Issue of Contracts

12.11.1 The Executive Officer:

- (a) has contract documents prepared and signed by the Contractor;
- (b) presents them to GRFMA for approval, through the bi-monthly meeting of the Board;
- (c) following GRFMA's approval has the contract signed under seal;
- (d) enters the contract details in the Register of Contracts;
- (e) raises an order to commit the funds;
- (f) posts a copy of the contract to the Contractor;
- (g) files the original contract in the GRFMA filing system; and
- (h) provides a copy of the register of contracts to the Audit Committee.

13. Review

13.1 This Policy shall be reviewed by GRFMA every ~~three~~four years.

13.2 Upon review, GRFMA will communicate the updated Policy to all relevant persons.

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY

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Work Health and Safety Policy

Strategic Reference:	Policy Documents
File Reference:	GRFMA, Admin, Policy
Responsibility:	Executive Officer
Applicable Legislation:	Local Government Act 1999 Work Health and Safety Act 2012
Related Policies/Codes:	
Related Procedures:	
Adopted:	
Minutes Reference:	
Revision Number:	1
Frequency of Review:	Every Three <u>Four</u> Years
Next Review Due:	February 202 <u>7</u> 6

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1. Introduction

- 1.1 Gawler River Floodplain Management Authority (GRFMA) is committed to:
 - 1.1.1 the proper management of work health and safety, which ranks equally with all other operational considerations; and
 - 1.1.2 compliance with its obligations under the Work Health and Safety Act 2012 (SA) (WHS Act), which includes all relevant Work Health and Safety Regulations and Codes of Practice.
- 1.2 GRFMA is committed to ensuring that all workers are safe from injury and risks to health while at work.
- 1.3 GRFMA recognises that work health and safety of workers is of primary importance in maintaining efficiency, staff morale, and ensuring that all legislative requirements are met. To ensure compliance with relevant legislation, so far as is reasonably practicable, GRFMA will, in particular:
 - 1.3.1 Provide a safe work environment;
 - 1.3.2 Arrange instruction, information and supervision for safe work procedures and provide information on workplace hazards and risks;
 - 1.3.3 Provide adequate facilities for the welfare of employees;
 - 1.3.4 Provide and maintain plant and equipment in a safe condition;
 - 1.3.5 Conduct regular audits to ensure the effectiveness of WHS systems; and
 - 1.3.6 Investigate all work-related incidents to minimise the chance of recurrence.

2. Scope

- 2.1 This Policy applies to all workers, which in this Policy means employees (including employees of other entities seconded to or otherwise placed in GRFMA), contractors, Board ~~M~~members, Committee Members and volunteers.

3. Purpose

- 3.1 The purpose of this Policy is to ensure:
 - 3.1.1 All hazards and risks to health and safety are identified, assessed and eliminated where reasonably practicable. Where they cannot be eliminated they are to be effectively controlled;
 - 3.1.2 Measures to control hazards and risks to health and safety are regularly monitored and evaluated;
 - 3.1.3 Workers are consulted and encouraged to contribute to the decision-making process on work health and safety matters affecting their health and safety at work;

- 3.1.4 All workers receive appropriate information, instruction, training and supervision they need to safely carry out their responsibilities;
- 3.1.5 Workers are supplied with the most appropriate safety equipment to successfully and safely complete each task.

4. Strategy

- 4.1 GRFMA will achieve its work health and safety objectives by:
 - 4.1.1 Identifying hazards and risk to health and safety associated with tasks and activities carried out by GRFMA;
 - 4.1.2 Assessing the degree and level of risk arising from hazardous tasks or activities;
 - 4.1.3 Selecting, implementing and maintaining appropriate measures to control risk to health and safety;
 - 4.1.4 Consulting with workers and their representatives on matters which may affect their health and safety;
 - 4.1.5 Developing, implementing and monitoring plans to put our work health and safety policies and procedures into effect;
 - 4.1.6 Reducing the incidence of work-related accidents and hazards.

