

- For all vacancies less than 3 months and all casual appointments, complete pages 1 & 2 only.
- For all vacancies greater than 3 months, plus all fixed term contracts and Higher Duties appointments greater than 12 weeks; complete pages 1 – 4. A **signed copy of this completed form must be emailed** to the HR Services Business Partner no later than 10:00am Friday for the following Wednesday's EMT meeting.

Section 1: Position Details				
<input checked="" type="checkbox"/> New Position <input type="checkbox"/> Existing Position	Position Title: Safety Improvement Project Lead			Position Number:
Group: People & Systems		Branch: Governance & Risk		
Position Reports Directly to (in Org Structure): Manager Governance & Risk (Position & Name)				
Employment Status: Refer to the definitions found in the <i>Recruitment and Employment of Staff</i> protocol when selecting employment status.	<input checked="" type="checkbox"/> Permanent Appointment <input checked="" type="checkbox"/> Full Time	<input type="checkbox"/> Temporary Appointment <input type="checkbox"/> Part Time	<input type="checkbox"/> Casual Appointment <input type="checkbox"/> Job Share With Who:	<input type="checkbox"/> Fixed Term Contract Is this a child-related role? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Contract Period	Commencement Date: ____/____/____	Termination Date: ____/____/____	Total Hours per Week: 37.5	
Work Pattern: e.g. Mon – Fri, 8:30am – 5:00pm inc RDO	Mon – Fri, 8:30am – 5:00pm inc RDO			Total Hours per Week: 37.5
Salary Classification:	Ledger Number for Payroll Use (salary costs): _____ - _____ - _____			
	Salary/Wage:	Band:	Level:	Grade:
Motor Vehicle:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Operational Lease Only <input type="checkbox"/> Full Lease <input type="checkbox"/>	If a motor vehicle is applicable you must indicate whether the position will hold an operational only or full lease. Failure to provide this information will result in non-approval.		
Additional Benefits or Allowances:				
Location of Position: e.g. South Street Depot	Katoomba HQ			
Contact Person:	Grant McKay		Contact Phone: 47805671	

Section 2: Reason for Recruitment Action			
Details of vacancy review / reason for recruitment; i.e. resignation of employee:	Organisational need identified through an external review		
Name of Resigned Employee: (if applicable)	N/A		
What alternative options have been considered to fill the position?	None		
Impacts on the organisation if this recruitment is delayed:	Delay in commencing important business improvement initiatives		
Name of Employee arranged for assignment if applicable:			
Employment History: If no, please attach the following:	Has this person worked for BMCC previously, within the last 12 months?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/> 2 x Reference Checks <input type="checkbox"/> Resume <input type="checkbox"/> Copies of Identification <input type="checkbox"/> WWCC if applicable		

Section 3: Approvals Required – if Casual/Temp Less than 3 Months			
Branch Manager Signature:		Date:	____/____/____

Section 4: Human Resources Use Only			
Pre-Placement Health Assessment Required:	<input type="checkbox"/> Yes <input type="checkbox"/> No	WWCC Required:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Any additions/alterations to standard contract:	<input type="checkbox"/> Yes Specify: _____ <input type="checkbox"/> No		
If a new position, has this been reviewed by the Staff Consultative Committee?	<input type="checkbox"/> Yes <input type="checkbox"/> No Date: ____/____/____		
HRBP/Advisor Signature:		Date:	____/____/____

Section 5: Position Review	
Comment on whether the Position Description has been reviewed and outcomes of this: e.g. Job evaluation	Job Evaluation
How is this position funded? e.g. grant or other external funding	Internal funding
Previous Advertising:	Has this position previously been advertised within the last 12 months? If yes, provide vacancy number. <div style="float: right;"> Yes <input checked="" type="checkbox"/> No </div> Vacancy:

Section 6: Proposed Recruitment Panel		
Recruitment Panel:	Team Leader: Grant McKay	Position: Manager Governance & Risk
Note: All members of the recruitment panel must be of equal or greater salary classification than the position being recruited. The Independent panel member must be from outside the branch of the position being recruited.	Independent:	Position:
	Technical Expert: <i>Or other, if applicable</i>	Position:

Section 7: Summary	
Recommendation - Include any final comments for EMT's consideration, supporting the business case for recruitment:	

Section 8: Supporting Documentation Required

All supporting documentation must be supplied at the time of submission to your HRBP. Failure to do so may result in the delay of your request being forwarded to EMT.

- ☐ Position Description ☐ Competency Matrix ☐ Branch Structure *Highlight vacant position* ☐ Advertising Template

Section 9: Director Approval

Director approval is required before documentation is submitted to Human Resources.

Director Signature:

Date: / /

Section 10: EMT Approval

To be completed by an EMT representative or the Group Manager, People & Systems.

Authority to recruit has been:

☒ Approved☐ Declined

Date: 5 / 2 / 16

Changes, conditions and/or comments required for approval:

Authorising Signature for EMT:

Blue Mountains City Council

The City within a World Heritage National Park

<u>POSITION DESCRIPTION</u>	
Position ID	T00387
Position	Safety Improvement Project Lead
Reports to	Manager, Governance & Risk
Organisational Dimensions	Workforce: 550 Assets: \$393 Budget \$61 million Demographics 75,000 residents & 26 Townships
Position Dimensions	Budget \$0 Delegations \$0 Direct Reports 0
Band Level	S331
Evaluation Date	10 February 2016
<u>POSITION SUMMARY</u> Under the supervision and direction of the Business Improvement Program Office in council's Governance & Risk Branch, the position holder will lead a project to mature and further develop council's safety management system in accordance with the findings of the Safety Management Review that occurred in September 2015. It is envisaged the project will run for approximately 12 months with the possibility of extending.	

KEY RESPONSIBILITIES

1. Refine council's project plan for the maturing of its safety management system (SMS) ensuring that it addresses the development of an integrated suite of foundational policy & procedures and builds corresponding capability in safety incident reporting, investigation, data analysis, risk management, assurance and training
2. Provide advice on the most appropriate structure for the project, including but not limited to phasing, timeline, milestone, project risk, budget and outcomes
3. Execute this plan as the project lead under the governance of a 'program office' for business improvement
4. Work cooperatively and constructively with existing members of the safety team to progressively transition them into the maturing SMS
5. Ensure all aspects of organizational change management are included in the project plan and are adequately addressed in the plan's execution
6. Identify safety training needs across the organization and incorporate training programs into the project plan
7. Provide the business improvement program office with regular reports on the status of the project utilizing agreed performance metrics with particular attention to the attainment of agreed milestones
8. According to the demands of the plan and the expectations of the program office, develop cross functional coalitions to ensure that the momentum of the project is maintained
9. Design and execute, either directly or indirectly, regular assurance exercises to confirm system conformance and assess/quantify the developing maturity of the SMS

AUTHORITY AND ACCOUNTABILITY

- Policy and procedures are readily available but the jobholder is required to choose the appropriate processes. Unusual problems may be referred for clarity of policy or direction.
- Decisions made by the job holder affect the work and activities of all divisions of the council.
- The work of the jobholder influences the community within a specified service line through the application of technical skill or application of regulatory requirements.
- The job holder is involved in the development and maintenance of appropriate safety or other standards, or provides instruction and/or training concerning such standards.
- The job holder identifies requirements as an input to budget development.
- Monitor budgetary spending within work area, against pre-determined targets. Weigh up options on a cost basis in order to make recommendations and continuously look for greater efficiency within work area.
- This job has contract management responsibility of up to \$100,000.

JUDGEMENT AND PROBLEM SOLVING

- Problems are solved by evaluating and analysing readily available information. Judgement is important as there is often no right or wrong solution.
- The jobholder must evaluate a variety of issues in more complicated situations. Considerable investigation and adaptive thinking will be required.
- Ongoing planning is required to ensure strategic outcomes or the coordination of resources covering multiple work cycles or long term projects.
- Understand the customers' priorities to enable anticipation of their needs and demonstrate initiative in adapting team plans and goals to meet them.

MANAGEMENT SKILLS

- Occasional supervision of employees performing the same or very similar tasks.

INTERPERSONAL SKILLS

- This job requires written communication skills which enable the job holder to write detailed correspondence, reports and submissions that require original sentence and paragraph construction and wording.
- The jobholder is required to anticipate and pre-empt customer requirements and do utmost to meet these. In addition, the jobholder should monitor and evaluate the effectiveness of customer service provided and recommend modifications to improve service.
- Required as a major part of the job to provide service to internal customers, with accountability for measuring and consistently improving service.
- Responsible for establishing and communicating project team goals and objectives, and implementing the achievement of plans.

QUALIFICATIONS AND EXPERIENCE

- Thorough knowledge of several functions plus specialisation in one function OR a position requiring a high degree of expert knowledge in a major field of critical importance covering several separate disciplines. Jobs at this level require a wide education, probably including technical proficiency in a specialised area, University Bachelor degree or equivalent or extensive business experience.

SPECIALIST KNOWLEDGE AND SKILLS

- The operational knowledge needed by the jobholder includes knowledge of the structure and functions of the whole organisation.
- In addition, the job holder requires the following level of technical skills.

EXPERT KNOWLEDGE AREAS:

- PC Applications Software
- Project Management
- Risk Management
- Audit
- Workplace Health and Safety Program
- Workplace Health & Safety Legislation

SOLID WORKING KNOWLEDGE AREAS:

- Word Processing/Typing
- Statistical Analysis
- Data interpretation
- Corporate/Business Planning
- Cost/Benefit Analysis
- Equal Employment Opportunity
- Training & Development
- Human Resource Information System Management
- Best Practice and Benchmarking
- Rehabilitation

SELECTION CRITERIA:

ESSENTIAL

1. Extensive experience in, and knowledge of, safety management systems (SMS) and the manner in which they shape and control safety outcomes in complex organizations.
2. Demonstrated recent experience in reviewing, designing, implementing, managing change and assessing safety management systems, with particular emphasis on the enhancement of legacy systems including (but not limited to) aspects relating to worker's compensation, return to work, injury management, community safety and wellbeing.
3. Familiarity with business improvement methods and their application to the enhancement of management systems in general and safety in particular.
4. Demonstrated ability to lead/conduct a safety management system improvement project under the guidance and oversight of a business improvement program office.
5. Demonstrated experience in the building of capability as a key component of safety management system improvement, including (but not limited to) assurance.
6. Demonstrated ability to design and administer training as a means of achieving safety management system improvement.
7. Formal qualifications in WH&S combined with broad based industry experience.
8. Demonstrated oral communication skills, including the ability to liaise effectively and tactfully with management and operational staff to obtain information, present review findings and seek cooperation in the acceptance of recommendations for change/reform.
9. Demonstrated high level of skill in written communication, particularly with respect to presenting reports, preparing correspondence and other written material.
10. Demonstrated ability to work independently, to meet deadlines and to deal with confidential and sensitive information.
11. Understanding of continuous learning principles, equal employment opportunities, occupational health and safety, ethical practice principles and to act with probity at all times.
12. Demonstrated ability to work with and in multidisciplinary teams

Complete this form to indicate your advertisement preferences. It is to be completed in conjunction with the *Recruitment Requisition*. This completed form must be emailed to your HRBP no later than 12pm Friday.

