

CONFIDENTIAL ITEMS 2003 – OCTOBER 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
304	19 January 2026	Confidential Item: Mount Barker Region Wastewater Utility Board- Appointment of Chair	<u>Section 90 (3) (a) Order</u> 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 Planning and Community, and Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.2 Confidential Item: Mount Barker Region Wastewater Utility Board – Appointment of Chair. 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. <u>Section 91(7) Order</u> 10. Pursuant to Section 91(7) That having considered Agenda Item 18.2 Confidential Item: Mount Barker Region Wastewater Utility Board – Appointment of Chair, 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 the process to appoint the Chair has concluded, 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 the process to appoint the Chair has concluded, 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	<i>Report and Minutes released on website 27 January 2026</i>

18.2 **REPORT TITLE:** **CONFIDENTIAL ITEM: MOUNT BARKER REGION
WASTEWATER UTILITY BOARD – APPOINTMENT
OF CHAIR**

DATE OF MEETING: **19 JANUARY 2026**

FILE NUMBER: **DOC/25/176707**

ATTACHMENTS: **1. DOC/24/162547 – CHARTER EXTRACTS –
BOARD OF MANAGEMENT**

Key Contact Sue Miller, Team Leader Risk and Governance

Executive Alison Hancock, General Manager Strategy

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 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.

Summary – Key Issues:

- The Independent Chair and Independent Member of the GMB Water Board, Mr Sean Keenihan, has flagged his intention to resign from both interim roles that he currently holds on the Board.
- The Deputy Chair of GMB Water Board, Mr Mark Gobbie was appointed into the role of Deputy Chair by the GMB Water Board until 31 December 2025.
- There is currently no Deputy Chair of GMB Water Board to act in the absence of the Board's Chair.

- A Chair is required to be appointed by the Council in accordance with the subsidiary Charter.
- The GMB Water Board will appoint a new Deputy Chair in accordance with the Charter at its meeting in January.

Recommendation 1:

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, Chief Executive - GMB Water and Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.2 Confidential Item: Mount Barker Region Wastewater Utility Board – Appointment of Chair.

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.

Recommendation 2:

That Council:

2. Notes Mr Sean Keenihan, GMB Water Board interim Chair has advised the Chief Executive Officer of his intention to resign from the role of chair and independent board member effective upon the Council's decision to appoint a new Chairperson; and
3. Acknowledges the significant contribution of Mr Keenihan to laying the foundations for GMB Water, supporting it to become operational and its evolution to this critical point as the organisation transitions into a significant capital works delivery phase.

Recommendation 3:

That Council:

- 4. Appoints the Mount Barker Region Wastewater Utility Board (GMB Water) current Independent non-Executive Director Board Member Mark Gobbie as Chairperson of the Board for a period of three years expiring on 1 February 2029.**

Recommendation 4:

That Council:

- 5. Notes the Chief Executive Officer (or their delegate) will establish the Selection Panel pursuant to clause 3.3 Selection Panel of the Board's Charter as set out in attachment 1 to progress 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.**
- 6. The appointment of the independent non-executive Board Director role to the GMB Water Board will be a decision of Council at a future Council meeting following the recruitment process.**

Recommendation 5:

That Council:

- 7. Note independent non-executive Board Director John Comrie's term concluded on 31 December 2025;**
- 8. Note pursuant to resolution OM20250203.21 of Council 3 February 2025, Dr Lionel Ho commenced his appointment as an Independent non-executive Board Director for a term commencing upon the date independent non-executive Board Director John Comrie ceased to be a Board Member, for a term expiring 30 June 2028; and**
- 9. Acknowledges the significant contribution of Mr Comrie supporting the GMB Water Board to become operational, and its evolution to this critical point as the organisation transitions into a significant capital works delivery phase.**

