CONFIDENTIAL ITEMS 2003 – JULY 2026

#	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
307	2 March 2026	Mount Barker Region Wastewater Utility (GMB Water) – Extension of Board Member Appointment	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 Acting Chief Executive Officer, General Manager Corporate Services, General Manager Infrastructure and Environment, General Manager Planning and Community, and Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.3 Confidential Item: Mount Barker Region Wastewater Utility (GMB Water) – Extension of Board Member Appointment. 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 the person considered for appointment, in that details of their suitability for appointment will be discussed. 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 subject person the outcome of Council's consideration. Section 91(7) Order Pursuant to Section 91(7) 5. That having considered Agenda Item 18.3 Confidential Item: Mount Barker Region Wastewater Utility (GMB Water) – Extension of Board Member Appointment 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 relevant parties to the decision have been advised of the Council's decision, or for such period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months.	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 the person considered for appointment, in that details of their suitability for appointment will be discussed. 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 subject person the outcome of Council's consideration.	Documents and the minutes be retained in confidence until relevant parties to the decision have been advised of the Council's decision, or for such period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months		Within 12 months	*Report and Minutes released on website 6 November 2026*

RELEASED

18.3 REPORT TITLE: CONFIDENTIAL ITEM: MOUNT BARKER REGION WASTEWATER UTILITY (GMB WATER) – EXTENSION OF BOARD MEMBER APPOINTMENT

DATE OF MEETING: 2 MARCH 2026

FILE NUMBER: DOC/26/20683

ATTACHMENTS: NIL

Key Contact Sue Miller, Team Leader Risk and Governance

Executive Alison Hancock, General Manager Strategy

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Community Plan 2044:
Leadership Objectives
25. Leadership and Vision: cultivate a culture of strong leadership within our organisation including in our Council Members, characterised by transparency, accountability, and responsiveness to the diverse needs and aspirations of our community.
26. Transparent and Inclusive Decision Making: transparent and inclusive decision-making, ensuring active engagement of diverse stakeholders and fostering trust and confidence in governance outcomes.
27. Efficient Public Services: enhance the efficiency and effectiveness of public services provided by Council, ensuring timely delivery of services that meet the evolving needs of the community and provide value for money.

Annual Business Plan:
GMB Water Annual Business Plan 2025/26.

Purpose:
To extend the term of appointment of Dr Helen Edmonds as a Director of the Mount Barker Region Wastewater Utility (GMB Water) and to note the process to appoint a person into the vacant independent non-executive director role on the Board.

Recommendation A:

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, General Manager Strategy, General Manager Corporate Services, General Manager Infrastructure and Environment, General Manager Planning and

Community, and Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.1 Confidential Item: Mount Barker Region Wastewater Utility (GMB Water) – Extension of Board Member Appointment.

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 the person considered for appointment, in that details of their suitability for appointment will be discussed.

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 subject person the outcome of Council's consideration.

Recommendations B:

That Council:

2. **Extend the term of appointment of Dr Helen Edmonds for a maximum of three (3) years to conclude 30 June 2030 on the condition Dr Edmonds continues to hold the role of Chief Executive of GMB Water.**

3. **In the event Dr Edmonds ceases to hold the role of Chief Executive of GMB Water, Dr Edmonds' board appointment will cease and the position on the GMB Water Board will become vacant.**

4. **Acknowledges the leadership of Dr Edmonds in these formative years of the Board is highly regarded, and as the organisation transitions into a significant capital works delivery phase Dr Edmonds' continued leadership is important for stability and continuity.**

Recommendation C:

That Council:

5. **Note the recruitment process by Expression of Interest to appoint an Independent non-executive Board Director to the GMB Water Board for a term of up to four (4) years expiring 30 June 2030 for the vacant position on the Board has commenced, and the filling of the vacancy will be a decision of the Council at a future council meeting.**

Recommendation D:

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Section 91(7) Order

Pursuant to Section 91(7)

6. **That having considered Agenda Item 18.1 Confidential Item: Mount Barker Region Wastewater Utility (GMB Water) – Extension of Board Member Appointment 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 relevant parties to the decision have been advised of the Council's decision, or for such period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months.**

Background:

1. Council owns and operates the largest wastewater service of its kind run by any South Australian local government.

2. To most effectively and efficiently manage the increasing scale, complexity and regulatory requirements of its wastewater and recycled water service, Council recognised the need for ongoing specialist expertise that is outside the scope of Council's traditional services and operations.

3. The Mount Barker Region Wastewater Utility Charter (the Charter) was approved by the Minister for Local Government and published in the South Australian Government Gazette on 2 January 2025.