Note: Human Resources will fund standard advertisement s in the Blue Mountains Gazette for a maximum of 2 weeks. The business area will incur all additional costs.

Section 1: Advertising Costs

Provide ledger number for advertisement costings:

_____ - _____ - _____

Section 2: Publication Preferences

	Section of Publication where advertisement will appear	When
Blue Mountains Gazette	<input type="checkbox"/> Positions Vacant	Following Wednesday
Sydney Morning Herald	<input type="checkbox"/> Local Government – Tuesday Edition <input checked="" type="checkbox"/> Positions Vacant – Saturday Edition	Following Tuesday Following Saturday
Penrith Press	<input type="checkbox"/> Positions Vacant – Friday Edition <input type="checkbox"/> Positions Vacant – Tuesday Edition	Following Friday Following Tuesday
Other Options	<input type="checkbox"/> Other Publications; i.e. Local Government Job Directory, Lithgow Mercury – please state: _____ <input checked="" type="checkbox"/> Internet Sites; i.e. Seek, MyCareer – please state: _____ <input type="checkbox"/> Target tertiary institutions or groups; i.e. universities – please state: _____	Various depending on selected advertising medium
Expression of Interest (EOI)	<input type="checkbox"/> EOI only – for internal positions. Refer to Human Resources	Council Intranet, Friday 5pm

All positions must be advertised for a minimum of 2 weeks. Do you wish to advertise for greater than 2 weeks?

☐ **No** ☐ **Yes** If yes, please indicate how many weeks you wish to advertise: _____

Section 3: Advertisement Body

Standard Introduction: This cannot be changed.	Experience career and lifestyle at its best, all within the beauty of a World Heritage National Park.		
Position Title:	Safety Improvement Project Lead		
Responsibilities: Insert one paragraph about position responsibilities, challenges, etc. Maximum word count is 100 words.	Under the supervision and direction of the Business Improvement Program Office in Council's Governance & Risk Branch, the position holder will lead a cross functional project to mature and further develop council's safety management system in accordance with the findings of a recent review. It is envisaged the project will initially run for 12 months with the possibility of extension.		
Requirements: Insert one paragraph about what you are looking for in your candidate – essential requirements only. Maximum word count is 50 words.	The successful candidate will have extensive experience in, and knowledge of, safety management systems (SMS) and the manner in which they shape and control safety outcomes and be able to demonstrate the ability to lead/conduct a safety management system improvement project under the guidance and oversight of a business improvement program office.		
Other Information: i.e. part time, job share, etc	Full time	Will this position primarily involve contact with children?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other Benefits: i.e. motor vehicle, etc			
Salary/Wage Classification: \$ to be inserted by HR			
Recruitment Team Leader: Contact for position enquiries			
Recruitment Team Leader Contact Number:			
Reference Number: To be inserted by HR		Closing Date: To be inserted by HR	
Standard Advert Close: This cannot be changed.	APPLICATION INFORMATION: Prior to lodging an application or contacting us for further information please review the full "Advertisement", "Position Description" and "Information on How to Apply" from our website www.bmcc.nsw.gov.au or call 4780 5000.		

Director Signature:	Date:	____/____/____
HRBP Signature:	Date:	____/____/____

Vacancy Number: V16/3490		Position Title: Safety Improvement Project Lead				
Rating Scale for Assessing Applications						
(1) Below standard required for this position		(2) Meets standard required for this position		(3) Generally exceeds the standard for this position		
		Applicants				
Rate applicants individually against each criteria using the rating scale above						
Note: applicants recommended for interview should be able to demonstrate all criteria						
ESSENTIAL CRITERIA Please insert additional rows if required						
1. Extensive experience in, and knowledge of, safety management systems (SMS) and the manner in which they shape and control safety outcomes in complex organizations.	1	1	1	2	2	2
2. Demonstrated recent experience in reviewing, designing, implementing, managing change and assessing safety management systems, with particular emphasis on the enhancement of legacy systems including (but not limited to) aspects relating to worker's compensation, return to work, injury management, community safety and wellbeing.	1	1	1	2	2	2
3. Familiarity with business improvement methods and their application to the enhancement	1	1	1	2	2	2

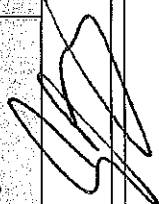

Original Issue: 1 August 2013
Current Version: 24 July 2013

Authorised By: Group Manager, People & Systems
Document Owner: Human Resources
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of management systems in general and safety in particular.									
4. Demonstrated ability to lead/conduct a safety system management improvement project under the guidance and oversight of a business improvement program office.	1	1	1	2	2	2	2	2	
5. Demonstrated experience in the building of capability as a key component of safety system management improvement, including (but not limited to) assurance.	1	1	1	2	2	2	2	2	
6. Demonstrated ability to design and administer training as a means of achieving safety system management improvement.	1	1	1	2	2	2	2	2	
7. Formal qualifications in WH&S combined with broad based industry experience.	1	1	1	2	2	2	2	2	
8. Demonstrated oral communication skills, including the ability to liaise effectively and tactfully with management and operational staff to obtain information, present review findings and seek cooperation in the acceptance of recommendations for change/reform.	1	1	1	2	2	2	2	2	
9. Demonstrated high level of skill in written communication, particularly with respect to presenting reports, preparing	1	1	1	2	2	2	2	2	

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correspondence and other written material.								
10. Demonstrated ability to work independently, to meet deadlines and to deal with confidential and sensitive information	1	1	1	2	2	2	2	2
11. Understanding of continuous learning principles, equal employment opportunities, occupational health and safety, ethical practice principles and to act with probity at all times.	1	1	1	2	2	2	2	2
12. Demonstrated ability to work with and in multidisciplinary teams.	1	1	1	2	2	2	2	2
Recommended for interview – please tick.	No	No	No	Yes (3)	Yes (2)	Yes (1)	Yes (f)	
Panel Members Signatures: Note all panel members must sign	 							

Interview Listing

Position Title: Safety Improvement Project Officer	Vacancy Number: V16/3490
Date: Monday 14 March, 2016	Location: Megalong Room HQ
Interview Panel: Grant McKay, Kirrilly Twomey and Mark Bruhn	

Name	Time	Contact Number	Attending (Y / N)	Email
[REDACTED]	9.00am	[REDACTED]	no	Withdrew application
Michael Shellshear	10.00am	[REDACTED]	yes	Confirmation sent
[REDACTED]	11.00am	[REDACTED]	Yes – telephone interview	Confirmation sent

Interview Checklist

Confirmation of Interview email Sent:	<input type="checkbox"/> Yes	<input type="checkbox"/>
Interview Listing Saved in TRIM:	<input type="checkbox"/> Yes	<input type="checkbox"/>
Interview Listing Emailed to Recruitment panel:	<input type="checkbox"/> Yes	<input type="checkbox"/>
Customer Service Staff Advised of Interviews:	<input type="checkbox"/> Yes	<input type="checkbox"/>
Unsuccessful Letters Sent :	<input type="checkbox"/> Yes	<input type="checkbox"/>

The Recruitment Team Leader is to ensure this form is completed post interview and forwarded to your Human Resource Business Partner.

Note: No verbal offers of employment are to be made until your Human Resource Business Partner has reviewed the vacancy file and advised the Recruitment Team Leader that an offer is ready to be made.


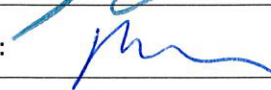

Position Details

Vacancy Number: V16/3490	Position Title: SAFETY IMPROVEMENT PROJECT LEADER		
Group: PEOPLE & SYSTEMS		Branch: Governance & Risk	
Number of Applications:	Females <input type="checkbox"/> 0	Males <input checked="" type="checkbox"/> 6	Reference Checks: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Salary Classification:		Date of Interviews: 14, 3, 16	

Applicant Ranking

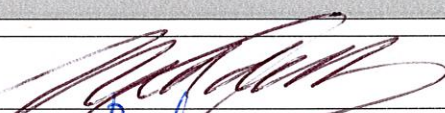
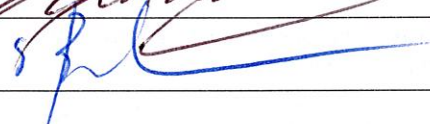
Exceeds Requirements for Position:	Meets Requirements for Position:
•	• Michael Shellshar
•	•
•	•
•	•
Needs Development for Position:	Not Suitable for Position:
•	•
•	•
•	•
•	•
The committee recommends the appointment of: Michael Shellshar	
Reasons for appointment: Solid alignment with the selection criteria.	

Recruitment Panel

Recruitment Team Leader:	Name: Grant McKay	Signature: 
Independent Panel Member:	Name: Mark Brown	Signature: 
Other Panel Member:	Name: KIRKILLY TWOMEY	Signature: 

* One applicant (**[REDACTED]**) withdraw despite being offered an interview. Another applicant, **[REDACTED]** and subsequently failed to attend his interview and subsequently withdraw.

Approval to Appoint

Group Manager	Signature: 	Date: <u>24 / 3 / 16</u>
HRBP	Signature: 	Date: <u>24 / 3 / 16</u>
Manager, P&S (if applicable)	Signature:	Date: <u> </u> / <u> </u> / <u> </u>

For Human Resources Use Only

Verbal Offer Made:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Agreed Commencement Date:	<u>18 / 4 / 16</u>
Interviewed Applicants:	Have all interviewed applicants been advised unsuccessful?		<input type="checkbox"/> Yes <input type="checkbox"/> No
Comments or Conditions to be included in Offer of Employment:			
Pre-employment health assessment required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	WWCC required:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Date Organised:	<u>31 / 3 / 16</u>	Date Organised:	<u> </u> / <u> </u> / <u> </u>

Angus Broad

From: Kirrilly Twomey
Sent: Thursday, 30 May 2019 12:22 PM
To: Grace Edmonds
Subject: FW: V16/3490 - Interviews [REDACTED]

From: Kirrilly Twomey <KTwomey@bmcc.nsw.gov.au>
Sent: Monday, 14 March 2016 1:40 PM
To: Grant McKay <gmckay@bmcc.nsw.gov.au>; Mark Bruhn <mbruhn@bmcc.nsw.gov.au>
Cc: Fiona Williams <FWilliams@bmcc.nsw.gov.au>
Subject: RE: V16/3490 - Interviews [REDACTED]

Thanks Grant – I am available tomorrow afternoon except for a meeting I have scheduled 4pm-5pm

From: Grant McKay
Sent: Monday, 14 March 2016 1:37 PM
To: Mark Bruhn; Kirrilly Twomey
Cc: Fiona Williams
Subject: V16/3490 - Interviews [REDACTED]

Mark and Kirrilly, after our unsuccessful attempts (numerous) to telephone candidate [REDACTED] at and well after the scheduled time today, I received a call from him at 1220 pm. After he queried why I was calling him, I cited our scheduled appointment for a telephone interview re V16/3490. He said he knew nothing of this and was still waiting to hear back from Fiona. I then offered to contact Fiona and make another appointment for a telephone interview for a time of his convenience. He replied that he was "Brisbane based" and had originally requested to be interviewed by Skype. After a brief time he then said, "...it's unlikely I'll move from Brisbane to the Blue Mountains for this role". I then said that you must have been prepared to do that when you submitted your application. He replied that he has been thinking about it since and was, "no longer interested". I then told him that his application was strong and would he like a few hours to think about it before making his decision. He replied, "no, I'll withdraw it..." I responded by asking him what had caused him to change his mind but in the interim he hung up the telephone on me.

