

MINUTES

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY BOARD

9:45am Thursday 12 December 2024

City of Playford – Civic Centre, 10 Playford Boulevard, Elizabeth

9:56am the meeting commenced.

1. Meeting of the Board

1.1 Welcome by the GRFMA Chairperson

Mr Lino Di Lernia formally welcomed Board Members, Deputy Board Members, Observers and the Executive Officer and opened the 154th meeting of the Board.

1.2 Present

- Mr Lino Di Lernia, Independent Board Member, Chair
- Mr James Miller, Adelaide Plains Council, Board Member
- Cr Malcolm Herrmann, Adelaide Hills Council, Board Member
- Cr Bruce Preece, The Barossa Council, Board Member
- Cr Paul Koch, Town of Gawler, Board Member
- Ms Whendee Young, Town of Gawler, Board Member
- Mr Richard Dodson, Light Regional Council, Board Member
- Cr Clint Marsh, City of Playford, Board Member
- Mr David Hitchcock, Executive Officer

1.3 Apologies

- Mr David Collins, Adelaide Hills Council, Board Member
- Mr Jake McVicar, The Barossa Council, Board Member
- Cr Michael Phillips-Ryder, Light Regional Council, Board Member
- Mr Greg Pattinson, City of Playford, Board Member

9:58am Ms Whendee Young arrived at the meeting.

1.4 Appointment of Observers

GB70/24 **Observers**
Moved: Cr Bruce Preece
Seconded: Cr Clint Marsh

That Shaun Fielding and Cr Brian Sambell be appointed as Observers.

CARRIED UNANIMOUSLY

1.5 Declarations of Interest

Nil

2. Confirmation of Minutes

2.1 GRFMA Ordinary Meeting Minutes

GB71/24 **GRFMA Ordinary Meeting Minutes**
Moved: Cr Malcolm Herrmann
Seconded: Cr Bruce Preece

That the Minutes of the Gawler River Floodplain Management Authority Board meeting held on 17/10/2024 be confirmed as a true and accurate record of that meeting.

CARRIED UNANIMOUSLY

2.2 GRFMA Special Meeting Minutes

GB72/24 **GRFMA Special Meeting Minutes**
Moved: Mr Richard Dodson
Seconded: Mr James Miller

That the Minutes of the Gawler River Floodplain Management Authority Board special meeting held on 31/10/2024 be confirmed as a true and accurate record of that meeting.

CARRIED UNANIMOUSLY

2.3 Actions on Previous Resolutions

GB73/24 **Actions on Previous Resolutions**
Moved: Cr Bruce Preece
Seconded: Ms Whendee Young

That the actions on previous resolutions were noted.

CARRIED UNANIMOUSLY

2.4 Matters Arising from the Minutes

GB74/24 **Matters Arising from the Minutes**
Moved: Cr Malcolm Herrmann
Seconded: Cr Clint Marsh

That the matters arising from the minutes were noted.

CARRIED UNANIMOUSLY

3. Questions on Notice

Nil

4. Motions Without Notice

4.1 Cr Terry-Anne Keen Contributions to the Board

GB75/24 Cr Terry-Anne Keen Contributions to the Board

Moved: Mr James Miller

Seconded: Cr Bruce Preece

That the GRFMA formally acknowledges Cr Terry-Anne Keen's contribution to the Board over the last six years and instructs the Executive Officer to prepare a letter of thanks.

CARRIED UNANIMOUSLY

5. Presentations

Nil

6. Audit and Risk Committee

6.1 GRFMA Audit and Risk Committee Meeting Minutes 04/12/2024

GB76/24 GRFMA Audit and Risk Committee Meeting Minutes 04/12/2024

Moved: Cr Malcolm Herrmann

Seconded: Mr Richard Dodson

That the GRFMA receives the minutes of the Gawler River Floodplain Management Authority Audit and Risk Committee meeting held on 4/12/2024.

CARRIED UNANIMOUSLY

7. Technical Assessment Panel

Nil

8. Reports

8.1 Gawler River Flood Management Business Case

GB77/24 Gawler River Flood Management Business Case

Moved: Cr Bruce Preece

Seconded: Mr James Miller

That the GRFMA:

- 1. Notes the report.*
- 2. Receives a verbal update.*
- 3. Notes the endorsement of the previous Gawler River Flood Management Steering Committee to replace it with an updated governance arrangement; and The Department for Environment and Water Chief Executive, in support of the GRFMA, has sent invitations to State Government agencies requesting nominations for members of the new committee focusing on the business case coordination and upgrading of the flood control dam.*
- 4. Notes the GRFMA should be able to convene the new governance arrangements in the first quarter of 2025 to refocus efforts on implementing the business case.*

5. *Notes that governance arrangements for other aspects of flood mitigation, including improving levee bank management and the Community Flood Awareness and Preparedness project, will meet in 2025.*
6. *Agrees that membership of the new Steering Committee includes the CEOs of Adelaide Plains Council, Town of Gawler and City of Playford.*

CARRIED UNANIMOUSLY

GB78/24 Gawler River Flood Management Business Case

Moved: Cr Paul Koch

Seconded: Mr Richard Dodson

That the GRFMA notes that the GHD information will be provided to the ISA with supporting information seeking agreement to progress past Gate 2, subject to full investigation of the dam integrity being undertaken as part of the Gate 3 process.