5. Roles and Responsibilities

5.1 Executive Officer and the Board

The Executive Officer and the Board of GRFMA have a duty to ensure that GRFMA complies with its obligation to provide a healthy and safe workplace for all workers and will ensure that adequate resources are provided to meet the health and safety objectives and implement strategies, among other things. The Executive Officer and the Board will proactively ensure GRFMA meets its work health and safety obligations and keep up-to-date with work health and safety issues.

In particular the Executive Officer and the Board will ensure that:

- 5.1.1 Appropriate health and safety policies and procedures are developed and implemented to enable the effective management of health and safety and control of risks to work health and safety;
- 5.1.2 Mechanisms are provided to enable the identification, development, implementation and review of appropriate health and safety related policies and procedures;
- 5.1.3 Workers are provided with the necessary knowledge and skills to effectively enable them to carry out their health and safety responsibilities and comply with their duties and obligations;

- 5.1.4 Mechanisms are provided to regularly monitor and report on health and safety performance;
- 5.1.5 Work health and safety is an integral component of our business;
- 5.1.6 SafeWork SA is notified of any notifiable incidents arising out of the conduct of business or undertaking that has occurred;
- 5.1.7 They carry out their roles and responsibilities as detailed in the relevant work health and safety policies and procedures;
- 5.1.8 All relevant daily job risk assessments or job safety analysis are completed, documented and forwarded to the appropriate administration officer;
- 5.1.9 They take reasonable care for their own health and safety;
- 5.1.10 They take reasonable care that their actions do not adversely affect health and safety of other people;
- 5.1.11 They report any incident or hazards at work;
- 5.1.12 They comply with any reasonable instructions aimed at protecting their and others health and safety while at work;
- 5.1.13 Any equipment provided to protect their health and safety while at work is used;
- 5.1.14 They assist in the identification of hazards, the assessment of risks and the implementation of risk control measures;
- 5.1.15 Feedback is considered and provided on any matters which may affect their or others health and safety; and
- 5.1.16 They ensure that they are not affected by alcohol or another drug, to endanger their own or any other persons' health and safety.

5.2 Workers

All Workers have a legal duty to take care to protect their own health and safety and to avoid adversely affecting the health and safety of other people.

Workers have a responsibility to:

- 5.2.1 Report any incident or hazards at work to their manager or supervisor;
- 5.2.2 Carry out their roles and responsibilities as detailed in the relevant work health and safety policies and procedures;
- 5.2.3 Obey any reasonable instruction aimed at protecting their health and safety while at work;
- 5.2.4 Use any equipment provided to protect their health and safety while at work;
- 5.2.5 Assist in the identification of hazards, the assessment of risks and the implementation of risk control measures;
- 5.2.6 Consider and provide feedback on any matters which may affect their health and safety;

- 5.2.7 Ensure they are not affected by alcohol or another drug which may endanger their own or any other person's health and safety; and
- 5.2.8 Work safely to protect themselves and others in the workplace from injury.

6. Breaches of this Policy

- 6.1 Any substantiated breach of this Policy or the WHS Act will be treated seriously by GRFMA and may lead to disciplinary action, possibly including the termination of a worker's employment or engagement.

7. Reporting Incidents

- 7.1 It is GRFMA's aim that officers be informed of the management and reporting of work health and safety incidents, administering first aid and returning an injured worker as quickly as possible to productive work within established medical grounds in a supportive and encouraging environment.
- 7.2 Therefore, all workers are to report any work health and safety concerns, incidents or injuries to their Manager as soon as possible after the concern has arisen, incident taken place, or injury suffered.
- 7.3 SafeWork SA reporting requirements are to be considered. SafeWork SA must be notified of any notifiable incidents arising out of the conduct of business or undertaking that has occurred.

8. Review

- 8.1 This Policy shall be reviewed by GRFMA every ~~three~~four years.
- 8.2 Upon review, GRFMA will communicate the updated Policy to all relevant persons.

Procurement Policy

Policy Author	General Manager – Strategy and Corporate
Date of next review	March 2025

1. Statement of Intent

Council is entrusted with public funds to fulfil its services to the community. Council procurement activities and the expenditure of these funds, whilst giving due regard to financial thresholds outlined in the associated Procedures, will be underpinned by the following principles:

1.1 Open and Fair Competition

Council recognises the commercial and economic benefits of open and effective competition and must give fair and equitable consideration to all prospective suppliers.

