

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY

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Dear Member,

NOTICE OF MEETING

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

DATE: Thursday, 15 October 2020

TIME: 9:45am

PLACE: Adelaide Plains Council,
2a Wasleys Road, Mallala



David E Hitchcock

EXECUTIVE OFFICER



The Barossa Council

Gawler



AGENDA

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY BOARD

ORDINARY MEETING

9:45am Thursday, 15 October 2020

Adelaide Plains Council, 2a Wasleys Road, Mallala

1. Meeting of the Board

- 1.1 Welcome by the GRFMA Chairperson
- 1.2 Present (please sign the Attendance Register)
- 1.3 Apologies
- 1.4 Appointment of Observers
- 1.5 Declarations of Interest

2. Confirmation of Minutes

- 2.1 GRFMA Ordinary Meeting Minutes..... Page 4
- 2.2 Actions on Previous Resolutions..... Page 13
- 2.3 Matters Arising from the Minutes

3. Questions on Notice

Nil

4. Motions on Notice

Nil

5. Presentations

- 5.1 SA Water – South Para Reservoir

6. Audit Committee

Nil

7. Technical Assessment Panel

Nil meetings.

8. Reports

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8.3	GRFMA Charter Review 2.....	Page 26
8.4	Bruce Eastick North Para Flood Mitigation Dam Safety.... Emergency Plan and Inspection	Page 60
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8.6	Town of Gawler – Boundary Reform.....	Page 65
8.7	Financial Report.....	Page 69

9. Correspondence

9.1	Adelaide Hills Council - Change of GRFMA Board Members	Page 76
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10. Confidential

10.1	Bruce Eastick North Para Flood Mitigation Dam repairs ...	Page 77
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11. Urgent Matters Without Notice

12. Next Meeting

Date and Time:

Thursday 10 December 2020

Host:

City of Playford

13. Closure

Agenda Item: 2.1
Committee: Board
Meeting Date: 15 October 2020
Title: GRFMA Ordinary Meeting Minutes

Recommendation:

That the Minutes of the Gawler River Floodplain Management Authority Board meeting held 13 August 2020 be confirmed as a true and accurate record of that meeting.

Refer minutes attached to this report.

MINUTES

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY BOARD

**9:45am Thursday 13 August 2020
Town of Gawler**

1. Meeting of the Board

1.1 Welcome by the GRFMA Chairperson

Mr Ian Baldwin formally welcomed Board Members, Deputy Board Members and the Executive Officer and opened the 120th meeting of the Board.

1.2 Present

- Mr Ian Baldwin, Independent Board Member, Chair
- Cr Terry-Anne Keen, Adelaide Plains Council, Board Member
- Mr James Miller, Adelaide Plains Council, Board Member
- Cr Malcolm Herrmann, Adelaide Hills Council, Board Member
- Mr Marc Salver, Adelaide Hills Council, Board Member
- Cr Russell Johnstone, The Barossa Council, Deputy Board Member
- Cr Paul Koch, Town of Gawler, Board Member
- Mr Sam Dilella, Town of Gawler, Board Member
- Cr William Close, Light Regional Council, Board Member
- Cr Clint Marsh, City of Playford, Deputy Board Member
- Mr Greg Pattinson, City of Playford, Board Member
- Mr David Hitchcock, Executive Officer

1.3 Apologies

- Mayor Bim Lange, The Barossa Council, Board Member
- Mr Gary Mavrinac, The Barossa Council, Board Member
- Mr Andrew Philpott, Light Regional Council, Deputy Board Member
- Cr Peter Rentoulis, City of Playford, Board Member

1.4 Appointment of Observers

Nil

1.5 Declarations of Interest

Nil

The Chair foreshadowed intention to bring forward item 9 (Correspondence) at the time item 8.2 would be due to be discussed.

2. Confirmation of Minutes

2.1 GRFMA Ordinary Meeting Minutes

GB 20/52 GRFMA Ordinary Meeting Minutes
Moved: Cr M Herrmann
Seconded: Cr R Johnstone

That the minutes of the Gawler River Floodplain Management Authority Board meeting held 11 June 2020 be confirmed as a true and correct record of that meeting.

CARRIED UNANIMOUSLY

2.2 GRFMA Special Meeting Minutes

GB 20/53 GRFMA Special Meeting Minutes
Moved: Cr P Koch
Seconded: Mr G Pattinson

That the minutes of the Gawler River Floodplain Management Authority Special Board meeting held 17 July 2020 be confirmed as a true and correct record of that meeting.

CARRIED UNANIMOUSLY

2.3 Actions on Previous Resolutions

Nil

2.4 Matters Arising from the Minutes

Nil

3. Questions on Notice

Nil

4. Motions on Notice

Nil

5. Presentations

Nil

6. Audit Committee

6.1 Audit Committee Meeting Minutes

GB 20/54 Audit Committee Meeting Minutes
Moved: Cr M Herrmann
Seconded: Mr M Salver

That the minutes of the Gawler River Floodplain Management Audit Committee meetings held 9 June 2020 (deferred from 11 June 2020 Board meeting) and 4 August 2020 be received and noted.

CARRIED UNANIMOUSLY

Cr M Herrmann as a member of the GRFMA Audit Committee referred to resolution GAC 20/11; Adoption of GRFMA Public Interest Disclosure and Fraud and Corruption Policies was deferred to enable referral to Constituent Councils to determine if one their relevant Responsible Officers might be in a position to undertake roles and responsibility required.

Cr Herrmann advised this is something that could be undertaken by the Adelaide Hills Council Governance Officer, subject to checking the legality of appointing a Responsible Officer not otherwise associated with the GRFMA. The GRFMA Executive Officer will check this and advise at a subsequent meeting.

7. Technical Assessment Panel

Nil meetings.

8. Reports

8.1 Business deferred from 9/6/2020 GRFMA Board Meeting

GB 20/55 Financial Report 9/6/2020
Moved: Mr G Pattinson
Seconded: Mr J Miller

That the GRFMA:

- 1. Receives the financial report as at 31 May 2020 showing a balance of total funds available \$179,223.70.*
- 2. Adopts the 2019/20 Budget Review 3 Documents May 2020 and the variances contained as its amended and current budget for the period ended 30 June 2020.*

CARRIED UNANIMOUSLY

GB 20/56 Achievements Against the Business Plan
Moved: Mr S Dilena
Seconded: Cr R Johnstone

That the Statement of Achievements Against the Business Plan as amended be received.

CARRIED UNANIMOUSLY

GB 20/57 GRFMA Strategic Plan
Moved: Mr S Dilena
Seconded: Mr J Miller

That:

- 1. The Executive Officer write to Constituent Council CEO's seeking advice on the process Council undertakes in relation to development of their Strategic Plan so as to enable a report to be drafted outlining possible options the GRFMA might consider in establishing its own Strategic Plan.*
- 2. A relevant report be provided to the 15 October 2020 GRFMA Board meeting.*

CARRIED UNANIMOUSLY

8.2 Audited Financial Statements 2019-2020

GB 20/58 Audited Financial Statements 2019-2020
Moved: Cr M Herrmann
Seconded: Mr S Dilena

That the audited Financial Statements for the year 2019-2020 be adopted for the purposes of Part 4 Financial Statements of the Local Government (Financial Management) Regulations 2011 and the 'Certification of Financial Statements' be signed by the Executive Officer and Board Chair.

CARRIED UNANIMOUSLY

8.3 Interest in Net Assets

GB 20/59 Interest in Net Assets
Moved: Mr J Miller
Seconded: Mr G Pattinson

That the Schedule of Constituent Council's Interest in Net Assets as at 30 June 2020 be adopted in accordance with Clause 16.5 of the Charter.

CARRIED UNANIMOUSLY

Mr M Salver noted variation in figures tabled at calculation of Note 2, Net Equity (Page 8) and Note 10, Non Current Assets Summary (Page 12). The Executive Officer noted this is likely due to inclusion of investments/debtors and accounts payable/creditors in the equity calculation. The Executive Officer will follow up and clarify the figures.

8.4 GRFMA Annual Report 2019-2020

GB 20/60 GRFMA Annual Report 2019-2020
Moved: Mr M Salver
Seconded: Cr P Koch

That the GRFMA receives and notes the GRFMA Annual Report 2019/2020 as amended.

CARRIED UNANIMOUSLY

Amendments to the Annual Report included:

- Providing reference to the large financial cost considerations for the proposed Northern Floodway and feasibility of raising the Bruce Eastick North Para Flood Mitigation Dam.
- Reference to electronic meetings required as a result of COVID-19 protocols.
- Clarify consistency in the process of the GRFMA Charter Review as Charter Review 1 and Charter Review 2.

8.5 Review of the Register of Confidential Items

GB 20/61 Review of the Register of Confidential Items
Moved: Mr G Pattinson
Seconded: Cr W Close

That the GRFMA:

1. *Receives the report; and*
2. *Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the GRFMA orders that the following aspects of item 10.1 Lower level outlet pipe and stilling basin repairs Bruce Eastick North Para Flood Mitigation Dam remain confidential in accordance with the GRFMA Boards reasons to deal with this item in confidence pursuant to section 90(3) (d) of the Local Government Act 1999:*
 - *Report for Item 10.1.*
 - *Attachments for item 10.1.*
3. *Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the GRFMA orders that the following aspects of item 10.2 Lower level outlet pipe and stilling basin repairs Bruce Eastick North Para Flood Mitigation Dam remain confidential in accordance with the GRFMA Boards reasons to deal with this item in confidence pursuant to section 90(3) (d) of the Local Government Act 1999:*
 - *Report for Item 10.2.*
 - *Attachments for item 10.2.*
4. *Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the GRFMA orders that the following aspects of item 10.1 Bruce Eastick North Para Flood Mitigation Dam remain confidential in accordance with the GRFMA Boards reasons to deal with this item in confidence pursuant to section 90(3) (d) of the Local Government Act 1999:*
 - *Report for Item 10.1.*
 - *Attachments for item 10.1.*
5. *Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the GRFMA orders that the following aspects of item 10.1 Lower level outlet pipe remain confidential in accordance with the GRFMA Boards reasons to deal with this item in confidence pursuant to section 90(3) (d) of the Local Government Act 1999:*
 - *Report for Item 10.1.*
 - *Attachments for item 10.1.*

This order shall operate until reviewed and determined as part of the 2021 annual review by the Authority in accordance with Section 91(9)(a) of the Local Government Act 1999.

CARRIED UNANIMOUSLY

9. Correspondence

- 9.1 **GRFMA Charter Review Update, Advancement of a Stormwater Management Plan and Northern Floodway Project Update – Letter from Adelaide Plains Council**
- 9.2 **GRFMA Charter Review Update, Advancement of a Stormwater Management Plan and Northern Floodway Project Update – Letter from Adelaide Plains Council**

GB 20/62 Correspondence
Moved: Cr R Johnstone
Seconded: Mr J Miller

That item 9 Correspondence be received and now considered.

CARRIED UNANIMOUSLY

Mr J Miller spoke to the correspondence seeking clarification of the GRFMA's intent to develop a Stormwater Management Plan (SMP) and 30% Design of the Northern Floodway Project (NFP) noting previous resolution GRB 18/50 provides costs for further planning, design and construction work should be funded by State and Federal Governments.

The GRFMA Chair advised in his view, the process resolved by the GRFMA Board would enable definition of scope and subsequent cost of any proposed SMP which will better inform any future consideration and endorsement process of proceeding. Further as a material amount of costs associated with the 30% design NFP could be included in the proposed SMP process, it would also assist with a clearer understanding of any costs the 30% design might entail.

The Chair will correspond with the Adelaide Plains Council in this regard.

8.6 Northern Floodway Project – SMP

GB 20/63 Northern Floodway Project – SMP
Moved: Cr M Herrmann
Seconded: Cr T Keen

That the GRFMA:

- 1. Receives the report.*
- 2. Appoints Mr S Dilena (Gawler) and Mr G Pattinson (Playford) as GRFMA representatives to the SMP Governance Group.*
- 3. Requests the Executive Officer to correspond with other Constituent Councils to seek their representation on the governance group.*

CARRIED UNANIMOUSLY

8.7 GRFMA Charter Review 2

GB 20/64 GRFMA Charter Review 2
Moved: Mr J Miller
Seconded: Cr W Close

That GRFMA:

- 1. Notes the report.*
- 2. Receives a verbal update on outcomes of the 10/8/2020 GRFMA Charter Working Group workshop.*

CARRIED UNANIMOUSLY

8.8 Bruce Eastick North Para Flood Mitigation Dam – Operations and Maintenance Manual

GB 20/65 **Bruce Eastick North Para Flood Mitigation Dam – Operations and Maintenance Manual**

Moved: **Mr G Pattinson**

Seconded: **Mr M Salver**

That the GRFMA:

1. *Receives the report.*
2. *Notes pending inspection of the Bruce Eastick North Para Flood Mitigation Dam and associated land to ascertain conformity with service level requirements contained in the 2020 Operations and Maintenance Manual.*
3. *Receives a further report regarding the inspection at the 15 October 2020 meeting.*

CARRIED UNANIMOUSLY

11:05am Cr M Herrmann left the meeting.

8.9 ARTC Bridge Gawler River

The Executive Officer advised members that further advice had been received from Water Technology in relation to the ongoing discussions and request for information from Tonkin Consulting to enable the GRFMA to be satisfied that proposed replacement of ARTC Bridge, Gawler River, will not compromise water flow in the Gawler River channel.

The advice provided to members included:

- Tonkin's response states the Bridge conveyance capacity is 200m³/s and that the bridge can withstand over topping.
- These are important requirements for the GRFMA as they provide the necessary flexibility to achieve 1% AEP flood protection though the proposed Northern Floodway project and the feasibility of raising the Bruce Eastick North Para Flood Mitigation Dam.
- The GRFMA should advise that the future hydraulic capacity of the channel through the bridge section will be increased as part of the Northern Floodway project works, possibly up to 200m³/s.
- Should the GRFMA wish to advise relevant landholdings of the proposed works and possible implications from temporary works, it should advise Tonkin Consulting in the first instance.
- It would be beneficial for the GRFMA Executive Officer to convene a final meeting to advise of the GRFMA views and to finalise the discussion.

GB 20/66 **ARTC Bridge Gawler River**

Moved: **Mr G Pattinson**

Seconded: **Mr M Salver**

That the GRFMA:

1. *Receives the report.*
2. *Acknowledges current advice from Tonkin Consulting that the ARTC Bridge, Gawler River, meets the water flow parameter requirements of the GRFMA in relation to the proposed Northern Floodway Project and the feasibility of raising the Bruce Eastick North Para Flood Mitigation Dam.*
3. *Endorses the Executive Officer finalising engagement with Tonkin Consulting.*

CARRIED UNANIMOUSLY

8.10 Finance Report

GB 20/67 Finance Report
Moved: Cr W Close
Seconded: Mr S Dilena

That the GRFMA receives the finance report as of 31 July 2020 showing a balance of total funds available \$248,034.74.

CARRIED UNANIMOUSLY

10. Confidential

Nil

11. Urgent Matters Without Notice

Nil

12. Next Meeting

Date and Time: 15 October 2020

Host: Adelaide Plains Council – 2a Wasleys Road, Mallala

13. Closure

The Chairperson thanked members for their attendance and the Town of Gawler as host and attention to participants wellbeing via COVID-19 safety protocols.

The meeting closed at 11:33am.

