

# **GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY**

## **NOTICE OF MEETING**

Notice is hereby given pursuant to Clause 6.9 of the Charter that the Ordinary Meeting of the Gawler River Floodplain Management Authority Board has been called for:

**DATE: Thursday, 18 October 2018**

**TIME: 9.45 AM**

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



David Hitchcock  
EXECUTIVE OFFICER

**GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY**  
**ORDINARY MEETING**  
**AGENDA**

**9.45 am Thursday 18 October 2018**

**Adelaide Plains Council, 2a Wasleys Road, Mallala SA**

**1. MEETING OF THE BOARD**

- 1.1 Welcome by the GRFMA Chairperson.
- 1.2 Present. (Please sign the Attendance Register)
- 1.3 Apologies. -  
Cr Herrmann, Mr S Dilena
- 1.4 Appointment of Observers.
- 1.5 Declarations of Interest.

**2. CONFIRMATION OF MINUTES**

- 2.1. GRFMA Ordinary Meeting minutes 16/08/18..... Pages 4 - 14
- 2.2. Actions on previous resolutions .....Pages 15 - 16
- 2.3. Matters arising from Minutes.

**3. QUESTIONS ON NOTICE**

- 3.1 Adelaide Plains Council – 9 Questions .....Pages 17 – 19

**4. MOTIONS ON NOTICE**

Nil

**5. PRESENTATIONS**

Nil

**6. AUDIT COMMITTEE**

Nil

**7. TECHNICAL ASSESMENT PANEL**

Nil

**8. REPORTS**

- 8.1 Northern Floodway Project Public Relations .....Pages 20 - 21
- 8.2 GRFMA Charter Review.....Pages 22
- 8.3 AUSVEG SA and salinity management.....Pages 23

**8.4 Landscape SA Act** .....Pages 24 - 27  
**8.5 Executive Officer’s current employment contract**.....Pages 28  
**8.6 Financial Report ..** ..... Pages 28 - 29

**9. CORRESPONDENCE**

Walker Corporation - Letter of support for Northern Floodways Project and offer to assist with endeavors to secure Government assistance.

Other correspondence - Refer items 8.1 and 8.3

**10. CONFIDENTIAL**

**10.1 Consequence Assessment** .....Pages 30

**11. URGENT MATTERS WITHOUT NOTICE**

**12. NEXT MEETING**

Please note that the next Ordinary Board Meeting will be held on:

<u>Date</u>	<u>Host Council</u>
Thursday 13 December 2018	City of Playford

Meeting to commence at 9.45am.

**13. CLOSURE**

**2.1 GRFMA Ordinary Meeting minutes 16/8/18**

**RECOMMENDATION**

**That the Minutes of the Gawler River Floodplain Management Authority Board meeting held 16/8/18 be confirmed as a true and accurate record of that meeting.**

-----  
Refer to attachment.

---



---

**M E E T I N G M I N U T E S**


---

Committee           **Gawler River Floodplain Management Authority**  
Held On               **Thursday 16 August 2018 at 9.45 am**  
Location              **The Town of Gawler, Gawler .**

---

**WELCOME**

*Mr Ian Baldwin formally welcomed Board Members, Deputy Board Members, Observers and the Executive Officer and opened the 105<sup>th</sup> meeting of the Board.*

**PRESENT**

*Mr Ian Baldwin, Independent Board Member, Chair  
Mr Marc Salver, Adelaide Hills Council, Deputy Board Member  
Cr Malcolm Herrmann, Adelaide Hills Council, Board Member  
Mayor Bob Sloane, The Barossa Council, Board Member  
Mr Gary Mavrinnac, The Barossa Council, Board Member  
Cr Denis Davey, City of Playford, Board Member  
Mr. Greg Pattinson, City of Playford, Deputy Board Member  
Mr James Miller, Adelaide Plains Council, Board Member  
Cr Mel Lawrence, Adelaide Plains Council, Board Member  
Cr Adrian Shackley, Town of Gawler, Board Member  
Mr Ben De Gilio, Town of Gawler, Deputy Board Member  
Mr Andrew Philpott, Light Regional Council, Deputy Board Member  
Mr David Hitchcock, Executive Officer*

<b>GRB 18/53 Observers</b>
----------------------------

**Moved: Cr D Davey                      Seconded: M Lawrence**

**That, Cr Terry-Anne Keen, Adelaide Plains Council, Cr Shirley Halls, City of Playford, and be appointed as Observers.**

**CARRIED**

**APOLOGIES**

*Mr. Brian Carr, Light Regional Council, Board Member  
Mr Sam Dilena, Gawler Council, Board Member  
Mr Mal Hemmerling, City of Playford, Board Member  
Cr William Close, Light Regional Council, Board Member*

**GRB 18/54 Minutes of the 21/6/18 GRFMA meeting****Moved: Mr. G Mavrinac****Seconded: Mr. Miller**

**That the Minutes of the Gawler River Floodplain Management Authority Board meeting held 21/6/18 be confirmed as a true and accurate record of that meeting.**

**CARRIED****GRB 18/55 Minutes of the 5/7/18 GRFMA Special Meeting****Moved: Cr A Shackley****Seconded: Cr. M Herrmann**

**That the Minutes of the Gawler River Floodplain Management Authority Board Special Meeting held 5/7/18 be confirmed as a true and accurate record of that meeting subject to Cr Paul Koch being included in the list of members present at the meeting.**

**CARRIED****Actions on previous resolutions**

The Executive Officer provided a verbal update on actions undertaken regarding minute 18/50 and tabled late correspondence response from AUSVEG.

