

# MINUTES

## GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY SPECIAL BOARD

10am Thursday 16 March 2023  
City of Playford

### 1. Meeting of the Board

#### 1.1 Welcome by the GRFMA Chairperson

Mr Ian Baldwin formally welcomed Board Members, Deputy Board Members, Observers and the Executive Officer and opened the 138<sup>th</sup> meeting of the Board.

#### 1.2 Present

- Mr Ian Baldwin, Independent Board Member, Chair
- Cr John Lush, Adelaide Plains Council, Board Member
- Mr James Miller, Adelaide Plains Council, Board Member
- Cr Malcolm Herrmann, Adelaide Hills Council, Board Member
- Mr Ashley Curtis, Adelaide Hills Council, Board Member
- Mr Martin McCarthy, The Barossa Council, Board Member
- Cr Paul Koch, Town of Gawler, Board Member
- Mr Greg Pattinson, City of Playford, Board Member
- Michael Phillips-Ryder, Light Regional Council, Board Member
- Mr Richard Dodson, Light Regional Council, Board Member
- Mr David Hitchcock, Executive Officer

#### 1.3 Apologies

- Ms Whendee Young, Town of Gawler, Board Member
- Cr Bruce Preece, The Barossa Council, Board Member

#### 1.4 Appointment of Observers

Nil

#### 1.5 Declarations of Interest

Mr D Hitchcock declared a pecuniary interest in item 2.3 as it related to contract services of the GRFMA Executive Officer and advised he would leave the meeting and not participate in any discussion.

Mr I Baldwin declared a general interest in item 2.1 as it related to provision of GRFMA Independent Chair services and advised he would leave the meeting and not participate in any discussion.

## 2. Reports

### 2.1 Review of the Experience, Expertise, and Qualification Requirements of the GRFMA Independent Chair

10:05am Mr I Baldwin left the meeting.

**GB14/23**      **Interim meeting chairperson**  
**Moved:**      **Mr M McCarthy**  
**Seconded:**    **Cr J Lush**

*That Cr M Herrmann be elected as interim chairperson for consideration of item 2.1.*

**CARRIED UNANIMOUSLY**

**GB15/23**      **Review of the Experience, Expertise, and Qualification Requirements of the GRFMA Independent Chair**  
**Moved:**      **Mr M McCarthy**  
**Seconded:**    **Mr G Pattinson**

*That the GRFMA:*

1. *Endorses the identified experience, expertise, and qualification requirements of the GRFMA Chairperson, Independent Member as identified in report 2.1 of the 16/3/2023 GRFMA Special Meeting.*
2. *Directs the Review Panel to facilitate appointment of a suitably qualified consultant to facilitate the process, as outlined at Table 1 of Report 2.1 with a budget allocation of up to \$7,000.*
3. *Receives a further report at the 15/6/2023 GRFMA meeting to consider identified candidate(s).*

**CARRIED UNANIMOUSLY**

Interested members were asked to advise the Executive Officer, by 24/3/2023, of any suitable consultancies that might be approached to provide a quote to undertake the process.

10:12am Mr I Baldwin returned to the meeting and resumed as Chairperson.

### 2.2 Gawler River Flood Mitigation Business Case Contributions

**GB16/23**      **Gawler River Flood Mitigation Business Case Contributions**  
**Moved:**      **Mr G Pattinson**  
**Seconded:**    **Mr A Curtis**

*That the GRFMA:*

1. *Notes Constituent Council responses to Gawler River Flood Mitigation Business Case contributions:*

<b>Adelaide Plains</b>	<i>Resolved to allocate an amount not exceeding \$52,000 with conditions. All constituent councils contributing an equal amount</i>
<b>Adelaide Hills</b>	<i>Offers a contribution of \$10,380 to the Gawler River Floodplain Management Authority in support of a Business Case (capital contribution percentage)</i>