CARRIED UNANIMOUSLY

8.2 Schedule of Meetings

GB79/24 Schedule of Meetings

Moved: Cr Malcolm Herrmann

Seconded: Cr James Miller

That the Schedule of ordinary GRFMA meetings, each commencing at 9:45am, for 2025 be:

- *Thursday 20 February 2025, Light Regional Council*
- *Thursday 17 April 2025 Adelaide Hills Council*
- *Thursday 19 June 2025, The Barossa Council*
- *Thursday 21 August 2025, Town of Gawler*
- *Thursday 16 October 2025, Adelaide Plains Council*
- *Thursday 4 December 2025, City of Playford*

CARRIED UNANIMOUSLY

8.3 Financial Report and BR1

GB80/24 Financial Report and BR1

Moved: Cr Malcolm Herrmann

Seconded: Cr Bruce Preece

That the GRFMA:

1. *Receives the financial report as of 30 November 2024 showing a cash at bank balance of \$13,442.74*
2. *Notes internal cash lending for CAD offset is \$323,437.65*
3. *Adopts the GRFMA 2024/20245 Budget Review 1 documents November 2024, and the variances contained as its amended and current budget for the period ended 30 June 2025.*

CARRIED UNANIMOUSLY

The Board noted that the amount of variance for the Chairman honorarium is \$6000 rather than \$600.

8.4 Executive Officer Report

GB81/24 Executive Officer Report

Moved: Cr Bruce Preece

Seconded: Mr Richard Dodson

That the GRFMA:

- 1. Receives the report.*
- 2. Notes the GRFMA Strategic Plan and Business Plan 2024/2025 progress report.*

CARRIED UNANIMOUSLY

9. Correspondence

9.1 Correspondence – Adelaide Hills Council Membership of GRFMA

GB82/24 Correspondence – Adelaide Hills Council Membership of GRFMA

Moved: Cr Paul Koch

Seconded: Mrs Whendee Young

That the GRFMA Board:

- 1. Receives the correspondence.*
- 2. Further discusses the Adelaide Hills membership of the GRFMA at Confidential item 10.3.*

CARRIED UNANIMOUSLY

10. Confidential

10.1 Gawler River Flood Management Business Case – Funding Strategy Options and Funding Principles

GB83/24 Gawler River Flood Management Business Case – Funding Strategy Options and Funding Principles

Moved: Cr Bruce Preece

Seconded: Mr Richard Dodson

That:

- 1. Pursuant to Section 90(2) of the Local Government Act 1999, an Order is made that the public be excluded from attendance at the meeting.
In order to consider in confidence agenda item 10.1 Gawler River Flood Management Business Case – Funding Strategy Options and Funding Principles, pursuant to Section 90(3)(b)(i)(II) of the Local Government Act 1999 on the basis of information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the GRFMA.*
- 2. This matter is confidential because the information herein provides information regarding the consideration of Gawler River Flood Management Business Case – Funding Strategy Options and Funding Principles*
- 3. On the basis of this information, the principle that meetings of the GRFMA should be conducted in a place open to the public has been outweighed in this instance: the Committee consider it necessary to consider this matter in confidence.*

CARRIED UNANIMOUSLY

10:25am confidential session commenced.

**GB84/24 Gawler River Flood Management Business Case – Funding Strategy
Options and Funding Principles**

Kept in confidence

**GB85/24 Gawler River Flood Management Business Case – Funding Strategy
Options and Funding Principles**

Moved: Cr Malcolm Herrmann

Seconded: Mr Richard Dodson

That:

1. *Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the GRFMA orders that the following aspects of item 10.3 Adelaide Hills Council membership of GRFMA be kept confidential in accordance with the GRFMA Boards reasons to deal with this item in confidence pursuant to Section 90(3)(b) (i) (II) of the Local Government Act 1999:*
 - *Minutes for Item 10.1.*
 - *Report for Item 10.1.*
2. *This order shall operate until reviewed and determined as part of the annual review by the Authority in accordance with Section 91(9)(a) of the Local Government Act 1999.*

CARRIED UNANIMOUSLY

10:48am Confidential session concluded.