**GRB 18/56 Questions on Notice – Adelaide Plains Council****Moved: Mr. A Philpott****Seconded: Mayor B Sloane**

**That the report on Questions on Notice be received**

**CARRIED**

The Adelaide Plains Council submitted the following Questions on Notice.  
Relevant answers are provided

<b>Adelaide Plains Council gave notice of the intention to ask the following questions:</b>	
Preamble	Questions to be asked of the Gawler River Floodplain Management Authority.
Question 1:	<b>Copy for Council of GRFMA terms of reference of the subcommittee that recommended that the board take the option of the (Northern Floodway)?</b>
Answer	<p><i>The Subcommittee is the GRFMA Technical Assessment Panel (TAP) – See attached for Terms of Reference of the Committee.</i></p> <p><i>16/11/16 TAP Minute extract</i></p> <p><i>4.1 <u>Lower Gawler River Mitigation Review</u></i></p> <p><i>Discussion was held on the proposed Lower Gawler River Mitigation Review following the resolution passed at the recent Board meeting that the Australian Water Environments be engaged to:</i></p>

1. Carry out a hydrological review of the 2016 Flood, with rainfall and streamflow data from across the Gawler River, North Para and South Para catchments to be collated and summarised so that a description of the flood can be developed and its magnitude characterised at key locations across the catchment
2. Evaluate floodplain model performance by utilising the results for the hydrological review and feed these into the floodplain model so that its performance could be evaluated against the recorded flood extent information for the 2016 flood
3. Review options for mitigation in Lower Gawler River, in association with the Technical Assessment Panel and other co-opted stakeholders
4. Preliminary Report to be received by 14 December 2016.”

*Discussion points included:*

- funding opportunities – Stormwater Management Authority and Natural Disaster Resilience Program
- levees and what level of protection
- recent study on condition of levees being undertaken by Playford Council
- co-opting of stakeholders to a Working Party

*Resolved that the following persons be approached to be part of the Lower Gawler River Reference Group:*

*The group was appointed to assist AWE with local knowledge and input to the body of work required. Mr Alex Zimmerman , Northern Adelaide Plains Recovery Coordinator assisted in identification of suitable persons.*

*Adrian Marschall  
John Bergamin  
Dino Musolino  
Danny De Ieso  
Peter Rentoulis  
Michael Picard  
Barrie Ormsby  
Phil Earl*

**VRAG Chairperson**  
*Local resident*  
**Chairperson HortEx**  
**AUSVEG SA**  
*Proxy to chairperson of HortEx*  
*Local resident*  
*Landscape Architect*  
*Local resident*

*Available Notes from meetings of the Lower Gawler River Reference Group are attached*

<p><b>Question 2</b></p> <p>Answer</p>	<p><b>Names and addresses of the sub committee</b></p> <p><i>Membership of the Technical Assessment Panel at the time was</i></p> <p><i>Mr Ian Baldwin, Independent Chair</i>  <i>Mr Bill Lipp, Principal Stormwater Engineer, DPTI</i>  <i>Ms Chrissie Bloss, Flood Hazard Leader, DEWNR</i>  <i>Mr Dean Gollan, Executive Officer</i>  <i>Mr Alex Zimmermann, Northern Adelaide Plains Recovery Coordinator, Observer</i>  <i>Mr Geoff Fisher, Australian Water Environments, Observer</i>  <i>Mr Derek Moore, Principal Engineer, Dams, SA Water</i></p>
<p><b>Question 3:</b></p> <p>Answer</p>	<p><b>How was membership application advertised?</b></p> <p><i>The GRFMA, by resolution, appoints the Panel membership</i></p>
<p><b>Question 4:</b></p> <p>Answer</p>	<p><b>Minutes of meetings to be made available to all GRFMA member Councils?</b></p> <p><i>Minutes of the TAP meetings are included in the "next date" GRFMA Meeting for Board consideration and are made available on the GRFMA website <a href="https://www.gawler.sa.gov.au/grfma/grfma-board">https://www.gawler.sa.gov.au/grfma/grfma-board</a></i></p> <p><i>Available Notes from meetings of the Lower Gawler River Reference Group are attached</i></p>
<p><b>Question 5:</b></p> <p>Answer</p>	<p><b>When and where meetings were held?</b></p> <p><i>Recent Technical Assessment Panel meetings have been held 11/5/18- 7/8/17- 3/1/17 and 16/11/16</i>  <i>Historically meetings were held at DPTI 77 Grenfell Street. From 5/11/18 meetings have been held at LGA 148 Frome Street</i></p> <p><i>Meetings of the Lower Gawler River Reference Group were held 30/11/16, 8/12/16 and 14/12/16.</i></p>
<p><b>Question 6:</b></p> <p>Answer</p>	<p><b>How were meetings called, what prior warning was given?</b></p> <p><i>The Technical Assessment Panel shall meet as appropriate at the request of the Executive Officer.</i></p> <p><i>Meetings of the Lower Gawler River Reference Group were held as agreed by members.</i></p>



<p><b>Question 7:</b></p> <p>Answer</p>	<p><b>Why was the meeting still held when it was known that no balanced representation from the northern side of the river would be present and any vote would be therefore be biased?</b></p> <p><i>Refer to Q8 Answer which provides information on the qualitative and quantitative approach undertaken in considering report recommendations.</i></p>
<p><b>Question 8:</b></p> <p>Answer</p>	<p><b>What was the reasons given for choosing this option? What and how were other options discounted?</b></p> <p><i>Refer to 2016 Gawler River Flood Review Report – Item 4 - Flood Mitigation Options (pages 11-15) and Item 5 - Discussion and Recommendations (Pages 20-21) Available on the GRFMA website <a href="https://www.gawler.sa.gov.au/grfma/grfma-board">https://www.gawler.sa.gov.au/grfma/grfma-board</a></i></p>
<p><b>Question 9:</b></p> <p>Answer</p>	<p><b>Why was there not attempt to contact ratepayers or council north of the river once it was known that there was a disproportionate membership of the subcommittee to decide this matter?</b></p> <p><i>Membership of the Technical Assessment Panel is determined by the GRFMA on a skills and knowledge basis not locality. The Technical Assessment Panel provides advice and recommendation to the GRFMA Board for consideration.</i></p>

#### **Attachment in response to Questions on Notice- Adelaide Plains council**

##### **Question1.**

Technical Assessment Panel Terms of Reference V1 February 2017

##### **Objectives**

The objectives of the GRFMA Technical Assessment Panel are to support the decision-making processes of the Board with delegated powers to provide advice and manage the technical aspects of the design, assessment and construction of the various parts of the Scheme.

##### **Terms of Reference**

The Technical Advisory Panel (the Panel) shall provide independent technical assessment of and advice on, flood mitigation strategies and civil construction projects and proposals as initiated by the GRFMA.