<b>The Barossa</b>	<i>Resolved that it will not fund the project as it provides no tangible benefit to The Barossa Council and its ratepayers, residents, or visitors.</i>
<b>Town of Gawler</b>	<i>Resolved that Council as part of its 2023/24 Budget deliberations will consider the allocation of \$52,000</i>
<b>Light Regional</b>	<i>Resolved to offer \$52,020 a Capital Contribution percentage of 8.67%</i>
<b>City of Playford</b>	<i>Confirmed that the City of Playford will contribute \$52,000</i>

2. *Requests the GRFMA Chairperson to correspond with each Constituent Council advising of all funding contribution responses, and:*
  - a. *Seek to facilitate resolution with Adelaide Plains Council and Adelaide Hills Council regarding conditions for funding contributions.*
  - b. *Seek further dialogue with The Barossa Council regarding the importance of recognition of mutual obligations in achieving flood mitigation outcomes for the Gawler River.*

**CARRIED UNANIMOUSLY**

The Board discussed alteration of the agenda schedule.

**GB17/23            Consultancy Agreement, Executive Officer Employment Obligations**  
**Moved:           Cr M Herrmann**  
**Seconded:       Cr M Phillips-Ryder**

*That item 3.1 Consultancy Agreement, Executive Officer employment obligations be brought forward for consideration.*

**CARRIED UNANIMOUSLY**

10:49am Mr D Hitchcock left the meeting.

10:49am Cr M Phillips-Ryder left the meeting.

### **3.1 Consultancy Agreement, Executive Officer Employment Obligations**

**GB18/23            Consultancy Agreement, Executive Officer Employment Obligations**  
**Moved:           Mr M McCarthy**  
**Seconded:       Cr J Lush**

*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 3.1 pursuant to Section 90(3)(a) of the Local Government Act 1999 on the basis of: containing information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).*

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.*

**CARRIED**

10:49am confidential session commenced.

10:51am Cr M Phillips-Ryder returned to the meeting.

**GB19/23            Consultancy Agreement, Executive Officer Employment Obligations**  
**Moved:            Mr M McCarthy**  
**Seconded:        Cr M Phillips-Ryder**

*That the GRFMA:*

1. *Requests the GRFMA Chairperson to facilitate independent review of calculation of superannuation guarantee payment requirement for the GRFMA Executive Officer as identified in Table 1 in the confidential report 16/3/2023 GRFMA Special Meeting.*
2. *Subject to any super guarantee payments, in relation to Executive Officer services being made, to be based on up to \$42,0000 from provision within the GRFMA Budget.*
3. *When engaging a new Executive Officer or extending the existing Executive Officer's contract, that the implications of the super guarantee payment requirements are considered at that time.*

**CARRIED UNANIMOUSLY**

**GB20/23            Consultancy Agreement, Executive Officer Employment Obligations**  
**Moved:            Cr J Lush**  
**Seconded:        Cr M Phillips-Ryder**

*That:*

1. *Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the GRFMA Audit Committee orders that the following aspects of item 3.1 Consultancy Agreement, Executive Officer employment obligations, be kept confidential in accordance with the Committees reasons to deal with this item in confidence pursuant to section 90(3) (d) (e) of the Local Government Act 1999:*

- *Report for item 3.1.*

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**

11:09 confidential session concluded.

11:09 Mr D Hitchcock returned to the meeting.

Members requested that the Executive Officer provide a report to the 20/4/2023 GRFMA meeting advising if there is any impact on cash reserves from action on GB19/23.

**2.3 Draft GRFMA 2021/2022 Business Plan and Draft GRFMA 2021/2022 Budget.**

**GB21/23**            **Draft GRFMA 2021/2022 Business Plan and Draft GRFMA 2021/2022 Budget**

**Moved:**           **Mr R Dodson**

**Seconded:**       **Cr J Lush**

*That the GRFMA:*

1. *Adopts the Draft 2023/2024 GRFMA Annual Business Plan and Draft 2023/2024 Budget as amended.*
2. *Following receipt of Constituent Council feedback considers adoption of the GRFMA draft Annual Business Plan and Annual Budget at the June 2023 meeting.*

**CARRIED UNANIMOUSLY**

Amendment to draft budget: provision of an additional \$6,500 for super guarantee payments.

**4. Closure**

Chair \_\_\_\_\_ Date \_\_\_\_\_