4. In accordance with Clause 3 of the Charter, the Authority (the Subsidiary) is overseen by a Board of Management known as the GMB Water Board (the Board) and comprises up to seven (7) members.

5. At 2 December 2024 and 3 February 2025 council meetings council appointed Dr Helen Edmonds to the GMB Water Board for term expiring no later than 30 June 2026.

6. A detailed overview of further background to this report was provided in public agenda items to council's 8 July 2024, 8 October 2024 and 2 December 2024 and 3 February 2025 and 19 January 2026 council meetings. This report does not repeat the background contained in those reports, except to address the matter of a GMB Board member's Dr Helen Edmonds' term of appointment.

Discussion:

7. The signing in December 2025 of the major contract to deliver the new Laratinga Water Recovery Plant concluded a planned succession process

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timed to support the organisation's transition into a significant capital works delivery phase.

8. At the 19 January 2026 council meeting council noted *(inter alia)*:

   a. the resignation of non-executive independent director and inaugural Chair, Sean Keenihan, created a board vacancy
   b. the Chief Executive Officer would establish a Selection Panel in accordance with clause 3.3 Selection Panel of the Board's Charter for the filling of the non-executive director Board member role vacancy; and
   c. noted the term of Dr Helen Edmonds appointment to the Board expires 30 June 2026.

9. Clauses 3.4.2 of the Charter sets out how the vacant Board member position is to be filled for the independent member.

10. The Selection Panel, comprised of Acting Mayor Cr Rowan Voogt, the Chief Executive Officer of the Council, Andrew Stuart, and David Coombe General Manager Customer, Community and Engagement, SA Water, met on 12 February 2026 to consider *(inter alia)*:

    a. the expression of interest process for the Board vacancy; and
    b. to consider the extension of the term of appointment for Dr Helen Edmonds.

11. As per email advice to Council Members 16 February 2026 the recruitment via expression of interest process to fill the non-executive director Board member vacancy has commenced.

12. It is the Selection Panel's recommendation that Council extend Dr Helen Edmond's term of appointment for a maximum of three (3) years to conclude 30 June 2030 on the condition Dr Edmonds continues to hold the role of Chief Executive of GMB Water.

13. In the event Dr Edmonds ceases to hold the role of Chief Executive, Dr Edmonds' board appointment will cease and the position on the GMB Water Board will become vacant.

14. The Selection Panel was of the view that in these formative years of the Board and given the significant program of capital works, Dr Edmonds' continued leadership is important for stability and continuity, and is highly regarded.

15. A resolution of Council is required to extend Dr Helen Edmonds' term on the GMB Water Board in accordance with the Charter.

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Community Engagement:

Consult	Council meeting agenda and minutes.
Inform	Council meeting agenda and minutes. Council's website and media channels.

Policy:
Commercial Policy which includes:
To be clear and transparent regarding the commercial, social, environmental and community benefits in the decision making process.

Long Term Financial Plan:
The adopted Wastewater Service Long Term Financial Plan 2024-2034 includes capacity for the establishment and recurrent costs associated with a wastewater subsidiary e.g. sitting fees for Board members.

Budget:
Nil.

Statutory/Legal:
Local Government Act 1999 – section 42 and Schedule 2 Part 1.

Local Government Act 1999, s42(4)
The establishment of a subsidiary does not derogate from the power of the council to act in a matter.

Staff Resource Requirements:
Within existing resources.

Environmental:
Environmental objectives are reflected in the Charter for the wastewater subsidiary.

Social:
Social considerations are reflected in the charter for the wastewater subsidiary.

Risk Assessment:
1. The performance of the Wastewater Subsidiary i.e. consistently delivering on the agreed objectives and priorities for the Wastewater Service – will be managed via performance monitoring through regular reporting to council by the GMB Board.

2. Community perception that council has handed over control to the Board – a communication strategy was implemented to manage this risk.

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3. The Charter includes a requirement for a review of the performance of the Wastewater Subsidiary after 2 years of operation.

4. The management of an essential service and the risks associated with ensuring that it is compliant with statutory responsibilities and obligations as well as performance obligations and expectations are recommended to be best managed via a skills based Board established with these specific and specialised expertise.

Asset Management:
The wastewater subsidiary will be responsible for the management of the Wastewater Service assets.

Conclusion:
Decision making by Council is required to extend the appointment of Dr Helen Edmonds as a Board Member of GMB Water.