Principally this will include consideration of reports and scope of service proposals provided by other entities/companies and requiring consideration by the GRFMA.

Assessment will include, but not be limited to feasibility of proposed works, considered hydrological assessments, appropriateness of costing mechanisms and known risks.

The GRFMA will refer relevant reports and scope of services to the Panel for consideration.

The Panel's advice will be submitted to the GRFMA Executive Officer for subsequent inclusion in the Authority's scheduled meeting agenda processes.

The Panel's collective expertise will cover a range of skills and experiences related to flood mitigation, adaptation and where appropriate the financing of infrastructure projects.

The Panel will be appointed by the GRFMA and will comprise 6 members consisting of:

- Two (2) GRFMA representatives (being Independent Chair and Executive Officer)
- One (1) Constituent council representative- Skills based, having engineering, environmental and/or planning expertise, (appointed by the GRFMA)
- One (1) DPTI representative, Stormwater Engineer
- One (1) DEWNR representative, Flood Hazard
- One (1) SA Water representative, Engineer Dams

The GRFMA may on a case by case basis, as deemed appropriate, appoint observers to the Panel (as example 1 Lower Gawler River Reference Group representative), and that observers will have no voting rights.

On a case-by-case basis, members of the Panel may call additional experts if the need for specialised knowledge arises, as deemed necessary and in consultation with the GRFMA Executive Officer.

The Panel shall obtain approval from GRFMA to incur any expenditure. The Executive Officer will provide the necessary operational and administrative support to the Panel. The Panel shall meet as appropriate at the request of the Executive Officer.

Panel meetings are open to the public except where the Panel believes it is necessary in the broader community interest to exclude the public from the discussion of a particular matter. The public will only be excluded when considered proper and necessary i.e. the need for confidentiality outweighs the principle of open decision-making.

The Panel must provide an annual report on its operations to the GRFMA by 31 August each year for inclusion in the GRFMA annual Report.

<b>GRB 18/57 Minutes of the GRFMA Audit Committee Meeting held 13/8/18</b>
--

**Moved: Cr M Herrmann**

**Seconded: Cr. W Schackley**

**That the GRFMA:**

- 1. Receive the minutes of the Gawler River Floodplain Management Authority Audit Committee Meeting held 13/8/18; and**
- 2. Notes the following recommendations from the 13/8/18 meeting and approves appropriate actions to be initiated:**
  - **The Audit closing report noted that the Dam Valuation Policy states that the actual construction cost of the dam be revalued every five years. *As the last valuation occurred in May 2014, being four years ago, The Audit Committee recommend that the GRFMA Board obtain a valuation of the dam's actual construction cost for the year ended 30 June 2019.***
  - **GRFMA Website internal protocols. *The Audit Committee noted the GRFMA website is hosted by the Town of Gawler and recommend that the Executive Officer make inquiries to ensure that correct information storage and website system securities are being maintained.***

- **Constituent Council's interest in net assets.**  
*The Audit Committee discussed the Schedule of Constituent Council's interest in net assets with view that each Council should ensure the relevant interest is being included (accounted) in their annual Financial Statements.*
- **Internal Controls**  
*The Audit Committee noted that the Executive Officer is to undertake review of GRFMA Internal Controls during the 2018/19 financial year.*

**CARRIED**

The Executive Officer vacated the meeting at 10.20 am to enable Board discussion on the 13/8/18 GRFMA Audit Committee Meeting following recommendation.

- An agreement has been entered into with Mr David Hitchcock to provide Executive Officer and Supervision of Consultants services to 31/12/18.  
*The Audit Committee recommend the GRFMA Board initiate appropriate and relevant action to ensure continuity of Executive Services post 31/12/18.*

<b>GRB 18/58 Executive Officer Services</b>
---

**Moved: Cr M Herrmann**

**Seconded: Cr D Davey**

**That the Chair be requested to confirm the tenure of the Executive Officer's current employment contract in a report to the October 2018 Board meeting.**

**CARRIED**

The Executive Officer returned to the meeting at 10.29 am.

### **Presentation**

Ms Ingrid Franssen A/Manager, Flood Management Fire and Flood Management, Regional Programs Department of Environment, Water and Natural Resources presented on SA Water reservoir spill management information procedures.

The meeting adjourned at 11.05 am for a short break.

The meeting reconvened at 11.20 am.

<b>GRB 18/59 Audited Financial Statements for the year 2017 – 2018</b>
--

**Moved: Cr. D Davey**

**Seconded: Mayor B Sloane**

**That the audited Financial Statements for the year 2017 – 2018 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**

<b>GRB 18/60 Schedule of Constituent Council's Interest in Net Assets</b>
---

**Moved: Mr. G Mavrinac**

**Seconded: Mr. G Pattinson**

**That the Schedule of Constituent Council's Interest in Net Assets as at the 30 June 2018 be adopted in accordance with Clause 15.5 of the Charter.**

**CARRIED**

<b>GRB 18/61 Annual Report 2017 – 2018</b>
--

**Moved: Mr. Miller**

**Seconded: Mr. G Mavrinac**

**That subject to editorial amendments the Annual Report 2017 – 2018 of the Gawler River Floodplain Management Authority be adopted.**

**CARRIED**

Editorial amendments included:

- Providing clarification of where reference to estimated \$50 million dollars in damage to food crops and property (2016 Flood) is sourced or remove that specific amount;
- Rewording of references to horticultural production areas to more generically reflect the Gawler River flood plain;
- Provide more specific references to timing of funding and grant applications;
- Include wording to reflect minute 18/32 that the Board - Agree in principle to act with due diligence and consistent with the principles of the corporate and financial governance in its approach and direction that will achieve a holistic approach to flood mitigation for the benefit of all constituent Councils; and
- Further reference that the GRFMA has initiated a Charter and Governance review.