Consequently, we are now down to a single candidate; Mr Michael Shellshear who we interviewed in person this morning. Could we reconvene briefly (even over the telephone) tomorrow afternoon when we (Mark, Rosemary and I) have finished interviews for V16/3491 (Program Leader Business Improvement). I want to ensure the preferred candidate for that position – whoever that turns out to be – compliments and is a good match for Mr Shellshear. If so, I'll then conduct some referee interviews and invite you to sign the Form 7 (all things being equal). Mr the preferred candidate for the BI role is not a good match, then we'll need to talk about next steps.

Kindest Regards,

Grant

Grant McKay | Manager Governance & Risk | t (02) 4780 5671 | m 0414 195 671 | e gmckay@bmcc.nsw.gov.au

Blue Mountains City Council B council@bmcc.nsw.gov.au www.bmcc.nsw.gov.au Locked Bag 1005 Katoomba NSW 2780

From: Grant McKay gmckay@bmcc.nsw.gov.au
Subject: Confidential Enquiry
Date: 2 August 2016 at 2:16 pm
To: Stuart Liddell SLiddell@bmcc.nsw.gov.au



Stuart, I spoke to a CRO contact of mine last night who referred me to a safety consultant called Philip Skinner, the principal of Arriscar Consulting. He operates out of Liverpool. I spoke to him a short while ago and have made an arrangement to meet up with him in Penrith next Tuesday for an informal meet and greet. He sounded promising on the telephone. I'll take John along as well.

Something for the mix.

Grant McKay | Manager Governance & Risk | t (02) 4780 5671 | m 0414 195 671 | e gmckay@bmcc.nsw.gov.au

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M: + 61 (0) 406 136 081

Level 26, 44 Market Street
Sydney, NSW 2000 Australia
www.arriscar.com.au

From: Grant McKay gmckay@bmcc.nsw.gov.au
Subject: Mark Mulligan
Date: 5 August 2016 at 11:37 am
To: Stuart Liddell SLiddell@bmcc.nsw.gov.au



Stuart, I've spoken to Mark. He sounds excellent and his consulting profile looks good as well. As you know, he's in Perth all next week. I've arranged to meet him in Bathurst on 17 August. I'll take John. In the meantime I'll send him some scoping material for pre-reading as he calls it.

In summary, we are speaking to Phillip Skinner next week in Penrith and Mark the following week in Bathurst. Hopefully we can line some ducks up and move this to the next level.

G

Grant McKay | Manager Governance & Risk | t (02) 4780 5671 | m 0414 195 671 | e gmckay@bmcc.nsw.gov.au

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Bag 1005 Katoomba NSW 2780

Jess Badman

Subject: Meeting with Phillip Skinner (Consultant)
Location: Penrith

Start: Tue 9/08/2016 11:00 AM
End: Tue 9/08/2016 12:00 PM

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Grant McKay

Categories: BI-PMO

John, see me for an explanation of what we will talk about, the approach and what we need to take.

Grant

Angus Broad

From: mulligan.mark [REDACTED]
Sent: Tuesday, 18 June 2019 3:02 PM
To: OLG SPI Blue Mountains Public Inquiry Mailbox
Subject: Fwd: RE: RE: Capability Outline

Hello Angus

As discussed, there will be a series of emails that I exchanged with Mr McKay and Mr Hargraves coming your way now in chronological order.

See first one below.

Regards

Mark

----- Original Message -----

From: "Grant McKay" <gmckay@bmcc.nsw.gov.au>

To: "mulligan.mark mulligan.mark" [REDACTED]

Sent: Friday, 12 Aug, 2016 At 1:38 PM

Subject: RE: RE: Capability Outline

Thanks mark. The location and time work well. I'll remind John about the reading material.

Grant

Grant McKay | Manager Governance & Risk | t (02) 4780 5671 | m 0414 195 671 | e gmckay@bmcc.nsw.gov.au

Blue Mountains City Council B council@bmcc.nsw.gov.au www.bmcc.nsw.gov.au Locked Bag 1005 Katoomba
NSW 2780

From: mulligan.mark mulligan.mark [REDACTED]
Sent: Friday, 12 August 2016 12:18 PM
To: Grant McKay
Subject: Re: RE: Capability Outline

Hello Grant

Let's confirm 10:00 am at "The Hub" next Wednesday.

52 Keppel Street - good coffee and plenty of room.

Are you able to send that pre-reading material?

Cheers

Mark

----- Original Message -----

From: "Grant McKay" <gmckay@bmcc.nsw.gov.au>

To: "mulligan.mark mulligan.mark" [REDACTED]

Sent: Friday, 5 Aug, 2016 At 10:46 AM

Subject: RE: Capability Outline

Mark, thank you. Very impressive background. Could we aim to catch up on Wednesday, 17 August somewhere in Bathurst? Any time after 10 am will work for us coming from Katoomba.

Look forward to meeting you. I'll send you some scoping material ASAP for your pre-reading.

Kindest Regards,

Grant

Grant McKay | Manager Governance & Risk | t (02) 4780 5671 | m 0414 195 671 | e gmckay@bmcc.nsw.gov.au

Blue Mountains City Council B council@bmcc.nsw.gov.au www.bmcc.nsw.gov.au Locked Bag 1005 Katoomba
NSW 2780

From: mulligan.mark mulligan.mark [REDACTED]
Sent: Friday, 5 August 2016 10:14 AM
To: Grant McKay
Subject: Capability Outline

Hello Grant

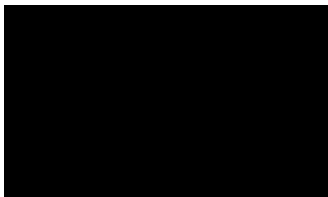
Please see attached capability outline and confirming my availability for a meeting in Bathurst on the 15th, 16th or 17th of August.

I look forward to meeting with you then.

Regards

Mark Mulligan
Managing Partner

MA & SE Mulligan Consulting Services



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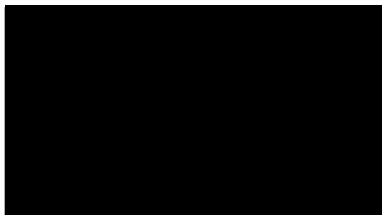
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Regards

Mark Mulligan

Managing Partner

MA & SE Mulligan Consulting Services



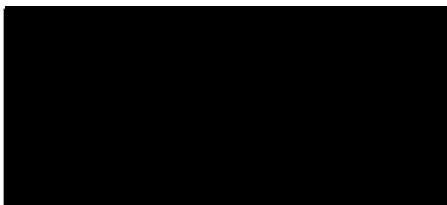
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Regards

Mark Mulligan
Managing Partner

MA & SE Mulligan Consulting Services



Angus Broad

From: mulligan.mark mulligan.mark [REDACTED]
Sent: Tuesday, 18 June 2019 3:03 PM
To: OLG SPI Blue Mountains Public Inquiry Mailbox
Subject: Fwd: CONFIDENTIAL: Briefing Paper - BMCC Safety Improvement Project
Attachments: 20160817 Briefing Paper.pptx

email #2

----- Original Message -----

From: "John Hargreaves" <jhargreaves@bmcc.nsw.gov.au>
To: "Mark Mulligan (WHS consultant)" [REDACTED]
Cc: "Grant McKay" <gmckay@bmcc.nsw.gov.au>
Sent: Monday, 15 Aug, 2016 At 12:01 PM
Subject: CONFIDENTIAL: Briefing Paper - BMCC Safety Improvement Project

Hello Mark.

Please find attached a briefing paper for your review prior to our meeting on Wednesday this week.

Should you have any questions prior to us meeting, please feel free to call me – my contact details are below.

Regards,

John

John Hargreaves | Program Leader Business Improvement / Governance & Risk / People & Systems | t (02) 4780 5934 | m 0404 828 441 | e jhargreaves@bmcc.nsw.gov.au

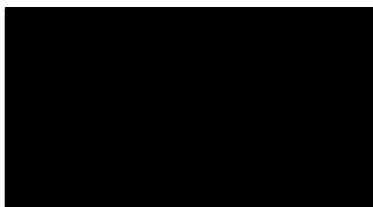
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Regards

Mark Mulligan
Managing Partner

MA & SE Mulligan Consulting Services



Jess Badman

Subject: Meeting with Mark Mulligan
Location: "The Hub" 52 Keppel Street, Bathurst
Start: Wed 17/08/2016 10:00 AM
End: Wed 17/08/2016 12:00 PM
Recurrence: (none)
Meeting Status: Not yet responded
Organizer: Grant McKay
Categories: Safety
Importance: High

John, note change of time and confirmation of venue.

Let's talk about the pre-meeting reading material for Mark.

Grant

Angus Broad

From: mulligan.mark mulligan.mark <[REDACTED]>
Sent: Tuesday, 18 June 2019 3:04 PM
To: OLG SPI Blue Mountains Public Inquiry Mailbox
Subject: Fwd: BMCC Safety Improvement Project - information files for your review
Attachments: Safety Management Review (Willis) - Final.pdf; Risks - as derived by M.Shellshear from Willis Review.xlsx; As-Is Accident Incident Form 1 - Nov2015.doc; As-Is Accident Incident Investigation Report Form 2 - Aug2010.doc; Hazard Identification Procedure [and form].pdf; BMCC Group Structure April 2016.pdf; To-Be Processes (MM copy).docx; To-Be Processes (MM copy).docx

Email #4

----- Original Message -----

From: "John Hargreaves" <jhargreaves@bmcc.nsw.gov.au>
To: "Mark Mulligan" <[REDACTED]>
Cc: "Grant McKay" <gmckay@bmcc.nsw.gov.au>
Sent: Tuesday, 23 Aug, 2016 At 5:27 PM
Subject: BMCC Safety Improvement Project - information files for your review

Hi Mark.