1.2 Probity, Accountability and Transparency

All procurement shall be undertaken in a manner that ensures:

- Clearly established roles and responsibilities.
- Appropriate record keeping and documentation.
- Integrity through transparency of process and documentation of decisions made.
- Adherence to relevant legislation, policy and procedure.
- Identification and management of actual or potential conflicts of interest.
- Confidentiality of all commercial information.

1.3 Ethical Behaviour and Fair Dealing

Workers involved in procurement activities are to:

- Behave with impartiality, fairness, openness, integrity, and professionalism.
- Provide all suppliers with equal opportunity to supply to Council.
- Establish clear and easy to understand documentation requirements, evaluation criteria and methodology.
- Provide consistent processes and constructive feedback on decisions upon request from suppliers.
- Ensure effective communication and provision of information to all suppliers.

1.4 Value for Money

Council seeks to achieve value for money and acquire quality goods and services. The concept of value for money is not restricted to price alone, the assessment must include consideration, where applicable, of:

- Ensuring that the goods and/or services meet the needs of the community,
- Procurement through purchasing groups, cooperatives and other councils,

- The performance history of each prospective supplier,
- Compliance with the Councils commercial terms, fitness for purpose, quality, service, support and warranty;
- Financial considerations including all relevant direct and indirect benefits and costs both tangible and intangible;
- Delivery and/or timeliness;
- The flexibility to adapt to possible change over the lifecycle of the property or service; and
- Risk exposure.

1.5 Risk Management

Council will ensure that appropriate consideration to risk identification and management is undertaken during the procurement activity.

The assessment of higher risk may necessitate supplier engagement via a contractual document in lieu of a system generated purchase order.

Consideration for these elements are further defined in Councils Risk Management Framework and this should be referenced and tools utilised in the identification, assessment and implementation of controls where required.

1.6 Industry Participation

Council is committed to maximising the positive impact of its procurement activities to benefit the community and its economy, giving preference to local and or northern region benefit when all other financial and commercial considerations are equal. The following areas may be considered in evaluating offers:

- Creation of local employment and training opportunities;
- Economic growth within the local area;
- Benefit to Council of any associated local commercial transaction; and
- The short and long term impact of the procurement on local business.

Consideration for these elements are further defined in Councils Industry Participation Procedure.

1.7 Environment and Sustainability

Council promotes environmental sustainability through its procurement activities and will consider the purchase of environmentally sustainable goods and services that satisfy the value for money criteria and when all other financial and commercial considerations are equal.

Council will endeavour to ensure legislative compliance and environmentally responsible practices by any contractor engaged to perform services for or on behalf of Council.

2 Scope

This Policy applies to all procurement activities undertaken in the acquisition of goods and services on behalf of Council, whilst giving due regard to financial thresholds outlined in the associated Procedures (i.e. only where practicable the principals outlined in 1.6 and 1.7 above will be applied to purchases below \$20,000), whether solicited by Council or the result of an unsolicited proposal

from the private or not-for-profit sectors and whether transacted via trading account or Council expense card.

This Policy does not apply to real property acquisitions, non-procurement expenditure such as the provision of funding by Council for sponsorships, grants, and donations nor employment contracts.

3 Legislation and References

This Policy is to be read in conjunction with the;

- Procurement Procedure
- Expense Card Procedure
- Industry Participation Procedure
- Unsolicited Proposal Procedure

- *Local Government Act 1999*
 - Section 37 - Provision relating to contracts and transactions,
 - Section 49 - Contracts and tenders policies,
 - Section 120 - Conflict of interest
 - Section 137 - Expenditure of funds.
- *Independent Commissioner Against Corruption Act 2012*
 - Section 3 – Objects, and
 - Section 5 - Corruption, misconduct and maladministration.
- *Competition and Consumer Act 2010 (Cth)*
 - Section 2BA Application of Part IV to local government bodies
 - Section 45 - Contracts, arrangements or understandings that restrict dealings or affect competition
- *Environment Protection Act 1993*
- *Freedom of Information Act 1991*
- Worker Code of Conduct
- Fraud and Corruption Control Policy
- Financial Management Policy
- Risk Management Framework
- Delegation Register
- City of Playford Global Glossary

This Policy should not be considered as the only document that may relate to procurement, other tiers of government, agencies or organisations may have legislation or policies that also apply.