<b>GRB 18/62 Review of the Register of Confidential Items</b>
---

**Moved: Cr M Lawrence.**

**Seconded: Cr D Davey**

**That the GRFMA:**

1. **Receives the report; and**
2. **Pursuant to Section 91(9)(a) of the Local Government Act 1999, orders that the documents, reports and minutes pertaining to the following matters, including discussions and considerations, be released into the public arena,**
  - **GRFMA 17/092, meeting 14/12/17 Item 8.3(b) – Dam Inspections EOI.**
3. **Pursuant to Section 91(9)(a) of the Local Government Act 1999, orders that the documents, reports and minutes pertaining to the following matters, including discussions and considerations, be released into the public arena,**
  - **GRFMA 18/14, meeting 15/2/18 Item 9.2 – Executive Officer Contract.**
4. **Pursuant to Section 91(9)(a) of the Local Government Act 1999, orders that the documents, reports and minutes pertaining to the following matters, including discussions and considerations, be released into the public arena,**
  - **GRFMA18/18, meeting 15/2/18 Item 9.3 – Tenure Chairperson.**

5. Pursuant to Section 91(9)(a) of the Local Government Act 1999, orders that the documents, reports and minutes pertaining to the following matters, including discussions and considerations, be released into the public arena,
  - GRFMA18/28, meeting 19/4/18 Item 10 – Flood Retention Dam South Para.

**CARRIED**

<b>GRB 18/63 Northern Floodway Project Public Relations</b>
---

Moved: Mr. G Mavrillac.

Seconded: Cr M Lawrence

That the GRFMA

1. Accept the offer of services by Ball Public Relations for the sum of \$5,000 as indicated in their correspondence of 2/8/18, subject to further confirmation of service delivery and payment scheduling; and
2. Delegates authority to the Chairperson and Executive Officer to finalise the contract and initiate implementation of the communication strategy.

**CARRIED**

Mr. Andrew Philpott left the meeting at 11.45 am.

<b>GRB 18/64 GRFMA Charter Review</b>
---------------------------------------

Moved: Mr. G Mavrillac.

Seconded: Cr D Davey

That the GRFMA:

1. Receives the report; and
2. Endorses the Working Group recommendation that the GRFMA Charter and Governance Review be undertaken in two phases consisting of:
  - a. A Charter Review to be undertaken now as the shorter- term action: and
  - b. Following completion of the Charter Review a further process to scope and consider other contemporary governance arrangements be undertaken.
3. Receive a further report on the Charter Review at the October 2018 GRFMA meeting.

**CARRIED**

<b>GRB 18/65 Financial Report</b>
-----------------------------------

Moved Cr. M Herrmann

Seconded: Mr. M Salver

That the financial report as at 31 July 2018 showing a balance of total funds available of \$128,482.22 be received.

**CARRIED**

**GRB 18/65 Correspondence**

**Moved Cr. M Lawrence                      Seconded: Mayor B Sloane**

**That the correspondence be received.**

**CARRIED**

Late correspondence from AUSVEG was tabled and also received.

AUSVEG response was advising of strong in principle support for the Norther Floodway Project provided that affected landholders are adequately consulted and compensated as part of the process.

**Urgent Business without notice.**

Members discussed the SA government’s proposed reforms for replacing the Natural Resources Management Act with the proposed Landscape South Australia Act and opportunity for the GRFMA to provide a submission regarding access and management of levy banks and private land.

The Executive Officer advised that he had already responded with a submission requesting that consideration be given to facilitate provision, within the proposed Act, of specific powers for Councils or other agencies to manage and/or maintain levees (Rivers, Creeks and Waterways) constructed on private land, where no easement or legal agreements are in place.

It was agreed a further submission to the proposed reforms would be considered at the October 2018 GRFMA meeting.

**GRB 18/66 Recognition of service, C Muzyk**

**Moved Cr. D Davey                      Seconded: Cr. M Lawrence**

**That a letter of thanks be forwarded to Ms C Muzyk in recognition of her assistance and service as Deputy Board Member, vide resignation as Councilor City of Playford.**

**CARRIED**

**Closure of meeting**

The Chairperson thanked the Town of Gawler for hospitality as host and noted the next Ordinary Board Meeting will be held 9.45 am, Thursday 18 October 2018 at the Adelaide Plains Council.

Meeting closed 12 Noon.

**Confirmed Chairperson .....**

## 2.2 Actions on Previous Resolutions

Number	Resolution	Action
17/078	<p>That the GRFMA:</p> <ol style="list-style-type: none"> <li>1. Receive the report; and</li> <li>2. That consideration of the matters raised be deferred until such time as: <ul style="list-style-type: none"> <li>• the process of the Charter review by the GRFMA is determined; and</li> <li>• formal application by the Adelaide Plains Council to withdraw from GRFMA has been determined by the Minister for Local Government.</li> </ul> </li> </ol> <p>APC resolution in reference to 17/078  <i>That the Chief Executive Officer write to the GRFMA requesting the following concerns and observations be tabled at the October 2017 Ordinary Meeting of the GRFMA:</i></p> <ul style="list-style-type: none"> <li>• <i>What consultation has been undertaken with the community and potentially affected landowners the subject of the northern floodway?</i></li> <li>• <i>Is it intended that consultation would occur prior to member councils signing off on the final AWE report?</i></li> <li>• <i>How can member councils direct their respective communities to understand the GRFMA's long term financial plan when the Authority has not advanced this document?</i></li> <li>• <i>Council will not be in a position to provide comment on the final AWE report until it has undertaken its peer assessment of the said report; and</i></li> </ul> <p><i>Council continues to progress the notion of withdrawal while simultaneously undertaking to commission independent assessments in respect of the charter. "</i></p>	<p>Refer  Agenda item 8.1 (consultation) and 8.2 Charter Review and Financial Plans  Other items identified in the APC resolution have been resolved.</p>
18/07	<p>That the GRFMA:</p> <ol style="list-style-type: none"> <li>1. Receive the report;</li> <li>2. Supports proposed development of a Levee Bank Management (Gawler River Floodplain) information and guideline document by the Adelaide &amp; Mt Lofty Ranges Natural Resources Management Board (AMLRNRMB);</li> <li>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"> <li>a. a suitable and consistent Development Consent process (where appropriate) for applications for approval to undertake construction and maintenance of levee banks; and</li> <li>b. approved Best Practice Operating Procedures under the relevant Natural Resources Management Plans.</li> </ol> </li> </ol>	<p>AMLRNRMB are currently doing some preliminary investigations into a CRP for levee banks and other water affecting activities as part of the policy review.</p> <p>With the NRM Reform process it's difficult to give a firm indication of timelines</p>
18/44	<p>That the GRFMA:</p> <ol style="list-style-type: none"> <li>1. Receive the report; and</li> <li>2. Revisit the matter of maintenance and renewal funding of assets pending a further report on</li> </ol>	<p>Pending December report</p>