Sorry about the delay in getting these files/information. Some political hurdles to jump. As a starter attached are:

1. Willis Review – external review of the Safety Management System
2. Willis Review risks with Michael Shellshear assessment on progress
3. 2 x current/As-Is documents + a procedure with associated form
4. Hazard Identification procedure
5. High level org. chart to manager level with titles and names
6. To-Be Incident Management process draft

For BMCC context go to the “2013-2017 Delivery Program (incorporating the annual Operational Plan)” document at:

<http://www.bmcc.nsw.gov.au/files/Delivery%20Program%20and%20Operational%20Plan%202016-2017.PDF>

Other documents related to BMCC can be found at:

<http://www.bmcc.nsw.gov.au/yourcouncil/integratedplanningforservices#>

Current Project Plan yet to be viewed by Stuart; will forward as soon as ok'd. Will also send through recent report to PSSG.

Looking forward to seeing you next Monday.

Feel free to call either Grant or me re. any queries you may have.

Regards,

John

John Hargreaves | Program Leader Business Improvement / Governance & Risk / People & Systems | t (02) 4780 5934 | m 0404 828 441 | e jhargreaves@bmcc.nsw.gov.au

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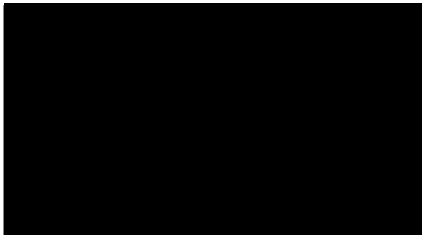
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Regards

Mark Mulligan
Managing Partner

MA & SE Mulligan Consulting Services



From: Grant McKay gmckay@bmcc.nsw.gov.au
Subject: Meeting with Mark Mulligan
Date: 5 September 2016 at 9:54 am
To: Stuart Liddell SLiddell@bmcc.nsw.gov.au



Stuart, I'd like you and I to have a chat with Mark before he leaves today. The purpose would be to form a shared view on Mark's involvement in the medium term. I have a one on one with you at 2 pm. We could speak to Mark during this time or schedule something later in the day. What's your preference.

Grant

Grant McKay | Manager Governance & Risk | t (02) 4780 5671 | m 0414 195 671 | e gmckay@bmcc.nsw.gov.au

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Bag 1005 Katoomba NSW 2780



Stuart, a few points before I go on leave:

PSSG

As discussed at last 'one on one', PSSG is currently scheduled for next Friday, 16 September. I will be on leave and Mark Mulligan is unavailable (now confirmed). I recommend that we either postpone this meeting to Friday, 7 October or cancel it altogether. Mark will be commencing his engagement on Wednesday, 5 October and will work on the Thursday and the Friday of that week. I think it is absolutely crucial that he be present at this meeting to introduce himself to participants (to frame the reset of the project) and to present his draft project plan. JH absolutely agrees. I will be present as will JH and TA. This will also give us time to socialise the draft plan with you and Robert, and reposition the reporting metrics. I also want to give MM the opportunity to see TA in action at the meeting. I want everybody to come away from this meeting assured.

Acting M/G&R

I would like to act up JH in this role. I've spoken to him about this and he is keen. I would also like him to meet with you next Monday at 2 pm in my scheduled slot. Once you agree, I will communicate this to the branch.

Letter of Engagement for MM

JH has drafted a letter of engagement for MM. He will talk you through this at your one on one on Monday.

SIP Project Plan

MM has now completed his mark-up of the draft project plan. JH is currently refining and will talk you through it at your one on one on Monday.

Procurement Improvement Project (PIP)

Initial focus group this afternoon. JH will update you next week.

Grant

Grant McKay | Manager Governance & Risk | t (02) 4780 5671 | m 0414 195 671 | e gmckay@bmcc.nsw.gov.au

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Bag 1005 Katoomba NSW 2780

From: Grant McKay gmckay@bmcc.nsw.gov.au
Subject: FW: RE: RE: Meeting Follow Up
Date: 20 September 2016 at 2:01 pm
To: John Hargreaves jhargreaves@bmcc.nsw.gov.au



John's comment – an extra (4th) day was added to the initial PO to allow for additional work on the Project Plan to be done off-site.
This work to be done as a phase 1 engagement of Mark Mulligan.

John, as discussed.

Grant

Grant McKay | Manager Governance & Risk | t (02) 4780 5671 | m 0414 195 671 | e gmckay@bmcc.nsw.gov.au

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From: mulligan.mark mulligan.mark [REDACTED]
Sent: Tuesday, 23 August 2016 8:47 AM
To: Grant McKay
Subject: Re: RE: RE: Meeting Follow Up

OK

So we are locking in the 29th and 30th of August (next week) and the 5th of September?

Regards

Mark

----- Original Message -----

From: "Grant McKay" <gmckay@bmcc.nsw.gov.au>
To: "mulligan.mark mulligan.mark" [REDACTED]
Cc: "John Hargreaves" <jhargreaves@bmcc.nsw.gov.au>
Sent: Monday, 22 Aug, 2016 At 9:57 AM
Subject: RE: RE: Meeting Follow Up

Thanks Mark. I'm thinking now that 5 September may be better than 12 September in terms of moving this along. If you are still available for 5 September could you book that date in preference.

John is assembling a package of information for you. We'll contact you about this shortly.

Grant

Grant McKay | Manager Governance & Risk | t (02) 4780 5671 | m 0414 195 671 | e gmckay@bmcc.nsw.gov.au

From: mulligan.mark mulligan.mark [REDACTED]
Sent: Friday, 19 August 2016 8:44 AM
To: Grant McKay
Subject: Re: RE: Meeting Follow Up

That's great news Grant

I have locked those days away for you now.

Please call me on the mobile anytime Monday and we can work out the detail.

I have attached my PI and PL insurance certificate in preparation for the engagement.

Regards

Mark

----- Original Message -----

From: "Grant McKay" <gmckay@bmcc.nsw.gov.au>
To: "mulligan.mark mulligan.mark" [REDACTED]
Cc: "John Hargreaves" <jhargreaves@bmcc.nsw.gov.au>
Sent: Thursday, 18 Aug, 2016 At 5:14 PM
Subject: RE: Meeting Follow Up

Mark, it was great to catch up with you. Fantastic about your dates. I'd like you up here for an initial three days as discussed yesterday for 29, 30 August and 12 September. John will be here all of those days and I will be here on the first two. This will allow you make an appreciation of what we are attempting to achieve, assess capability/timeline and give a preliminary view on how we should structure your engagement in the initial phase. Happy to look at resetting aspects of the project on your advice. I hope your OK with this approach.

I'm in training all day tomorrow so perhaps we can touch base on Monday over the telephone to discuss details. What time would be good with you?

Thanks again. John and I are looking forward to working with you on this challenging project.

Grant

Grant McKay | Manager Governance & Risk | t (02) 4780 5671 | m 0414 195 671 | e
gmckay@bmcc.nsw.gov.au

From: mulligan.mark mulligan.mark [REDACTED]
Sent: Thursday, 18 August 2016 3:11 PM

Sent: Thursday, 10 August 2016 3:11 PM

To: Grant McKay; John Hargreaves

Subject: Meeting Follow Up

Hello Grant/John

Thanks again for making the trip to Bathurst yesterday.

Your safety challenges and the opportunity to delivery a transformational project are very exciting.

In light of our conversation and the time frames you have outlined, I have reviewed my current commitments and could condense a component of my current workload into September and October to potentially be available to you on the following basis:

August: 29 and 30

September: 5 and 12

October: 3,4,5,10,11,12,17,18,19,24,25,26

November: 5 days per week excluding the 29th

December: 5 days per week until 23 December

I could then be available from 27 January onward for an average of 4 days per week for the duration of the project.

As discussed my short term (less than 30 contracted days) daily rate is \$1800 but for contracts beyond 30 days I can reduce my rate to \$1600

I trust this assists in planning a way forward and please call me if I can be of any further help.

Regards

Mark Mulligan
Managing Partner

MA & SE Mulligan Consulting Services

[REDACTED]

[REDACTED]

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Regards

Mark Mulligan
Managing Partner

MA & SE Mulligan Consulting Services

[REDACTED]

[REDACTED]

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Regards

Mark Mulligan
Managing Partner

MA & SE Mulligan Consulting Services

[REDACTED]

[REDACTED]

Angus Broad

From: mulligan.mark mulligan.mark [REDACTED]
Sent: Tuesday, 18 June 2019 3:05 PM
To: OLG SPI Blue Mountains Public Inquiry Mailbox
Subject: Fwd: confirmation letter - Oct-Dec 2016
Attachments: Contract Confirmation - Oct-Dec 2016.pdf

Email #6

----- Original Message -----

From: "John Hargreaves" <jhargreaves@bmcc.nsw.gov.au>
To: "Mark Mulligan" [REDACTED]
Cc: "Grant McKay" <gmckay@bmcc.nsw.gov.au>
Sent: Monday, 12 Sep, 2016 At 3:47 PM
Subject: confirmation letter - Oct-Dec 2016

Hi Mark – please find attached letter confirming 3 days/week at \$1,600/day for Oct-Dec 2016.

The original is in the post.

I have also worked on updating the project plan, as per your input – albeit a few minor amendments which I will explain – and have given a copy to Stuart for review.

I need to update the appended activity list and will send you a copy after Stuart has reviewed.

Regards,

John

John Hargreaves | Program Leader Business Improvement / Governance & Risk / People & Systems | t (02) 4780 5934 | m 0404 828 441 | e jhargreaves@bmcc.nsw.gov.au

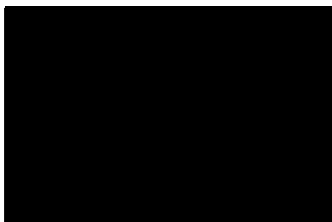
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Regards

Mark Mulligan
Managing Partner

MA & SE Mulligan Consulting Services



9 September 2016

Reference File: 16/183288

Mr Mark Mulligan
MA and SE Mulligan
[REDACTED]

Dear Mark

SUBJECT Contract Confirmation

Please accept this letter as confirmation of your consulting services for the period October – December 2016; this being 3 days/week: normal days will be Monday, Tuesday, and Wednesday. Start date will be Wednesday, October 5th, with your plan to work Wed/Thu/Fri that first week. The daily rate is agreed at \$1,600.00.

You have also noted your unavailability on Tuesday, November 1st and Tuesday, November 29th.


This arrangement is scheduled to finish on Friday, 23 December 2016.

We look forward to our continued work with you. Please advise if you have any questions regarding this arrangement.

Yours faithfully



Stuart Liddell
Group Manager, People & Systems

From: Steve Irwin SIrwin@bmcc.nsw.gov.au 
Subject: FW: Your Help and Guidance Needed
Date: 8 May 2017 at 7:42 am
To: Jasmine Cooper JCooper@bmcc.nsw.gov.au



Jasmine...just in case Robert sent you the messed up version of my email . Here is the copy I sent a couple of minutes later , it won't need translatingawaiting a meaningful and worthwhile response thanks Steve

From: Steve Irwin
Sent: Monday, 1 May 2017 3:07 PM
To: Robert Greenwood
Subject: Your Help and Guidance Needed

Robert , Sorry about poor email here it is again

I am writing to you to voice my disappointment in the lack of any response either by email ,phone or face to face since your email of 25 November 2016 from anyone . It is coming up to 6 months . In your email Robert you said I would receive a response.