Recommendation 6:**Section 91(7) Order****Pursuant to Section 91(7)**

10. That having considered Agenda Item 18.2 Confidential Item: Mount Barker Region Wastewater Utility Board – Appointment of Chair, 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 the process to appoint the Chair has concluded, 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. A detailed overview of the 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 council meetings. This report does not repeat the background contained in those reports, except to address the matter of the GMB Board composition.
6. At the 2 December 2024 council meeting, to ensure a period of continuity, stability and corporate knowledge as the Board establishes itself, Council resolved (OM20241202.11) four appointments to the Board. At that time, Sean Keenihan was appointed Interim Chair.
7. At 3 February 2025 council meeting resolved three further appointments to the Board, confirmed the Chair appointment, and all Board members' terms of appointments pursuant to *Section 3.2.10 of the Charter*:

- John Comrie term expiring no later than 31 December 2025
- Sean Keenihan term expiring no later than 30 June 2026 (Chair)
- Mark Gobbie term expiring no later than 30 June 2026
- Dr Helen Edmonds term expiring no later than 30 June 2026
- Ms Susan Filby term expiring 30 June 2028
- Mr Carmine Ciccocioppo term expiring 30 June 2028
- Ms Isabella Villani term 30 June 2028
- Dr Lionel Ho term expiring 30 June 2028
(commencing upon the date John Comrie ceases to be a Board member but commencing no later than 31 December 2025)

8. In the absence of the Council-appointed Chair of the GMB Water Board, the Deputy Chair (appointed by the Board) will act in the role of Chair of the Board. The GMB Water Board appointed Mark Gobbie to the role of Deputy Chair of the GMB Water Board for a term expiring 31 December 2025. The Board will decide a person to fulfill the Deputy Chair role at its meeting in January 2026.

Vacancy for an independent Board member

9. On 17 December 2025 Mr Sean Keenihan advised in writing to the Chief Executive Officer of the Council, and GMB Water Chief Executive that having guided the transition of Mount Barker District Council's Wastewater Service to a newly established, skills-based Council subsidiary, he intended to step down from his role as inaugural Chair of GMB Water, and as an independent Board member. Mr Keenihan requested that the Council undertake the process to appoint a new Chairperson and that his resignation would become effective at that time to allow for an orderly transition of the Chair role.
10. Given the GMB Water Board appointed Mark Gobbie to the role of Deputy Chair of the GMB Water Board only for a term expiring 31 December 2025, there is currently no ability for a person to assume the role of chairing GMB Board meetings in the absence of the Chair.
11. The GMB Water Board, at its next meeting this month, will consider the appointment of Deputy Chair.
12. Mr Keenihan's departure also creates a vacancy for an independent Board member.

Independent Board member transition

13. At the time of his appointment, independent non-executive director Mr John Comrie, advised the panel of his preference for a term of appointment no

longer than twelve (12) months, and the Council, appointed Mr Comrie for a term to conclude no later than 31 December 2025, and his eventual replacement on the Board was determined as part of Expression of Interest process to establish the inaugural Board.

14. To that end, Council resolved (OM20250203.21) to appoint Dr Lionel Ho as Independent non-executive director of the Board for a term commencing upon the date John Comrie ceases to be a Board member (but commencing no later than 31 December 2025) and expiring 30 June 2028.

Discussion:

15. The signing last month of the major contract to deliver the new Laratinga Water Recovery Plant concluded a planned succession process timed to support the organisation's transition into a significant capital works delivery phase.
16. To ensure continuity and a smooth transition for the Board, it is administration's recommendation that Mark Gobbie be appointed Chair of the GMB Water Board for a period of three years so that there is continuity for the life of the Laratinga Wastewater plant capital project.
17. Mark Gobbie has over 40 years' experience as a professional engineer and general manager in critical water and wastewater infrastructure delivery, Mr Gobbie has been a member of both the Mount Barker District Council's Wastewater Service informal advisory board and the board of GMB Water since inception. An experienced company director, Mr Gobbie brings a wealth of knowledge and experience to the GMB Water Board Chair role.
18. Mr Keenihan, in his email of 17 December 2025, noted *"With the organisation now poised to enter a major infrastructure delivery and operational phase, the timing is right to transition the leadership of GMB Water to Mark who is exceptionally well equipped to guide the organisation forward."*
19. Should Council support the appointment of Mark Gobbie, the GMB Water Board will enable the GMB Water Board to continue to meet and provides continuity and an orderly transition of the Chair role.
20. A resolution of Council is required to appoint Mark Gobbie as Chair of the GMB Water Board in accordance with the Charter.
21. The recruitment process, following the process as set out in Section 3 Board of Management in the Board's Charter, will commence in coming weeks following establishment of the Selection Panel in accordance with clause 3.3 Selection Panel of the Board's Charter (refer attachment 1) for the

replacement of the non-executive director Board member role vacancy left due to Mr Keenihan's resignation.