	asset management planning to be provided by December 2018.	
18/58	That the Chair be requested to confirm the tenure of the Executive Officer's current employment contract in a report to the October 2018 Board meeting.	Refer Agenda item 8.5
18/63	That the GRFMA <ol style="list-style-type: none"> <li>1. Accept the offer of services by Ball Public Relations for the sum of \$5,000 as indicated in their correspondence of 2/8/18, subject to further confirmation of service delivery and payment scheduling; and</li> <li>2. Delegates authority to the Chairperson and Executive Officer to finalise the contract and initiate implementation of the communication strategy.</li> </ol>	Refer Agenda item 8.1
18/64	That the GRFMA: <ol style="list-style-type: none"> <li>1. Receives the report; and</li> <li>2. Endorses the Working Group recommendation that the GRFMA Charter and Governance Review be undertaken in two phases consisting of: <ol style="list-style-type: none"> <li>a. A Charter Review to be undertaken now as the shorter- term action; and</li> <li>b. Following completion of the Charter Review a further process to scope and consider other contemporary governance arrangements be undertaken.</li> </ol> </li> <li>3. Receive a further report on the Charter Review at the October 2018 GRFMA meeting.</li> </ol>	Refer Agenda item 8.2
18/66	That a letter of thanks be forwarded to Ms C Muzyk in recognition of her assistance and service as Deputy Board member, vide resignation as Councilor City of Playford.	Completed



### 3.1 Questions on Notice - Adelaide Plains Council

The Adelaide Plains Council submitted the following Questions on Notice.  
Relevant answers are provided

Adelaide Plains Council gave notice of the intention to ask the following questions to be submitted to the 18 October 2018 meeting:	
Preamble	<p>Questions to be asked of the Gawler River Floodplain Management Authority to be answered entirely on the basis that questions posed relate to the Gawler River Reference Group.</p> <p><i><u>Note by GRFMA CEO</u></i></p> <p><i>Members would be aware that the same 9 questions were tabled and answered at the 16/8/18 GRFMA meeting. At the time of compiling answers for the 16/8/18 meeting it was recognised that the questions might have been more appropriately worded to reflect intent to seek information regarding the Gawler River Reference Group and for completeness information regarding the Reference Group was also included in the answers along with those provided for the Technical Assessment Panel. As such a material portion of information now provided remains the same as previously provided.</i></p>
Question 1:	Copy for Council of GRFMA terms of reference of the subcommittee that recommended that the board take the option of the (Northern Floodway)?
Answer 1	<p>The terms of Reference for the Reference Group (which were confirmed at the first meeting of the Reference Group) were as follows:</p> <ul style="list-style-type: none"> <li>• Promote dialogue between landholders and the GRFMA's Technical Assessment Panel.</li> <li>• Contribute to the identification of flood mitigation options to be assessed for the lower Gawler River and presented to the GRFMA.</li> <li>• Provide feedback on the merit of the options assessed.</li> <li>• Identify a preferred option (or provide a short list of preferred options up to three) for presentation to the GRFMA.</li> <li>• Have its views and decisions noted and reported to the GRFMA by Australian Water Environments. In this regard Australian Water Environments role was to: <ul style="list-style-type: none"> <li>• Ensure that the views of the Reference Group are documented and summarised in its report to the GRFMA.</li> <li>• In the event that there is not a agreement within the Reference Group on a single preferred option then AWE will present up to three alternative options in their report to the GRFMA.</li> </ul> </li> </ul> <p>The Reference Group was chaired by Mr Ian Baldwin (Presiding Member GRFMA)</p>
Question 2:	Names and addresses of the sub committee
Answer 2	<p><i>Technical Assessment Panel</i></p> <p><i>Mr Ian Baldwin, Independent Chair</i></p> <p><i>Mr Bill Lipp, Principal Stormwater Engineer, DPTI</i></p> <p><i>Ms Chrissie Bloss, Flood Hazard Leader, DEWNR</i></p> <p><i>Mr Dean Gollan, Executive Officer</i></p> <p><i>Mr Alex Zimmermann, Northern Adelaide Plains Recovery Coordinator, Observer</i></p> <p><i>Mr Geoff Fisher, Australian Water Environments, Observer</i></p> <p><i>Mr Derek Moore, Principal Engineer, Dams, SA Water</i></p>

	<p><i>Reference Group</i>  <i>Adrian Marschall, <b>VRAG Chairperson</b></i>  <i>John Bergamin, Local resident</i>  <i>Dino Musolino, <b>Chairperson HortEx</b></i>  <i>Danny De Ieso, <b>AUSVEG SA</b></i>  <i>Peter Rentoulis, Proxy to chairperson of <b>HortEx</b></i>  <i>Michael Picard, Local resident</i>  <i>Barrie Ormsby, Landscape Architect</i>  <i>Phil Earl, Local resident</i></p>
Question 3:	How was membership application advertised?
Answer 4	<p>The GRFMA Technical Assessment Panel meeting of 16/11/16 identified the persons to be invited for membership of the Reference Group to assist with the work requested by GRFMA.</p> <p><i>Mr Alex Zimmermann, Northern Adelaide Plains Recovery Coordinator assisted with identification of the relevant persons based on his knowledge and interaction with the community as the Recovery Coordinator post the 2016 Flood event.</i></p>
Question 4:	Minutes of meetings to be made available to all GRFMA member Councils?
Answer 4	<p><i>Available Notes from meetings of the Lower Gawler River Reference Group are attached to the 18/10/18 Agenda information.</i></p>
Question 5:	When and where meetings were held?
Answer 5	<p><i>Meetings of the Lower Gawler River Reference Group were held 30/11/16, 8/12/16 and 14/12/16.</i></p> <p><i>Meetings were held at 198 Greenhill Road EASTWOOD</i></p>
Question 6:	How were meetings called, what prior warning was given?
	<p><i>Meetings of the Lower Gawler River Reference Group were held as agreed by members.</i></p>
Question 7:	Why was the meeting still held when it was known that no balanced representation from the northern side of the river would be present and any vote would be therefore be biased?
	<p><i>Refer to Q8 Answer which provides information on the qualitative and quantitative approach undertaken in considering report recommendations.</i></p>
Question 8:	What was the reasons given for choosing this option? What and how were other options discounted?
	<p><i>Refer to 2016 Gawler River Flood Review Report – Item 4 - Flood Mitigation Options (pages 11-15) and Item 5 - Discussion and Recommendations (Pages 20-21) Available on the GRFMA website <a href="https://www.gawler.sa.gov.au/grfma/grfma-board">https://www.gawler.sa.gov.au/grfma/grfma-board</a></i></p>