10.2 Review of the Register of Confidential Items

GB86/24 Review of the Register of Confidential Items

Moved: Cr Clint Marsh

Seconded: Mr James Miller

That:

1. *Pursuant to Section 90(2) of the Local Government Act 1999, the meeting orders that the public be excluded from attendance at this part of the meeting relating to Item 10.2 Review of the Register of Confidential Items, excepting the following persons:*
 - *Executive Officer; and*
 - *Observers**to enable the meeting to consider in confidence agenda Item 10.2 on the basis that the meeting considers it necessary and appropriate to act in a meeting closed to the public (excepting the persons listed above) pursuant to Sections 90(3)(a)(b)(d)(e)(i)(k) of the Local Government Act 1999 in order to receive, discuss or consider in confidence the information or matter relating to Item 10.2:*
 - (a) *information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)*
 - (b) *information the disclosure of which — (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and (ii) would, on balance, be contrary to the public interest*
 - (d) *commercial information of a confidential nature (not being a trade secret) the disclosure of which — (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and (ii) would, on balance, be contrary to the public interest*
 - (e) *matters affecting the security of the council, members or employees of the council, or council property; or the safety of any person*

- (i) *information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council*
- (k) *tenders for the supply of goods, the provision of services or the carrying out of works*
- 2. *Accordingly, on this basis, the principle that meetings of the GRFMA Board should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.*

CARRIED UNANIMOUSLY

10:51am Confidential session commenced.

Review of the Register of Confidential Items

Moved: Cr Malcolm Herrmann

1. That this report 10.2 'Review of the Register of Confidential Items' be released from confidence immediately following this meeting.
2. That the GRFMA Board releases the following items from confidence:
All matters aside from the Chairperson matters be released.

Lapsed due to lack of a Second

GB87/24 Review of the Register of Confidential Items

Moved: Cr Bruce Preece

Seconded: Cr Paul Koch

That:

1. *That this report 10.2 'Review of the Register of Confidential Items' be released from confidence immediately following this meeting.*
2. *That the GRFMA Board releases the following items from confidence:*

Meeting Date	Item No.	Order Motion No.	Item Title	Items Held Under Order	Legislative Section	Order Terms	Last Review	Action
15/06/2023	10.2	54/23	GRFMA Chairperson, Independent Member	Report and attachments	90(3)(d) (e)	Annual Review	Oct-23	Release
19/10/2023	10.1	91/23	Bruce Eastick North Para Flood Mitigation Dam (BENPFM) Dam Maintenance	Report and attachments	90(3)(k)	Annual Review	N/A	Release
14/12/2023	10.2	119/23	Gawler River Stormwater Management Plan	Minutes, report and attachments	90(3)(k)	Annual Review	N/A	Release
15/02/2024	10.1	19/24	GRFMA Chairperson	Report	90(3)(a)	Annual Review	N/A	Release

15/08/2024	10.1	54/24	Gawler River Flood Mitigation Business Case - Funding Strategy	Discussion and presentation	90(3)(b)(i)(II)	Annual Review	N/A	Release
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CARRIED

11:04am Confidential session concluded.

10.3 Adelaide Hills Council – Membership of GRFMA**GB88/24 Adelaide Hills Council – Membership of GRFMA****Moved:** Mr Richard Dodson**Seconded:** Cr Clint Marsh*That:*

- Pursuant to Section 90(2) of the Local Government Act 1999, an Order is made that the public be excluded from attendance at the meeting.
In order to consider in confidence agenda item 10.3 Adelaide Hills Council membership of GRFMA , pursuant to Section 90(3)(b)(i)(II) of the Local Government Act 1999 on the basis of information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the GRFMA.*
- This matter is confidential because the information herein provides information regarding the consideration of Adelaide Hills Council advice of its resolution to seek withdrawal of membership of the GRFMA*
- On the basis of this information, the principle that meetings of the GRFMA should be conducted in a place open to the public has been outweighed in this instance: the Committee consider it necessary to consider this matter in confidence.*

CARRIED UNANIMOUSLY

11:05am Confidential session commenced.

11:12am Cr Malcolm Herrmann left the meeting.

GB89/24 Adelaide Hills Council – Membership of GRFMA**Kept in confidence****GB90/24 Adelaide Hills Council – Membership of GRFMA****Moved:** Cr Bruce Preece**Seconded:** Mrs Whendee Young*That:*

- Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the GRFMA orders that the following aspects of item10.3 Adelaide Hills Council membership of GRFMA be kept confidential in accordance with the GRFMA Boards reasons to deal with this item in confidence pursuant to Section 90(3)(b) (i) (II) of the Local Government Act 1999:*
 - Minutes for Item 10.3.*
 - Report for Item 10.3.*
- This order shall operate until reviewed and determined as part of the annual review by the Authority in accordance with Section 91(9)(a) of the Local Government Act 1999.*

CARRIED UNANIMOUSLY

11:27am Confidential session concluded.

11. Urgent Matters Without Notice

Nil

12. Next Meeting

Date and Time: 20 February 2025, 9:45am
Host: Light Regional Council

13. Closure

The Chairperson thanked the members for their attendance and contributions and closed the meeting at 11:28am.

Chair _____ Date _____