

17.5 2024 REVIEW OF MINIMUM AND MAXIMUM REMUNERATION FOR LOCAL GOVERNMENT CHIEF EXECUTIVE OFFICERS

Contact Person: Sam Green

Why is this matter confidential?

Subject to an order pursuant to Section 90(3)(a) of the *Local Government Act 1999*, this matter is confidential because it contains industry remuneration information that is still in draft form.

A. COUNCIL TO MOVE MOTION TO GO INTO CONFIDENCE

No action – this motion passed in the open section.

B. THE BUSINESS MATTER**17.5 2024 REVIEW OF MINIMUM AND MAXIMUM REMUNERATION FOR LOCAL GOVERNMENT CHIEF EXECUTIVE OFFICERS**

Responsible Executive Manager : Sam Green

Report Author : Skye Nitschke

Delegated Authority : Matters which cannot be delegated to a Committee or Staff

PURPOSE

The purpose of this report is for Council to release confidential orders relating to the Council Resolution 6156 from the Ordinary Council Meeting 25 February 2025.

STAFF RECOMMENDATION

1. Council revokes, in part, the following confidentiality order:
 - Ordinary Council Meeting, Resolution 6157 – Minutes for Item 17.1 Report titled ‘2024 Review of Minimum and Maximum Remuneration for Local Government Chief Executive Officers’ made on 25 February 2025.

EXECUTIVE SUMMARY

At the Ordinary Council Meeting held on 25 February 2025, Council considered an information report relating to the 2024 Review of Minimum and Maximum Remuneration for Local Government Chief Executive Officers. The report addresses the draft report and determination on this matter from the Remuneration Tribunal and invited feedback from Council.

1. BACKGROUND

On 20 January 2025, Council received the draft determination of the 2024 Review of Minimum and Maximum Remuneration for Local Government Chief Executive Officers from the Remuneration Tribunal and invited feedback by 12 March 2025.

At the time of considering this matter, insufficient provisions were put in place to enable feedback being provided to the Remuneration Tribunal unfettered by confidentiality.

Currently, the feedback has been provided to the Remuneration Tribunal with the clear understanding that it is subject to the confidential provisions being revoked to enable the release of the confidential minutes.

2. RELEVANCE TO STRATEGIC PLAN

Decision-making filter: We will ensure that we meet our legislative requirements and legal obligations.

Under Section 91 of the *Local Government Act 1999*, Orders made under subsection (7), the Council must specify the circumstances in which the order will cease to apply.

3. PUBLIC CONSULTATION

There is no requirement to consult with the community on this matter.

4. DISCUSSION

- 4.1 Confidential orders made by Council are reviewed annually and reports are prepared by staff for Councils consideration. The most recent annual review was considered by Council at the 23 April 2024 Ordinary Council Meeting.
- 4.2 Given that there is a need to update the confidentially provisions of a recent order made by Council, this must be done by resolution of Council.
- 4.3 If this staff recommendation is not resolved by Council, the decision will remain in confidence until the next scheduled review of confidential orders which will occur in April 2026. Confidential orders due for review in 2025 are already under review for presentation to Council and Committees in April, this item falls outside of this review period.

5. OPTIONS

Recommendation

1. Council revokes, in part, the following confidentiality order:
 - Ordinary Council Meeting, Resolution 6157 – Minutes for Item 17.1 Report titled ‘2024 Review of Minimum and Maximum Remuneration for Local Government Chief Executive Officers’ made on 25 February 2025.

Option 2

1. Council does not revoke the confidentiality order made on 25 February 2025 in relation to Item 17.1, Resolution 6157.

6. ANALYSIS OF OPTIONS

6.1 Recommendation Analysis

6.1.1 Analysis & Implications of the Recommendation

Removing the confidential orders on the minutes of item 17.1 from the Ordinary Council Meeting held 25 February 2025 will enable the feedback provided to the Remuneration Tribunal, currently under confidential provisions, to be fully considered and implemented, should the Tribunal consider it has merit.

The Remuneration Tribunal has provided advice that feedback provided under confidential provisions will simply be noted as it is unable to make reference to it in further reports.

Risk Appetite

Regulatory Compliance

Council has a zero tolerance for non-compliance with applicable legislation including but not limited to: Local Government Act (LGA) 1999; Independent Commissioner Against Corruption (ICAC) Act 2012; Work Health & Safety (WHS) Act 2012; Environment Protection Act (EPA) 1993; Development Act 1993; Equal Employment Opportunity legislation; and Public Consultation legislation.

This decision will ensure Council is meeting requirements under Section 91 of the *Local Government Act 1999*.

6.1.2 Financial Implications

There are no financial or resource implications.

6.2 Option 2 Analysis

6.2.1 Analysis & Implications of Option 2

If the current confidential orders are not revoked the Remuneration Tribunal will not consider the feedback provided by the City of Playford which has the potential for disadvantage to the individuals impacted by the Remuneration Tribunal's determination.

6.2.2 Financial Implications

There are no financial or resource implications.

C. COUNCIL TO DECIDE HOW LONG ITEM 17.5 IS TO BE KEPT IN CONFIDENCE**Purpose**

To resolve how long agenda item 17.5 is to be kept confidential.

STAFF RECOMMENDATION

Pursuant to Section 91(7) of the *Local Government Act 1999*, Council orders that the following aspects of Item 17.5 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90(3)(a) of the *Local Government Act 1999*:

- Report for Item 17.5

This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the *Local Government Act 1999*.

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