Question 9:	<p>Why was there not attempt to contact ratepayers or council north of the river once it was known that there was a disproportionate membership of the sub committee to decide this matter?</p> <p><i>Refer to 2016 Gawler River Flood Review Report – Item 4 - Flood Mitigation Options (pages 11-15) and Item 5 - Discussion and Recommendations (Pages 20-21) Available on the GRFMA website <a href="https://www.gawler.sa.gov.au/grfma/grfma-board">https://www.gawler.sa.gov.au/grfma/grfma-board</a></i></p>
-------------	---

## 8.1 Northern Floodway Project Public Relations

### RECOMMENDATION

**That the GRFMA:**

- 1. Note the report; and**
- 2. Receive the correspondence from Adelaide Plains Council**

At the 05/07/2018 GRFMA Special Meeting the following resolution was passed

*GRB 18/50 Northern Floodway Project – Funding Support*

*That the Gawler River Floodplain Management Authority write to the relevant Federal and State government Senators and Ministers requesting formal funding support to carry out all further planning, consultation, detailed design and capital works associated with the Northern Floodway Project, estimated at a value of \$27 million; the funding model to account for the fact that the Gawler River Floodplain Management Authority constituent councils will take on the subsequent maintenance of the Floodway. This policy position has been formally ratified by all constituent councils.*

At the 16/8/18 GRFMA Meeting the Board received correspondence from Adelaide Plains Council which advised of the following council resolution

*That the Chief Executive Officer advise the Gawler River Floodplain Management Authority Executive Officer that the motion on notice to rescind Resolution 2018/275 was withdrawn on the basis that the GRFMA undertake, as a matter of urgency: -*

- 1. Investigations surrounding potential costs to the residents and businesses of Adelaide Plains Council from the proposed floodway, including but not limited to business disruption, possible relocation and associated compensation, effects employment, loss of amenities; and*
- 2. Consultation with potentially affected land owners and businesses the subject of the proposed Northern Floodway. "*

The GRFMA Board subsequently then resolved:

*GRB 18/63 Northern Floodway Project Public Relations*

*That the GRFMA*

- 1. Accept the offer of services by Ball Public Relations for the sum of \$5,000 as indicated in their correspondence of 2/8/18, subject to further confirmation of service delivery and payment scheduling; and*
- 2. Delegates authority to the Chairperson and Executive Officer to finalise the contract and initiate implementation of the communication strategy.*

In response to the direction of that resolution the GRFMA Chairperson Mr. Ian Baldwin and Executive Officer Mr. D Hitchcock engaged with Ball Public Relations and following several meetings and discussions finalised scope of services and initiated implementation of the communication strategy.

A key platform of the communication strategy, as advised and recommended by Ball PR, was immediate engagement with landholders likely to be affected by placement of new infrastructure (levee banks) on their land.

The principle of this strategy is to ensure the relevant landholders are engaged and receive clear and first-hand information from GRFMA representatives prior to any public forums or media releases.

On this basis relevant landholders (likely to have new levee bank proposals) were invited to a meeting for landholders where GRFMA representatives will explain the project as outlined in the Northern Floodway Project Prospectus and to provide opportunity to discuss the potential impact on landholder property.

The letter of invitation advised GRFMA wishes to provide assurance that owners of land on which construction works are considered will receive special consultation and discussion on matters relating to benefit, loss and compensation. It is not appropriate to discuss these matters in public forums.

Further as the project progresses additional engagement and individual negotiation may/will need to be undertaken in confidence.

GRFMA representatives at the meeting were GRFMA Independent Chairperson, Mr. Ian Baldwin, GRFMA Executive Officer, Mr. David Hitchcock, and Mr. Geoff Fisher, author and technical advisor of the 2016 Gawler River Flood Review Report.

See attached for copy of the notes of the of the 19/9/18 engagement forum and a further separate landholder meeting held on 24/9/18 for other landholders not able to attend the 19/9/18 forum. Another landholder engagement forum for other landholders not able to attend the 19/9/18 forum is being held 15/10/18.

Other key elements of the communication strategy include:

- Letters (completed) to other landholders with existing levee banks (north and south) advising of the Northern Floodway Project and Prospectus and possible upgrade works in the future.
- Letters of invitation to meet and discuss the Northern Floodway Project and Prospectus to other key stakeholders, Adelaide Plains Ratepayers and Residents Association, local Members of Parliament, Industry Groups, Commercial interest/Developers (following the 19/9/18 meeting).
- Timed media releases and communications - Northern Messenger, Bunyip, Advertiser, Radio 5 EBI FM, ABC etc) following the 19/9/18 landholder meeting (again to reinforce the key platform of ensuring the relevant landholders are engaged and receive information before finding out from second or third parties).

A copy of the communications matrix was provided to all Board Members via email on 18/9/18

During the engagement process the Adelaide Plains Council submitted several items of correspondence to the Executive Officer which expressed concern at actions undertaken by the GRFMA in initiating the engagement and consultation process.

See attached for copies of the correspondence received from Adelaide Plains Council.

