

**STORMWATER MANAGEMENT AUTHORITY
RESOLUTIONS of MINUTES OF MEETING No 47**

**WEDNESDAY 27 JULY 2016
9:00 AM - 12.00 NOON,
LEVEL 5, 81-95 WAYMOUTH STREET**

Members: Mr Stephen Hains (Presiding Member) Ms Julia Grant
Mayor Lorraine Rosenberg (via telephone) Ms Katharine Ward
Dr Helen Macdonald (via telephone) Mr Wally Iasiello

In Attendance: Mr Steve Morton (General Manager)
Mr Bill Lipp (DPTI Technical Advisor)
Ms Chrissie Bloss (Flood Hazard Leader)

Apologies: Mr Andrew Grear
Mr Peter Day (Principal Consultant, Industry Policy, SA Water)

1 WELCOME AND APOLOGIES

The Presiding Member declared the meeting open at 9:05 am and welcomed all to the meeting.

2 CALL FOR ANY OTHER BUSINESS

No additional items of business were identified.

3 DECLARATION OF CONFLICT OF INTEREST

Ms Katharine Ward advised that she was no longer an employee of Natural Resources Management Adelaide and Mount Lofty Ranges and therefore did not have a potential conflict of interest in regard to application 158-16, Capacity Building for Water Sensitive Urban Design in SA.

4 MINUTES OF BOARD MEETING NO. 46, 20 APRIL 2016

A copy of the minutes of meeting no. 46 were provided as part of the papers.

5 ACTION ITEMS UPDATE

6 PRESIDING MEMBER'S BRIEF:

7 FINANCIAL POSITION

7.1 Financial Report

8 STORMWATER MANAGEMENT PLANS – Approval

9 CURRENT APPLICATIONS

9.1 Project 158-16, Water Sensitive SA – Capacity Building for Water Sensitive Urban Design

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Resolution 47.9.1: *The Authority resolved to approve a contribution of up to \$110,000 to the Capacity Building for Water Sensitive Urban Design project.*

9.2 Project 150-14, City of Holdfast Bay – Design of Major Flow Path Outfall at Tarlton Street, Somerton Park

Resolution 47.9.2: *The Authority resolved to approve a contribution of up to \$35,000 for the Design of Major Flow Path Outfall at Tarlton Street project.*

10 BROWN HILL & KESWICK CREEKS PROJECT (BHKCP)

10.1 BHKCP Stormwater Management Plan

Resolution 47.10.1: *The Authority resolved to:-*

- *Approve the Brown Hill and Keswick Creek Stormwater Management Plan subject to agreement by SMA members on the final wording of approval conditions relating to the regional subsidiary and the use of voluntary land-owner agreements out of session.*
- *Approve for the following wording for the conditions to be considered by the Crown Solicitor before being formally endorsed by SMA members out of session:*
 - *The Councils establish a regional subsidiary pursuant to section 43 of the Local Government Act 1999 to carry out the implementation and management of the Stormwater Management Plan, through the:*
 - *preparation of a charter for the regional subsidiary and relevant legal and financial due diligence;*
 - *formal endorsement of the charter by the Councils; and*
 - *execution of the charter and formation of the regional subsidiary.*
 - *The regional subsidiary is established by the latter of 30 June 2017 or, within twelve (12) calendar months of the date of a formal announcement by the South Australian government of a financial allocation to the construction of works specified in the Stormwater Management Plan. The timeframe for this condition can be renegotiated as required.*
 - *In order to meet the requirements of section 24(2) of Schedule 1A of the Local Government Act 1999, the regional subsidiary or the relevant council shall acquire an easement or other appropriate interest over the relevant land or in accordance with the Land Acquisition Act 1969 to enable the construction and ongoing maintenance, by the regional subsidiary or the relevant council, of infrastructure specified in the Stormwater Management Plan, where a private land-owner agreement is unable to be negotiated in a form that allows sufficient authority for the required construction and ongoing maintenance and such authority accompanies any future transfer of the land to another owner. The action required for this condition must be undertaken by 31 December 2050.*
- *Delegate responsibility for discussing the conditions, as formally approved by the SMA out of session, with the Brown Hill and Keswick Creek catchment councils to the Presiding Member.*
- *Subject to discussions with the catchment councils on the conditions of approval, delegate responsibility for the Gazettal of the SMA's approval of the plan to the Presiding Member and General Manager.*

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- *Agree to ongoing monitoring of the need for additional rehabilitation works for other creeks across the catchment through the detailed design phase and as individual works components return to the Authority for approval.*
- *Note DEWNR's review of the cost benefit assessment in the plan and agree to monitor the costs and benefits of each of the major works as they return to the Authority for approval.*
- *Note the importance of the early commencement of the proposed stormwater management plan for the urban catchments that flow into the Brown Hill and Keswick Creek system.*
- *Note advice from the Adelaide and Mount Lofty Ranges Natural Resources Management Board that water quality outcomes can be addressed through the detailed design stage and agree to monitor water quality objectives through the implementation of the SMP.*
- *Note that the previous work of the Authority on funding options has been used as the basis of advice to Cabinet on an overall funding commitment for the Brown Hill and Keswick Creek Stormwater Management Plan.*
- *Note that each of the individual works projects in the Brown Hill and Keswick Creek Stormwater Management Plan will return to the Authority in due course for consideration, approval and subsequent advice to the Minister for Water and the River Murray.*

10.2 AUDITOR GENERAL FINDINGS ON BHKCP EXAMINATION

Resolution 47.10.2: *The Authority resolved to:-*

- *Note the draft of the Auditor General's Report into the Brown Hill and Keswick Creek project.*
- *Approve the draft formal response to the Auditor General's report, subject to a number of amendments.*

11 STRATEGIC ISSUES

11.1 STORMWATER MANAGEMENT PLAN GUIDELINES REVIEW – DRAFT CONSULTATION PAPER

Resolution 47.11.1: *The Authority resolved to:-*

- *Approve the consultation paper and its distribution to key stakeholders.*

11.2 PRIORITY STORMWATER MANAGEMENT PLANS - PROGRESS

Resolution 47.11.2: *The Authority resolved to:-*

- *Note the status of the preparation of stormwater management plans for priority catchments across South Australia.*

11.3 OUTSTANDING STORMWATER MANAGEMENT PLANS - STATUS

11.4 STATE FLOOD HAZARD LEADER – UPDATE AND CURRENT POLICY CONSTRAINTS

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12 APPLICATIONS SUMMARY

Resolution 47.12.1: *The Authority resolved to:-*

- *Note the applications summary as at 30 June 2016.*

13 ADMINISTRATION

**13.1 SMA RESOURCING AND PROPOSED SERVICE LEVEL AGREEMENTS WITH
DEWNR AND DPTI**

Resolution 47.13.1: *The Authority resolved to:-*

- *Endorse new Service Level Agreements between the SMA and DEWNR and DPTI.*

14 OTHER BUSINESS

**15 APPROVAL OF RESOLUTIONS FROM CURRENT MEETING FOR PUBLISHING ON
THE LGA WEBSITE**

16 NEXT MEETING

To be determined out of session.

The Presiding Member declared the meeting closed at 12:00 noon.