Chair _____ Date _____

Agenda Item: 2.2
Committee: Board
Meeting Date: 15 October 2020
Title: Actions on Previous Resolutions

Number	Resolution	Action
18/07	<p>That the GRFMA:</p> <ol style="list-style-type: none"> 1. Receive the report; 2. Supports proposed development of a Levee Bank Management (Gawler River Floodplain) information and guideline document by the Adelaide & Mt Lofty Ranges Natural Resources Management Board (AMLRNRMB); 3. Requests the Executive Officer to initiate a meeting with Constituent Council planning and engineering staff and AMLRNRMB staff to facilitate adoption of: <ol style="list-style-type: none"> a. a suitable and consistent Development Consent process (where appropriate) for applications for approval to undertake construction and maintenance of levee banks; and b. approved Best Practice Operating Procedures under the relevant Natural Resources Management Plans. 	<p>Currently working with DEW on this as part of the dam and levee bank management draft position papers.</p> <p>GRFMA has volunteered to participate in a pilot project for this process.</p>
19/63	That the Executive Officer be requested to seek quotations for scanning of GRFMA records currently held at the Barossa Council.	Low priority
20/07	<p>That the GRFMA:</p> <ol style="list-style-type: none"> 1. Establishes a working party with delegated authority to effect and project manage repairs to the Bruce Eastick North Para Flood Mitigation Dam lower level outlet pipe and stilling basin; 2. Determines scope of authority of the working group as outlined in the 27/2/2020 GRFMA meeting Agenda Item 8.3, Lower level Outlet Pipe (LLOP) and Stilling Basin; and 3. Prior to initiating discussion regarding the LLOP and stilling basin issues with relevant companies associated with the design and subsequent construction of the Bruce Eastick North Para Flood Mitigation Dam, instruct the Executive Officer to obtain legal advice to understand the GRFMA's legal position on matters contained herein in order to pursue a subsequent claim for damages to cover all remediation costs associated with the defective works. 	Refer Agenda item 10.1

Number	Resolution	Action
20/25	That: The GRFMAs receives the motion on notice from Mr S Dilena, Board Member, Town of Gawler. That the rationale behind the spillway works undertaken to the South Para Dam be provided to the GRFMA in a future update report to enable it to further consider the merits of SA Water now providing retention capacity in the dam for flood inflow management in the upper South Para Catchment, particularly now that the State's Desalination Plant is in place to ensure surety of potable supply.	Refer Agenda item 5
20/57	That: <ol style="list-style-type: none"> 1. The Executive Officer write to Constituent Council CEO's seeking advice on the process Council undertakes in relation to development of their Strategic Plan so as to enable a report to be drafted outlining possible options the GRFMA might consider in establishing its own Strategic Plan. 2. A relevant report be provided to the 15 October 2020 GRFMA Board meeting. 	Refer Agenda item 8.5
20/63	That the GRFMA: <ol style="list-style-type: none"> 1. Receives the report. 2. Appoints Mr S Dilena (Gawler) and Mr G Pattinson (Playford) as GRFMA representatives to the SMP Governance Group. 3. Requests the Executive Officer to correspond with other Constituent Councils to seek their representation on the governance group. 	Refer Agenda item 8.2
20/65	That the GRFMA: <ol style="list-style-type: none"> 1. Receives the report. 2. Notes pending inspection of the Bruce Eastick North Para Flood Mitigation Dam and associated land to ascertain conformity with service level requirements contained in the 2020 Operations and Maintenance Manual. 3. Receives a further report regarding the inspection at the 15 October 2020 meeting. 	Refer Agenda item 8.4
20/66	That the GRFMA: <ol style="list-style-type: none"> 1. 1.Receives the report. 2. 2.Acknowledges current advice from Tonkin Consulting that the ARTC Bridge, Gawler River, meets the water flow parameter requirements of the GRFMA in relation to the proposed Northern Floodway Project and the feasibility of raising the Bruce Eastick North Para Flood Mitigation Dam. 3. 3.Endorses the Executive Officer finalising engagement with Tonkin Consulting. 	Completed

Agenda Item:	8.1
Committee:	Board
Meeting Date:	15 October 2020
Title:	GRUMP Modified Deliverables

Recommendation:

That the GRFMA endorses the project variation to extend the GRUMP project to 31/12/2020.

The GRFMA Integrated Decision Support Tool (GRUMP) - NDRP1718-08 Project has experienced delays and is now proposed to be completed by 31/12/2020

The GRFMA GRUMP Project Team has agreed to support the variation.

SAFECOM (funding partner) has subsequently advised approval of the project variation.

Background

Over the past four years the University of Adelaide, and the Research Institute for Knowledge Systems, commissioned, supported and funded by the Bushfire & Natural Hazard CRC, has been developing UNHaRMED.

UNHaRMED is a decision support tool designed to explore how to manage risk into the future in an integrated and dynamic approach considering different drivers and options impacting on future risk.

This project (GRUMP) will support the exploration of UNHaRMED potential by considering specific pilot studies (such as proposed Dam raise and Northern Floodway proposal) of analysis and developing a methodology for continued use of the program for integrated planning of flood mitigation actions by GRFMA and providing an example for other local government authorities and floodplain managers in integrated flood risk management supported by integrated risk modelling.

Key project aims are:

- Provide a platform for GRFMA constituent councils to compare flood mitigation options over time in an integrated and transparent manner, as the basis for preparing a master plan incorporating existing mitigation structures and on-going maintenance and operation for constituent councils and the community.
- Enable this platform to be used to engage the community in decision making, improve risk awareness and resilience and willingness to pay for risk reduction depending on risk appetite.
- Integrate social, economic, and environmental risk factors for a broad understanding of the Gawler River Catchment to inform long-term strategic planning.
- Highlight the role of research and science in local government decision-making and provide an example for similar councils and catchment management authorities across Australia.

- Develop a repeatable process to enable continued use of the project outputs and analysis frameworks for Local Government decision making across South Australia.

The research team at the University of Adelaide has now requested a variation of the project to 31/12/2020 .

The primary reasons for the delays in meeting deadlines are:

- The moving on of key staff (Dr Graeme Riddell, University of Adelaide).
- The need of the project team to undertake software development to further the capability within UNHaRMED. This added software development was undertaken to address key risk analysis issues as identified within the project workshops, and can be summarised as follows:
 - ✓ Added capability allowing for damage assessment for road infrastructure. This has represented a fundamentally different form of data processing, that has required the incorporation of vectorised infrastructure classes within the map-based damage assessment. This addition is of critical importance for the Gawler region as it enables an incorporation of road damage into the risk assessment, which is a key infrastructure within the highly agricultural region.
 - ✓ Added capability to include agricultural / horticultural areas as an asset class, which is also of key importance in the Gawler River floodplain.
 - ✓ Added capability to allow for a greater resolution in the expected damage risk assessments. This has involved the extension of the analysis from the region-based average annual loss to include the region-based expected annual loss for a range of average-recurrence-interval flood events, as well as damage assessment for flooding above use-defined inundation levels.

These additions have been prioritised by the project team as they significantly increase the utility of the software to the Gawler River Flood Plain Management Authority (GRFMA) through the incorporation of key infrastructure in the damage assessment, and the risk reporting better aligning with standard risk reporting.

Project Variation

The variation is for the extension of the milestone deadlines as outlined in Table 1. This additional time will allow for the project team to successfully deliver the milestones.

The project scope and costing remain unchanged, with the exception of the new milestone, (Table 1, Milestone A).

Table 1: Milestone Table

MS#	Milestones	Current Date	Proposed Date
2.2.1	Integrated assessment of flood mitigation options and adaption pathways report	30-5-2020	31-12-2020
	Dissemination activity on project, approach and outcomes to broader council audience	30-6-2020	31-12-2020
2.3.1	Pathway document for GRFMA constituent councils for integration flood risk management	30-6-2020	31-12-2020

MS#	Milestones	Current Date	Proposed Date
2.3.2	Evaluation document outlining use of UNHaRMED, data used, limitations and gaps in data and analysis and recommendations for future work	30-6-2020	31-12-2020
2.3.3	Final Report including evaluation, statement of financial expenditure, finance report or summary and certificate of compliance	30-6-2020	31-12-2020
A	Preliminary reporting on floodway scenario comparison	-	30-10-2020

Additional Milestone

At the request of GRFMA, the project team will provide a preliminary report (Milestone A, Table 1) outlining key impact statistics for the Gawler River Catchment for the scenarios of the catchment with and without the proposed floodway, where:

- The impact is to be measured based on the extent of land affected for each land-use class for both of the scenarios;
- This impact is to be reported for the range of ARIs available.

University of Adelaide Project Team Capacity

The staffing shortfall will be addressed by increased input from project member Research Institute for Knowledge Systems (RIKS), whom have undertaken a reorganisation of their schedule for the remainder of 2020 to achieve this.

Agenda Item:	8.2
Committee:	Board
Meeting Date:	15 October 2020
Title:	Stormwater Management Plan

Recommendation:**That the GRFMA:**

- 1. Receives the report; and**
 - 2. Endorses the Executive Officer and the Project Manager – GRFMA SMP to separately consider a proposal how Stage 1 - 30% design of the Northern Floodway Project might also be undertaken on the basis that there will be aspects of the Project that are inherent in the process of developing an SMP.**
 - 3. Considers comments noted from the briefing of constituent council CEO's.**
-

The GRFMA has previously resolved to support a proposal to prepare a Stormwater Management Plan (SMP) for the Gawler River from the junction of the North and South Para to the coast; and a proposal to prepare the SMP including Stage 1 - 30% design of the Northern Floodway project as an aligned process.

GRB 20/51 Gawler River Stormwater Management Plan

That the GRFMA Board:

- 1. Supports the proposal to prepare a Stormwater Management Plan (SMP) for the Gawler River from the junction of the North and South Para to the coast.*
 - 2. Supports the proposal to prepare the SMP including Stage 1 - 30% design of the Northern Floodway project as an aligned process.*
 - 3. Endorses the City of Playford offer of in-kind support of a Project Manager for the GRFMA SMP process.*
 - 4. Authorises the establishment of a GRFMA SMP Governance Group to prepare the scope of the proposed SMP including recommendations for its procurement for GRFMA Board consideration as a matter of urgency.*
 - 5. Establishes membership of the SMP Governance Group to include:*
 - a) GRFMA Council representatives*
 - b) SMA representative*
 - c) Green Adelaide representative*
 - d) Northern and York Landscape Board representative*
 - e) Department of Water representative*
 - f) City of Playford Project Manager – GRFMA SMP*
 - 6. Requests the Executive Officer to:*
 - a) Facilitate a briefing for the six Constituent Council CEO's to inform them of the establishment of the GRFMA SMP Governance Group to prepare the scope of the proposed SMP, discuss funding implications and receive feedback on issues that the GRFMA Board needs to consider.*
-

- b) *At the appropriate time, following completion of the above, correspond with Constituent Councils advising of the GRFMA Board deliberations, noting cost implications and seeking their support to jointly fund the SMP and completion of Stage 1 - 30% design of the Northern Floodway project.*
7. *Authorises the GRFMA Chair and Executive Officer to undertake negotiation with Walker Corp regarding co-contribution to the scope of works identified above.*

GRB 20/63 Northern Floodway Project – SMP

That the GRFMA:

1. *Receives the report.*
2. *Appoints Mr S Dilena (Gawler) and Mr G Pattinson (Playford) as GRFMA representatives to the SMP Governance Group.*
3. *Requests the Executive Officer to correspond with other Constituent Councils to seek their representation on the governance group.*

Following determination of membership of the Project Governance Group (PGG) a meeting was held 14/9/2020 to consider terms of reference and discuss relevant scope of the proposed SMP.

Key outcomes of the meeting were:

- The specific task of the Project Governance Group (PGG) should be to establish the scope of the proposed SMP.
- Any consideration of how Stage 1 - 30% design of the Northern Floodway project might be also undertaken should be a separate GRFMA process and not within the terms of the PGG.
- Points noted related to ensuring the SMP process is to be independent of any existing flood mitigation proposals as the SMP objective is to identify all considerations.
- It was acknowledged that the NFP remains highest priority for GRFMA and there will be aspects of the NFP that are inherent in the process of developing an SMP.

Next Steps:

- Action now to be taken by Mr Braden Austin, Project Manager – GRFMA SMP, to liaise with Mr Hitchcock to progress drafting of the preliminary SMP scope for further consideration by the PGG.

See attached notes from the 14/9/2020 PGG meeting and the agreed Terms of Reference.

The GRFMA Executive Officer has completed briefings (GRB 20/51) for five of the six Constituent Council CEO's to inform them of the establishment of the GRFMA SMP Governance Group to prepare the scope of the proposed SMP, discuss funding implications and receive feedback on issues that the GRFMA Board needs to consider.

See attached for summary of comments noted during the CEO briefings.

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY

Briefing Notes – Constituent Councils **Establishment of the GRFMA SMP Governance Group** **to prepare the scope of the proposed SMP**

The GRFMA Executive Officer has completed briefings (GRB 20/51) for five of the six Constituent Council CEO's.

The purpose of the briefings were to inform CEO's of the establishment of the GRFMA SMP Project Governance Group to prepare the scope of the proposed SMP, discuss funding implications and receive CEO feedback on issues that the GRFMA Board needs to consider.

Collective comments received from constituent council CEO's were:

CEO's had been briefed on the matter by GRFMA Board Members (CEO delegate).

GRFMA should seek to resolve the current impasse of not undertaking action to proceed on the Northern Floodway Project unless 100% capital funding received from State and Federal Government.

Consideration should be given to establishing equitable contributions by all (3) spheres of government. GRFMA should do some modelling on this. One option might be based on taxation revenue i.e. Local Government collects less than 4%.

The GRFMA should establish a suitable funding platform to lobby for the Northern Floodway Project (and raise Bruce Eastick North Para Flood Mitigation Dam) in the forthcoming State and Federal Government election processes.

The Northern Floodway Project was submitted as priority in the RDA Strategic Planning document and this should be utilised in the forthcoming State and Federal Government election processes.

The Northern Floodway Project and raise Bruce Eastick North Para Flood Mitigation Dam has been included in the Light and Adelaide Plains Regional Vision submission.

The GRFMA should bundle up other support from horticultural and development interests.

The Charter Review proposal to formally engage with State Government Agencies on an ongoing basis supported.

Not uncomfortable with looking at all financing options. Current loan interest rates are favourable which could be serviced over successive GRFMA budgets.

Regarding financing there may be an issue with application of the separate rate (as one option available to Council) as if there is no ratepayer benefit from the project it cannot be applied.

GRFMA will need to identify and explain what the council funding contribution calculation will be when considering the Northern Floodway Project and the Stormwater Management plan i.e. capital or operational.

In regards to Charter Review 2 funding options, how does SA Water calculate water flow from their catchments.

It might be worth while researching how the Indenture Act might be utilised as a financing option.

GRFMA could consider commissioning an independent piece of work to identify the most appropriate long term financing options for the GRFMA (and Councils).

GRFMA should now establish what the longer term financial commitment might look like, particularly the 20/21 financial year so as to keep councils informed.

Stormwater Management Authority funding should not be considered as the only option. Rather pursue all other considerations and have two or three other options underway at the same time.

Council would like to see the GRFMA Charter Review completed before considering any new flood mitigation initiatives. I.e revisiting the original focus of the GRFMA and measure how it has achieved what it set out to do and what is the benefit for council ratepayers. Also, recognition of other local stormwater initiatives funded by council.

Acknowledge the process being undertaken and will wait for further correspondence from the GRFMA and will provide formal comment at that time.

Happy with the briefing layout as provided by the GRFMA Executive Officer.

Supportive of a further collective council CEO discussion forum on this and other GRFMA matters.

Would like a copy of the collective comments from CEO briefings.

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY

Stormwater Management Plan

Project Governance Group

Notes of the meeting held 10 am Monday 14 September 2020 at the Council Chambers, Town of Gawler Civic Centre (with some members also participating via zoom).

Present

Anthony Fox, Northern and Yorke Landscape SA, Ingrid Franssen, Department Environment and Water, Rachel Murchland, Green Adelaide, Andrew Philpott, Light Regional Council, Greg Pattinson, City of Playford, Sam Dilella, Town of Gawler, Braden Austin, City of Playford, Tom Jones, Adelaide Plains Council, Marc Salver, Adelaide Hills Council, Gary Mavrinac, The Barossa Council, David Hitchcock, Executive Officer GRFMA.

