

CONFIDENTIAL ITEMS 2003 – AUGUST 2025

#	Date	Item Title	Confidential Order Details	Item being kept confidential - Agenda/ Attachment/ Minutes	Reason regarding retention or recommend-action to release	Resolution Regarding Action	Last Review Date	Next Review Date	Date Released	
285	4 August 2025	GMB Water Mount Barker Region Wastewater Utility Board – Appointment of Audit and Risk Committee Management Committee Members	<u>Section 90 (3) (a) Order</u> 1. <u>Pursuant to Section 90(3)(a)</u> Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except Chief Executive Officer, Executive Manager, General Manager Corporate Services, General Manager Infrastructure, Acting General Manager Planning and Regulatory Services, Head of Wastewater and the Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.1 Confidential Item: GMB Water Mount Barker Region Wastewater Utility Board – Appointment of Audit and Risk Committee Members. The Council is satisfied that pursuant to Section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of applicants considered for appointment through the Expression of Interest process, in that details of their suitability for appointment will be discussed, which are sensitive and are details only known to those who have participated in the selection and appointment expression of interest process. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of details of what may prematurely be disclosed before discussing with the applicants the details of the expression of interest for appointment process. <u>Section 91(7) Order</u> 10. <u>Pursuant to Section 91(7)</u> That having considered Agenda Item 18.1 Confidential Item: GMB Water Mount Barker Region Wastewater Utility Board – Appointment of Audit and Risk Committee Members, in confidence under 90(2) and 3(a) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that the documents and the minutes be retained in confidence until Audit and Risk	Documents and the minutes	The Council is satisfied that pursuant to Section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of applicants considered for appointment through the Expression of Interest process, in that details of their suitability for appointment will be discussed, which are sensitive and are details only known to those who have participated in the selection and appointment expression of interest process. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of details	Documents and the minutes be retained in confidence until Audit and Risk Committee appointees have been advised or such period determined by the Chief Executive Officer and that this information be reviewed every 12 months		Within months	12	Minutes released on website 15 August 2025

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			Committee appointees have been advised or such period determined by the Chief Executive Officer and that this order be reviewed every 12 months.		of what may prematurely be disclosed before discussing with the applicants the outcome of the expression of interest for appointment process.				

PART RELEASED

18. CONFIDENTIAL REPORTS

18.1 **REPORT TITLE:** **CONFIDENTIAL ITEM: GMB WATER MOUNT
BARKER REGION WASTEWATER UTILITY BOARD
– APPOINTMENT OF AUDIT AND RISK
MANAGEMENT COMMITTEE MEMBERS**

DATE OF MEETING: **4 AUGUST 2025**

FILE NUMBER: **DOC/25/198584**

ATTACHMENTS: **NIL**

Moved Councillor Voogt that Council:

Section 90 (3) (a) Order

1. Pursuant to Section 90(3)(a)

Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except Chief Executive Officer, Executive Manager,

General Manager Corporate Services, General Manager Infrastructure, Acting General Manager Planning and Regulatory Services, Head of Wastewater and the Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.1 Confidential Item: GMB Water Mount Barker Region Wastewater Utility Board – Appointment of Audit and Risk Committee Members.

The Council is satisfied that pursuant to Section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of applicants considered for appointment through the Expression of Interest process, in that details of their suitability for appointment will be discussed, which are sensitive and are details only known to those who have participated in the selection and appointment expression of interest process.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of details of what may prematurely be disclosed before discussing with the applicants the outcome of the expression of interest for appointment process.

Seconded Councillor Size

CARRIED
OM20250804.14

Moved Councillor Size that Council:

2. Notes the recommendations from the Mount Barker Region Wastewater Utility Board regarding Audit and Risk Management Committee Member appointments.
3. Notes Regulation 17(2) of the Local Government (Financial Management) Regulations 2011 provides that the audit committee of a council subsidiary must have between 3 and 5 members (inclusive); and must include at least 1 person who is not a member of the board of management of the subsidiary and who is determined by the council to have financial experience relevant to the functions of the audit committee.

Seconded Councillor Westwood

CARRIED
OM20250804.15

Moved Councillor Westwood that Council:

4. Resolves to appoint as Mount Barker Region Wastewater Utility Board Audit and Risk Management Committee Independent Members for staggered terms, to a maximum of five (5) years:
 - a. Mr Brent Gimpel for a term of three (3) years expiring 30 June 2028

- b. Mr Patrick Trainor for a term of five (5) years expiring 30 June 2030
- 5. Resolves to appoint as Mount Barker Region Wastewater Utility Board Audit and Risk Management Committee Members current GMB Water independent non-executive Director Board Members:
 - a. Ms Susan Filby for a term of three (3) years expiring 30 June 2028
 - b. Ms Isabella Villani for a term of four (4) years expiring 30 June 2029
- 6. Resolves to appoint as a Mount Barker Region Wastewater Utility Board Audit and Risk Management Committee Member current independent member of the Mount Barker District Council's Audit and Risk Committee:
 - a. Mr Mark Davies, for a term of three (3) years expiring 30 June 2028
- 7. Notes the Local Government Finance Authority (LGFA) CEO (or delegate) is to be an observer on the MBRWU Audit and Risk Committee in accordance with the loan facility covenants/clauses as outlined in a letter dated 19 June 2025, in relation to the Audit and Risk Management Committee.

Seconded Councillor Voogt

CARRIED
OM20250804.16

Moved Councillor Seager that Council:

- 8. Appoints Ms Isabella Villani as Independent Chairperson of the Audit and Risk Management Committee Mount Barker Region Wastewater Utility Board (GMB Water).

Seconded Councillor Szilassy

CARRIED
OM20250804.17

Moved Councillor Seager that Council:

- 9. Endorse the remuneration of Mount Barker Region Wastewater Utility Board Audit and Risk Management Committee members per attendance at meetings and/or information briefing sessions, at:
 - a. \$602.69 per attendance for the Independent Chair
 - b. \$453.05 per attendance for Independent Members

Seconded Councillor Westwood

CARRIED
OM20250804.18

Moved Councillor Voogt that Council:

Section 91(7) Order

10. Pursuant to Section 91(7)

That having considered Agenda Item 18.1 Confidential Item: GMB Water Mount Barker Region Wastewater Utility Board – Appointment of Audit and Risk Committee Members, in confidence under 90(2) and 3(a) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that the documents and the minutes be retained in confidence until Audit and Risk Committee appointees have been advised or such period determined by the Chief Executive Officer and that this order be reviewed every 12 months.

Seconded Councillor Westwood

CARRIED
OM20250804.13

PART RELEASED