4 Application

Mayor and Chief Executive Officer	Execution of a Contract document requiring the affixation of the Common Seal of the Council, following the resolution of Council.
Chief Executive Officer (CEO)	Approval of expenditure of Council funds and the process undertaken preceding the approval request, exceeding expenditure limits delegated. Execution of a Contract document, exceeding expenditure limits delegated. Approval of a Worker maintaining involvement in a procurement activity where an actual or potential conflict of interest has been declared.
General Manager – Strategy and Corporate	Ensure this Policy is reviewed by Council as required.
Manager – Procurement and Accounts Payable	Ensure correct application of this Policy and associated Procedures in the development of systemised and non-systemised procurement process. Conduct annual analysis of Councils expenditure, including expense card, to identify aggregation opportunities and efficiencies that can be included in its annual procurement strategy.
Procurement Team	Assist Workers in the application of this Policy and associated Procedures.
Internal Auditor	Conduct periodic audit of Councils procurement activities and assist in the development of assurance metrics to ensure compliance with this Policy and associated Procedures.
Workers holding CEO sub-delegation pursuant to Section 37 of the <i>Local Government Act 1999</i> (Approvers)	Enter into contract arrangements on behalf of Council, within financial limitations delegated.
Workers holding CEO sub-delegation pursuant to Section 137 of the <i>Local Government Act 1999</i> (Approvers)	Approval of expenditure of Council funds and the process undertaken preceding the approval request, within Financial limitations delegated.

5 Relevance to Risk Appetite Statement

5.1 Environmental Impact

The City of Playford has a **LOW** appetite for discretionary environmental impacts and as such this policy commits to underpinning principles to ensure its procurement practices promote environmental sustainability.

5.2 Financial Sustainability

The City of Playford has a **LOW** appetite for short-term financial risk that adversely impacts on the delivery of the Long Term Financial Plan (LTFP) and the overall financial stability and sustainability and as such this policy commits to underpinning principles to ensure its procurement practices obtain value in the expenditure of public money.

5.3 Reputation

The City of Playford has a **LOW** appetite for negative perceptions that compromise its credibility and reputation and as such this policy commits to underpinning principles to ensure its procurement practices are fair, equitable and transparent.

5.4 Regulatory Compliance

The City of Playford has **ZERO TOLERANCE** for non-compliance with applicable legislation and as such this policy meets Councils requirement under the *Local Government Act 1999* – Section 49 (a1) and the associated Procedures broadly outline the regulatory compliance requirements to be adhered to when undertaking procurement activities.

6 Feedback

Your feedback on this policy is invited and can be directed to the Manager Governance via email to governance@playford.sa.gov.au or by calling the Customer Contact Team on 8256 0333.

Administration use only

ECM document set no.	3960713
Version no.	4
Procedure link	Procurement Procedure Expense Card Procedure Industry Participation Procedure Unsolicited Proposal Procedure
Policy author	General Manager – Strategy and Corporate
Endorsed by	Council
Resolution no.	4615
Legal requirement	<i>Local Government Act 1999</i>
Review schedule	4 Years per Council Term
Date of current version	May 2021
Date of next review	March 2025

Version history

Version no.	Approval date	Approval by	Change
2	24 May 2016	Ordinary Council Resolution No. 2575	Policy complete reworked
3	26 July 2017	Ordinary Council Resolution No. 2932	Administrative Changes
4	25 May 2021	Ordinary Council Resolution No. 4615	Complete rework in line with Councils new Policy Governance Framework

Procurement Procedure

Procedure Author	General Manager – Strategy and Corporate
Date of next review	March 2025

1 Purpose

This procedure applies to the procurement of all goods and services utilising Council funds. Goods and services must only be purchased to support Council activity.

