

ITEM NUMBER: 5.1

CONFIDENTIAL REPORT

APPOINTMENT OF AN INDEPENDENT MEMBER

Pursuant to Section 90(3) of the Local Government Act 1999 the Report attached to this agenda and the accompanying documentation is delivered to the Council Members upon the basis that the Council consider the Report and the documents in confidence under Part 3 of the Act, specifically on the basis that Council will receive, discuss or consider:

- e. matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person.

CONFIDENTIAL

Recommendation – Exclusion of the Public – Section 90(3) (e) Order

1. That pursuant to Section 90(2) of the *Local Government Act 1999* Council hereby orders that the public be excluded from attendance at this meeting with the exception of the General Manager, Strategy and Corporate and the staff minute taker in attendance at the meeting in order to consider Report No: 142/22 Appointment of an Independent Member in confidence.
 2. That in accordance with Section 90(3) of the *Local Government Act 1999* Council is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 142/22 Appointment of an Independent Member on the following grounds:
 - e. pursuant to Section 90(3)(e) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is related to matters affecting the security of an employee of the Council. As details of the Chief Executive's remuneration will be discussed, which are sensitive and are details only known to those who have participated in the discussion.
 3. The Council is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.
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CONFIDENTIAL

Item No: 5.1
Subject: **APPOINTMENT OF INDEPENDENT MEMBER**
Date: 17 May 2022
Written By: General Manager, Strategy and Corporate
General Manager: Strategy and Corporate, Ms P Jackson

SUMMARY

At its meeting 26 April 2022, the Executive Committee recommended the appointment of an independent member to satisfy recent changes to the *Local Government Act 1999*.

Administration has undertaken a search for potential members and this report makes a recommendation for the appointment.

RECOMMENDATION

1. The Executive Committee recommends to Council the appointment of Ms Christine Molitor to the Executive Committee for the period until the Chief Executive Officer's 2021/22 Performance Review process has concluded.

RETAIN IN CONFIDENCE - Section 91(7) Order

2. That having considered Agenda Item 5.1 142/22 Appointment of an Independent Member in confidence under section 90(2) and (3)(e) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report and attachment be retained in confidence for a period of 24 months and that this order be reviewed every 12 months.
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STRATEGIC PLAN

Statutory compliance

COUNCIL POLICY

Not applicable

STATUTORY PROVISIONS

Local Government Act Section 102A.

BACKGROUND

At the end of 2021, several changes were made to the *Local Government Act 1999* (the Act) relating to the appointment, performance review and termination of Chief Executive Officer (CEO).

A key change relates to the performance review of the CEO. A new section 102A provides that a council must review the performance of its CEO at least once in each year. In addition, the council must obtain and consider the advice of a qualified independent person for the purposes of the review. This section of the Act outlines the definition of a qualified independent person:

- a) *not a member or employee of the council; and*
- b) *determined by the council to have the appropriate qualifications or experience in human resource management.*

At its meeting on 10 May 2022, Council endorsed the appointment of an independent qualified person as a member of the Executive Committee.

REPORT

Administration has undertaken a search for potential independent members taking into consideration appropriate qualifications and experience in the fields of executive human resource management and organisational psychology.

Administration has approached Ms Christine Molitor. Ms Molitor has significant experience in executive human resource management having held the position of Chief Executive Officer and currently holds positions on a number of Boards. She has indicated an interest in taking up the appointment of independent member.

Ms Molitor's qualifications and experience are listed in the attached biography.

Refer Attachment 1

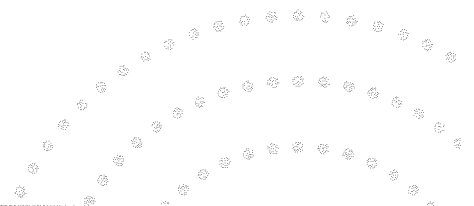
BUDGET

This report does not have any budget implications at this stage.

LIFE CYCLE COSTS

This report does not have any full life cycle cost implications.

Attachment 1



Biography

Christine Molitor: Be Sustained Pty Ltd



Christine Molitor is the CEO of Be Sustained Pty Ltd. She works with Boards and Executives on strategy development, strategy execution and leadership performance through providing consulting expertise, and 1:1 and Team Coaching.

Christine has been a CEO, Chair and Board Director. She has experience in improving business performance and organisational and leadership capability. Previously she was CEO of a global company employing 300 people, delivering international capacity development programs in Asia and the Pacific. Prior to that she operated consultancy businesses focused on Executive Development and Performance.

Christine has a degree in Psychology from Flinders University and an MBA from the University of Adelaide. In 2017, she was awarded an Industry Leaders Fund (ILF) Grant to attend the Strategic Leadership Program at Oxford University.

Christine's Non-Executive Director (NED) and Advisory Board experience includes;

- Current NED of the Women's and Children's Hospital Foundation
- Current Advisory Board Member of SA Leaders
- Current Customer Advisory Board Member of Corporate Traveller (SA)
- Current Associate: Corporate Citizenship (Global company involved in Environmental, Sustainability and Governance (ESG) consulting and reporting)
- Previous NED and Chair of CanDo4Kids (Townsend House)
- Previous NED of Sight for All

Current consulting work includes clients in Adelaide and Sydney in the following areas and sectors:

- **Executive and Leadership Coaching and Performance:**
 - Healthcare, Professional Services, Global Software (SaaS), Wine, Education, Marketing, Government
- **Business/New Market Planning:**
 - Industry Body/Association, Education, Professional Services
- **Strategic Reviews with Boards and Executives:**
 - Finance, Sporting, Legal, Education Services
- **Strategic Plan development:**
 - Defence, Government, Education, Professional Services
- **Board Governance Reviews:**
 - Sports, Pharmaceutical, Financial Services, Government
- **Strategic Advice and Consulting:**
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