In our VISION /MISSION /VALUES statement it says I always respond politely . Maybe everything has been finalised and the review is over , but even still some sort of response would have been appreciated.

In my email to you I said..... *I felt like I was ignored through the whole ordeal....* I think this proves my feelings were warranted. Even though it has been almost 6 months since I raised the 2 orders I still feel uneasy in what I did and nothing I have seen or heard have lessened those feelings.

I was sent an email from my director on the 16 November stating all was fine and even quoted trim file numbers where all the information was held unfortunately these file were locked.

Robert ,as you know I have been here a long time and have been a conscientious employee over that time , all I can ask for is to be told the truth when I ask a question ,sadly in this situation I don't think I am being told the truth.

I would really like for this situation to be over and to have my concerns put to rest . Once again our Vision statement suggests that *we are open and honest with people*.

I think I have been treated really poorly though this entire process Robert and sadly I don't think I will be doing anything like this again.

I would be a real show of good faith if someone with answers could respond.

Regards steve

From: Robert Greenwood
Sent: Friday, 25 November 2016 3:13 PM
To: Steve Irwin
Cc: Melanie Trezise; Geoff Whatmore
Subject: RE: Your Help and Guidance Needed

Dear Steve.

You will be receiving a response from the acting Executive Officer who is doing the review.

Raising concern is appropriate and the matter is being reviewed appropriately.

Regards,

Robert

Robert Greenwood | General Manager | t 02 4780 5518 | e rgreenwood@bmcc.nsw.gov.au

Blue Mountains City Council • council@bmcc.nsw.gov.au • www.bmcc.nsw.gov.au • Locked Bag 1005
Katoomba NSW 2780

From: Steve Irwin
Sent: Friday, 25 November 2016 2:09 PM
To: Robert Greenwood
Subject: Your Help and Guidance Needed
Importance: High

Robert, the reason I am emailing is because I was the one who raised the orders for the two held requisitions and I am feeling compromised and uneasy.

Over the last few weeks I have been witness to a chain of events in which a colleague and myself raised concerns with management over certain procurement processes. The matter was first raised with our director and our concerns were also made known to the Executive officer.

An email was then sent to yourself regarding the issues a week or two later. A second email was sent to our director and last of all an email was sent to the acting Executive officer. In each of the emails we asked for clarity and a clear direction in which to follow.

A number of simple questions were raised and we waited each time for a response. The chain of events are now over but our concerns are not, in fact they have multiplied.

At no time in this entire process were we given anything that even resembled an answer. When a response did come it was untimely and confusing. In fact through the whole ordeal we felt ignored.

My real question in all this isdid we do the right thing by raising our concerns and if we were to stumble across a similar situation again do we keep quiet and do nothing ..?

If the recent events are anything to go by I am not sure what is best to do. We thought we were doing the right thing, we are appealing to you as the GM for help and guidance in this matter.

A prompt reply would be appreciated.

Mark

I would like to request your approval to raise two orders from the following requisitions:

Firstly req 132104, from Yasoda in Governance & Risk, that I have a few concerns over. Given the current ongoing situation in relation to the Procurement Review, I am concerned about how to proceed. I understand how this query may be perceived, however in my role as Purchasing Coordinator I would be remiss in not raising these concerns, as it is a test of council's procurement processes.

The requisition is for Internal Auditing to a value of \$80000. There are no references to quotations received on the requisition, as required by Council's Written Quotation Protocol. Additionally, this is the second order this year on Centium for internal auditing, the previous order with a value of \$59690. This year the expenditure is over \$140000, well in excess of Council's tender limit. It also raises the issues, as spelt out in the above mentioned Procurement Review, of potential order splitting, (finding 14), and multiple orders on the same supplier, (finding 15).

Secondly, req 132145 from John Hargreaves. This is for Consulting Services on MA & SE Mulligan to a value of \$65000, once again no reference to quotations received. The tender/quote reference is quoted as N/A. Not Applicable? This is the second order raised this year on this supplier with possibly no quotes received which once again raises the possibility of supplier favouritism.

Your advice and approval on this matter would be appreciated, as normal procedure would be to refer these questions to the Internal Auditor.

Thanks
Geoff Whatmore
Purchasing & Supply Coordinator

Thanks for the reply Mark. I note your direction to process the requisitions however I have some genuine concerns about whether the required processes have been followed in these instances. There are three key principles in the procurement process, especially in relation to the spending of public monies, as stated by the NSW Department of Premier and Cabinet. When considering expenditure they must ensure that they:

Are open, transparent and accountable in their dealings.
Ensure that their dealings promote fairness and competition, and
Obtain best value.

In regards to the two requisitions under discussion, I have yet to see how they follow these principles, and therefore how they comply with Council's requirements. Following my original request, I was advised that you were satisfied that written quotations for both contracts have been received, and referred me to the two Trim files, F10028 and F10099. On investigation it was found that both those Trim files were locked and access was denied. How is this open and transparent? How many quotations were received.? The Written Quotations Procurement Standard is very clear on the requirements of quotations where the expenditure is greater than \$50001.00, advertising on Council's internet page for example. All of the requirements, as follows, need to be included on the appropriate Trim file also.

Approval to Procure by Written Quotation
Checklist for Preparation of Written Quotations Request
Quotation Documents
Evaluation Criteria
Independent assessors analysis and sign off
Comparative Analysis
Approval to Engage Supplier
Summary of Written Quotations

The apparent reluctance in this instance to provide access to this information appears to indicate that the above requirements were not carried out. If this is the case, we need to ask, are there any conflicts of interest, how is this process transparent, how are we promoting fairness and competition, are we obtaining value for money. The standard is also very specific in regards to the sanctions for non-compliance.

Additionally, requisition 132104 on Centium for \$80000 would mean expenditure this year exceeds \$140000, in excess of council's tender limit of \$120000. As you noted, this second order was raised following market testing in the new financial year, so in effect would be a new engagement. Section 55 (1)(h) of the Local Government Act 1993 states "A council must invite tenders before entering into any of the following contracts: a contract requiring the payment of instalments by or to the council over a period of 2 or more years". Advice may need to be obtained to ascertain if this falls within this requirement.

These issues highlight a concern raised in the response to the Procurement Review. Internal audit and Governance control Strategic Procurement. They are answerable to themselves when it comes to major procurement.

Your further advice on how to proceed would be appreciated. External advice will also be sought

Thanks

From: Jasmine Cooper MAILER-DAEMON 
Subject: Confidential: Request for guidance
Date: 12 May 2017 at 3:55 pm
To: Steve Irwin Slrwin@bmcc.nsw.gov.au



Dear Steve,

Thank you for your email dated 1 May 2017 as sent to the General Manager. As you have requested, I am writing to you to provide clarification and to advise you that the review is concluded.

To clarify, the report of concerns for requisition processes, which became the trigger for the review, was reported by the Purchasing and Supply Coordinator and so, in this regard, that person is the person making the report.

While I thank you for your concern in relation to this matter, you were and are not considered to be the reporter for the purposes of the conduct review.

However, as you have expressed concern over the matter, let me please assure you that the matter has been considered through a review process. This review found that was no breach of the Code of Conduct.

As you are aware, there is a business improvement project underway in relation to organisational procurement processes. Through that project there may be amendments to policy and process, and the recommendations and actions of this will be communicated through management.

Your contribution to the business improvement program may be appropriate for consideration in that process, and so your input may be provided through your manager.

Finally, the Council acknowledges that some staff may find it challenging and confronting to report concerns. It takes courage to participate in these circumstances. The honest contributions of our staff in conduct review matters echoes the values of the organisation for a safe and ethical workplace. On behalf of the Council and the General Manager I wish to thank you for raising your concerns. Should you require any support or assistance, please contact Scott Buchanan, HR Business Partner on 4780 5688 or the Employee Assistance Program on 1300 361 008.

Kind regards,
Jasmine

Jasmine Cooper | Executive Officer | t 02 4780 5600 | e JCooper@bmcc.nsw.gov.au

Blue Mountains City Council ● council@bmcc.nsw.gov.au ● www.bmcc.nsw.gov.au ● Locked Bag 1005
Katoomba NSW 2780

18 May 2017

Office of the General Manager

Your ref: E16/1662

Our ref: F10552 – 17/95522

Independent Commission Against Corruption
GPO Box 500
Sydney
NSW 2001

Dear Commissioner,

CONFIDENTIAL

Request for Council information

I note you have requested information related to the following 3 contracts (the contracts);

- (1) Centium Group for \$80,000.00
- (2) Centium Group for \$60,000.00
- (3) MA & SW Mulligan for \$65,000.00.

I set out below information relating to the contracts and the procurement process followed in connection with the contracts including any failure to comply with Councils policy and procedures.

I have also set out below, to the extent Council is aware, reasons for deviating from the standard process and action taken.

The matter was reviewed by Council and the complete report is enclosed with this letter for your records. There are matters which are ongoing and therefore, this report and information enclosed is provided to the ICAC in strict confidence.

Summary

Using your lettering I advise as follows:

- (a) The standard procurement process was not followed, and
- (b) The standard policy and procedures were not complied with by Council.

Council has enquired into the procurement process in connection with the contracts and found non-compliance and taken managerial action. It must be noted, that the review found:

- That there were attempts to comply with policy, however, the policy is outdated and references redundant roles. Furthermore, the officers sought to

acquire the required three written quotes but found there to be limited suitable and willing vendors;

- Mitigating circumstances, relating to the risk exposure in not progressing the WHS compliance program and the changing staffing arrangements in internal audit which posed risk to the completion of the internal audit program;
- The procurement processes and engagement of services lacked any improper or malicious intent, sought to achieve positive compliance outcomes for the organisation, and was consistent with officer patterns of past conduct.

The review determined that the processes that lead to the engagement of services was appropriate, well-considered, followed internal approval processes and aligned with the council policy to the best abilities of the staff.

The draft report was submitted for external independent review which is subject to legal professional privilege.

Set out below is an outline of Council's internal review of the matter and Council's ongoing actions.

Investigation

The concerns raised by a Council officer were identified as requisitions 132104 and 132145 and raised concern for non-compliance with Council policy and implied breach of the Code of Conduct in relation to undue influence and conflict of interest.

Council considered if the report was indeed vexatious in nature, however, due to the potential seriousness of the allegations, the Council determined to review the matter.