## 8.2 GRFMA Charter Review

### RECOMMENDATION

#### **That the GRFMA**

- 1. Note the report:**
  - 2. Receive and discuss a copy of the draft of the GRFMA Charter (Review) at the 13 December 2018 GRFMA meeting.**
- 

At the 16/8/18 the GRFMA Board adopted the following recommendation regarding next steps with the Charter and Governance Review:

*That the GRFMA:*

- 1. Receives the report; and*
- 2. Endorses the Working Group recommendation that the GRFMA Charter and Governance Review be undertaken in two phases consisting of:*
  - a. A Charter Review to be undertaken now as the shorter- term action: and*
  - b. Following completion of the Charter Review a further process to scope and consider other contemporary governance arrangements be undertaken.*
- 3. Receive a further report on the Charter Review at the October 2018 GRFMA meeting.*

In accordance with the resolution the Working Group proceeded with a body of work commencing with a gap analysis of other Local Government subsidiary charters (e.g. NORMA, Regional LGA's, Brown Hill Keswick Creek).

Working Group feedback from the gap analysis identified the following key elements for review considerations:

- a. Public awareness advocacy.*
- b. Strategic plans, long term financial plans.*
- c. Board appointment Chair and Deputy Chair.*
- d. Board size, codes of conduct and Register of Interest.*
- e. Audiovisual and telecommunication meeting formats.*
- f. Appointment of Audit Committee and Technical Assessment Panel.*
- g. Financial contributions constituent councils – Schedule of Interest percentages.*
- h. Identify Operational Maintenance, Capital.*
- i. Withdrawal of constituent council and dispute resolution process.*
- j. Suggestion that the Structure of the Charter be reorganized to more appropriately reflect the Authority objectives and operations.*

The Working Group then met on 26/9/18 for a three-hour workshop that discussed format and content of a working draft of a new GRFMA Charter.

See attached for a copy of the draft. The document provides comparison between the existing charter and proposed changes.

Subject to consideration by the 18/10/18 GRFMA Board Meeting next steps will be to facilitate suitable Peer/Legal review and then to provide a final draft to the 13 December 2108 GRFMA Meeting for members consideration and discussion.

### **8.3 AUSVEG SA and salinity management**

#### **That the GRFMA receive the report and consider response to AUSVEG**

---

AUSVEG SA is representing members who currently face 50% crop losses worth millions of dollars in the Buckland Park and Waterloo Corner region west of Port Wakefield Road South of the Gawler River.

AUSVEG advises poor stormwater drainage has caused significant issues with a rising water table and salinity which has nowhere to drain.

In this regard AUSVEG SA sponsored Australia - respected salinity management expert Julie Finnigan out from Tasmania to look at the issue and work with affected growers on a solution.

AUSVEG has suggested that as the GRFMA is seeking Government investment of \$27 Million for the Northern Floodway Project it would be opportune to also include request for additional investment in stormwater infrastructure complimentary to mitigating against locality salinity issues identifies

See attached the AUSVEG report on the issue.

## 8.4 Landscape SA Act

### RECOMMENDATION

**That the report be received.**

---

The South Australian Government has committed to a range of reforms to the natural resources management system. These include:

- Replacing the Natural Resources Management Act with the proposed Landscape South Australia Act.
- Creating a simpler, flexible and accessible system for managing natural resources, with decentralised decision-making.
- Putting people at the heart of managing our natural resources, recognising that those who work and live on the land are well placed to manage and sustain it.
- Creating nine landscape Boards and Green Adelaide to replace existing NRM Boards
- Making soil quality, pest plant and animal control and water management major priorities
- Capping annual land and water levy rises at a rate set by an independent body or according to the Consumer Price Index (CPI).
- Establishing a Grassroots Grants program, a \$2 million statewide annual fund for volunteer, community and not-for-profit groups to access.

At the 16/8/18 GRFMA Board meeting members discussed the SA government's proposed reforms and noted opportunity for the GRFMA to provide a submission regarding access and management of levy banks and private land.

The Executive Officer advised that he had already responded with a submission requesting that consideration be given to facilitate provision, within the proposed Act, of specific powers for Councils or other agencies to manage and/or maintain levees (Rivers, Creeks and Waterways) constructed on private land, where no easement or legal agreements are in place.

It was agreed a further submission to the proposed reforms would be considered at the October 2018 GRFMA meeting.

No further advice has been received by the CEO from Board members in relation to further matters to be submitted.

See attached for a copy of the submission regarding Rivers Creeks and Waterway's as provided by the CEO.



Gawler River Floodplain Management Authority  
266 Seacombe Road, Seacliff Park, SA 5049  
Telephone: 0407717368 Email: [davidehitchcock@bigpond.com](mailto:davidehitchcock@bigpond.com)  
Website: [www.gawler.sa.gov.au/grfma](http://www.gawler.sa.gov.au/grfma)

Independent Facilitator Landscape Reform,  
GPO Box 1047,  
Adelaide SA 5001

By email [NRMreform@sa.gov.au](mailto:NRMreform@sa.gov.au)

2/8/18

Dear Sir/Madam

Proposed Landscape South Australia Act - Rivers, Creeks and Waterways

I write in response to the invitation to engage in the discussion regarding replacing the Natural Resources Management Act with the proposed Landscape South Australia Act.

With respect to the proposed Landscape South Australia Act it is requested that consideration be given to facilitate provision, within the proposed Act, of specific powers for Councils or other agencies to manage and/or maintain levees (Rivers, Creeks and Waterways) constructed on private land, where no easement or legal agreements are in place.

Rivers and creeks in South Australia are perennial and, in most years, carry what are referred to as environmental flows. To sustain this environmental condition the Natural Resources Management Act 2004 imposes a specific duty (S133) on *'the owner of land on which a watercourse or lake is situated or that adjoins a watercourse or lake to take reasonable measures to prevent damage to the bed and banks of the watercourse or the bed, banks or shores of the lake and to the ecosystems that depend on the watercourse or lake.*

Less frequently rivers and creeks in South Australia are also required to carry flood flows which are not defined.

Councils are required to prepare flood mitigation plans that in many cases must include the natural creeks and watercourses as part of the design. The maintenance of a defined creek or watercourse as a fit for purpose flood way becomes a critical element of the sustainability of the plan. More importantly when the river or creek is on private land, the responsibility of the Council to maintain the fit for purpose flood condition of a river or creek is unclear.

An example is management of the Gawler River where almost its entire length is on private land.

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

The Authority has been established for the following purposes:

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

In early October 2016, an estimated 1:20 year flood event inundated high value food cropping land in the Angle, Virginia and Two Wells areas causing an estimated \$50 million dollars in damage to food crops and property.

