
14.4 ANNUAL REPORT IN ACCORDANCE WITH THE CHIEF EXECUTIVE OFFICER'S CONTRACT OF EMPLOYMENT

REPORT AUTHOR: General Manager, Governance & Civic Affairs
GENERAL MANAGER: Chief Executive Officer
CONTACT NUMBER: 8366 4549
FILE REFERENCE: qA72716
ATTACHMENTS: Nil

PURPOSE OF REPORT

The purpose of the report is to present information to the Council in accordance with the Chief Executive Officer's Contract of Employment.

DISCUSSION

At its meeting held on 5 October 2021, the Council endorsed the Chief Executive Officer's Contract of Employment 1 November 2021 – 31 October 2026.

This report presents information to the Council regarding the reporting obligations as set out in the Contract of Employment 1 November 2021 – 31 October 2026.

The obligations of the Chief Executive Officer as set out in the Contract of Employment 1 November 2021 – 31 October 2026, are set out as follows:

Outside Interests

- 9.1 *The Chief Executive Officer may accept Board positions where the Board is part of a statutory or not for profit authority, provided there is no conflict of interest apparent to the Chief Executive Officer in accepting the appointment, with the approval of the Council.*
- 9.2 *The Chief Executive Officer must not be directly or indirectly engaged, concerned or interested in any employment, trade, business, profession or occupation requiring the provision of services or advice by the Chief Executive Officer (other than the employment provided by this Agreement) except with the prior consent in writing of the Council.*

Leave

- 16.1.3 *The parties agree, in recognition of the accrued annual leave balance standing to the credit of the Chief Executive Officer, the organizational needs of the Council and the work, health and safety obligations to and the requirements of the Chief Executive Officer, that the annual leave balance will be reduced by the Chief Executive Officer taking a minimum of ten (10) weeks annual leave during each year of this Agreement.*

Outside Interests

The Chief Executive Officer is a Member of the following Boards and Committees:

1. Local Government Association of South Australia CEO Advisory Group; and
2. Thalassa Parks & Gardens Trust.

Local Government Association of South Australia (LGA) CEO Advisory Group

The primary objective of the LGA CEO Advisory Group is to advise the LGA's Board of Directors on the design and delivery of policies and services to Members. The CEO Advisory Group meets quarterly.

As part of this role, the CEO Advisory Group considers:

- the value and validity of services offered by the LGA to members;
- proposals for the further development of existing or new services by the LGA; and
- the effectiveness of operational policies adopted by the LGA in connection with member services.

The current Membership of the CEO Advisory Group includes the following Chief Executive Officers:

- Maree Wauchope, District Council of Barunga West;
- Delfina Lanzilli, District Council of Lower Eyre Peninsula;
- Tony Harrison, City of Marion;
- Mark Withers, City of Port Adelaide Enfield;
- Matthew Morgan, City of Port Lincoln;
- Chris White, City of Prospect; and
- Ben Gower, Wattle Range Council.

Thalassa Parks & Gardens Trust

The City of Onkaparinga established the Thalassa Parks & Gardens Trust (the Trust), for the purpose of managing the Margaret Cutten Trust Fund. The funds are used for enhancements to the Thalassa Parks & Gardens which is located within the City of Onkaparinga and gifted to the former City of Happy Valley by Mrs Margaret Cutten.

The Chief Executive Officer has maintained his membership of the Trust following his employment with the former City of Happy Valley, which was amalgamated with the District Council of Willunga and the City of Noarlunga to form the City of Onkaparinga.

The Trust meets on a quarterly basis, or as required, with meetings commencing at 4.00pm.

Annual Leave

The Annual Leave which has been taken by Chief Executive Officer for the period 1 November 2022-31 October 2023, is 9.2 weeks.

The Chief Executive Officer's current Annual Leave balance is 1908.58 hours (251 days), as at 31 October 2023.

The Chief Executive Officer's Contract of Employment 1 November 2021-31 October 2026 requires the Chief Executive Officer to take a minimum of ten (10) weeks annual leave during each year of this Agreement.

As set out above, the Chief Executive Officer has taken 9.2 weeks over this reporting period, however, due to some staffing and operational matters, the additional three (3) days which are required to have been taken have been rescheduled to 8, 10 and 13 November 2023.

This will ensure the Chief Executive Officer has met this obligation for the period 1 November 2022-31 October 2023.

OPTIONS

Not Applicable.

CONCLUSION

Nil.

COMMENTS

Nil.

RECOMMENDATION 1

That pursuant to Section 90(2) and (3) of the *Local Government Act 1999* the Council orders that the public, with the exception of the General Manager, Governance & Civic Affairs, be excluded from the meeting on the basis that the Council will receive, discuss and consider:

- (a) Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

and the Council is satisfied that, the principle that the meeting should be conducted in a place open to the public, has been outweighed by the need to keep the receipt/discussion/consideration of the information confidential.

RECOMMENDATION 2

That the Council notes the update in respect to the reporting obligations of the Chief Executive Officer, in accordance with the Chief Executive Officer's Contract of Employment.

RECOMMENDATION 3

Under Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report and discussion be kept confidential for a period not exceeding 12 months, after which time the order will be reviewed.

Cr Robinson moved:

That pursuant to Section 90(2) and (3) of the Local Government Act 1999 the Council orders that the public, with the exception of the Acting Chief Executive Officer and Administration Assistant, Governance & Civic Affairs, be excluded from the meeting on the basis that the Council will receive, discuss and consider:

- (a) Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).*

and the Council is satisfied that, the principle that the meeting should be conducted in a place open to the public, has been outweighed by the need to keep the receipt/discussion/consideration of the information confidential.

Seconded by Cr Holfeld and carried unanimously.

Cr Knoblauch moved:

That the Council notes the update in respect to the reporting obligations of the Chief Executive Officer, in accordance with the Chief Executive Officer's Contract of Employment.

Seconded by Cr Mex and carried unanimously.

Cr Robinson moved:

Under Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report and discussion be kept confidential for a period not exceeding 12 months, after which time the order will be reviewed.

Seconded by Cr Holfeld and carried unanimously.