Welcome

Mr David Hitchcock, Executive Officer GRFMA, welcomed persons attending and commenced introductions.

Purpose of the meeting

The GRFMA has proposed to prepare a Stormwater Management Plan (SMP) for the Gawler River from the junction of the North and South Para to the coast and has established the Project Governance Group (PGG) to prepare the scope of the proposed SMP including recommendations for its procurement for GRFMA consideration as a matter of urgency.

Governance Group Terms of Reference

Discussion commenced regarding the draft Governance Group Terms of Reference as provided to members, identified as Version 1.0 Date: 11 September 2020.

Purpose

Members noted that the specific task of the Project Governance Group (PGG) should be to establish the scope of the proposed SMP.

Any consideration of how Stage 1 - 30% design of the Northern Floodway project might be also undertaken should be a separate GRFMA process and not within the terms of the PGG.

Discussion ensued on the Northern Floodway Project (NFP) consideration.

Points noted related to ensuring the SMP process is to be independent of any existing flood mitigation proposals as the SMP objective is to identify all considerations.

It was acknowledged that the NFP remains highest priority for GRFMA and there will be aspects of the NFP that are inherent in the process of developing an SMP.

Objectives

Remove reference to Stage 1 - 30% design of the Northern Floodway Project. All other items noted and agreed.

Membership

The Storm Water Management Authority is not to be included in membership of the PGG. The Authority is best placed to assist via peer review on the scope of the SMP.

The PGG is to be retained for duration of establishing the scope of the proposed SMP. A smaller technical support group will be established to project manage the SMP process and to progressively report to the PGG.

It was agreed that the PGG Terms of Reference, as amended be adopted.

Stormwater Management Plan Scope

The previously established SMP gap analysis as prepared by the SMA and Water Technology was considered to be a good start in what the scope of the SMP might entail.

It was agreed the SMP locality reference should be the Gawler River from the junction of the North and South Para to the coast.

The scope of the proposed Gawler River SMP is to be in accordance with the Stormwater Management Authority (SMA) Stormwater Management Planning Guidelines (as approved by the Natural Resources Management Council July 2007), including, financial reporting, risk and scope issues.

It was noted that the SMP scope would identify matters at a macro level rather than micro level and this to be included in any request for services brief so as to set the scope any consultancy.

The scope could include request to model previous storm events and seek consultants to model against them.

Members noted limited funding options via Landscape SA.

GRFMA representatives reiterated high priority for implementing flood mitigation initiatives in the Gawler River floodplain and were interested in understanding how the GRFMA might be able to expedite any suitable initiatives that might be identified before completion of the SMP (which might take 12 to 24 months to achieve).

Next steps

Mr Hitchcock to draft and distribute the meeting notes to the PGG.

Action now to be taken by Mr Braden Austin, Project Manager – GRFMA SMP, to liaise with Mr Hitchcock to progress drafting of the preliminary SMP scope for further consideration by the PGG.

Meeting closed 11.57am.

Project Governance Group for Gawler River Stormwater Management Plan

Terms of Reference

Purpose: The GRFMA has proposed to prepare a Stormwater Management Plan (SMP) for the Gawler River from the junction of the North and South Para to the coast.

The Project Governance Group (PGG) is established to prepare the scope of the proposed SMP including recommendations for its procurement for GRFMA consideration as a matter of urgency.

Objectives: Prepare the scope of the proposed Gawler River SMP that meets the Stormwater Management Authority (SMA) Stormwater Management Planning Guidelines (as approved by the Natural resources Management Council July 2007), including:

- Financial reporting, risk and scope issues.
- Take into account all advice from advisors and the SMA.
- Confirm the extent of the SMP project.
- Provide advice to the GRFMA Executive Officer on the quantum and timing of GRFMA and any other funding necessary for the SMP project.
- Provide advice to the GRFMA Executive Officer on the procurement of professional services for the preparation of an SMP.

Represent the interests of the GRFMA as a project governance group for the SMP project. Through the GRFMA Executive Officer, report to the GRFMA.

Membership: The PGG comprises of people representing the following organisations*:

- *GRFMA – Executive Officer (Chair)*
- *Representatives from each of the six GRFMA Constituent Councils*
- *Green Adelaide representative*
- *Northern and York Landscape Board representative*
- *Department of Environment and Water representative*
- *City of Playford Project Manager – GRFMA SMP*

Attendance: Member organisations will make reasonable attempts to provide consistent representation at each meeting, with alternates welcome where necessary.

Administration: The Chair will issue the agenda no less than 2 working days prior to each meeting, with input from the PGG membership. Meeting notes will be recorded by the Chair (with assistance of the Project Manager as available/necessary). Action points will be recorded and assigned accordingly. The normal meeting venue will be Town of Gawler.

Decision Making: Reasonable debate will be allowed to occur on all matters key to achieving the PGG Purpose and Objectives and unanimous agreement sought where practical. Some matters may be referred for 'offline discussion' prior to any decision by the PGG. Agreement on decision points will be by consensus where at all possible, with a majority based single-vote-per-organisation approach being the backup.

Meetings: Meetings will be as required until the conclusion of the term of PGG.

PSC Term: The PGG will be dissolved at the discretion of the GRFMA.

Agenda Item:	8.3
Committee:	Board
Meeting Date:	15 October 2020
Title:	GRFMA Charter Review 2

Recommendation:**That GRFMA:**

- 1. Receives the final draft GRFMA Charter Review 2 - Governance and Funding Report.**
 - 2. Requests the Executive Officer to:**
 - a) Seek assistance from relevant constituent council finance and engineering staff to facilitate testing and modelling of the recommended funding options.**
 - b) Invite constituent council feedback on the report and recommendations, noting funding modelling information as per 2(a) will be further provided.**
 - 3. Subject to timing and completion of 2(a) above, convene a special meeting of the Authority to formally consider the results of the funding options modelling and to determine a preferred model.**
-

On the 24/4/2020 the GRFMA Charter Review 2 Working Group engaged with Jeff Tate Consulting regarding the Charter Review 2 process and the preferred methodology to undertake and to relay views on required level of consultation with GRFMA and Councils.

Mr Tate and the Working Group have since been facilitating the review. Refer to GRFMA meeting 13/8/2020, agenda item 8.7 for previous progress update.

The GRFMA Charter Review 2 - Governance and Funding Report has now been completed. See attached for a copy of the report.

Report Recommendations

- 1. That the Authority's legal structure continue as a Regional Subsidiary under s43 of the Local Government Act 1999.*
 - 2. That at this stage the GRFMA continue to have a representative Board of an Elected Member and staff member from each Council (and an independent chair).*
 - 3. That consideration be given to an arrangement between the CEO's of the constituent councils to ensure that the combined staff appointments to the Board include all relevant skills.*
 - 4. That consideration be given to amending clause 4.3.2 of the GRFMA Charter so that Deputy Members attending Board meetings in their own right and not in place of the Member may be permitted to speak with approval of the meeting, rather than having the same right to speak as Members.*
 - 5. That the GRFMA proactively build relationships with relevant South Australian Government Departments and agencies, separately and together, to build understanding of the issues relating to the Gawler River and to assist with strategies, plans, and advice including about external funding.*
-

6. *That the GRFMA and constituent Councils consider the four funding model options set out in section 10.5 of the report, starting from a consideration of funding principles and then potential scenarios for modelling (possibly through Finance and Engineering staff of the constituent Councils). In doing so note that option 7, though relatively complex, had the highest rating against funding principles from the analysis conducted.*
7. *That the GRFMA develop and implement a clear, resourced strategy for achieving external funding, including consideration of a 'broker' to identify and pursue funding opportunities*

Of the 7 recommendations it is considered that:

- Implementation of recommendations 1,2,3,5 and 7 do not require formal alteration of the current GRFMA constitution and might be effected via relevant governance and policy initiatives.
- Implementation of recommendation 4 (Deputy Board Members) requires changes to the current GRFMA Charter.
- Implementation of recommendation 6 (GRFMA funding) requires consideration and modelling of the four funding model options set out in section 10.5 of the report. Following determination and agreement for application of the relevant funding option the recommendation might be achieved by either formal alteration of Clause 11.1 of the current GRFMA Charter or separately, via application of the relevant funding option pursuant to existing clause 11.7. See below for further context.

Recommendation 6 requires further modelling of each funding option, possibly through assistance from Finance and Engineering staff of the constituent Councils. Any modelling of the funding options will have to be undertaken expeditiously as the GRFMA has directed that consultation with constituent councils and subsequent formal support of the final Charter Review 2 Report recommendations, be completed by 11 February 2021.

It is suggested that a copy of the final draft report, inviting feedback, be provided to constituent councils in the first instance; with advice that further work modelling the funding options will be undertaken and resultant data and indication of the GRFMA preferred option will be provided for consideration.

The next ordinary GRFMA meeting is scheduled for 10 December 2020. Consideration should be given to conveying a special meeting of the GRFMA, following completion of modelling of funding options, to formally determine a preferred funding option with subsequent advice and information to be provided to constituent councils.

The GRFMA Charter, Clause 11. Financial Contributions to the Authority provides:

- 11.1 The contributions of the Constituent Councils shall be based on the percentage shares for capital works, maintenance of assets of the Authority and operational costs of the Authority in accordance with Schedule 1.14. Where the capital and/or maintenance cost exceeds \$1 Million in any given year, Clause 11.7 shall apply.*
- 11.7 The Authority may enter into separate funding arrangements with Constituent Councils and with any State or Federal Government or their agencies in respect of any project undertaken or to be undertaken by or on behalf of the Authority.*

Application of any agreed funding option as it might apply to Clause 11.1 will require alteration to the existing Charter with further consideration as to how Clause 11.7 might or might not then apply.

Application of any agreed funding option in relation to Clause 11.7 only would maintain existing contributions of the constituent councils (in accordance with Schedule 1.14) up to \$1 Million. The new funding model might then apply where the capital and/or maintenance cost exceeds \$1 Million in any given year. Application of this option might not necessarily require alteration to the existing Charter.

In endeavor to progress completion of the Charter Review 2, Working Group members are currently liaising with Mr Tate to facilitate briefings on the final draft Report at respective council workshops/informal gathering processes.

Chart 1: Progress of Charter Review 2

Action	Date	Comment
GRFMA Board endorse Request for Quotation process	27 February 2020	Board meeting date COMPLETED
Request for Quotation closes	27 March 2020	COMPLETED
Preferred Quotation accepted	16 April 2020	Board meeting date COMPLETED
Draft report on governance frameworks (1) completed	29 May 2020	COMPLETED
Working Group consider draft, finalise and provide comment and report to GRFMA	11 June 2020	Board meeting date COMPLETED
Constituent council consultation governance frameworks (1) completed	13 August 2020	Board meeting date COMPLETED
Draft report on funding methodologies for preferred governance option	1 September 2020	COMPLETED
Working Group consider draft, finalise and provide comment and report to GRFMA	15 October	Board Meeting date COMPLETED
Constituent council consultation funding methodologies 2) completed	10 December 2020	Board Meeting date Allows 8 weeks
Final Charter Review 2 recommendations adopted by constituent councils	11 February 2021	Board Meeting date Allows 9 weeks
Ministerial approval of new GRFMA Charter	8 April 2021	New Charter commences 1 July 2021

**REPORT:
GOVERNANCE AND FUNDING
REVIEW**

**FOR:
GAWLER RIVER FLOODPLAIN
MANAGEMENT AUTHORITY**

September 2020

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Version control

20200528 Working Group draft (Governance)
20200604 Final draft (Governance)
20200824 Working Group draft (Governance & Funding)
20200923 Final draft (Governance & Funding)

1 EXECUTIVE SUMMARY AND RECOMMENDATIONS

1.1 Executive Summary

Background

This report, which reviews governance and funding arrangements, was prepared to assist the Gawler River Floodplain Management Authority (GRFMA) with Charter Review 2, a review of the governance and funding arrangements under its Charter. A previous review, Charter Review 1, was completed in 2019 and led to some changes to the Charter.

GRFMA is a Regional Subsidiary formed by six Councils (Adelaide Hills Council, Adelaide Plains Council, The Barossa Council, Town of Gawler, Light Regional Council, and the City of Playford) under s43 of the *Local Government Act 1999*.

Stormwater Management

The extent to which the focus of GRFMA, to reduce flooding on the Gawler River floodplain, fits with institutional arrangements for managing stormwater is a relevant point. Definitions of stormwater can vary, and distinctions are made between stormwater and floodwater. For this report, guidance was taken from clause 1 Defined Terms of the 2013 Stormwater Management Agreement between the South Australian Government and the Local Government Association of South Australia. While the terms do not provide a definition of stormwater, there is a definition of stormwater systems:

Stormwater system means any part of a natural watercourse, open channel or underground conduit conveying or intended to convey stormwater or floodwaters whether by gravity or by pumping and includes associated infrastructure such as levees, high level overflow paths, wetlands, detention basins, dams and pumping stations and any other associated infrastructure which is intended to improve the quality of any stormwater or floodwaters conveyed or to utilise as a water resource such stormwater or floodwaters.

Managing stormwater is relatively complex, not just in relation to the engineering and environmental challenges but also due to an array of different bodies with authority and responsibilities under various pieces of legislation, policies, and guidelines. This complexity is increasing as the approach to managing stormwater has moved, and is continuing to move, from flood protection and mitigation to a broader range of objectives including urban amenity, economic development, water security, and water quality.

While there have been significant reforms in the institutional arrangements for potable water, wastewater, and groundwater in recent decades the same progress has not been made in relation to stormwater. There is now growing interest in including stormwater along with potable water and wastewater in a broader water cycle management approach.

In South Australia, local government is regarded as being responsible for stormwater management and for its funding. The Stormwater Management Agreement at clause 3.5 notes that *collaboration between State and Local Government is essential for the effective management of stormwater*. Under the Agreement, the South Australian Government is providing funding of \$4m per annum, indexed to cpi, from 2006/07 to 2036/37. For 2020/21 the amount is \$5.6m. A Stormwater Management Authority, administered through the Department of Environment and Water, has oversight of the Agreement and allocation of the funding. Preparation of a Stormwater Management Plan is one element underpinning funding of stormwater projects through the Authority.

Funding for stormwater projects by the Australian Government has tended to be more sporadic, responding to changing circumstances such as in times of drought.

The complexities with managing stormwater in South Australia are well known and there is interest in making improvements. While the issues are well known, the pathway to improved institutional and funding arrangements that will serve the state into the future is less obvious. The GRFMA is operating in this environment, attempting to deal with flooding issues in the Gawler River as its main focus.

Interviews, discussions, and workshops with Council and GRFMA representatives and South Australian Government officials, along with desktop research, contributed greatly to the preparation of this report.

Governance

The GRFMA has a representative Board with two members (an Elected Member and a staff member) per constituent Council and an independent chair. Deputy members are also appointed by the constituent Councils for when the members are unable to attend Board meetings. An Audit Committee with an independent chair provides advice to the Board and there is also a Technical Assessment Panel providing advice.

Several alternatives are identified in the report to the current legal structure of GRFMA. However, none of them provide benefits in excess of their disadvantages over the model of a Regional Subsidiary under the *Local Government Act 1999*.

With a Regional Subsidiary there is also an option of having a jointly appointed skills based Board of people independent of the constituent Councils, which is the model in place for the Brown Hill and Keswick Creeks Stormwater Board (also a Regional Subsidiary under s43 of the *Local Government Act 1999*). That option is not recommended for the GRFMA and could be considered well into the future. A significant difference between the two Regional Subsidiaries is that the Brown Hill and Keswick Creeks Stormwater Board has a primary focus on delivering on a Plan under which the projects and funding arrangements are well defined. GRFMA is addressing a larger number of projects as well as issues of roles, responsibilities, actions, and funding arrangements. A representative Board is a better option for managing those challenges. Separating delivery of projects from the policy and political questions would be a risky move for GRFMA and the constituent Councils and is not recommended.