The investigation found:

- That the report may be considered as having not been made with good will and may be vexatious in nature;
- That the report may be considered as being the result of dissatisfaction with a structural review of the officer's branch, and/or, reflective of the expressed discontent with the potential impact of the procurement review on officer roles and functions;
- That the primary subject officers have expressed concerns for their ability to efficiently and effectively conduct their work in an environment where, by the nature of their roles, council officers may be able to express discontent in a manner that appears to intend to intimidate and influence decision making in the organisation;
- That the primary subject officers have expressed concerns for their ability to efficiently and effectively support and manage secondary subject officers in an environment where they feel undermined by their colleagues;

- That the reporting officer and subordinate officer gained unauthorised access to sensitive information, being the Internal Audit procurement review report, and this may be considered for further investigation; and
- That the anomaly identified within Council Online Purchasing Requisition System (OPRS) records may be considered for further investigation having given a prima facie appearance that the record may have been tampered with.

Public Interest Disclosure (PID)

It is noted that the Commission has received the report under the provisions of *Public Interest Disclosure Act 1994* ("PID Act").

The Council considered this matter to be a role report which may have fallen under the provisions of PID Act.

However, the following was also taken into account at the time of the report, including:

- The reporting officer and their subordinate officer gaining unauthorised access to the confidential internal audit report on procurement.
- The reporting officer and their subordinate officer had raised their concerns for the audit process and their role in consultation.
- Management took steps to address the concerns raised by the reporting officer and subordinate officer in relation to the reference to procurement and Council Store in the audit through meetings, education and explanation on audit processes and business improvement initiatives, however, these officers displayed reluctance to accept the advice and support offered. This training and support was provided by Mr Stuart Liddell and Mr Grant McKay who became the subjects of the allegations.
- The subject of the procurement audit and procurement policy has been the theme of regular Union correspondence, some of which referenced the reporting officer and their subordinate officer.
- A structure review was commenced within the Fleet and Supply Team in August 2016 and an officer of that team's employment concluded in January 2017.

As these matters were underway at the time of making the report, the Council considered that the motivations for making the report may be to avoid performance management or structural review, to frustrate operational processes, and may be linked to ongoing correspondence which aims to intimidate. As such, the Council determined that the report did not meet the criteria of a report under the PID Act.

The report and ongoing actions of the staff revealed a pattern of conduct which the Council considers confirmed the above in some respects and requires further investigation in others.

Investigation findings

The Council conducted an internal review of the concerns raised. The findings of the review were:

- That, in relation to matters identified relating to the process for the engagement of Internal Audit services in 2015/16 and 2016/17 with Centium the allegation of a breach of Council policy is unfounded;
- That, in relation to matters identified relating to the process for the engagement of Consulting Services from vendor MA & SE Mulligan in 2016/17 the allegation of a breach of Council policy is unfounded.
- That, in relation to matters identified relating to the engagement of consultation services from vendor MA & SE Mulligan the allegation that the contract was a result of an existing relationship with a decision-making officer, constituting a breach of the Code of Conduct is unfounded;
- That the allegation of undue influence in relation to the engagement of vendor MA & SE Mulligan is unfounded; and
- That the procurement policy documents require review to provide clarity, structure and direction for procurement processes, procurement officers and the organisation as a whole. The review considers that this is being addressed through the Business Improvement program.

Action taken to address matters arising

The Business Improvement Program is a business framework which was initiated out of the Governance & Risk Branch in approximately May 2016 with the key actions being to conduct systemic organisational transformation projects. The initial projects of the Business Improvement Program are the Safety Improvement Program and the Procurement Improvement Program.

The Business Improvement program is working to address the inefficiencies in the procurement policy suite of documents as an organisational priority to provide clarity, structure and direction for procurement processes, procurement officers and the organisation as a whole.

The Business Improvement program is working to address the inefficiencies in WHS compliance and reporting as a priority to address areas of non-compliance and risk associated with the current WHS program.

Mr Mulligan was engaged and service concluded within the three month period which is compliant with temporary employment policy.

The Director Service Delivery has met with relevant officers to provide support and role clarity to the Fleet and Supply team, in particular to the Purchasing and Supply Coordinator.

During the course of this review an anomaly was identified in Council records. On reviewing the requisitions raised by the reporter, the reviewer identified that requisitions 132104 (raised by Ms Yasoda Wickramasekera) and 132145 (raised by Mr John Hargreaves) show a \$1 unit cost within Council Online Purchasing Requisition System (OPRS) records. This potential inconsistency has been referred

for independent consideration to Procure Group to make initial enquiries into the matter. This anomaly is identified in page 10 of the final report.

The unauthorised access to the Internal Audit report is being further considered internally and should information relevant to the conduct be identified, it is anticipated that this would be referred for external review.

The receipt of anonymous correspondence has continued and the documents have been referred for independent external analysis with Forensic Document Examiners and a statement is to be made to Police on the matter.

The reporter has requested a copy of the complete report concerning the investigation; however, due to matters which are unresolved and ongoing as outlined above, the reporter has been advised as stated:

"The Procedures for the Administration of the Code of Conduct (Part 8.39) entitles you as the complainant to a copy of the final report on a confidential basis (Part 13).

As you know and from my email dated 3 March 2017, the concerns that you raised have been the subject of a review which has concluded. As such, as I advised in my letter dated 8 February 2017, there is no further action.

For reasons I am unable to disclose at this time, when I can provide you with a copy of the final report is as yet unknown. That said, I will endeavour to provide a copy of the final report to you at the earliest opportunity, in the circumstances."

Further information

Should you require further information, please contact the Council's Executive Officer, Ms Jasmine Cooper, on 4780 5600.

Yours sincerely,


ROBERT GREENWOOD
General Manager

From: Steve Irwin SIrwin@bmcc.nsw.gov.au
Subject: RE: on going concerns
Date: 25 May 2017 at 8:43 am
To: Jasmine Cooper JCooper@bmcc.nsw.gov.au
Cc: Robert Greenwood RGreenwood@bmcc.nsw.gov.au



Dear Jasmine

I am still waiting for a response , can you assist or advise on headway... regards Steve

From: Steve Irwin
Sent: Monday, 15 May 2017 1:27 PM
To: Jasmine Cooper
Cc: Robert Greenwood
Subject: on going concerns

Dear Jasmine

Thank you for your response to my email to Robert . It is however disappointing that this took a 2nd email to Robert to get this response from you. I first emailed Robert on 25 November last year. Following this , Robert responded within minutes stating that Melanie Trezise was doing the review and that I would be receiving a response from her . Prior to this by only minutes Melanie Trezise emailed me saying for me to have patience as WE go through this process . Seeing that you have responded on Roberts behalf You in fact did the review and not Melanie . Why would Melanie advise me to *have patience as we go through this process* if I was never really going to get a response ? Surely this cannot be best practice to change the reviewer and not tell people concerned and then just ignore them .

Whether or not any breach of the Code of Conduct occurred is none of my concern but I am certain that it would have been be carried out in a truly independent and thoughtful manner as not to leave council open to any question of bias or poor procedures .

Surely you are not serious when you mention that I could contribute to the business improvement project when you are aware that this programme is run by the same group that this whole mess started from. If processes were shown to be open and transparent none of these issues would have surfaced.

What I really can't understand is, throughout the whole ordeal, the reluctance to answer any questions meaningfully or provide any sort of proof of procedures done properly. If the review is over there has been no breach or hint of wrong doing, let people who are involved and concerned know . It is not enough just to say that the review is over now look the other way , questions need answering .

I was emailed on 16 November last year by my director detailing the fact that some of the information required was in two trim files and quoted both file numbers . The odd part about that is that access is denied to view them. Why in fact supply trim file numbers and deny access still to this day .

Can you provide access to these documents which will alleviate any need for further concern ?

Do you really believe that any questions have been answered in a timely and meaningful way ?

.

What would you do if your concerns were ignored repeatedly ?
What would you do if questions that were answered were meaningless and nonsensical ?

Jasmine ,I know what your answer would beUNACCEPTABLE ...no one with any sense would tolerate this systematic failure . How am I to believe and uphold our Vision statement *...I always respond.....I am open and honesty with people...I keep others informed* . I am hearing these words but I am not seeing these actions.

I am genuinely upset these matters are getting so prolonged when they could be so simply rectified .I said to Robert on the 25 November last year about feeling compromised and uneasy about raising these two orders linked to the reqs under review and nothing has been done to alter that feeling .

This problem has such an easy fix.

From: Jasmine Cooper MAILER-DAEMON
Subject: Regarding your email of 15 May 2017
Date: 25 May 2017 at 9:24 am
To: Steve Irwin Slrwin@bmcc.nsw.gov.au



Dear Steve,

I refer to your email dated 15 May 2017, further to the email dated 1 May 2017.

Firstly I'd be grateful if you could be more measured in your correspondence with me. I note your concern and that you are upset however that does not justify the tone of your email directed at me.

You have asked a number of questions in your recent email, please refer to my previous email, dated 12 May 2017, in which I provided you with a response.

You were advised of the mechanisms to provide productive input and also to seek support.

As advised, the matter has concluded and requires no further discussion.

Regards,
Jasmine

Jasmine Cooper | Executive Officer | **BMCC** | t 02 4780 5600 | e jcooper@bmcc.nsw.gov.au

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From: Jasmine Cooper MAILER-DAEMON
Subject: RE: Regarding your email of 15 May 2017
Date: 7 June 2017 at 2:23 pm
To: Steve Irwin Slrwin@bmcc.nsw.gov.au



Dear Steve,

I maintain my position regarding your tone please do not repeat it if you need to email me.

You are aware to whom you should write. I have answered your email. The fact you are not satisfied with my reply does not change the position as stated in my email dated 12 May 2017 and that is matter is closed.

You were advised of the mechanisms to provide productive input and also to seek support in relation to your ongoing concerns.

Please do not write to me again about the same subject matter.

Regards,
Jasmine

Jasmine Cooper | Executive Officer | **BMCC** | t 02 4780 5600 | e jcooper@bmcc.nsw.gov.au

From: Steve Irwin
Sent: Wednesday, 31 May 2017 7:31 AM
To: Jasmine Cooper
Subject: FW: Regarding your email of 15 May 2017

From: Steve Irwin
Sent: Wednesday, 31 May 2017 7:28 AM
To: Steve Irwin
Subject: RE: Regarding your email of 15 May 2017

Dear Jasmine.

I am sorry you thought my last email unrestrained .

It is possible you are confusing the tone of the email with astonishment. Emails can be deceiving at times.

I thought my email was measured considering the circumstances.

Having looked into the matter I think I am entitled to ask questions about processes pertaining to both Robert's and Mel's email back on 25th November last year .

I am not asking into matters about your investigation only Mel's ,as she was given the task by Robert on 25th November 2016 .

Both Robert's and Mel's email imply future correspondence would be forthcoming from Mel regarding her review. At no time in the following 6 months was I informed it wouldn't be . I took them at face value and at their word . Receiving emails from both the General manager and the Acting Executive Officer over such a serious matter how else could I take it.