2 References and Supporting Documentation

This Procedure is to be read in conjunction with the

- Procurement Policy
- Expense Card Procedure
- Industry Participation Procedure
- Unsolicited Proposal Procedure
- Procurement Guidelines
- *Local Government Act 1999*
 - Section 37 - Provision relating to contracts and transactions,
 - Section 38 - The common seal,
 - Section 120 - Conflict of interest, and
 - Section 137 - Expenditure of funds.
- *Work Health and Safety Act 2012*
 - Section 5 - Meaning of person conducting a business or undertaking
 - Section 7 - Meaning of worker
 - Section 272 - No contracting out
- *Return to Work Act 2014*
- *A New Tax System (Goods & Services Tax) Act 1999*
 - Division 1 - Preliminary
 - 1-4 - States and Territories are bound by the GST law
 - Division 2 - Overview of the GST legislation
 - Chapter 2—The basic rules
 - Part 2-2—Supplies and acquisitions
- *Building and Construction Industry Security of Payment Act 2009*
- *Construction Industry Training Fund Act 1993*
 - Section 20 - Imposition of levy
 - Schedule 1A - Value of building or construction work
- Risk Management Framework
- Worker Code of Conduct

- Fraud and Corruption Control Policy
- New Supplier Request Form
- Request for Exemption from the Procurement Procedure Form
- Delegations Register
- City of Playford Global Glossary

3 Application

Mayor and Chief Executive Officer	Execution of a Contract document requiring the affixation of the Common Seal of the Council and only following the resolution of Council.
Chief Executive Officer	Approval of an Exemption from the Procurement Procedure exceeding expenditure limits delegated. Approval of expenditure of Council funds and the process undertaken preceding the approval request, exceeding expenditure limits delegated. Approval of a Worker maintaining involvement in a procurement activity where an actual or potential conflict of interest has been declared.
General Managers	Minimum level of approval of an Exemption from the Procurement Procedure within financial limitations delegated.
Senior Manager - Finance	Ensure this Procedure is reviewed by Council as required.
Internal Auditor Position Title	Conduct periodic audit of Councils procurement activities and assist in the development of assurance metrics to ensure C with this Procedure.
Manager – Procurement and Accounts Payable	Ensure correct application of this Procedure in the development of systemised and non-systemised procurement processes. Development and maintenance of internal training tools to assist in the correct application of this Procedure by Workers. Approval of non-standard supplier payment terms.
Procurement Team	Consultation and review of all procurement processes between \$20,000 and \$100,000 expenditure that do not have an established contract for supply. Facilitation of all procurement activities with a value exceeding \$100,000 which do not have an established contract for supply. Facilitation of all procurement processes necessitating the creation of a contract document. Creation of a supplier engagement document resulting from an approved Exemption. Creation and maintenance of all supplier account details in Councils financial system. Facilitation of training to Workers to ensure correct application of this Procedure.
Accounts Payable Team	Processing and payment of supplier invoice transactions. Processing and payment of Council Expense Card transactions. Processing and payment of Council Employee Reimbursement transactions. Creation and maintenance of Council Expense Card accounts.

Workers holding CEO sub-delegation pursuant to Section 137 of the <i>Local Government Act 1999</i> (Approvers)	Approval of expenditure of Council funds and the process undertaken preceding the approval request, within financial limitations delegated.
Workers holding CEO sub-delegation pursuant to Section 37 of the <i>Local Government Act 1999</i> (Approvers)	Enter into contract arrangements on behalf of Council, within financial limitations delegated.
Risk & WHS Team	Assistance to Workers in the use of Councils Risk Management Framework and risk assessment tools. Assistance in the correct application of WHS Policies and Procedures in the engagement of contractor services.

4 Procedure

4.1 Method of Procurement (Solicited)

Council will select an approach to market best suited to the particular requirement and based on applying the procurement principles referenced in the Procurement Policy. These may include:

- Request for Quote,
- Request for Tender (Select or Open Market),
- Request for Expression of Interest (EOI), and
- Request for Proposal.

Here on referenced in this Procedure as Tender for simplicity, however consideration for all process listed above are further defined in the Procurement Guidelines.

Should Council procure using a different method than those listed, then Council will record the reasons for selecting that method.