Additional planning requirements have been included in the GRFMA Charter as one outcome of the first stage of the Charter review. Preparation of a Stormwater Management Plan is a fundamental component of the institutional arrangements for managing stormwater in South Australia and seems to be an essential step for the GRFMA.

Building relationships for greater collaboration for all involved bodies is sensible given the range of interests in stormwater management. The GRFMA could proactively facilitate the building of relationships that would increase the understanding of different perspectives and the opportunities from increased collaboration. One aspect could be involvement in planning by GRFMA and advice on strategy.

Funding

The focus of this project in relation to funding was the arrangements for funding contributions between the six constituent Councils of GRFMA. There is a table in the Charter showing the shares of costs to be paid by each Council for capital works, maintenance (the same as for capital works), and operational costs. For operational costs, the shares are equal for each Council, and for capital works and maintenance of infrastructure the shares differ significantly based on a subjective assessment of catchment area, river length, future costs avoided, and ability to pay. Those shares have been in place since soon after the GRFMA was formed in 2002.

Different funding shares may be negotiated as a result of the recent changes to the GRFMA Charter. Projects valued at over \$1m in any year automatically require consideration of different funding shares.

Research on funding methods used by governments for stormwater management is summarised in the report. A lesser number of models was identified for funding arrangements between different bodies (including Councils) where costs are to be shared. From a combination of these two sources seven alternatives to the current model were identified. After assessment against funding principles, three are considered to be viable alternatives to the current model.

The full list of models proposed for consideration is:

- Default status quo – the current model (unless a different funding model is agreed)
- Adjusted default status quo – applying percentages to the four elements under the formula for capital works and maintenance, and updating calculations of future costs avoided
- Drainage charge equivalent – charging Councils amounts that would be collected through a drainage charge across the catchment (noting that the GRFMA does not have the legal capacity to impose such a charge), with the amounts recovered through general rate revenue or separate rates or charges
- Combination of proportions of flows of water into the river and proportions of benefits received by each Council area from flood mitigation works.

The combination of flows and benefits had the highest ratings against the funding principles. It is also more complex than some of the other options. Whichever funding model is chosen there will need to be some financial modelling undertaken and negotiations undertaken.

A further consideration is whether a universal funding formula continues to apply, or a different arrangement is made for each new project. These two options work differently with the funding models.

Matters outside the project brief

Numerous matters were raised during the project which are outside the project scope but have been included for completeness. One of those matters was in relation to external funding.

1.2 Recommendations

1. That the Authority's legal structure continue as a Regional Subsidiary under s43 of the *Local Government Act 1999*.
2. That at this stage the GRFMA continue to have a representative Board of an Elected Member and staff member from each Council (and an independent chair).
3. That consideration be given to an arrangement between the CEOs of the constituent Councils to ensure that the combined staff appointments to the Board include all relevant skills.
4. That consideration be given to amending clause 4.3.2 of the GRFMA Charter so that Deputy Members attending Board meetings in their own right and not in place of the Member may be permitted to speak with approval of the meeting, rather than having the same right to speak as Members.
5. That the GRFMA proactively build relationships with relevant South Australian Government Departments and agencies, separately and together, to build understanding of the issues relating to the Gawler River and to assist with strategies, plans, and advice including about external funding.
6. That the GRFMA and constituent Councils consider the four funding model options set out in section 10.5 of the report, starting from a consideration of funding principles and then potential scenarios for modelling (possibly through Finance and Engineering staff of the constituent Councils). In doing so note that option 7, though relatively complex, had the highest rating against funding principles from the analysis conducted.
7. That the GRFMA develop and implement a clear, resourced strategy for achieving external funding, including consideration of a 'broker' to identify and pursue funding opportunities.

2 INTRODUCTION

Jeff Tate Consulting Pty Ltd was engaged by the Gawler River Floodplain Management Authority (GRFMA) to review and report on its governance and funding arrangements (between the constituent Councils) in two parts. A report on governance was provided in June 2020 and, with some minor amendments, has now been incorporated into this combined report which also includes funding.

The project is supporting the Authority's Charter Review 2. An earlier review, Charter Review 1, was completed in 2019 which led to some changes in the Authority's Charter. The specific project brief requirements were to report on:

- a) The current Board structure and process of operation (including methodology of funding) and achievements realised to date through this process.*
- b) Likely future challenges for the GRFMA in relation to realising strategic objectives and funding, Board Member skills required for appropriate operation of the Authority and current State and Federal Government policy challenges impacting on the Authority.*
- c) Options for addressing relevant challenges including advantages and disadvantages of both current and alternate models of governance and funding.*
- d) Considerations from findings of above for Board deliberations.*

While the funding methodology under review was that which exists between the constituent Councils, some commentary about accessing external funding is also included in the report.

The project was undertaken by Jeff Tate of Jeff Tate Consulting Pty Ltd. Research assistance was provided by Stephanie Hensgen and Justin Hensgen of Planning Futures Pty Ltd.

3 BACKGROUND

3.1 The GRFMA

GRFMA is a regional subsidiary formed under s43 of the *Local Government Act 1999*. Constituent Councils are Adelaide Hills Council, Adelaide Plains Council, The Barossa Council, Town of Gawler, Light Regional Council, and the City of Playford. The primary focus of the Authority is on flood mitigation in the approximately 1,000 sqkm of the Gawler River as indicated in clause 3 of the Charter:

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:

- 3.1.1 to raise finance for the purpose of developing, managing and operating and maintaining works approved by the Board;*
- 3.1.2 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;*
- 3.1.3 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;*
- 3.1.4 to facilitate sustainable outcomes to ensure a proper balance between economic, social, environmental, and cultural consideration; and*
- 3.1.5 to provide advice as appropriate to the Constituent Councils in relation to development applications relevant to the Authority's roles and functions.*

From interviews with Board members and some deputy members during this project the Authority's achievements were seen to be:

- bringing six Councils together to collaborate on such a large and important matter as flood mitigation
- constructing the Bruce Eastick North Para Flood Mitigation Dam
- upgrading the South Para Reservoir Weir
- achieving high levels of external funding and robust project management for the above projects
- collaborating with the University of Adelaide and the Bushfire & Natural Hazards Cooperative Research Centre to progress towards delivery of the Gawler River UNHARMED Mitigation Project (GRUMP) to provide a tool to address flooding risks.

3.2 Current funding model

The current default model for the allocation of costs between the constituent Councils, based on historic data, is:

- equal contributions for operating costs; and
- for capital and maintenance costs, a mix of:
 - proportion of catchment in each Council area
 - length of river in each Council area
 - future costs avoided
 - ability to pay.

It has been in place since soon after formation of the Authority in 2002. Contributions under the model are shown in table 1.

Table 1: Funding by constituent Councils under current funding model

Constituent Council	Capital works percentage share %	Maintenance of assets percentage share %	Operational costs percentage share %
Adelaide Hills	1.73	1.73	16.66
Adelaide Plains	28.91	28.91	16.66
Barossa	8.67	8.67	16.66
Gawler	17.34	17.34	16.66
Light	8.67	8.67	16.66
Playford	34.68	34.68	16.66
TOTAL	100	100	100

However, a recent change to GRFMA's Charter following Charter Review 1 allows the Authority to *enter into separate funding arrangements with the Constituent Councils and with any State or Federal Government or their agencies in respect of any project undertaken or to be undertaken by or on behalf of the Authority*. The Charter further states that this arrangement automatically applies where *the capital and/or maintenance cost exceeds \$1 Million in any given year*.

3.3 Challenges and opportunities

Interviews, discussions, and research conducted during this project identified several challenges and opportunities for the Authority and the catchment. The challenges and opportunities have been synthesised into themes listed below.

Challenges

- The size of the catchment and the extent of flood mitigation works required.
- Differences in perspectives and priorities between upstream and downstream Councils in relation to beneficiaries, funding arrangements, and priorities, with some of the Councils questioning whether they should continue to be constituent Councils.
- Obtaining funding for major works.
- Being heard by other governments.
- Responsibilities for different aspects of the River sit with various (mostly SA Government) agencies.
- Most of the River is located on private land (a common situation in South Australia).
- Maintaining interest in each Council chamber (by contrast, staff engagement on specific issues was generally reported to work well).
- Building community understanding of flooding impacts and history.

Opportunities

- Intensive food production on the Northern Adelaide Plains (often referred to as a Food Bowl) – economic activity and potential reason for external funding.
- Buckland Park International Bird Sanctuary - potential reason for external funding.
- Residential development – potential funding contributions from developers.
- Government infrastructure affected by flooding – potential partnering for flood mitigation works.
- Water security for the area.
- Management of storage levels in South Para reservoir.
- Non-infrastructure measures as well as those involving new or upgraded infrastructure.

4 METHODOLOGY

The methodology involved:

- Desktop research on stormwater management in Australia and internationally
- Discussions with key people involved in stormwater management in South Australia
- Interviews with the Chair and Board members from each of the constituent Councils
- Preparation of two draft reports
- Workshop meetings with the Review Working Group of the Board
- Workshop with nine South Australian Government Departments and Agencies and three representatives of GRFMA to identify common interests and consider the potential for ongoing collaboration
- Briefings with the six constituent Councils (one on the governance report and one on the combined report)
- Finalisation of the report for consideration by the Board.

We acknowledge and thank the various people who so willingly gave their time and shared their knowledge and expertise in preparing this report.

5 GOVERNANCE MODELS FOR MANAGING STORMWATER

Desktop research identified a limited range of governance models for managing stormwater in Australia and internationally as shown in table 2.

Table 2: Governance models for managing stormwater

Model	Notes	Examples
State Government-owned authority/utility	Drainage asset responsibilities under state legislation	Sydney Water, Hunter Water, Melbourne Water, Water Corporation WA, Water UK.
Special purpose legislation		The <i>South-Western Suburbs Drainage Act 1959</i> provided authority for the Minister to undertake drainage works to overcome flooding problems and to charge affected Councils for a 50% contribution to the capital and interest costs of the works over a period of 53 years.
Catchment Board	Enabled by separate legislation. Does not own assets. Relies on legislation, collaboration, or funding agreement to action outcomes for others' assets	Catchment/NRM boards in Tasmania and South Australia
Collaborative management across multiple local governments (GRFMA model)	Either as a formal entity with powers enabled by parent councils/local govt legislation, or informally via funding agreement or similar	South Australia, Tasmania
Local government	Own and/or manage the asset within their own jurisdiction	Brisbane City Council, multiple German municipalities, Vienna City of Sydney charge a levy for minor drainage infrastructure notwithstanding their location within a drainage catchment managed by Sydney Water
Local government utility	A utility body on behalf of the local government or consortium of local governments	Common in USA

6 FUNDING MODELS FOR STORMWATER

For this project, there are two aspects of funding to be considered. The first is in relation to the models used by governments to fund their contributions to stormwater infrastructure and the second is in relation to the arrangements that exist between bodies (especially Councils) to determine their shares of the costs.

6.1 Funding by governments

Desktop research identified a limited range of funding methods for managing stormwater in Australia and internationally. In some cases, incentives for changes in behaviour are provided through rebates and credits.

6.1.1 Funding methods

Identified methods of funding are shown in table 3 below.

Table 3: Government funding methods

Method	Based on	Where used	Comments
Ongoing arrangements			
Payments from general revenue	Contributions to stormwater projects and maintenance and operating costs from national, state, or local governments	Common approach in Australia (including South Australia) and other countries	Can be through an ongoing or fixed period funding program or special allocations of funds
Drainage or stormwater charge	Flat charge	Kempsey (NSW)	Introduced in 2017-2018 year at \$25 per residential or business property in the urban area (\$12.50 per strata unit)
		Sydney Water Rouse Hill Growth Area	Set charge aimed at recovering the cost of infrastructure for a specific area over time; reducing over time as costs are recovered
	Flat charges by land use or property size	Western Canada, Sydney Water, Melbourne Water for special schemes	Differential charges, based on the assumption that certain types of land use have a lesser or greater loading on the system
			In Western Canada, rates reflect zoning and density of development
		Kempsey (NSW)	After 2017-2018 the charge for business properties became \$25 per 350sqm
	By valuation	South Australia – NRM/Landscape Board levy	Sometimes criticised because valuation does not necessarily align with loading on the stormwater system
	By valuation and land use	Melbourne Water	
Charge based on area of impervious surfaces	Actual area	Some Councils in USA and Germany	More complex than assumed basis; has benefit of rewarding property owners with lower areas of imperviousness
		Canada – five levels of charges based on ranges of hard surface areas	
		Kempsey (NSW) – commercial properties	
	Average area within a location	Some Councils in USA and Germany	Some legal challenges in USA over use of averages
Charge based on volume of runoff	Charge applies based on a Residential Equivalent Factor – the ratio of runoff volume generated by one	Some Councils in USA	

	acre of land to runoff volume generated by one acre of low-density residential land – more popular in areas with higher home values		
Charge based on water consumption	In Italy, charge varies according to water consumption with 3% added to water bills	Italy, Ecuador	Criticised because water consumption does not align with loading on the system, but may be relevant to integrated water management approaches
One-off arrangements			
Developer contributions	Levied on developers via a development assessment process; limited to growth areas	Germany, Queensland, SA (negotiated), Victoria, New South Wales	PDI Act envisages improved system for developer contributions in SA and pilot currently being undertaken. Difficulties applying contributions to an area where improvements are proposed elsewhere in the network.
Offsets	Used where a developer cannot provide the necessary infrastructure within their site and pay money in lieu to pay for infrastructure elsewhere in the network; limited to greenfield developments and funds the construction of new assets	Melbourne Water	Not unlike Open Space Fund, car park funds etc in SA. Can be difficult to apply due to perceived/actual equity associated with paying for infrastructure elsewhere in the network that may or may not benefit the area from which it is levied

6.1.2 Incentives

Incentives identified in the form of rebates and credits used to change behaviours to achieve financial and/or environmental benefits for the relevant agency are shown in table 4.

Table 4: Rebates and credits

Method	Description	Where used	Comments
Rebates	Rebates are used to complement levies or fees for the adoption of stormwater practices (eg tanks, green roofs, onsite detention) that: <ul style="list-style-type: none"> • reduce volumes OR • improve water quality 	Germany; some local governments in USA and Canada	

Credits	Credits given to entities that take on maintenance responsibilities	Parts of USA	Some credit systems have been criticised for offering so much discount that the amount of fee leftover is not enough to meet the stormwater infrastructure needs of the area
	Some US cities run a stormwater credit trading program allowing the sale and purchase of credits based on location, type and vulnerability of the stream used to offset ongoing fees	Parts of USA	

6.2 Sharing the costs between organisations

There is also a limited range of cost sharing arrangements between Councils and other bodies as shown in table 5.