Following this event, the GRFMA immediately initiated the 2016 Gawler River Flood Review Report which subsequently recommended implementation of a body of flood mitigation initiatives referred to as the proposed Northern Floodway Project.

There are three primary elements forming part of the overall proposed Northern Floodway Project:

- Levee improvements (immediate and long term) and ongoing maintenance
- River channel works – including strategic sediment and vegetation removal and revegetation – and ongoing maintenance
- A new levee and floodway system downstream of Old Port Wakefield Road to contain floodwaters within a defined floodway system on the northern side of the river (The Northern Floodway)

The cost of the proposed Project has been estimated at \$27 million.

A critical aspect of progressing the project will be addressing land tenure considerations to enable the proposed works to be completed/constructed, and to enable the river and levees to be maintained long term in accordance with the endorsed recommendations of the 2016 Flood Review report.

Recommendation 1 of the 2016 Flood Review project report provided "*River and levee maintenance should be the responsibility of a single authority that has the necessary resources and access rights to maintain the river in good condition from a flood conveyance as well as biodiversity perspective.*"

With the river currently under private ownership, a change to the land ownership and/or tenure will be required to afford the GRFMA these rights.

Options are likely to include:

- outright purchase and freehold tenure of the main river channel and land required for flood mitigation works ('subject land') with potential lease back options
- establishment of an easement over the subject land
- establishment of land management agreements over the subject land
- a combination of the above.

Outright purchase is likely to be the costliest option, but will afford the GRFMA the greatest control over the land long term. Conversely, establishment of a land management agreement whilst less costly, may not achieve the rights required by the GRFMA for long term management of the river and any associated assets.

Clearly any compulsory acquisition proposal is a challenging process for both the affected land holder and the organisation proposing acquisition.

Any compulsory acquisition process is seen as a last resort and it would be preferable if other suitable powers enabling flood mitigation development / maintenance and associated land access on private land was provided.

It is suggested that formulation of the proposed Landscape South Australia Act should include such provisions.

I would be pleased if this matter is given consideration in the proposed range of reforms to the natural resources management system.

**Yours Sincerely**



**David Hitchcock**

**Executive Officer**

Gawler River Floodplain Management Authority

## **8.5 Executive Officer's current employment contract**

### RECOMMENDATION

#### **That the report be received**

---

At the 16/8/18 GRFMA meeting Board Members discussed GRFMA Audit Committee recommendations the GRFMA Board initiate appropriate and relevant action to ensure continuity of Executive Officer services post 31/12/18.

The Audit committee recommendation arose following discussion with Mr David Hitchcock that he understood that following annual review in December 2017 the current contract for his services was confirmed to 31 December 2018.

Perusal of GRFMA minutes now indicates GRFMA resolution (GRB18/14) provided a 12-month extension (from December 2018) to contract expiring on 31st December, 2019 and authorised the GRFMA Chairperson to execute the contract extension accordingly.

The matter has now been clarified with the Executive Officer.

## 8.6 Financial Report

### RECOMMENDATION

**That the GRFMA.**

- 1. Adopts the Budget Review Documents for 30 September 2018 for the 2018/2019 financial year; and**
- 2. That the financial report as at 30 September 2018 showing a balance of total funds available of \$ 173,565.07 be received.**

### Attachments

- GRFMA 2017/18 Budget Review 1 – 1July to 30 September 2018

There are no material variables to the adopted 2018/19 Budget at this time. Key items of expenditure still to occur are the Consequence Category Assessment for the Bruce Eastick North Para Flood Mitigation Dam (refer agenda item10.1) and repairs to the downstream road access with quotations for this work to be presented at the December 2018 Board Meeting. Cost of the approved Northern Floodway Project public relations expenditure (\$5,000) is to be reflected in the December 2018 Budget review details.

- GRFMA 2018/19 Budget as adopted to 30/6/18.
- Balance Sheet as of 30/9/18.
- Reconciliation to 30/9/18.
- Executive Officer Activities report as below.

Activity	Jan	Feb	Mar	April	May	June	July	Aug	Sept
To keep maintained the business office of the Authority	11	5	8	6.5	11.75	14	14.5	17	14.75
To prepare the Business Plan, Budgets and reports in a timely manner	8	4	3	2	3	9	6.5	3.5	
To liaise with Councils, and Stakeholders to foster the outcomes of the Business Plan	4.75	11	5	5.5	12	17.5	4	8.5	35.75
To attend all meetings of the GRFMA, to prepare agendas, minutes and correspondence as required.	6	18.5	14	21.5	14	22	7.5	22.25	6
<b>TOTAL</b>	<b>29.75</b>	<b>38.5</b>	<b>30</b>	<b>35.5</b>	<b>40.75</b>	<b>62.5</b>	<b>24</b>	<b>51.25</b>	<b>56.5</b>

## 10.1 Consequence Assessment

### RECOMMENDATION

**That the GRFMA:**

- 1. Receives the report; and**
- 2. Considers quotations received for undertaking a Consequence Category rating for the Bruce Eastick Flood Mitigation Dam.**

-----

In November 2017 expressions of interest were invited from consulting Dam Engineering Companies for the provision of services to Identify, and explain the basis of determination of any appropriate Consequence Category((ANCOLD), Guidelines on Dam Safety Management) that might apply to the Bruce Eastick North Para Flood Mitigation Dam; and identify a suitable dam inspection reporting program.

GRFMA received two expressions of interest, however the Board noted the extraordinary budget costs of undertaking the work and resolved not to proceed at that time rather to revisit as part of the discussion and development of the 2018- 2021 GRFMA Business Plan. Minute GRB 17/091.

The Board has now included provision for undertaking a suitable Consequences Category Assessment for the Dam in the 2018/19 Budget.

In actioning the 2018/19 budgeted program, the Executive Officer contacted the two companies who previously submitted and sought their interest in resubmitting suitably revised quotations for consideration by the GRFMA.

Two quotations have now been received.

Given the quotations contain commercial and in confidence information it is recommended that GRFMA consider the information received as confidential on the basis of Section 90(3)(d) of the Local Government Act 1999

*(d)commercial information of a confidential nature (not being a trade secret) the disclosure of which— (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party*

See separate confidential attachment report detailing the expressions of interest received.