4.2 Industry Information Session

Council will give consideration to holding industry information sessions related to a solicited procurement activity, where the requirement value, complexity or impact to Councils community service provision deems it appropriate.

Industry information sessions provide an opportunity for organisations within the industry relative to the requirement to seek clarification and greater understanding of Councils objectives prior to investing substantial time and resource in formulating a response to a solicited procurement activity.

4.3 Expenditure Thresholds (Individual Engagement)

All values stated are exclusive of GST and are in aggregate (Total contract/engagement value for the term of the contract/engagement).

Subject to risk assessment, Council will have regard to the following expenditure thresholds:

- Purchases less than \$1,000 do not require written quotations.

- Purchases between \$1,000 and \$20,000 require a minimum of one written quotation.
- Purchases between \$20,000 and \$100,000 require a minimum of three written quotations and require consultation with and review by Councils Procurement Team.
- Purchases exceeding \$100,000 will be facilitated by Councils Procurement Team via a method of procurement deemed appropriate for the particular acquisition, generally an open market tender is preferred. Procurement activities in this value range will require consultation with and review by Councils Finance Team.

4.4 Expenditure Thresholds (Ongoing Engagement)

For recurrent service delivery or supply requirements, identified during the annual spend analysis process, where multiple engagements of an uncontracted supplier or multiple uncontracted suppliers for the same service delivery or supply type exceed an in aggregate value of \$100,000 for the preceding financial year, Council will institute a market approach in that service delivery or supply type with a view to executing a term contract for supply. Resulting contract types may be:

- Sole Supply (Single Provider); or
- Panel (Multiple Providers)

4.5 Evaluation

If Council undertakes a tender process, it will issue a request for tender document. This may be done on either an open or select basis. In either case the process will be fair and transparent.

Tenders will be evaluated by a panel of key stakeholders and subject matter experts against the criteria stated in the tender request.

Council may engage consultants or contractors to sit on the tender evaluation panel to provide specialist expertise where Council does not have that expertise available internally.

Council is not obliged to accept the lowest offer. Council may reject all offers and may invite further offers.

4.6 Conflict of Interest

Workers must declare any actual or perceived conflict of interest linked to the selection of a supplier and or approval of a procurement transaction.

Workers undertaking procurement activities must acquaint themselves with Section 120 of the Local Government Act 1999 (SA) for the legislated definition of a Conflict of Interest.

The identification and process for management of Conflicts of interest are described in Councils Employee Conduct Policy and all Workers undertaking procurement activities must acquaint themselves with this Policy.

Workers must declare in writing the nature of their interest, and take no further part in the selection of that supplier unless approved by Councils Chief Executive Officer.

4.7 Negotiation

Nothing in this procedure prevents Workers from negotiating with suppliers to obtain a more favorable position for Council than that received in an initial quotation.

When negotiating with suppliers:

- Note that Council maintains Standard Payment Terms of 30 days EOM (payment at the end of the month following the month that the invoice is dated). Shorter payment terms in certain circumstances may be used as a negotiation mechanism. Non-standard payment terms require approval from the Manager Procurement and Accounts Payable.
- Avoid requirements for payment of deposits, and the issuance of other types of pro-forma (preliminary) invoices, either by negotiating terms or using an alternative supplier.
- Any negotiations must be ethical and fair to all quoting parties. Quote detail from one party should never be disclosed to another subject to 4.8 below.

4.8 Confidentiality

Subject to the relevant provisions of the Freedom of Information Act 1991 (SA), Local Government Act 1999 (SA) and Council's Records Management Policy, Workers must take all reasonable steps to preserve the confidentiality of any information it obtains via a procurement activity.

4.9 Documentation

All procurement activities with an expenditure value greater than \$20,000 must have the following minimum documentation registered in Councils records management system.

- All quotations/submissions received from participating companies.
- All declinations to quote received.
- The final evaluation documentation outlining the comparisons (monetary and non-monetary) made to the quotations received.
- Documentation outlining the decision to engage a supplier, including any approvals sought.
- A declaration that no conflict of interest existed with any of the evaluating Workers involved in the process undertaken.
- Countersigned contract document where this engagement mechanism is utilised.