Table 5: Cost sharing arrangements between organisations

Model	Based on	Where used	Comments
Current GRFMA default model – capital, and maintenance	Mix of future costs avoided; catchment area; river length; ability to pay	Unique to GRFMA	Negotiated arrangement, based on subjective assessments by independent consultant
Equal contributions by all Councils		GRFMA – operational costs	
		Brown Hill and Keswick Creek Stormwater Board – for administration and maintenance costs	Negotiated arrangement by the five Constituent Councils
Proportion of benefits received	Council paid for open space benefits; Melbourne Water paid for flood mitigation benefits	Clayton South, Victoria	Reflects multiple objectives approach to managing stormwater
	Costs were apportioned for each element of the project according to the benefit or cost avoided and included: <ul style="list-style-type: none"> Increased agricultural value apportioned to agricultural users Avoided building code costs apportioned to planned new households 	Cost allocation methodology developed for the proposed Sunbury Integrated Water Management project by consultants for the Department of Environment, Land, Water and Planning (Victoria)	Complex modelling and calculations required

	<p>Avoided infrastructure costs apportioned to Western Water</p> <ul style="list-style-type: none"> • Avoided costs of waterway restoration apportioned to Melbourne Water • Cost of nitrogen abatement apportioned to Melbourne Water • Community willingness to pay for reuse of stormwater apportioned to whole of society 		
Contributions to flows into the drainage system	Based on impervious areas within each Council area as a proxy for flows	Option referenced in Stormwater Management Plan prepared by Tonkin Consulting for the Torrens Road catchment for the Cities of Charles Sturt and Port Adelaide Enfield	Stated to be “suitable where the costs and the benefits are relatively uniformly distributed across the catchment”
Combination of proportion of flows from each Council area into the stormwater system, and proportion of benefits received by each Council area	Modelling of flows and estimate of benefits received	Option referenced in Stormwater Management Plan prepared by Tonkin Consulting for coastal catchments between Glenelg and Marino for the Cities of Holdfast Bay and Marion	
	<p>Flows (based on impervious areas within each Council area) and future costs avoided by each Council (by reduction in damage in flooding because of the works) both considered in negotiating the funding proportions</p> <p>As above, plus further local benefits factored in such as opportunities for water re-use, and aesthetic and recreational outcomes</p>	Options referenced in Stormwater Management Plan prepared by Tonkin Consulting for the Torrens Road catchment for the Cities of Charles Sturt and Port Adelaide Enfield	

7 CURRENT ARRANGEMENTS FOR MANAGING STORMWATER IN SOUTH AUSTRALIA

In common with other states and internationally, stormwater management in South Australia historically had a focus on flood control and mitigation. The focus has expanded in recent decades to a multi-objective approach that includes water quality, recreational opportunities, environmental assets and harvesting as an alternative source of non-potable water (which also recognised the economic value of stormwater).

With ongoing changes in climate and growth and structure of cities there is now interest in the concept of Integrated Water Cycle Management (IWCM). Under IWCM stormwater is considered within an

integrated approach to urban water management including water supply and wastewater treatment and also considers the interconnections between land and water management.

IWCM is a whole-of-system, multidisciplinary approach that aims to manage the entire urban water cycle by integrating the delivery of water, wastewater and stormwater services to contribute to the full suite of water security, public health, environmental and urban amenity outcomes that the community seeks¹.

7.1 Institutional arrangements

The state governments in Australia have the legislative power to determine arrangements for water management. This has generally led to stormwater management being a local government responsibility. Nationally, the Australian Government has limited legal authority over water resources and has relied on funding and agreements with the states to influence water policy and directions.

In Australia, the responsibility for managing urban stormwater rests mainly with local government. However, State and Territory governments have overall responsibility for land and water use planning and management. A range of government agencies and statutory authorities are involved in waterway and catchment management².

The approaches to recovering the costs of stormwater service provision vary between, and even within, jurisdictions, and full cost recovery is not explicitly required. The general approach is for costs to be funded from local council rates. Developer levies are also used. In some jurisdictions, councils have dedicated stormwater levies, but there is limited information on the extent to which these recover the full cost of service provision³.

In South Australia, Councils are perceived as being responsible for the control and mitigation of flooding largely through s7 of the *Local Government Act 1999* which lists functions of local government:

- *s7(d) to take measures to protect its area from natural and other hazards and to mitigate the effects of such hazards; and*
- *s7(f) to provide infrastructure for its community and for development within its area (including infrastructure that helps to protect any part of the local or broader community from any hazard or other event, or that assists in the management of any area).*

A Stormwater Management Agreement between the South Australian Government and the Local Government Association of South Australia (LGA) was entered into in 2006 and given legislative approval in 2007 through an amendment to the *Local Government Act 1999* as Schedule 1A to the Act. Schedule 1A also provided for the continuation of the Stormwater Management Authority (SMA). The Agreement was revised in 2013 and the *Local Government Act 1999* subsequently amended again.

Principles under the 2013 Stormwater Management Agreement include:

- *(3.3) stormwater should be managed in a total water cycle management context, recognising and taking account of the connectivity of land use with water resources management and opportunities for multi-objective considerations of hazard management, water quality, amenity, and potential harvesting and use at site, precinct, catchment and regional scales;*
- *(3.4) a multi-objective, joint State and Local Government approach should seek to maximise the overall economic, environmental and social benefit of stormwater;*

¹ Source: Productivity Commission, Integrated Urban Water Management — Why a good idea seems hard to implement.

² Source: Environment Australia, Introduction to Urban Stormwater Management in Australia,

³ Source: Productivity Commission, Integrated Urban Water Management — Why a good idea seems hard to implement.

- *(3.5) collaboration between State and Local Government is essential for the effective management of stormwater, with the conduct of parties to be guided by any existing State-Local Government Relations Agreement that may be in place.*

Stormwater system is defined in clause 1 of the Agreement as:

Stormwater system means any part of a natural watercourse, open channel or underground conduit conveying or intended to convey stormwater or floodwaters whether by gravity or by pumping and includes associated infrastructure such as levees, high level overflow paths, wetlands, detention basins, dams and pumping stations and any other associated infrastructure which is intended to improve the quality of any stormwater or floodwaters conveyed or to utilise as a water resource such as stormwater or floodwaters.

The SMA has specific functions under Schedule 1A to the *Local Government Act 1999* including facilitating and coordinating storm water management planning by Councils and a responsibility to issue guidelines for the preparation of such plans. It also has the power to:

- Under Clause 18(1), require a Council or group of Councils:
 - *(a) to prepare a stormwater management plan; or*
 - *(b) to revise an existing stormwater management plan and prepare a replacement stormwater management plan.*
- Serve an order on a Council under Clause 20 (1)(c) to take action *to provide for the management of stormwater by the provision of infrastructure or the performance of any work or to preserve and maintain the proper functioning of any stormwater infrastructure that the council has the care, control and management of.*
- Take the actions required by an order itself and recover the cost if a Council does not comply with the order (Clause 20(4)).

Various government agencies administering other South Australian legislation also impact on stormwater management in relation to land use planning, stormwater harvesting, water quality and emergency management. In addition to legislation, there are numerous policy and strategy documents that influence both the direction and detail of stormwater management. The dispersed arrangements for managing stormwater require a high degree of collaboration between agencies.

7.2 Funding

Looking at the three levels of government:

- Local government is perceived as being responsible for funding and managing stormwater. Some contributions for stormwater works are also negotiated by Councils to be paid by property developers when developments would contribute to flooding.
- Under the Stormwater Management Agreement, the South Australian Government is to provide \$4m per annum indexed to cpi from 2006/07 to 2036/37 as funding to assist Councils with up to 50% of the costs of stormwater planning and capital works. For 2020/21 the contribution is \$5.6m. Natural Resource Management Boards (especially the Adelaide Mt Lofty Ranges NRM Board) formed by the South Australian Government have also made contributions to stormwater programs.
- Funding from the Australian Government has tended to be more spasmodic in response to specific situations

7.3 South Australian Government and Local Government roles

The institutional arrangements are not easy to follow for those who are not actively involved. For the purposes of this report table 6 sets out the respective roles of the South Australian Government and Local Government that underpin the institutional arrangements.

Table 6: Respective roles of SA Government and Local Government in South Australia

Function	Roles	
	South Australian Government	Local Government
Regulating	Overall legislative framework, legislation, regulations, codes etc.	Within terms of Development Plans/Design Code (stormwater controls including setting of floor levels, onsite detention/retention, limits on allotment impervious area, limits on dwelling density) Compliance with SA Government legislation, regulations, codes etc.
Funding for flood mitigation - capital	Contributions as negotiated through Stormwater Management Agreement	Perceived to be responsible for funding (Potentially can negotiate with developers for contributions for works outside the land being developed)
Funding for flood mitigation – ongoing maintenance and operation	Limited responsibility (including the operation and maintenance of the Patawalonga Lakes system, West Lakes system and the Sturt River flood control dam and some aspects of the River Torrens main channel)	Perceived to be responsible for funding

8 POTENTIAL FOR REFORM

There has been a strong emphasis on reforms to arrangements for managing water in Australia over the past few decades, especially in relation to the Murray Darling, and to urban water supply and wastewater. The Productivity Commission contrasts the focus given to urban water supply and wastewater services in Australia to the lower level of reform attention given to the management of stormwater:

The current policy and regulatory approach for the delivery of urban water supply and wastewater services has been shaped by more than two decades of reform, Key aspects of these reforms focused on:

- *separating policy, standard setting and regulation from service delivery*
- *implementing consumption-based pricing with full cost recovery*
- *delivering water services as efficiently as possible by organisations with a commercial focus*

and the impact in relation to institutional arrangements:

In contrast, the provision of stormwater and drainage services was not included in past water reform policies and the principles of those reforms have not been applied to stormwater management. As such, the policy and regulatory arrangements for the delivery of stormwater services differ markedly to those for water supply and wastewater. The institutional framework is far less clear and the variation between jurisdictions is more marked.⁴

The interest of the Productivity Commission in stormwater management is a positive factor. However, the title of the Commission's recent Paper *Integrated Urban Water Management — Why a good idea seems hard to implement* is instructive in relation to the challenges and barriers it identifies to achieving reform.

⁴ Source: Productivity Commission, *Integrated Urban Water Management — Why a good idea seems hard to implement*.

Stormwater management is a live issue for other states in Australia, including Victoria where arrangements in Melbourne are currently under review through the Melbourne Urban Stormwater Review:

The review of urban stormwater management will help clarify responsibilities between Melbourne Water and local government to ensure our stormwater assets and services:

- *are considered as a water supply resource*
- *support healthy waterways and bay water quality*
- *improve green infrastructure, urban cooling and amenity*
- *contribute to effective flood mitigation⁵.*

There is a good argument for institutional reform for managing stormwater in South Australia.

The LGA has also shown interest in reforming the arrangements for managing stormwater and has argued that SA Government funding falls well short of what is required as the scale of capital works involved is beyond the capacity of Councils. Discussions with SA Government officials for this project indicated awareness of shortcomings in stormwater management. There is also a project under way to consider governance arrangements to improve coordination of the Councils and South Australian Government agencies involved in managing the River Torrens.

Broad interest in a matter is a good start to initiate reforms but it is sobering to acknowledge that the problems are longstanding and well-known. It is not a sustainable strategy for the GRFMA to wait for reforms to happen. Instead it can move forward while monitoring and contributing to the debate about reform.

9 WAY FORWARD - GOVERNANCE

A point reinforced by the interviews and desktop research is that the GRFMA shares responsibility and authority for matters affecting the Gawler River with other agencies, requiring partnering arrangements as well as compliance with legislation and standards (e.g. environmental standards). To be successful in that operating environment requires consideration of questions around the appropriate legal structure, decision making arrangements, planning, and partnering.

9.1 Legal structure

Under current arrangements in South Australia, five potential structures can be identified:

No legal structure and operate under less formal arrangements such as an exchange of letters, contract, or memorandum of understanding.

- The current legal structure of a Regional Subsidiary under s43 of the *Local Government Act 1999*.
- With agreement of the Minister for Planning, a Joint Planning Board formed through a Planning Agreement under s35 of the *Planning, Development and Infrastructure Act 2016*.
- If there are no legal impediments and it was agreed by the South Australian Government, a function attached to a government agency (such as to the three Landscape Boards in which the six Councils are located).
- If agreed by Parliament, special purpose legislation to establish the management and funding arrangements for flood mitigation (and possibly other aspects of stormwater or integrated water cycle management) in the Gawler River.

The advantages and disadvantages of each potential structure are shown in table 7.

⁵ <https://www.water.vic.gov.au/liveable/stormwater-review>

Table 7: Advantages and disadvantages of alternative structures

Potential structure	Advantages	Disadvantages
Informal arrangements	Collaboration may occur only on matters where each participating Council saw benefit	Lack of a legal structure and entity likely to lead to inefficiencies and less collaboration
	Responsibilities of each Council set out in any underpinning documentation	Likely to be more disjointed approach to strategic planning, decision making and project design and delivery
		With water management a long-term view, plans and commitment are required which are best delivered through an ongoing legal structure
		More suited to ad-hoc or occasional collaboration
s43 Regional Subsidiary (The GRFMA model)	Recognised and generally successful model for collaboration across South Australia	Requires ongoing collaboration and agreement of all constituent Councils which may not provide for efficient decision making
	Existing structure that has achieved beneficial outcomes for the constituent Councils	Conflicts and disagreements between constituent Councils can be difficult to resolve
	Provides a legal structure for contracting and entering agreements with other parties	
	Certainty around legal requirements and a has a body of experience of practice built up over time	
Joint Planning Board	Provides a legal structure for contracting and entering agreements with other parties	New area of regional collaboration that currently has no experience of practice (no other Boards exist yet)
	Act allows for a Board to form a subsidiary body as a separate legal entity which could have a focus on project delivery or maintenance and operating	Primary focus is on land use planning with only mandatory function being a Regional Plan that is heavily focused on land use planning
		Board would have to prepare a sub-Regional Plan over either the whole of the Councils or those parts of the Councils that are in the catchment
		Retains the disadvantages listed for a s43 Subsidiary Authority and provides no greater benefits
Attachment to a South Australian Government agency (if legally possible)	Could potentially bring multiple aspects of management of the River together in the one agency	Likely to lead to less control over flood planning (and broader water planning) by Councils
	May lead to a stronger focus by South Australian Government agencies on matters associated with the River	Funding for flood mitigation works would presumably remain a local government responsibility

	Could provide greater certainty about decision making	
Special purpose legislation (if Parliament agreed)	Could provide greater certainty about decision making	Likely to lead to less control over flood planning (and broader water planning) by Councils
	Could potentially provide for a more integrated approach to stormwater or integrated water cycle management than currently exists	Funding for flood mitigation works would presumably remain a local government responsibility with amounts required of Councils determined via an Act (as with the South Western Suburbs Drainage Act 1959) or a process under an Act

The finding of this project is that the most suitable structure is to continue with a Regional Subsidiary under s43 of the *Local Government Act 1999*.

9.2 Decision making arrangements

The current decision making arrangements include a Board of two Member representatives per Council (one being an Elected Member and one being a staff member) plus an independent chair, an Audit Committee with an independent chair, and a Technical Assessment Panel of appointed specialists *to support the decision-making process 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 constituent Councils also appoint Deputy Members for situations when their Member representatives are unable to attend meetings. In some cases, the Deputy Members attend meetings along with the Member representatives.

An alternative to the current representative Board structure would be a smaller Board with members jointly selected and appointed by the constituent Councils for their skills. The Board members would be paid a sitting fee and to avoid any suggestions of bias they would probably not be Elected Members or staff of the constituent Councils. This is the model in place with the Brown Hill and Keswick Creeks Stormwater Board which is also a Regional Subsidiary formed under s43 of the *Local Government Act 1999*. It has five Board members appointed jointly by the constituent Councils and the Charter requires them to have *demonstrable skills relevant to the purpose of the Regional Subsidiary*. The skills may be in *corporate financial management, corporate governance, project management, general management, engineering, economics, or environmental management*. An Executive Officer Committee of senior staff of the five constituent Councils provides a structured link between the Board and the Councils.

Essentially the constituent Councils of the Brown Hill and Keswick Creeks Stormwater Board have separated the policy making and politics from the delivery of a project to deal with flooding of the catchment. An important consideration is that the Charter of the Brown Hill and Keswick Creeks Stormwater Board establishes a primary purpose of the Regional Subsidiary as being *to implement or oversee the construction of stormwater infrastructure for the purpose of implementation of the Brown Hill and Keswick Creeks Stormwater Management Plan*. That is, unlike GRFMA where there is currently no overarching stormwater management plan and the question of funding arrangements is not yet settled, the Brown Hill and Keswick Creeks Stormwater Board is focussed on implementation of the Plan.

The GRFMA could potentially have a skills based, independent Board focussed on planning and delivery of projects while the policy, political, and funding matters are dealt with separately by the Councils through other processes. However, the significant risk for the GRFMA at this stage is that it may become more remote from the Councils as it deals with a larger catchment with a range of projects. A jointly appointed skills based Board with members independent of individual Councils could be considered at a future time when plans, priorities and funding arrangements for the catchment are more settled.