22. Clauses 3.4.2 of the Charter sets out how the vacant Board member position is to be filled for the independent member. The term of that member will form part of the recommendation to appointment to Council once the outcome of the recruitment process is known.
23. The Selection Panel is to be comprised of the Mayor (Acting Mayor Cr Rowan Voogt) and Chief Executive Officer of the Council or their nominee(s), and a person not being an employee or member of the Council, chosen by the Mayor and Chief Executive Officer of the Council.

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:

Some costs associated with the establishment of the wastewater subsidiary will be incurred in 2024/25 including for example community information and advertising for prospective board members. Such costs can be met from within the existing Wastewater Service budget.

As a guide the draft budget for the subsidiary has been based on Independent Director remuneration of up to \$14,180 per annum, and Independent Chair remuneration of up to \$40,000 per annum. Administration will continue to research remuneration expectations, including for sub-committees.

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 Wastewater Board.
2. Community perception that council has handed over control to the Board – a communication strategy was implemented to manage this risk.
3. The Charter includes a requirement for a review of the performance of the Wastewater Subsidiary after 2 years of operation.
4. There are risks associated with not establishing a wastewater subsidiary. These include the ever increasing demands (both capacity and knowledge/experience) required for the effective governance of the Wastewater Service of the size of Mount Barker and concurrently all of the other demands on Council Members arising from growth and the inter-generational projects being actioned including the Regional Aquatic and Leisure Centre, the City Centre Project and The Summit expressions of interest process.
5. 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.
6. Consideration has been given to Conflict of interest declarations for applicants, Selection Panel members and administrative support being provided to the Selection Panel.

Asset Management:

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

Conclusion:

Decision making by Council is required to appoint the Chair of GMB Water and note that a recruitment process will commence to fill a vacancy on the GMB Board.

Previous Decisions By/Information Reports to Council

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.		

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.		

MOUNT BARKER REGION WASTEWATER UTILITY**DRAFT CHARTER – EXTRACT ONLY****RELATING TO BOARD ROLE AND STRUCTURE AND REMUNERATION****3. BOARD OF MANAGEMENT****3.1 Role and Structure**

- 3.1.1 The Authority is a body corporate and is governed by the Act and this Charter.
- 3.1.2 The Board is the Authority's governing body and has the responsibility for the administration of the affairs of the Authority ensuring that the Authority acts in accordance with this Charter and all relevant legislation including the Act.
- 3.1.3 All meetings of the Authority shall be meetings of the Board.

3.2 Membership of the Board

- 3.2.1 Subject to clause 3.2.10, the Board shall consist of up to seven (7) members, including the Chairperson and the Board Members referred to in clause 3.2.10, appointed by the Council following the receipt of recommendations from the Selection Panel in accordance with this clause.
- 3.2.2 No more than one (1) Board Member may be a member of the Council.
- 3.2.3 Subject to clause 3.2.10, the Council may appoint Board Members including the Chairperson for a maximum period of four (4) years each and on such other conditions as the Council may determine.
- 3.2.4 Subject to clause 3.2.10, the Council may at any time terminate or revoke a Board Member's appointment and appoint one or more (as the case may be) other persons to be a Board Member(s).
- 3.2.5 Subject to clause 3.2.10, the Council must as far as practicable ensure that the Board Members collectively possess the following skills and experience:
 - 3.2.5.1 Wastewater Utility operation;
 - 3.2.5.2 water regulation and pricing;
 - 3.2.5.3 financial management;
 - 3.2.5.4 legal and governance;
 - 3.2.5.5 engineering or asset management;
 - 3.2.5.6 customer relations, communications and/or marketing;

3.2.5.7 entrepreneurship/innovation/commercial;

3.2.5.8 strategic advice;

3.2.5.9 public policy; and

3.2.5.10 risk management.