All procurement activities with an expenditure value greater than \$1,000 and less than \$20,000 must have the following minimum documentation Councils records management system.

- All quotations/submissions received from participating companies.
- All declinations to quote received.
- Any conflict of interest declared.

Where processes are undertaken utilising Councils OneCouncil system (Request for Quote and or Purchasing modules), the above documentation will be automatically registered in Councils records management system via connected content.

4.10 Exemption from the Procurement Procedure

This procedure outlines the requirements of Workers in respect of conducting procurement activities. There may be circumstances in which an open market process will not necessarily deliver the best outcome for the Council, or where other market approaches may be more appropriate.

In these circumstances, the Chief Executive Officer or a Worker of Council who is a General Manager, within financial limits delegated, may waive application of this Procedure or the methods of procurement listed and pursue a method which will bring the best outcome for the Council.

4.10.1 Situations where it may be appropriate for the application of this procedure to be waived include:

- potential for significant public risk, such as emergency situations threatening life and property
- the supply market is known to be limited
- the pressures of time are such that a tender process is not feasible
- the Council is able to obtain value for money from an existing supplier of goods, works or services whose appointment was subject to a competitive process
- Council purchases goods at an auction
- the contract is made with:
 - the Commonwealth, State or Local Government entity.
 - Local Government Association Procurement (LGAP), Procurement Australia or other recognised procurement group.

4.10.2 Documentation

Unless specifically excluded in this Procedure, all departures from this Procedure must be appropriately documented and approved via submission of a Request for Exemption from the Procurement Procedure form to the Procurement team. The Procurement team will review, provide commentary and facilitate the necessary approvals required. Approval via this process must precede the Procurement activity being undertaken.

4.10.3 Standing Exemptions from the Procurement Process

- Supply of goods or services where Council has an active term contract executed with a sole provider.
- Supply of insurance coverage via the Local Government Association.
- Statutory taxes and levies and non-contestable costs, to other Government authorities.
- Software licensing and support fees for established Council software systems.
- Mixed non-contestable and contestable supply of utility infrastructure (Electricity / Gas / Water & Sewer) where the non-contestable portion of works does not exceed \$20,000.

4.11 Supplier Engagement Mechanism

4.11.1 Minimum requirements.

All engagements of a supplier, unless specifically excluded in this Procedure, must be preceded with a minimum of a formal Council Purchase Order. The Purchase Order must be issued and accepted by the supplier prior to any performance of works and or supply of goods to Council.

4.11.2 Standing exemption to Purchase Order requirement.

- Transactions with a value of equal to or less than \$1000
- Expense Card transactions within set financial limitations
- Utility supply transactions (Electricity / Gas / Water & Sewer / telephone fixed line and mobile)
- Contracted Legal Services transactions

4.12 Approvals

By approving a requisition/purchase order/contract document, Workers confirm that they have taken full notice, and the process being approved has complied with the requirements of the Procurement Policy and this Procedure.

All financial limitations sub-delegated by the Chief Executive Officer are exclusive of GST and the value represents the full value consideration. Therefore multiyear contracts/engagements must be considered on the aggregate value of the contract/engagement (annual value x the term of the contract/engagement).

4.12.1 Financial approval.

Only Workers issued with CEO sub-delegation under section 137 of the *Local Government Act 1999* may approve expenditure of Council funds within financial limitations delegated.

This includes the holding of an Expense Card (Credit or Store Issued) in the name of Council and consideration for this element is further defined in Council's Expense Card Procedure.

4.12.2 Contract Execution.

Only Workers issued with appropriate CEO sub-delegation under section 37 of the *Local Government Act 1999* may approve and sign contractual documentation on behalf of Council within financial limitations delegated.

4.12.3 Contract/Deed Execution requiring Council Seal.

Only the Chief Executive Officer and the Mayor may execute a contractual document requiring the Common Seal of the Council to be affixed, following a Resolution by Council.

4.12.4 Variation.

Any financial variation to an existing engagement of a supplier, whether that engagement be via a Council Purchase order or Contract document, necessitates approval on the basis of the whole engagement value in the aggregate not the variation value in isolation.