Table 8 summarises the identified advantages and disadvantages of representative and skills based boards for the GRFMA at this stage.

Table 8: Advantages and disadvantages of representative and jointly appointed skills based Boards

Board membership	Advantages	Disadvantages
Representative (current GRFMA model)	Recognised and generally successful model for s43 Regional Subsidiaries across South Australia	May lead to gaps in desirable skills for the Board
	Existing structure that has achieved beneficial outcomes for the constituent Councils	Potential for political differences to dominate Board activities at the expense of planning and delivery
	Brings policy, political and project considerations together	
	Maintains a close link with, and reporting and access to, the constituent Councils for both Elected Members and staff	
	Through the current Charter requirements and constituent Council appointments, the current Board is a hybrid of representative and skills	
	Leaves open the option of appointing a specialist project group to oversee the implementation of capital projects	
Skills based (jointly appointed by the constituent Councils and independent from them)	The full range of desired skills for the Board can be targeted through a recruitment process	It is too early to separate project delivery considerations from the policy and political considerations
	Changes in desired skills over time (such as when moving from stages of capital works to maintenance) can be refined to fit the circumstances	Potential for the Board and Authority to become more remote from the constituent Councils
		A further process (and potential structure) would be required for the constituent Councils to manage policy and political considerations
		Additional costs incurred in sitting fees

While the current Board structure is best described as being representative, it clearly has Members with a range of skills. The Charter includes an expectation about the expertise of Board members:

4.2.6 The Constituent Councils will endeavour as far as practicable to ensure the Board comprises a gender balance and Board Members with a range of expertise including:

- *environmental management;*
- *corporate financial management;*
- *general management;*
- *public sector governance;*
- *public works engineering management.*

Further skills are provided through the Audit Committee, the Technical Assessment Panel, and ad-hoc requests for assistance by other staff of the Councils.

An area for consideration to strengthen the skills base would be to have an arrangement between the CEOs of the Councils to ensure that the combined staff appointments to the Board include all relevant skills. For instance, there is currently no Finance person among the Council staff on the Board.

During the interviews, comments were made about the size of the Board. While 13 is a relatively high number of Board members, it is an outcome of the representative model.

An associated matter and one where changes could be made is in relation to Deputy Members being able to participate in Board meetings. Clause 4.3.2 of the Charter allows a Deputy Member to attend and speak at Board meetings even if not attending in place of the Board Member for which they are the Deputy. Potentially, there could be 25 people able to speak at a Board meeting – the 13 Board Members and 12 Deputy Members. The role of a Deputy Member as set out in clauses 4.3.1.1 and 4.3.1.2 is to act as the Member if that person is unable to attend a Board meeting or otherwise act. It seems an unusual arrangement to expand the role of a Deputy Member to be able to participate in debate if not attending in place of the Member.

An alternative, recognising that in specific circumstances they may have information valuable to a Board meeting, a Deputy Member could be allowed to speak with approval of the meeting.

9.3 Planning

Changes to the GRFMA Charter from the first stage review will require the development of several planning documents under a Management Framework. The plans are a Long Term Financial Plan, a Strategic Plan, and an Asset Management Plan. These are particularly important documents and, given the limited resource base of the Authority, they will need to be developed on a 'fit for purpose' basis.

The Board is developing a proposal to prepare a Stormwater Management Plan and will consult with constituent Councils and seek their support when the proposal is completed. Whatever the history of the concept of such a Plan for GRFMA it is a central element of the current institutional arrangements for stormwater management in South Australia.

9.4 Partnering

As indicated earlier, the dispersed arrangements for managing stormwater require a high degree of collaboration between agencies. Partnering, a term sometimes used to describe more formal arrangements for collaboration, is increasingly seen as an essential way of getting things done in a complex environment. It requires a mindset and skills to achieve successful outcomes where all parties gain benefits that are greater than the cost and effort required. Building and maintaining relationships is an important element and arrangements for that to happen can be built into the partnering framework.

One of the challenges identified through the interviews and discussions during the project was in relation to "being heard by other governments". The GRFMA could take the proactive approach of seeking to partner with South Australian Government Departments and agencies to further build relationships and perspectives. Relevant Departments and agencies include:

- Department of Environment and Water
- Primary Industries and Regions SA
- Department of Infrastructure and Transport
- Attorney General's Department (Planning section)
- Infrastructure SA
- Regional Landscape Boards
- SA Water

- State Emergency Service
- Stormwater Management Authority.

During the project a joint meeting was held with nine representatives of these bodies and three representatives of GRFMA to identify common interests and explore the potential for closer collaboration.

An option could include a formal or semi-formal process to bring relevant agencies together into a planning group (such as a Strategic Advisory Group) to advise the Board on strategic matters and build greater understanding between the Authority and the agencies. This and other options could be discussed with the Departments and agencies.

10 WAY FORWARD - FUNDING

Considerations for funding by the constituent Councils are for operational (including administration and planning), capital works, and maintenance of infrastructure. The current default approach, based on historic data, is:

- Operational – all six Councils contribute equally
- Capital, and maintenance – a single funding formula of costs avoided, proportion of catchment area, proportion of length of the river, and ability is applied universally (ie for all capital works, and maintenance of infrastructure).

GRFMA's Charter also allows it to enter into separate funding arrangements with *the Constituent Councils and with any State or Federal Government or their agencies in respect of any project undertaken or to be undertaken by or on behalf of the Authority*. The Charter further states that this arrangement automatically applies where *the capital and/or maintenance cost exceeds \$1 Million in any given year*.

Any changes in the funding formula would also require consideration of the ongoing funding of maintenance of assets constructed under the current formula, as well as the financial interest of each constituent Council in the assets.

10.1 Universal approach, or project by project

An important consideration for the GRFMA and the constituent Councils is whether the funding formula in place should apply across the board or should be calculated on a project by project basis.

There are advantages and disadvantages of having a single formula or a different formula for each project and the ongoing maintenance of the resultant infrastructure. Those identified are set out in table 9 below.

Table 9: Advantages and disadvantages of a universal formula or project by project

Approach	Advantages	Disadvantages
Universal formula – applied to all projects	Continues the current approach which is known (though possibly with a different formula)	Can be difficult to see how the funding arrangement is fair for individual projects (noting that GRFMA generally deals with one project at a time)
	Doesn't require the effort of devising a new formula for each project	Less responsive to changing circumstances over time
	Can potentially be applied to a range of funding models	Less flexibility to allow for potentially significant variances in relation to benefits and beneficiaries of projects

Project by project formula – applied to each project individually	Greater transparency with alignment of funding principles for each project	Requires a new formula to be researched, negotiated, and agreed for each project
	Greater transparency about aligning relative costs and benefits	More difficult to apply to some funding models
	Encourages consideration of potential other beneficiaries and project outcomes and approaches	

The second workshop with members of the Review Working Group strongly supported a project by project approach, noting that the Charter of GRFMA now allows for this for projects over \$1m in value.

Taking a project by project approach to funding between the Councils could apply to capital works and possibly to maintenance of infrastructure (though this would need to be determined after modelling of forecast costs). A project by project approach is less applicable to operational costs.

10.2 Models

Seven potential models were identified during the project and discussed at the first round of briefings with the six Councils (to varying degrees) and at the workshop with the Review Working Group. The models, or variants of them, are shown in more detail in tables 3 and 5 above. They are:

1. GRFMA default status quo – equal contributions for operational costs and, based on historic data, mix of future costs avoided, catchment area, watercourse length, and ability to pay for capital and maintenance works
2. Equal contributions by all Councils
3. A drainage charge equivalent (that is, costs allocated to each Council equivalent to the amounts that would be collected by GRFMA if it had the power to impose such a property charge) based on either property value or a fixed charge, with potential for differential charging for land use and possibly location
4. Proportion in each Council area of impervious surfaces in the catchment
5. Proportion of water flows into the Gawler River from each Council area
6. Proportion of benefits received by each Council area from flood mitigation expenditure
7. Combination of proportion of flows into the Gawler River and proportion of benefits received from flood mitigation expenditure.

Of these models, the Review Working Group agreed at the second workshop that numbers 1, 3 and 7 were worthy of carrying forward for further assessment. These models had also been promoted by the report author at the first round of Council briefings. When compiling this report, it became evident that adjustments could be made to model 1 (default status quo) which meant that it is effectively another option on its own. These potential adjustments are shown under section 10.3.2 below.

10.3 How the models could be applied

An important consideration for the GRFMA and the constituent Councils is how the four funding models (1(a), 1(b), 3, 7) could be applied. The following sections provide some ideas about that which can be considered and added to as investigations into their potential suitability progress. Any changes to funding arrangements will, of course, require negotiation that will be complex (to varying degrees) and challenging. A first step, and as a follow up to this report, could be financial modelling of each option, possibly through Finance and Engineering staff of the constituent Councils.

10.3.1 Model 1(a) – GRFMA default status quo

The current default funding model has led to contributions from constituent Councils as shown in table 1, which is reproduced below.

Constituent Council	Capital works percentage share %	Maintenance of assets percentage share %	Operational costs percentage share %
Adelaide Hills	1.73	1.73	16.66
Adelaide Plains	28.91	28.91	16.66
Barossa	8.67	8.67	16.66
Gawler	17.34	17.34	16.66
Light	8.67	8.67	16.66
Playford	34.68	34.68	16.66
TOTAL	100	100	100

For future contributions, the formula could continue as is. Alternatively, it could be subject to changes as reflected in model 1(b).

Model 1(a) could continue to be used under a universal funding formula. It could also be used on a project by project basis with adjustments to reflect project specific calculations of future costs avoided.

10.3.2 Model 1(b) – adjusted GRFMA default status quo

Several changes could be made to the current funding model.

In relation to **capital works**, the changes could include:

- setting agreed percentages for each component of the funding formula (proportion of catchment area in each Council area, proportion of river length in each Council area, future costs avoided by each Council, ability to pay);
- recalculating costs avoided by each Council to reflect changed circumstances since the formula was adopted; and
- regularly revisiting both of these elements to ensure they reflect current circumstances.

Similar changes could be applied to **maintenance**, with the further option of equal contributions between Councils.

Operational costs could continue to be allocated on the basis of equal contributions for all Councils, or a similar formula to those for capital works and maintenance.

For illustrative purposes, table 10 shows a conceptual worksheet template to indicate how the current formula elements could be applied differently.

Table 10: Conceptual worksheet showing how the current funding formula elements could be applied differently

Element	Catchment of area		River length		Future costs avoided		Ability to pay	
	Agreed % of formula		Agreed % of formula		Agreed % of formula		Agreed % of formula	
Council	Area	% of total	Length	% of total	Costs avoided	% of total	Ability to pay	% of total
AHC								
APC								
Barossa								

Gawler								
Light								
Playford								
TOTAL								

Model 1(b) could be used under a universal funding formula, subject to regular reviews about future costs avoided as mentioned above. It could also be used on a project by project basis and is probably more suited to that approach.

10.3.3 Model 3 – drainage charge equivalent

The GRFMA has no taxing powers and is therefore not able to impose a drainage charge on ratepayers. However, it could recover costs from each Council in the same proportions as if it were able to impose such a charge, hence the use of the term “drainage charge equivalent”.

A drainage charge equivalent could be calculated for the catchment area based on:

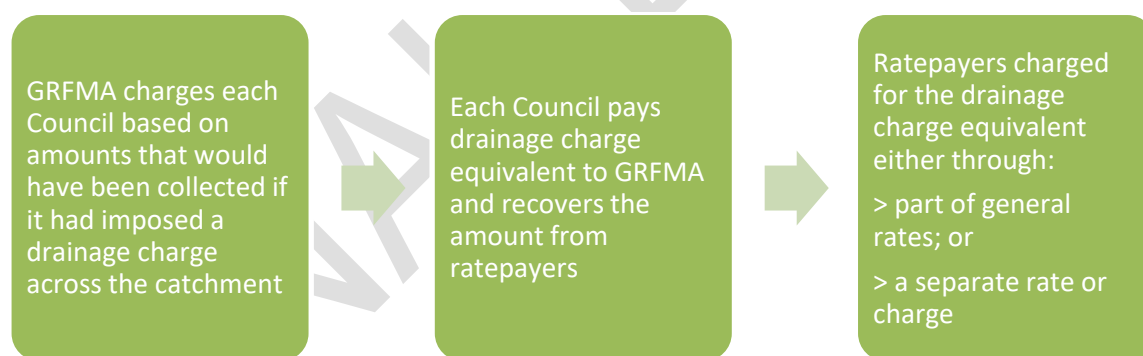
- property values, potentially including differential rates for land use and/or location; or
- a fixed charge/s that could also include differential amounts for land use and/or location and/or property size.

Further, the drainage charge equivalent could apply:

- the same rate/s or charge/s across the whole catchment area; or
- different rates or charges for each Council area to reflect benefits from flood mitigation works.

The recovery of the costs from ratepayers would then be a decision of each Council with the options being through either general rate revenue, or through a separate rate.

The following diagram shows the connection of a drainage charge equivalent to ratepayers.



Model 3 is better suited to a universal funding approach given that it does not necessarily align with benefits, unlike models 1(a), 1(b) and 7. However, it could potentially also be used with a project by project funding approach, though with more complex calculations for cost recovery by GRFMA from the Councils as the number of projects increases. Smoothing of annual drainage charge equivalents may require earlier detailed planning of future projects. This becomes more important if the Councils decide to recover these amounts through a separate or charge, to avoid significant variances between years in those separate rates or charges.

10.3.4 Model 7 – combination of proportions of flows and proportions of benefits

Under this model there would be two components to the formula:

- proportions of volumes of flows into the river from each Council area; and
- proportions of benefits received by each Council area from flood mitigation works.

Data on flows would be used for the first component.

For the second component, agreement would be required on what the benefits are and how they would be measured. Benefits could include sub-components of:

- costs avoided by having the river as a 'disposal path' for floodwaters
- costs (financial and economic) avoided through reduced flooding
- increased development potential (assessed from a particular point in time, with one suggestion being to link that to the Greater Adelaide 30 Year Plan) with less flooding (primary production, residential, commercial, industrial)
- increased property values with less flooding risk (primary production, residential, commercial, industrial).

Agreement would also be required on the percentages for each component (flows and benefits) and sub-components of the benefits (costs avoided, increased development potential, increased property values).

Again, for illustrative purposes, table 11 shows a conceptual worksheet template to indicate how a formula providing for both flows and benefits could be constructed.

Table 11: Conceptual worksheet showing how a formula for both flows and benefits could be constructed

Element	Flows		Benefits							
Council	Agreed % of formula		Agreed % of formula							
	Flows		Costs avoided - agreed %		Increased development potential – agreed %			Increased property values – agreed %		
	Volume	% of total	Disposal path	Reduced flooding	PP*	Res#	C&I^	PP*	Res#	C&I^
AHC										
APC										
Barossa										
Gawler										
Light										
Playford										
TOTAL										

*PP = Primary Production; #Res = Residential; ^C&I = Commercial and Industrial

Model 7 is more suited to a project by project funding approach as it sets out to target and measure relative benefits from a specific project. As with model 1, it could be used with a universal funding model if agreement could be reached about overall benefits from all future projects. However, such agreement may be easier to achieve, and the measurement of benefits likely to be more accurate, on a project by project basis. Reaching agreement between Councils under this model would present its own challenges and potentially require expert advice. That advice could be built into project scoping and design exercises.

10.4 Funding principles

To assist in considering the applicability of potential funding models, eight principles were identified, of which seven were tested at the first round of Council briefings and at the second workshop with the Review Working Group. The eighth, fairness, was added later after further reflection by the report author.