3.2.6 Subject to clause 3.2.10, the Council must as far as practicable seek to achieve diversity amongst Board Members.

3.2.7 The Council must give notice in writing to the Authority of its appointment of Board Members, the term of appointment, any other conditions, and of any termination or revocation of those appointments. A notice in writing signed by the Chief Executive Officer of the Council will be sufficient evidence of an appointment, termination or revocation of an appointment and will constitute notice as required by this clause.

3.2.8 The Selection Panel shall invite applications for the positions of Board Member including the position of Chairperson and assess such applications through such process as it considers appropriate save that such process must be undertaken, as far as reasonably practicable, in confidence.

3.2.9 Subject to clause 3.2.10, the Selection Panel shall make recommendations to the Council on the appointment of Board Members and the Chairperson including the terms and conditions to attach to such appointments.

3.2.10 The Executive Officer is eligible to be appointed as a Board Member but the Executive Officer cannot fulfil the role of Chairperson.

3.2.11 There will be no deputies to Board Members other than the Deputy Chairperson appointed pursuant to clause 3.4.3.

3.3 Selection Panel

3.3.1 The Selection Panel is to be comprised of the Mayor and Chief Executive Officer of the Council or their nominee(s) and a person not being an employee or member of the Council chosen by the Mayor and Chief Executive Officer of the Council.

3.4 Chairperson of the Board

3.4.1 The Chairperson will cease to hold office as Chairperson in the event:

- 3.4.1.1 the Chairperson resigns as Chairperson; or
 - 3.4.1.2 the Chairperson ceases to be a Board Member; or
 - 3.4.1.3 the Council terminates the Chairperson's appointment as Chairperson.
- 3.4.2 In the event that the office of Chairperson becomes vacant, then the Council must appoint a new Chairperson in the same manner as the original appointment who shall hold office for the balance of the original term or until such later date as the Council may determine and at the expiry of that term shall be eligible for reappointment.
- 3.4.3 The Board shall appoint a Board Member, other than the Chairperson or a Board Member who is also the Executive Officer, to be the Deputy Chairperson for a term of up to four (4) years provided such term does not exceed the Board Member's term of appointment as a Board Member and at the conclusion of the Deputy Chairperson's term of office, the Deputy Chairperson is eligible for reappointment.
- 3.4.4 In the event that the Chairperson refuses or is unable to act as Chairperson or ceases to hold office as Chairperson or a Board Member, then the Deputy Chairperson shall act in that office for the period that the Chairperson refuses or is unable to act or, if relevant, until such time as a Chairperson has been appointed by the Council.
- 3.4.5 In the event that the Deputy Chairperson is pursuant to clause 3.4.4 to act as Chairperson but refuses or is unable to act as Chairperson or ceases to hold office as a Board Member, the Board shall appoint a Board Member other than a Board Member who is also the Executive Officer to be the Chairperson for the period that the Chairperson or Deputy Chairperson refuses or is unable to act or, if relevant until such time as a Chairperson has been appointed by the Council.
- 3.4.6 The Chairperson must preside at all meetings of the Board and, in the event the Chairperson is absent from a meeting or part of a meeting, the Deputy Chairperson shall preside for the duration of the Chairperson's absence and, in the event of both the Chairperson and Deputy Chairperson being absent from a meeting or part of a meeting, the Board must appoint one of the Board Members present to preside for the duration of the Chairperson's or Deputy Chairperson's absence.
- 3.4.7 The Authority will pay the Chairperson an allowance as determined by the Council following the receipt of a recommendation from the Selection Panel having regard to the Guidelines for Agencies and Board Directors published from time to time by the Department of Premier and Cabinet for Government Boards and Committees (or such publication as may succeed such Guidelines).

3.5 Office of Board Member

- 3.5.1 At the conclusion of a Board Member's term of office, including the Chairperson, such Board Member or Chairperson will be eligible for re-appointment.
- 3.5.2 A Board Member will cease to hold office in the circumstances set out in the Act as to when a Board Member's office becomes vacant.
- 3.5.3 Subject to clause 3.2.10, where, for any reason, the office of a Board Member becomes vacant, the Council will be responsible for appointing a replacement Board Member.
- 3.5.4 Subject to clause 3.2.10, where any vacancy occurs in the membership of the Board, it must be filled in the same manner as the original appointment and the person appointed to fill the vacancy may be appointed for the balance of the term of the original appointment or such longer term of up to four (4) years and at the expiry of that term shall be eligible for reappointment.