4.13 Supplier Database

4.13.1 New Supplier.

The addition of a supplier into Council's financial system necessitates Workers to complete and submit a New Supplier Request to the Procurement team.

4.13.2 Payment Terms.

Council maintains industry standard payment terms of 30 days from the end of the month in which a supplier invoice is dated.

Council may, upon request, accept shorter payment terms of 14 days from invoice date. Approval of this non-standard payment term necessitates reasoning for request and requires approval from the Manager of Procurement and Accounts Payable.

4.13.3 Supplier Banking Details.

Council's standard method of payment is via Electronic Funds Transfer (EFT) into a supplier's nominated bank account. All supplier banking details must be provided by the supplier on company letterhead (where applicable) and signed by an authorised officer of the supplier. Where the supplier is a sole trader and not a company, a written and signed declaration listing the supplier name and bank details is required. This is applicable to both new supplier and existing supplier bank detail amendment processes.

4.13.4 Sole Trader Suppliers.

If a new supplier is a sole trader, section C of the Supplier Request Form must be completed to enable assessment of contractor status, thus to ensure that the engagement of the supplier could not be deemed an employee/employer relationship.

4.13.5 Supplier Insurance Coverage.

Council mandates the requirement of particular insurance coverage in certain circumstances.

4.13.5.1 Public Liability Insurance

Where a supplier performs works on Council sites or on non-Council sites on behalf of Council, Public Liability Insurance coverage to a minimum industry standard value of \$20,000,000 is required.

4.13.5.2 Professional Indemnity Insurance

Where a supplier provides professional advice or design documentation to Council and that advice or design is to be relied upon by Council in its decision making or service delivery, Professional Indemnity Insurance coverage to a minimum industry standard value of \$2,000,000 is required. Consideration may be given to increasing this coverage amount based on the assessed risk or value of a project or engagement.

4.13.5.3 Certificate of Currency

A certificate of currency is required to be provided by the supplier for any of the above insurances, where applicable, and this will be registered in Council's (OneCouncil) system.

4.13.5.4 ReturnToWorkSA / Workers Compensation Insurance

Pursuant to the Return to Work Act 2014, all employers must register with WorkCover in respect of workers in employment to which the Act applies, however, large businesses operating in South Australia may apply to be self-insured for work injuries as an alternative to insuring with ReturnToWorkSA.

Where applicable, A ReturnToWorkSA certificate of registration is required to be provided by the supplier or if the supplier is self-insured, they must provide a certificate of currency and this will be registered in Council's OneCouncil system.

5 Feedback

Your feedback on this Procedure is invited and can be directed to the Manager Governance via email to governance@playford.sa.gov.au or by calling the Customer Contact Team on 8256 0333

Administration use only

ECM document set no.	3960751
Version no.	1
Policy link	Procurement Policy
Procedure author	General Manager – Strategy and Corporate
Endorsed by	Council
Resolution no.	4615
Legal requirement	<i>Local Government Act 1999</i>
Review schedule	4 years – per Procurement Policy review schedule
Date of current version	May 2021
Date of next review	March 2025

Version history

Version no.	Approval date	Approval by	Change
1	25 May 2021	Ordinary Council Resolution No. 4615	New Procedure

Agenda Item:	6.1
Committee:	GRFMA Audit Committee
Meeting Date:	6 March 2023
Title:	Consultancy Agreement, Executive Officer Employment Obligations

Recommendation:

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 6.1 Consultancy Agreement, Executive Officer Employment Obligations 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 Audit Committee 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.
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GRFMA resolution 22/36 in part provides.

The GRFMA requests the Acting GRFMA Chairperson seek legal advice on the contract terms for the Executive Officer regarding any required employment obligations.

Legal opinion has now been received in advice in relation to the engagement of its Executive Officer whether based on the terms of the Consultancy Agreement executed by the Authority and the Executive Officer on 9 December 2021, the Authority has any employment obligations to the Executive Officer.

The advice as received is now provided to the GRFMA Audit Committee for consideration and to facilitate subsequent recommendation to the GRFMA Board.