The eight principles are:

- **Simplicity** – similar to ‘certainty and simplicity’ as a principle of taxation, the notion of simplicity for funding between the Councils relates to the arrangements being easy to understand by the Councils, ratepayers, and communities
- **Transparency** – refers to the visibility of the funding arrangement to the Councils, ratepayers, and communities
- **Fairness** – refers to the extent to which a non-affected person would regard the arrangements as being fair
- **Objective measures** – expresses the desirability of basing decisions about funding on objective measures where possible, rather than subjective ones
- **Behaviour change** – this refers to the desirability of bringing about significant changes in behaviour that lead to less risk of flooding (such as by reducing flows of water into the river during times of flooding) or actions that reduce flood damage (such as building above the flood level) or allow for a lower standard of flood protection
- **Adjust over time to reflect changing circumstances** – reflects the desirability of the funding model, or its application, changing to meet changed circumstances
- **Contributors to flows pay** – recognises that there is some responsibility on upper catchment communities to meet the cost of reducing flooding even if it is outside their Council area
- **Beneficiaries pay** – recognises that some areas and property owners benefit more than others.

A further principle of ‘recognise contribution of work already done to limit flows’ was raised during the project but was not included as the impact of those works would be reflected in the principle of “contributors to flows pay” through a lower proportion of flows.

10.5 Rating the models against the principles

The four models selected for further consideration were rated (subjectively by the report author) against the principles at part 9.2 by the report author using a simple method of Low (L), Medium (M), and High (H). Those ratings (relative to each other) and the rationale for their selection are shown in table 12. Based on the ratings option 7 is the most attractive, though it is relatively complex.

Table 12: Relative ratings of funding models

Principle	Models and relative ratings				Rationale for rating (number refers to model number)
	1(a). Default status quo	1(b) Adjusted default status quo	3.Drainage charge equivalent	7.Combined proportions of flows and proportions of benefits received	
Simplicity	M	M	H	M	1(a) and (b). Relatively simple to understand, except for costs avoided 3.Simple calculations, though notion of ‘equivalent’ not simple to readily understand 7.Concept relatively simple, calculations less so

Transparency	H	H	H	H	In all cases the method of calculation can readily be made visible
Fairness	M	M	M	H	1(a) and (b). Area of catchment and length of river not directly key considerations 3.Potentially many people in the catchment benefit from reduced flooding which partly moves it towards being a public good 7.Highest level of connection between where flood waters come from and those who benefit from mitigation works
Objective measures	M/H	M/H	H	M/H	1 (a) and (b). Area of catchment and length of river are objective measures; costs avoided can be independently estimated and therefore objective; ability to pay is reasonably subjective 3.Data regarding property numbers, values, land uses are objective 7.Flows can be independently calculated and are objective; benefits can be independently estimated and therefore objective
Behaviour change	L	L	L	M/H	1 (a) and (b). Three of 4 elements don't encourage behaviour change 3.No connection between funding model and behaviour change 7.Greatest potential to encourage behaviour change
Adjust over time	M	H	H	H	1(a).The default contributions are fixed in the Charter. 1(b). Scope to change the weighting of each element of the formula and update calculation of future costs avoided. 3.Funding calculation could be changed regularly in relation to differentials for land use; property values or fixed charges

					7. Formula for each project would reflect specific flows and benefits
Flow contributors pay	M	M	M	H	1(a) and (b). River length and catchment areas can be considered partial proxies for flows 3. Most properties in the catchment contribute to flows 7. Highest level of connection with relative flows
Beneficiaries pay	M	M	M	H	1(a) and (b). Costs avoided has a direct connection to beneficiaries; catchment areas and river length do not 3. In general terms, many people in the catchment benefit from a reduction in flooding; differential charges by land use or location could strengthen the notion of beneficiaries pay 7. Highest level of connection with benefits and beneficiaries of flood mitigation works

11 MATTERS OUTSIDE THE PROJECT BRIEF

11.1 Funding from other sources

A comment made often during briefings with the constituent Councils during the project was that the full capital cost of projects undertaken by the GRFMA should be met by the South Australian and/or Australian governments. There were also some comments that Councils should withdraw from the Authority or that it should be wound up. These matters are outside the project brief and are not discussed in any detail in this report, other than to say that any steps to wind up or withdraw from the Authority should not be considered without a full risk assessment that includes legal, financial, economic, environmental, social and reputational considerations.

The current documented arrangements for South Australian Government funding of stormwater planning and capital works of Councils are set out in the Stormwater Management Agreement. They include funding of up to 50% of planning and capital costs for agreed projects. Any additional government funding, such as has been provided by the Australian Government from time to time would reduce the amounts payable by both the Council/s involved and the South Australian Government. An arrangement that is often quoted is that each sphere of government would contribute one third each.

During the project reference was often made that different funding arrangements applied for the Gawler River Flood Mitigation Scheme under which the Bruce Eastick North Para Flood Mitigation Dam was constructed (completed in 2007) and modifications were made to the dam wall and spillway of the South Para Reservoir (completed in 2012). The Annual Report of GRFMA for the financial year 2011-2012 states that funding of \$8.167m was provided by the South Australian Government and \$8.714m was provided by the Australian Government. It is understood that the total funding by the

constituent Councils was much lower than the amounts provided by the other governments. However, it is important to note that funding by the other governments came from existing funding programs:

- According to Annual Reports of the Stormwater Management Authority, approval of the funding allocation by the South Australian Government was made under the previous Catchment Management Subsidy Scheme and precedes the 2006 Stormwater Management Agreement between the Government and the LGA, and
- The funding allocation by the Australian Government was stated in the GRFMA Annual Reports for the years 2006-2007 through to 2011- 2012 as coming from an existing funding program called the Regional Flood Mitigation Program (which was merged into another funding program in 2007).

There may be ways of increasing contributions from other parts of government and the private sector through specific targeted approaches. Such approaches could include a focus on:

- particular benefits (and beneficiaries) from a project, such as avoiding the loss of food production and increasing investment and output in areas prone to flooding
- expanding the scope of a project to achieve outcomes beyond flood mitigation (such as environmental, social or economic) that attract other funding
- developer contributions and offset payments.

Whichever path is taken in relation to seeking to achieve other funding it will require a clear, resourced strategy to be put in place.

11.2 Other matters

During the project, a number of other matters were also raised that are outside the project brief. They are included here for completeness and potentially further consideration by the Board. The main matters raised were:

- Funding of depreciation costs.
- Costing of projects could be for whole of life of the asset rather than capital only.
- Project planning assumptions – peer review; relative costs vs relative benefits; risk appetite; non-infrastructure mitigation measures.
- The insurance industry as a potential funding partner for flood mitigation.
- Scope of GRFMA – flooding only or expanded, ownership of assets.
- Life span of GRFMA once the capital works have been completed.
- Cost benefit analysis of project costs vs community, environmental and economic costs of flooding.
- Different understandings of the Authority's strategy – especially for achieving external funding.
- Intergenerational equity.
- Taking a holistic view of catchment in planning for works; identify and assess all options, communicate which is preferred & what it entails.
- Managing additional flows at the source where possible, rather than have them enter the river.
- Higher levels of South Australian Government involvement and financial support for other waterways (Patawalonga Lakes system, West Lakes system, Sturt River flood control dam, aspects of the River Torrens main channel) compared to the Gawler River.

REFERENCES

Brown Hill and Keswick Creeks Stormwater Board, *Charter*

Department for Water, South Australian Government, *Stormwater Strategy: The Future of Stormwater Management (Water for Good)*

Department of Environment, Land, Water and Planning (Victoria) 2017, *A cost allocation framework for IWM projects*

Department of Environment, Land, Water and Planning (Victoria) 2020, *Melbourne Stormwater Review* <https://www.water.vic.gov.au/liveable/stormwater-review>

Environment Australia 2002, *Introduction to Urban Stormwater Management in Australia*

Gawler River Floodplain Management Authority 2020, *Charter*

Government of South Australia and Local Government Association of South Australia 2013, *Agreement on Stormwater Management*

Pamela Box, Frank Thomalla, Robin van den Honert in *Water* December 2013, Flood Risk in Australia: Whose responsibility is it, anyway?

Productivity Commission 2020, *Integrated Urban Water Management — Why a good idea seems hard to implement*, Commission Research Paper, Canberra.

Stormwater Management Authority, Government of South Australia and Local Government Association of South Australia, *Stormwater Management Authority Strategic Plan 2015 – 2025*

Stormwater Management Authority, Government of South Australia and Local Government Association of South Australia, *Priorities for Stormwater Management Planning in South Australia 2016 - 2020*

The Senate, Environment and Communications References Committee 2015, *Stormwater management in Australia*

Tonkin Consulting 2015, *Torrens Road Catchment Draft Stormwater Management Plan*

Tonkin Consulting 2014, *Stormwater Management Plan Coastal Catchments Between Glenelg and Marino*

Legislation

Local Government Act 1999 (South Australia)

South West Drainage Act 1959 (South Australia)

Yarra River Protection (Wilip-gin Birrarung murrong) Act 2017 (Victoria)

Agenda Item:	8.4
Committee:	Board
Meeting Date:	15 October 2020
Title:	Bruce Eastick North Para Flood Mitigation Dam Safety Emergency Plan and Inspection

Recommendation:**That the GRFMA:**

- 1. Notes progress on development of the Bruce Eastick North Para Flood Mitigation Dam Safety Emergency Plan.**
 - 2. Requests the Executive Officer to:**
 - a) Seek relevant quotations for repair of items identified in the routine visual inspection of 8/9/2020.**
 - b) Determine training requirements for GRFMA officers/representatives to undertake dam safety inspection procedures.**
 - c) Provide a recommendation report on the above to the 10/12/2020 GRFMA meeting.**
-

Dam Safety Emergency Plan

The Bruce Eastick North Para Flood Mitigation Dam is classified as a large dam under *Australian National Committee on Large Dams* (ANCOLD, 2003) and has a flood consequence category of High B due to the potential loss of life (PLL) of between 5 and 10 persons, with associated medium severity of damage and loss of property (ANCOLD, 2012)

All dams with a potential for loss of life resulting from dam failure require the development of a Dam Safety Emergency Plan (DSEP) as identified in the *ANCOLD Guidelines on Dam Safety Management*.

A DSEP is a formal plan that:

- Identifies emergency conditions which could endanger the integrity of the dam and which require immediate action;
- Prescribes procedures which should be followed by the dam owner and operating personnel to respond to and mitigate these emergency conditions at the dam; and
- Provides timely warning to appropriate emergency management agencies for their implementation of protection measures for downstream communities.

The GRFMA Executive officer has been working with the Local Government Association of South Australia's Council Ready program to develop the Bruce Eastick North Para Flood Mitigation Dam Dam Safety Emergency Plan.

The draft plan has now been completed and consultation with the following key stakeholders has commenced:

- South Australian State Emergency Service
 - Department for Environment and Water
 - Barossa ZEMC
 - Northern Adelaide ZEMC
-

- Adelaide Hills, Fleurieu and Kangaroo Island ZEMC
- Adelaide Hills Council
- Adelaide Plains Council
- The Barossa Council
- Town of Gawler
- Light Regional Council
- City of Playford

The final report is to be provided to the 10 December 2020 GRFMA meeting for consideration and adoption.

Inspection and Monitoring

The Bruce Eastick North Para Flood Mitigation Dam Operations and Maintenance Manual (2020) provides advice on the Inspection and Monitoring frequency and process required for the Dam and surrounding land and fixtures.

For a dry detention basin such as the Bruce Eastick North Para Flood Mitigation Dam, which does not require operations personnel on a daily basis, the 2003 ANCOLD Guidelines recommend routine visual inspections on a monthly basis, annual intermediate inspections and 5-yearly comprehensive inspections; with a higher frequency of inspections during and after storm events as appropriately required.

For the Dam, features of the dam such as the Main Dam Wall Downstream and Upstream Faces, Dam Abutments, Dam Crest, LLOP Inlet Chamber, LLOP, HLOP, Secondary Spillway Wall and downstream rockwork are to be routinely inspected once every month by a GRFMA nominated representative, and once every year by the GRFMA nominated representative and a qualified Dams Engineer.

Additional inspections are required after flood events when it is safe to do so as approved by GRFMA. The dam is to also be inspected and maintained, such as debris removal or remediation, after significant rainfall and river flow events.

Inspectors must be adequately trained in dam safety inspection procedures.

A routine visual inspection of the Dam and surrounding land was undertaken by the GRFMA Executive Officer on 8 September 2020.

The following items were noted during the inspection:

- Both High Level Outlet Pipe (HLOP) safety covers missing
- One padlock on the Survey Monument Pillars had been vandalised
- The SA Water mains adjacent to the Dam is exposed
- Graffiti on the downstream southern abutment
- Dislodged baffle blocks in the stilling basin*
- Lower Level Outlet Pipe (LLOP) repairs still required*
- Dam crest safety handrail welding cracked in nine rails
- 12 fencing and safety signs missing.

** refer to Agenda item 10.1*

For reference - Budget Considerations - Maintenance Flood Mitigation Scheme, Maintenance Contractors

Budgeted maintenance and operations of the scheme during 2020 to 2021 include:

Item	Budget \$	Allocation \$	Notes
GRFMA 20/21 Budget allocation	50,000		
Dam Emergency Management Plan		Nil	EO Project Management costs in consultancy budget
Revegetation program around land associated with the Bruce Eastick North Para Flood Mitigation Dam		5,000	Stage 2
Routine Scheduled inspections of land associated with the Dam		Nil	EO inspection costs in consultancy budget
Repairs and Maintenance - New signs/Screens for LLOP and HLOP.		15,000	
Contingency for LLPO and Stilling Basin repair costs following into 2021		30,000	Repair program still to be determined
Carry over of unspent funds maintenance funds(LLPO and Stilling Basin repair)	47,650	47,650	Repair program still to be determined
Total Budget	97,650		
		97,650	Total Indicative costs

Agenda Item:	8.5
Committee:	Board
Meeting Date:	15 October 2020
Title:	GRFMA Strategic Plan

Recommendation:

That the GRFMA receives the report and ...(determine relevant option).

At the 13/8/2020 GRFMA meeting the following resolution (20/57) was carried.

That:

1. *The Executive Officer write to Constituent Council CEO's seeking advice on the process Council undertakes in relation to development of their Strategic Plan so as to enable a report to be drafted outlining possible options the GRFMA might consider in establishing its own Strategic Plan.*
2. *A relevant report be provided to the 15 October 2020 GRFMA Board meeting.*

Correspondence was sent to each constituent council seeking the following information;

- Did you utilise an independent facilitator or separately an internal working group to lead the strategic planning process.
- The methodology used to facilitate engagement and consultation with elected members, staff, and external stakeholders.
- Processes utilised for formulation of draft documents and pathways for recommendation and adoption of the strategic plan.
- Any other information that might be considered relevant or useful would also be welcomed.

In summary councils generally establish an internal project team to lead the overall process with engagement of an independent facilitator to lead community consultation.

Processes utilised in developing the plan include:

- Elected Member Workshops
- Community Consultation
- Generation of preliminary Draft Plan
- Presentation of preliminary Draft Plan - Council
- Consultation on draft document
- Report to Council outcomes of consultation
- Subsequent updating of Draft Plan
- Adoption

Possible options the GRFMA might consider in establishing its own Strategic Plan.

- a) Establishment of a small (3 persons) Project Team to;
 - 1) Define the scope and processes for establishment of the Strategic Plan
 - 2) Facilitate appointment (with GRFMA approval) of an independent facilitator to lead consultation and establish the draft plan.
- b) Request the Executive Officer to seek expressions of interest, for GRFMA consideration, from relevant independent consultants to develop and deliver the draft Strategic Plan. Consultants would be required to identify and explain the scope of services to be provided and methodology to be utilised to develop the draft plan.

For clarity it is noted that the GRFMA has previously established strategic planning documents in the form of the three-year rolling GRFMA Business Plan and the Gawler River Flood Mitigation Scheme Mark 2 document.