3.6 Remuneration of Board Members

- 3.6.1 The Authority will pay each Board Member a sitting fee (other than a Board Member who is also the Executive Officer) as determined by the Council following the receipt of a recommendation from the Selection Panel having regard to the Guidelines for Agencies and Board Directors published from time to time by the Department of Premier and Cabinet for Government Boards and Committees or such publication as may succeed such Guidelines).
- 3.6.2 The Board Members will receive from the Authority reimbursement of expenses properly incurred in performing or discharging official functions and duties as determined by the Authority and set out in a policy adopted by the Authority for the purposes of this clause.
- 3.6.3 The Selection Panel will annually review the sitting fee to be paid to Board Members and allowance to be paid to the Chairperson and make recommendations to the Council of the outcome of the review

18.2

REPORT TITLE: **CONFIDENTIAL ITEM: MOUNT BARKER REGION
WASTEWATER UTILITY BOARD – APPOINTMENT
OF CHAIR**

DATE OF MEETING: **19 JANUARY 2026**

FILE NUMBER: **DOC/25/176707**

ATTACHMENTS: **1. DOC/24/162547 – CHARTER EXTRACTS –
BOARD OF MANAGEMENT**

Moved Councillor Westwood 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, General Manager Strategy, General Manager Corporate Services, General Manager Planning and Community, and Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.2 Confidential Item: Mount Barker Region Wastewater Utility Board – Appointment of Chair.

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 Seager

CARRIED
OM20260119.24

Moved Councillor Seager that Council:

2. Notes Mr Sean Keenihan, GMB Water Board interim Chair has advised the Chief Executive Officer of his intention to resign from the role of chair and independent board member effective upon the Council's decision to appoint a new Chairperson; and
3. Acknowledges the significant contribution of Mr Keenihan to laying the foundations for GMB Water, supporting it to become operational and its evolution to this critical point as the organisation transitions into a significant capital works delivery phase.

Seconded Councillor Szilassy

CARRIED
OM20260119.25

Moved Councillor Jones that Council:

4. Appoints the Mount Barker Region Wastewater Utility Board (GMB Water) current Independent non-Executive Director Board Member Mark Gobbie as Chairperson of the Board for a period of three years expiring on 1 February 2029.

Seconded Councillor Size

CARRIED
OM20260119.26

Moved Councillor Seager that Council:

5. Notes the Chief Executive Officer (or their delegate) will establish the Selection Panel pursuant to clause 3.3 Selection Panel of the Board's Charter as set out in attachment 1 to progress 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.
6. The appointment of the independent non-executive Board Director role to the GMB Water Board will be a decision of Council at a future Council meeting following the recruitment process.

Seconded Councillor Jones

CARRIED
OM20260119.27

Moved Councillor Jones that Council:

7. Note independent non-executive Board Director John Comrie's term concluded on 31 December 2025;
8. Note pursuant to resolution OM20250203.21 of Council 3 February 2025, Dr Lionel Ho commenced his appointment as an Independent non-executive Board Director for a term commencing upon the date independent non-executive Board Director John Comrie ceased to be a Board Member, for a term expiring 30 June 2028; and
9. Acknowledges the significant contribution of Mr Comrie supporting the GMB Water Board to become operational, and its evolution to this critical point as the organisation transitions into a significant capital works delivery phase.

Seconded Councillor Szilassy

CARRIED
OM20260119.28

Moved Councillor Seager that Council:

Section 91(7) Order

10. Pursuant to Section 91(7)

That having considered Agenda Item 18.2 Confidential Item: Mount Barker Region Wastewater Utility Board – Appointment of Chair, 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 the process to appoint the Chair has concluded, or for such period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months.

Seconded Councillor Westwood

CARRIED
OM20260119.29

MEETING DECLARED CLOSED AT 8:10 PM

ACTING MAYOR

DATE