Previous Decisions By/Information Reports to Council

Meeting Date	19 January 2026	CM Reference	DOC/25/176707
Title	Confidential Item: Mount Barker Region Wastewater Utility Board – Appointment of Chair.		
Purpose	To appoint an independent Chairperson to the Mount Barker Region Wastewater Utility Board, (the GMB Water Board) as the current Chair, Mr Sean Keenihan has flagged his intention to resign from his role as interim Chair and independent board member.		

Meeting Date	4 August 2025	CM Reference	DOC/24/101967
Title	Confidential Item: GMB Water Mount Barker Region Wastewater Utility Board – Appointment of Audit and Risk Management Committee Members.		
Purpose	To appoint members to the Audit and Risk Management Committee of the Council subsidiary, Mount Barker Region Wastewater Utility, GMB Water and set remuneration for ARC members.		

Meeting Date	4 August 2025	CM Reference	DOC/24/103717
Title	GMB Water Mount Barker Region Wastewater Utility Board Audit and Risk Management Committee Terms of Reference		
Purpose	To adopt the Terms of Reference for the Audit and Risk Management Committee Members of the Council subsidiary, Mount Barker Region Wastewater Utility, GMB Water.		

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Meeting Date	3 February 2025	CM Reference	DOC/24/198584
Title	CONFIDENTIAL ITEM: Mount Barker Region Wastewater Utility Board – Appointment and Remuneration of Board Members		
Purpose	To appoint the remainder of Board Members to the Council subsidiary, Mount Barker Region Wastewater Utility Board (the Board), confirm the period of appointment for all Board Members, set Board Member remuneration, and make recommendations for the composition of the Utility's Audit and Risk Management Committee.		

Meeting Date	2 December 2024	CM Reference	DOC/24/162509
Title	Mount Barker Region Wastewater Utility Board – Appointment of Board Members		
Purpose	To appoint the initial four (4) members to the Mount Barker Region Wastewater Utility Board (the Board).		

Meeting Date	8 October 2024	CM Reference	DOC/24/139983
Title	Wastewater Subsidiary Charter Referral to Minister for Gazettal and Commencement of Board Recruitment Process		
Purpose	To note that the Communication Strategy as endorsed by Council at its 3 July 2024 meeting (SM20240708.05) has been implemented, to endorse the submission of the Wastewater Subsidiary Charter to the Minister for Local Government for Gazettal and endorse the commencement of recruitment for the Mount Barker Region Wastewater Utility Board.		

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18.3 REPORT TITLE: CONFIDENTIAL ITEM: MOUNT BARKER REGION WASTEWATER UTILITY (GMB WATER) – EXTENSION OF BOARD MEMBER APPOINTMENT
DATE OF MEETING: 2 MARCH 2026
FILE NUMBER: DOC/26/20683
ATTACHMENTS: NIL

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Moved Councillor Jones 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 Acting Chief Executive Officer, General Manager Corporate Services, General Manager Infrastructure and Environment, General Manager Planning and Community, and Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.3 Confidential Item: Mount Barker Region Wastewater Utility (GMB Water) – Extension of Board Member Appointment.

   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 the person considered for appointment, in that details of their suitability for appointment will be discussed.

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 subject person the outcome of Council's consideration.

Seconded Councillor Szilassy CARRIED
OM20260302.20

Moved Councillor Seager that Council:

2. Extend the term of appointment of Dr Helen Edmonds for a maximum of three (3) years to conclude 30 June 2030 on the condition Dr Edmonds continues to hold the role of Chief Executive of GMB Water.

3. In the event Dr Edmonds ceases to hold the role of Chief Executive of GMB Water, Dr Edmonds' board appointment will cease and the position on the GMB Water Board will become vacant.

4. Acknowledges the leadership of Dr Edmonds in these formative years of the Board is highly regarded, and as the organisation transitions into a significant capital works delivery phase Dr Edmonds' continued leadership is important for stability and continuity.

Seconded Councillor Grosser CARRIED
OM20260302.21

Moved Councillor Jones that Council:

5. Note the recruitment process by Expression of Interest to appoint an Independent non-executive Board Director to the GMB Water Board for a term of up to four (4) years expiring 30 June 2030 for the vacant position on the Board has commenced, and the filling of the vacancy will be a decision of the Council at a future council meeting.

Seconded Councillor Size CARRIED
OM20260302.22

Moved Councillor Size that Council:

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Section 91(7) Order
Pursuant to Section 91(7)

6. That having considered Agenda Item 18.3 Confidential Item: Mount Barker Region Wastewater Utility (GMB Water) – Extension of Board Member Appointment 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 relevant parties to the decision have been advised of the Council's decision, or for such period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months.

Seconded Councillor Seager CARRIED
OM20260302.23

RELEASED