Agenda Item:	8.6
Committee:	Board
Meeting Date:	15 October 2020
Title:	Town of Gawler – Boundary Reform

Recommendation:

That the GRFMA:

- 1. Receives the report; and**
 - 2. Maintains a watching brief on progress of the Boundary Change Proposal (Gawler) in consideration of any constituent council GRFMA funding contribution alterations that might need to be considered.**
-

Mayor Karen Redman has written to the GRFMA advising the Town of Gawler has developed a Boundary Change Proposal and Council is seeking feedback on the proposal.

Consultation closes at 5pm on 7 October 2020.

Some key points of the proposal are:

- Boundary reform could realign the footprint of Gawler to include adjacent areas that are seen as part of the Gawler community
- Areas suggested to be included in Gawler are Concordia Growth Area, Hewett, Kalbeeba, Gawler Belt (portion of), Evanston Park, Reid and Hillier
- Areas suggested to be removed from Gawler are Bibaringa and Uleybury
- These proposed changes to boundaries would ultimately be investigated by the Local Government Boundaries Commission (an independent body) if Council elects to proceed this way
- Council would fund the investigation as the initiating Council
- The proposed realignment would allow Council to provide more efficient and effective services to our community in an economically thriving community

Further information about the Boundary Change Proposal can be found on the Town of Gawler website via Council's consultation platform, Your Voice Gawler:

<https://www.gawler.sa.gov.au/your-voice/consultations/boundary-reform>

The proposal for change will not affect the operation of the GRFMA as the proposed boundary changes, if supported or varied in any way, will not change the GRFMA's scope or its constituent councils.

One issue that may arise will be in relation to how the contributions of the Constituent Councils. Contributions are currently based on the percentage shares for capital works, maintenance of assets of the Authority and operational costs of the Authority in accordance with Schedule 1 of the Charter. Current contributions may also be subject to change pending completion of Charter Review 2.

Noting where the capital and/or maintenance cost exceeds \$1 Million in any given year, Clause 11.7 shall apply (*The Authority may enter into separate funding arrangements with Constituent Councils and with any State or Federal Government or their agencies in respect of any project undertaken or to be undertaken by or on behalf of the Authority*).

See attached for copy of correspondence from Mayor Redman.

OFFICE OF THE MAYOR



Contact: Mayor Karen Redman

Ref: KR:kd
CC19/1061

13 September 2020

Town of Gawler Administration Centre

43 High Street
Gawler East SA 5118
PO Box 130
Gawler SA 5118
Phone: (08) 8522 9211
council@gawler.sa.gov.au
gawler.sa.gov.au

Mr Ian Baldwin
Chair
Gawler River Floodplain Management Authority
266 Seacombe Road
SEACLIFF PARK SA 5049

By email: ijbaldwin.14@bigpond.com

Dear Mr Baldwin

Re: Community Consultation - Boundary Reform

Council has developed a Boundary Change Proposal and key to moving forward with it's consultation with our community and stakeholders. Council has developed this proposal with the intent of forming one community with one Council to provide services as we grow and prosper.

This important issue has the potential to shape Gawler's future from a community, social, economic, and environmental perspective. Council believes that changing Gawler's boundaries just makes good sense so now is the time to seek the views of our stakeholders and wider community.

A six-week consultation period has commenced during which time we invite you and/ or your organisation to learn more about the Town of Gawler Boundary Change Proposal and provide feedback on the matter.

More information about the Boundary Change Proposal can be found on Council's website via Council's consultation platform, Your Voice Gawler:

(<https://www.gawler.sa.gov.au/your-voice/consultations/boundary-reform>)

however, some key points are:

- Boundary reform could realign the footprint of Gawler to include adjacent areas that are seen as part of the Gawler community
- Areas suggested to be included in Gawler are Concordia Growth Area, Hewett, Kalbeeba, Gawler Belt (portion of), Evanston Park, Reid and Hillier
- Areas suggested to be removed from Gawler are Bibaringa and Uleybury

- These proposed changes to boundaries would ultimately be investigated by the Local Government Boundaries Commission (an independent body) if Council elects to proceed this way
- Council would fund the investigation as the initiating Council
- The proposed realignment would allow Council to provide more efficient and effective services to our community in an economically thriving community

There will also be two public forums during the consultation period at the Gawler Sport and Community Centre, Nixon Terrace, Gawler. These forums will start at 7pm on Monday 21 and 28 September 2020.

You can register for either one of the two forums by visiting <https://gawlerboundaryreform.eventbrite.com.au/> . Registrations are required due to COVID restrictions.

Consultation closes at 5pm on 7 October 2020.

I encourage you to take part in shaping Gawler's future and thank you for your consideration of this matter.

Kind regards



Karen Redman
Mayor

Direct line: (08) 8522 9221
Email: Mayor@gawler.sa.gov.au

Agenda Item: 8.7
Committee: Board
Meeting Date: 15 October 2020
Title: Financial Report

Recommendation:

That the GRFMA receives the financial report as at 30 September 2020 showing a balance of total funds available of \$237,664.60

See attachments for the monthly reconciliations:

- ✧ Reconciliation to 30/9/2020
- ✧ GRFMA Balance Sheet as at 30/9/2020
- ✧ Budget summary to date 30/9/2020
- ✧ Executive Officer Activity Report (Table)

Tabled below Executive Officer Activities report.

Activity	July	Aug	Sept
To keep maintained the business office of the Authority	21	3.5	7.5
To prepare the Business Plan, Budgets and reports in a timely manner	2		2.5
To liaise with Councils, and Stakeholders to foster the outcomes of the Business Plan	9.5	19	10.5
To attend all meetings of the GRFMA, to prepare agendas, minutes and correspondence as required.	13.25	27	6
TOTAL	45.75	49.5	26.5

Reconciliation Report266 Seacombe Road
Seacliff Park SA 5049

ABN: 12 925 534 861

Email: davidehitchcock@bigpond.com

ID No.	Date	Memo/Payee	Deposit	Withdrawal
Account: 1-1110 Bank SA Account				
Date Of Bank Statement: 9/30/2020				
Last Reconciled: 8/31/2020				
Last Reconciled Balance: \$100,371.58				

Cleared Cheques

chq	8/26/2020	Revenue SA		\$123.95
EFT	9/4/2020	Ian Baldwin		\$1,100.00
EFT	9/4/2020	David Hitchcock		\$6,534.00
TR000029	9/4/2020	Money Transfer		\$50,000.00
SC093020	9/30/2020	Safe Deposit Fee		\$5.00
			Total:	\$0.00 \$57,762.95

Cleared Deposits

IE093020	9/30/2020	Bank Int		\$0.40
			Total:	\$0.40 \$0.00

Reconciliation:				
			AccountRight Balance On 9/30/2020:	\$42,609.03
			Add: Outstanding Cheques:	\$0.00
			SubTotal:	\$42,609.03
			Deduct: Outstanding Deposits:	\$0.00
			Expected Balance On Statement:	\$42,609.03

Transaction History Report

Please advise any error or unauthorised transaction promptly to the bank

Account name GAWLER RIVER FLOODPLAIN MANAGEMENT
Account number 010 0101 248 140
BSB 105-010
Currency AUD
Opening balance 100,371.58CR
Transaction period from 01/09/2020 to 30/09/2020

Date	Description	Serial number	Debit	Credit	Balance
04/09/2020	INTERNET WITHDRAWAL 04SEP15:36 Chair Hon Aug 20		1,100.00		99,271.58CR
04/09/2020	INTERNET WITHDRAWAL 04SEP15:36 LGFA invest		50,000.00		49,271.58CR
07/09/2020	INTERNET WITHDRAWAL 06SEP12:02 EO Services Aug 20		6,534.00		42,737.58CR
15/09/2020	CHEQUE	731	123.95		42,613.63CR
21/09/2020	SAFE DEPOSIT FEE (INC GST)		5.00		42,608.63CR
30/09/2020	CREDIT INTEREST			0.40	42,609.03CR
	TOTAL		57,762.95	0.40	42,609.03CR

Reconciliation Report266 Seacombe Road
Seacliff Park SA 5049

ABN: 12 925 534 861

Email: davidehitchcock@bigpond.com

ID No.	Date Memo/Payee	Deposit	Withdrawal
Account: 1-1130 LGFA Investment Account			
Date Of Bank Statement: 9/30/2020			
Last Reconciled: 8/31/2020			
Last Reconciled Balance: \$145,000.12			

Cleared Deposits

TR000029	9/4/2020	Money Transfer	\$50,000.00	
IE093020	9/30/2020	Deposit Int	\$55.45	
			Total:	\$50,055.45 \$0.00
Reconciliation:				
			AccountRight Balance On 9/30/2020:	\$195,055.57
			Add: Outstanding Cheques:	\$0.00
			SubTotal:	\$195,055.57
			Deduct: Outstanding Deposits:	\$0.00
			Expected Balance On Statement:	\$195,055.57



Council Deposits Transaction Statement from 01-Sep-2020 to 30-Sep-2020 inclusive

Deal	Date	Transaction	Interest Rate	Amount	Balance
Gawler River General					
Council Dep - 24HR Mthly					
58319	01-09-2020	Opening Balance			\$145,000.12
58319	01-09-2020	CAPITALISE INTEREST	0.4500	\$55.45	\$145,055.57
58319	07-09-2020	Deposit	0.4500	\$50,000.00	\$195,055.57
58319	30-09-2020	Closing Balance			\$195,055.57
Accrued interest for period 01-Sep-2020 to 30-Sep-2020				<u>\$68.37</u>	
Total Gawler River General - Council Dep - 24HR Mthly				\$68.37	

Summary

Gawler River Floodplain Management Authority	Accrued Interest
Gawler River General	\$68.37
Grand Total	\$68.37

Balance Sheet266 Seacombe Road
Seacliff Park SA 5049

As of September 2020

ABN: 12 925 534 861
Email: davidehitchcock@bigpond.com**Assets****Current Assets****Bank Accounts**

Bank SA Account

\$42,609.03

LGFA Investment Account

\$195,055.57

Total Bank Accounts

\$237,664.60

Other Current Assets

Trade Debtors

\$30,485.40

Debtor

\$53.66

ATO Payments & Refunds

\$1,613.00

Total Other Current Assets

\$32,152.06

Total Current Assets

\$269,816.66

Non-Current Assets

Infrastructure

\$25,245,000.00

Accum. Depr. Infrastructure

(\$3,786,562.50)

Land

\$477,000.00

Access Roads

\$84,000.00

Accumulated Dep Access Rd

(\$8,600.00)

Total Non-Current Assets

\$22,010,837.50

Total Assets

\$22,280,654.16

Liabilities**Current Liabilities****GST Liabilities**

GST Collected

\$9,811.85

GST Paid

(\$2,164.13)

ATO Payments & Refunds

\$4,385.00

Total GST Liabilities

\$12,032.72

Other Current Liabilities

Accrued Expense

\$36,567.00

Total Other Current Liabilities

\$36,567.00

Total Current Liabilities

\$48,599.72

Total Liabilities

\$48,599.72

Net Assets

\$22,232,054.44

Equity

Accumulated Surplus

\$15,957,461.00

Asset Revaluation Reserves

\$8,681,973.10

Retained Earnings

(\$2,486,350.00)

Current Year Surplus/Deficit

\$78,970.34

Total Equity

\$22,232,054.44

This report includes Year-End Adjustments.

Profit & Loss [Budget Analysis]

July 2020 To September 2020

266 Seacombe Road
Seacliff Park SA 5049

ABN: 12 925 534 861

Email: davidehitchcock@bigpond.com

	Selected Period	Budgeted	\$ Difference
Income			
Admin of GRFMA			
Member Subscriptions	\$72,968	\$72,968	(\$1)
Interest LGFA	\$165	\$253	(\$88)
Interest Bank SA	\$2	\$19	(\$17)
Other	\$0	\$15	(\$15)
Total Admin of GRFMA	\$73,134	\$73,255	(\$121)
Maint Flood Mit Scheme			
Council Subscriptions	\$25,150	\$25,150	\$0
Total Maint Flood Mit Scheme	\$25,150	\$25,150	\$0
Total Income	\$98,284	\$98,405	(\$121)
Gross Profit	\$98,284	\$98,405	(\$121)
Expenses			
Admin of GRFMA			
Executive Officer Contract	\$11,430	\$13,753	(\$2,323)
Adv, printing, stationery post	\$0	\$332	(\$332)
Travelling Expenses	\$0	\$3,100	(\$3,100)
Insurance PL & PI	\$1,603	\$3,267	(\$1,664)
Audit Committee	\$650	\$700	(\$50)
Audit Fees	\$0	\$5,500	(\$5,500)
Bank Fees	\$14	\$35	(\$21)
Legal Fees	\$0	\$580	(\$580)
Honorarium - Chairperson	\$2,000	\$2,200	(\$200)
Other	\$1,011	\$1,500	(\$489)
Total Admin of GRFMA	\$16,708	\$30,967	(\$14,259)
Gawler River Scheme Mark 2			
Consultancies	\$1,581	\$30,000	(\$28,419)
Total Gawler River Scheme Mark 2	\$1,581	\$30,000	(\$28,419)
Maint Flood Mitigation Scheme			
Maintenance Contractors	\$900	\$12,560	(\$11,660)
Rates & Levies	\$124	\$300	(\$176)
Total Maint Flood Mitigation Scheme	\$1,024	\$12,860	(\$11,836)
Total Expenses	\$19,313	\$73,827	(\$54,514)
Operating Profit	\$78,970	\$24,578	\$54,392
Total Other Income	\$0	\$0	\$0
Total Other Expenses	\$0	\$0	\$0
Net Profit/(Loss)	\$78,970	\$24,578	\$54,392

10 September 2020

Mr David Hitchcock
Gawler River Floodplain Management Authority
266 Seacombe Road
SEACLIFF PARK SA 5049
E: davidehitchcock@bigpond.com

Dear David

Membership on Gawler River Floodplain Management Authority

I am pleased to advise that the following appointments were made to the GRFMA Board at the 8 September 2020 Special Council Meeting, for a period of two years:

- Cr Malcolm Herrmann was appointed as a Board Member from 27 November 2020 until the end of the Council term in November 2022
- Cr Ian Bailey was appointed as a Deputy Board Member from 27 November 2020 until the end of the Council term in November 2022
- Ashley Curtis was appointed as a Board Member (CEO's nominee) from 27 November 2020 to 23 December 2022 (inclusive)

Cr Malcolm Herrmann's contact details are:

PO Box 4
BIRDWOOD SA 5234 mherrmann@ahc.sa.gov.au 0429 890 245

Cr Ian Bailey's contact details are:

61 Sprigg Road
PICCADILLY SA 5151 ibailey@ahc.sa.gov.au 8339 2663 or 0427 005 792

Ashley Curtis' contact details are:

PO Box 44
WOODSIDE SA 5244 acurtis@ahc.sa.gov.au 8408 0566 or 0419 800 328

Yours sincerely



Lachlan Miller
Executive Manager Governance & Performance

Agenda Item:	10.1 Confidential
Committee:	Board
Meeting Date:	15 October 2020
Title:	Lower Level Outlet Pipe and Stilling Basin

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, with the exception of:
 - Executive Officer; and
 - Observers

in order to consider in confidence agenda item 10.1 Lower Level Outlet Pipe and Stilling Basin under Section 90(3)(e) of the Local Government Act 1999 on the basis that:

Matters affecting the security of the council (Authority) members or employees of the council, or council property, or the safety of any person.

2. This matter is confidential because the information herein provides legal advice regarding operation of the Bruce Eastick North Para Flood Mitigation Dam.
 3. On the basis of this information, the principle that meetings of the GRFMA Board should be conducted in a place open to the public has been outweighed in this instance: the Board consider it necessary to consider this matter in confidence.
-

Following previous discovery, by inspection, of damage to the Bruce Eastick North Para Flood Mitigation Dam lower level outlet pipe and stilling basin baffle blocks, the GRFMA sought legal advice on options for recovery of costs from parties associated with building the dam.

On the basis the information in the report provides legal advice regarding operation of the Bruce Eastick North Para Flood Mitigation Dam it is considered it necessary to consider this matter in confidence

See confidential attachment.