Best practice would suggest keeping open lines of communication with all parties involved , and if Mel was removed from the investigation concerned parties should have been notified.

In respect to this fact should I align any further questions to Mel ? I do still have concerns about the processes involved .

Kind regards Steve.

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This problem has such an easy fix.

Mr Robert Greenwood
General Manager
Blue Mountains City Council

Your ref: F10552-17/95522
Our ref: E16/1662
Contact: Linda Madgwick
Telephone: 8281 5712

Email: jcooper@bmcc.nsw.gov.au

4 July 2017


Dear Mr Greenwood

I refer to my letter of 18 April 2017 and to your response dated 18 May 2017 regarding the award of work to the Centium Group and MA & SW Mulligan by Council.

I also refer to Jasmine Cooper's email dated 31 May 2017. The Commission does not require any other information from Council.

Thank you for assisting our enquiries.

Yours sincerely


Andrew Garcia
Manager Assessments

22 August 2017

Office of the General Manager

Your ref: E16/1662

Our ref: F10552 – 17/160534

Independent Commission Against Corruption
GPO Box 500
Sydney
NSW 2001

Dear Commissioner,

CONFIDENTIAL

Request for Council information

I write in relation to the correspondence sent to ICAC following your request for information related to the following 3 contracts (the contracts):

- (1) Centium Group for \$80,000.00
- (2) Centium Group for \$60,000.00
- (3) MA & SW Mulligan for \$65,000.00.

In my response dated 18 May 2017 I set out information and actions of the Council relating to your query. As advised in that letter, matters requiring further review were to be actioned by the Council.

As these matters have concluded, this letter seeks to provide you with the status and outcomes of the following Council actions.

Requisition System Review

The anomaly identified in Council records relating to the Online Requisition System showing a \$1 unit cost value was referred for independent assessment to Procure Group. A report has been received from Procure Group dated 12 July 2017 detailing the results of the independent assessment. The report states as findings:

The preliminary investigation found that the requisitions and purchase orders were legitimate blanket orders, used by Council in circumstances where a number of invoices are expected to be presented over a period of time for work carried out under the one purchase order number. Blanket orders are expressly permitted, indeed required, by Council's Sustainable Procurement Policy.

The assessment concluded that there have been no breaches of Council policy in the raising of these requisitions or purchase orders. As such, the matter is closed. A copy of the confidential report is enclosed with this letter.

Unauthorised access to council information

The unauthorised access to the Internal Audit report was considered internally and it was considered that, should additional information relevant to the conduct be identified, this matter may be referred for external review.

As no further information in relation to the distribution of information has been identified or presented, the matter is closed.

Anonymous correspondence

The receipt of anonymous correspondence has ceased with the last known piece of correspondence being that sent to my residential address on 17 March 2017. As the correspondence was sent to my personal address, which is little known, in combination with the harassing nature of the correspondence, I made a report to police in relation to the correspondence.

As advised in my letter dated 18 May 2017, forty-eight (48) documents were referred for independent external analysis with Forensic Document Examiners. As this process was unable to draw conclusions in regard to identifying the sender of the correspondence, it was advised by the document examiners that the course of action remaining is to: *request writing samples from all employees who have, or could have, knowledge of the issues raised in the anonymous letters and who know or could find out personal addresses, particularly of senior management.*

As the correspondence has ceased, and Council considers this approach to be unnecessarily confrontational, the matter has been closed. Should the Council receive further information relevant to the matter, the Council will consider the requirement for further review.

We take it now that, unless further requests are made, we have provided you with all information and documents required in relation to your investigation and we look forward to receiving your report concerning this matter.

Further information

Should you require further information in relation to the status of matters contained in this letter, please contact the Council's Executive Officer, Ms Jasmine Cooper, on 4780 5600.

Yours sincerely,



ROBERT GREENWOOD
General Manager

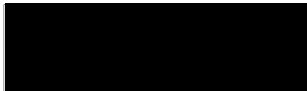
Preliminary (Fact Finding) Investigation – Alleged Anomalies in
the Online Purchasing and Requisition System (16/13)

Report

BLUE MOUNTAINS CITY COUNCIL

11 July 2017

Document information

Action	Person	Position	Signature
Prepared by	Graeme WATSON	Investigation Manager	
Reviewed by	Simon TAYLOR	Account Director	
Reviewed by	Warwick SMITH	Director	

Prepared for:

Mr Grant Butterfield
Solicitor
Marsdens Law Group
PO Box 291
Campbelltown NSW 2560

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STATEMENT OF RESPONSIBILITY

1. In the conduct of this investigation the investigator has applied the balance of probabilities standard as the requisite standard of proof as was agreed at the outset with the Blue Mountains City Council (**Council**).
2. The purpose of this report is to establish if there have been anomalies in the creation of two requisitions within Council's Online Purchasing and Requisition System.
3. This report is confidential and has been prepared solely for the use of the Council and its legal representatives. The ownership of the report and any attachments lies with the Council.
4. Procure Group Pty Ltd (**Procure**) does not keep copies of any of the attachments that have accompanied this report. It is the responsibility of Council to determine whether to release this report, in whole or in part.
5. This report is intended to be for the benefit of Mr Grant Butterfield, Solicitor, Marsdens Law Group to assist him to advise Council on what further action, if any, is appropriate to be taken. Legal professional privilege is claimed.
6. This report has been prepared having regard to relevant legislation, policies and procedures which are identified in the investigation report.
7. The matters raised in this report are only those that came to the attention of Procure during the investigation and are not necessarily a comprehensive statement of all the issues that exist or all improvements that might be made.
8. Costs of any requests under the *Government Information (Public Access) Act 2009* (GIPA) including requests or subpoenas arising from actions taken by individuals or groups because of this report will be passed on to Council. Any GIPA requests received by Procure will be forwarded to Council for appropriate action.
9. No responsibility to any third party is accepted as the report has not been prepared, and is not intended, for any other purpose.
10. Extracts from interviews may contain some grammatical errors and these have deliberately not been corrected. Extracts are not necessarily in the order in which they occurred in the interviews. If portions of the interview have been omitted in these extracts, this is indicated by (...).

1 Executive Summary

1.1 Engagement of Services

- + On 16 May 2017, the Blue Mountains City Council (**BMCC** or **Council**) appointed Procure Group Pty Ltd (**Procure**) to undertake a preliminary (fact finding) investigation in relation to suspected anomalies in the raising of two purchase orders in the Council's Online Purchasing and Requisition System (**OPRS**). These anomalies were thought to include the use of 'token' or nominal amounts for the provision of the services which would bypass the relevant financial approvals. In addition, there was some misgivings attached to the name of a Council's stores department employee in the online process.

1.2 The Alleged Anomalies

1. That requisition number 132104 was created in the OPRS using a nominal figure of \$1.00 in order to raise a purchase order in that amount for the procurement of internal audit services contrary to Council policy.
2. That requisition number 132145 was created in the OPRS using a nominal figure of \$1.00 in order to raise a purchase order in that amount for the procurement of safety improvement program services contrary to Council policy.
3. That a member of the BMCC Stores Department may have improperly accessed the OPRS.

1.3 Summary of Investigator's view on the Relevant Facts

- + This investigation was initiated by Ms Jasmine Cooper, Executive Officer, BMCC on the mistaken assumption that the two requisitions (and associated purchase orders) were created using the nominal amount of \$1.00. Procure's investigation found that this is not the case.
- + Requisition 132104 and related purchase order 077276 were created for the amount of \$80,000.
- + Requisition 132145 and related purchase order 077277 were created for the amount of \$65,000.
- + There have been no breaches of Council policy in the raising of these requisitions or purchase orders.
- + No evidence was found that the staff member from the Stores Department had improperly accessed the OPRS, although the investigation was brought to a close at the request of Council before the matter could be fully explored.

1.4 Findings

- + The requisitions (and associated purchase orders) are not 'token' or nominal. They are blanket orders which were raised properly and in accordance with Council's internal finance training and business practices. Neither the requisitions nor the purchase orders were raised contrary to Council's procurement policy.
- + There is no evidence that a member of the Stores Department improperly accessed the OPRS.
- + There have been no breaches of Council's Code of Conduct in relation to the creation of the requisitions or purchase orders, or the access to the OPRS by the member of the Stores Department.
- + This investigation was initiated on a misunderstanding by Ms Cooper as to the true nature of the requisitions and purchase orders.

1.5 Recommendation

- + It is recommended that the BMCC reviews its policies, procedures and training in relation to the raising of requisitions and purchase orders within the OPRS.
- + It is recommended that the BMCC reviews the recommendations of the Internal Audit of Accounts Payable, April 2016 and the Procurement and Tendering Process – Oversight Review, February 2016 to ensure their implementation.
- + It is recommended that BMCC Finance Department consider changing the manner in which online requisitions are completed for blanket orders in line with the suggestion contained in Section 6 - Systemic Issues.

2 Detailed report of findings

2.1 Methodology

- + Between 16 May 2017 and 9 June 2017, Council provided a large volume of documentation for review. During this period Procure made a number of requests to Council for further information which was subsequently provided and similarly reviewed. Also during this time there were a number of telephone calls between Mr Watson and Ms Cooper to clarify some of the issues arising.
- + On 29 May 2017, Mr Graeme Watson provided a status update to Ms Cooper, requesting further information and advising that an initial review of the requisitions and purchase orders did not reveal anything out of the ordinary or anomalous. It also advised Ms Cooper about the existence of the training PowerPoint slide supporting the manner in which the requisitions and purchase orders had been prepared.
- + On the 9 June 2017, Ms Wickramasekera was issued with a formal letter requesting her to attend a meeting with the Procure investigator. (Attachment I)
- + On the 14 June 2017, Ms Wickramasekera was interviewed by Mr Graeme Watson at BMCC premises at 104 Macquarie Road, Springwood. A digital record of interview was conducted with Ms Wickramasekera and a transcribed copy of that interview is attached. (Attachment J) In that interview Ms Wickramasekera maintained that she had followed BMCC internal finance training and business practice
- + On 20 June 2017, Mr Watson had a telephone conversation with Ms Cooper in relation to his interview with Ms Wickramasekera. He advised that the available evidence indicated that the requisitions were not nominal and that there was nothing improper in their creation. Ms Cooper requested that Procure discontinue its investigation.
- + Following the instruction to bring the investigation to a close, no further inquiries were conducted regarding the procurement processes relating to this matter, including the role of Stores Department staff. Procure was advised that these issues have already been the focus of internal inquiries by the BMCC and are the subject of a Council working group to resolve the issues.

2.2 Background

- + The investigation which is the subject of this report arose out of another separate but related BMCC Code of Conduct Review (Code of Conduct Investigation – Final Report - Review 16/09 dated 7 February 2017). During the course of that inquiry the reviewer, Ms Jasmine Cooper, Executive Officer, BMCC identified what she thought were anomalies in Council records. These were what she mistakenly thought were two 'token' or nominal purchase orders that had been raised in OPRS.
- + The term 'token order', as it has been used here, describes a purchase order raised for a nominal amount (such as \$1) when the actual cost of the proposed purchase is not known

before the goods or services are supplied. When the invoice relating to the supply is eventually received, the nominal amount on the purchase order is then altered (usually by Accounts Payable staff) to reflect the amount of the invoice. The use of 'token orders' is unacceptable as they can be used to circumvent the appropriate financial approvals and may lead to fraud, corruption and waste.

- + The Council's *Procurement and Tendering Process – Oversight Review*, February 2016, identified this practice as constituting a Significant Risk to the organisation. The review at Finding 13 recommended that, "The practice of creating purchase orders for a nominal amount should be expressly forbidden." We were advised by Ms Cooper that as a result the use of 'token' purchase orders has been prohibited by Council. Ms Cooper, however, was unable to produce any policy or practice document to show that this recommendation had been implemented. She maintained none-the-less that it had been communicated to all relevant BMCC staff.
- + The requisitions in question were raised by Council officers Ms Yasoda Wickramasekera, Program Leader Risk and Insurance, and Mr John Hargreaves who has since resigned. It was agreed with Ms Cooper that because Mr Hargreaves was no longer with Council, the inquiry would focus on the requisition raised by Ms Wickramasekera and Mr Hargreaves would not be interviewed about the matter.
- + Upon inspection of the records it was determined that the requisitions and purchase orders were not 'token' orders as originally thought by Ms Cooper. They are instead blanket (or standing) orders which are commonly used in circumstances where a number of invoices will be presented for work undertaken against a single purchase order number over a period of time.
- + Although Council does not have a documented procedure for completing online requisitions, those raised by Ms Wickramasekera and Mr Hargreaves were created in accordance with Council's internal finance training and business practices.

2.3 The Suspect Requisitions

- + In early 2016, Ms Cooper conducted a Code of Conduct investigation into allegations relating to the procurement of contracted services by a company called Centium, and another contract to an entity called MA & SE Mulligan Consulting Services. (The results of this inquiry can be found in the Code of Conduct - Final Report - Review 16/09, dated 7 February 2017.) It had been alleged that the awarding of the internal audit services contracts to Centium for \$60,000 in the financial year 2015-16 and \$80,000 in the financial year 2016-17 was in excess of Council's tender limit of \$120,000. The allegations relating to MA & SE Mulligan claimed that there were breaches of the Code of Conduct in the manner in which the procurement took place. The investigation conducted by Ms Cooper concluded that none of the allegations were founded. We make no comment on those findings.
- + During the course of her inquiry Ms Cooper had cause to review two requisitions within the OPRS. The purchasing system requires that a requisition is submitted for approval by the relevant financial delegates before a purchase order is raised. Once raised, a purchase order

is the final approval to commit the organisation to the expenditure shown and authorises the work to proceed.

- + The requisitions inspected by Ms Cooper were numbers 132104 and 132145. Upon reviewing these requisitions, Ms Cooper saw the term '\$1 Unit Cost' and assumed that they were 'token' or nominal orders. In a section of her report entitled 'Anomaly Identified' (Attachment A), Ms Cooper wrote;
- + *"On reviewing the requisitions raised by the reporter, the reviewer identified that requisitions 132104 (raised by Ms Yasoda Wickramasekera) and 132145 (raised by Mr John Hargreaves) show a \$1unit cost. The reviewer identified that this was inconsistent with the accounts payable review findings for 'token orders', an audit which was conducted by Centium and managed by Ms Wickramasekera. Also, it was inconsistent with the conduct of the audit and assurance team pattern of conduct to date on reflection of the procurement business improvement project."*
- + The enquiries conducted by Procure have revealed that Ms Cooper's initial assumption regarding requisition numbers 132104 and 132145 was incorrect. Rather than being 'token orders' they were in fact blanket (or standing) orders which are commonly used in circumstances where a number of invoices will be presented for work undertaken against the one purchase order number over a period of time.
- + Requisition number 132104 was lodged in the OPRS by Ms Wickramasekera on 1 November 2016 for the amount of \$80,000 (not \$1.00), (Attachment B). The requisition was for the provision of internal audit services to be provided by Centium during the 2017 financial year. The requisition was approved by Mr Gary McKay, Manager Governance and Risk on 1 November 2016 and Mr Stuart Liddell, Group Manager People and Systems on 3 November 2016. As a result of these approvals, Purchase order number 077276 was created on 24 November 2016 in the amount of \$80,000 (not \$1.00), (Attachment C). Procure's examination of both the requisition and purchase order, found that neither is of a nominal or \$1 value. The total cost shown on both is \$80,000. This is the amount that was budgeted for internal audit services by Centium during the financial year.
- + In order to produce a Total Cost on the requisition, and hence the purchase order, it is necessary to show a unit cost and quantity. The software's logarithm then multiplies the unit cost by the number of units to arrive at a total cost. To raise a purchase order for \$80,000 in services, where the total amount is to be the subject of multiple invoices over a period of time, it is necessary to use a \$1 Unit Cost multiplied by 80,000 to arrive at a total cost of \$80,000. When invoices are received for work conducted under that purchase order number, the amount of each is deducted from the total cost.
- + Requisition number 132145 was lodged in the OPRS by Mr Hargreaves on 2 November 2016 for the amount of \$65,000 (not \$1.00), (Attachment D). The requisition was for the provision of Safety Improvement Program services to be provided by MA & SE Mulligan. The requisition was approved by Mr Gary McKay on 2 November 2016 and Mr Stuart Liddell on 3 November 2016. As a result of these approvals, purchase order number 077277 was created on 24 November 2016 in the amount of \$65,000 (not \$1.00), (Attachment E).

- + The same process for producing the requisition and purchase order as described above was used by Mr Hargreaves. In this case the requisition uses a \$1 Unit Cost multiplied by 65,000 to arrive at a Total Cost of \$65,000. This is the amount budgeted for the services and which would have been the subject of multiple invoices as the work progressed.
- + In discussions with Procure following an examination of the OPRS records, Ms Cooper confirmed that when she originally saw the provision of a \$1 Unit Cost on the requisition she had mistaken that for a nominal \$1 Total Cost order. Ms Cooper has now had the opportunity to review the OPRS records and is in agreement that the requisitions raised are examples of blanket (or standing) orders rather than 'token orders'. As a result, Ms Cooper requested that Procure cease its investigation on 20 June 2017.
- + During the course of our investigation we were provided with a number of documents relating to procurement. One of these, the 'Written Quotations Procurement Standard' (Attachment F), discusses the use of purchase orders in connection with written quotations but does not appear to mandate their use more broadly. This protocol, however, seems to have expired in 2015 and it does not seem to have been superseded. Ms Cooper confirmed that this was the latest version of the standard.
- + A second document, the 'Sustainable Procurement Policy – Interim Procedure to Clarify Purchase Order Requirement Around Limits and Blanket Orders' (Attachment G) was issued on 20 March 2017 by the Council's Chief Financial Officer, Mr Michael Duffy. This document specifically states that blanket purchase orders are to be raised for amounts that will be the subject of multiple invoices. These are the same circumstances as those that are the subject of the current investigation. In Table 2 of the Sustainable Procurement Policy's interim procedure, the engagement of internal audit services is given as an example of when blanket orders may be used, based on the annual program for each service provider. Similarly, contract staff are given as an example of when blanket orders may be used prior to the commencement of each period of work.
- + Despite the need to raise purchase orders for all goods and services over \$1,000 procured by Council (except in very limited circumstances), there was no documented policy or procedure as to how staff should complete the online requisition form amongst the material provided by Council and examined by Procure. Note the investigation was brought to a close before Procure was able to pursue this aspect further.
- + Procure was, however, provided with a training package entitled 'Submitting a Purchase Order' which Ms Cooper advised was currently used by Council to train staff. The package contains a slide entitled 'How do you use it?' (the OPRS.) The slide (Attachment H) and, we were informed, the associated training shows how a purchase order is to be raised for services that will be the subject of more than one invoice (a blanket order.) The process shown in that slide (and in the accompanying training) is the same as described above and is the process that was followed by Ms Wickramasekera and Mr Hargreaves.
- + Ms Wickramasekera was interviewed by Mr Graeme Watson on 14 June 2017. In that interview Ms Wickramasekera stated that she had raised the purchase order properly and in accordance with Council's policies and practices. She was clearly concerned that there was a suggestion she had acted improperly.

During the course of the interview, Ms Wickramasekera produced a copy of the *Procurement and Tendering Process – Oversight Review Summary Report*, February 2016. Ms Wickramasekera pointed out that she had been on the internal audit team that conducted the review and identified the issue of 'token orders' as being a Significant Risk to Council. She also produced and referred to the *Internal Audit of Accounts Payable* conducted in April 2016 which had raised concerns in relation to the issue of purchase orders (amongst other things). She maintained that she had been working with others in Council to root out these problems.

2.4 Alleged Improper Access to the OPRS

- + Procure was requested to investigate a second issue relating to the OPRS, which was also identified in the original Code of Conduct Investigation – Final Report - Review 16/09 dated 7 February 2017. Ms Cooper was concerned that Mr Steve Irwin, who works in the Council's Stores Department, may have improperly accessed the OPRS, as his name appeared on the purchase order as the 'Buyer'.
- + During our initial enquiries it was determined that the Stores Department is, in effect, the administrator of the OPRS system. This situation was identified as being an unsatisfactory arrangement in the 2016 review of the Procurement and Tendering Process conducted by the Governance and Risk Branch.
- + During our interview with Ms Wickramasekera (who was the Audit leader on the review), we were advised that the inclusion of a 'Buyer' is a downstream requirement of the system after the submission of an online requisition to raise a purchase order was approved. It is also our understanding that it would not be unusual for a member of the Stores Department to be that person as the Stores Department is the system administrator. This aspect of the investigation was not further explored at the direction of Ms Cooper once it had been determined that the purchase orders had been properly raised and the investigation terminated. Ms Cooper has undertaken to continue internal inquiries in relation to this aspect.

2.5 Conclusion

- + This matter was referred to Procure Group for investigation by Ms Cooper because she suspected that the two requisitions and their associated purchase orders raised by Ms Wickramasekera and Mr Hargreaves in the OPRS were 'token' or nominal. We were advised that the use of this type of purchase order is contrary to Council policy as it may lead to fraud, corruption and waste. Procure was engaged to conduct a preliminary (fact finding) investigation to determine who was responsible for the requisitions and whether their creation was evidence of misconduct in contravention of the BMCC Code of Conduct.
- + The preliminary investigation found that the requisitions and purchase orders were legitimate blanket orders, used by Council in circumstances where a number of invoices are expected to be presented over a period of time for work carried out under the one purchase

order number. Blanket orders are expressly permitted, indeed required, by Council's Sustainable Procurement Policy.

- + The purchase orders raised by Ms Wickramasekera and Mr Hargreaves were created in accordance with Council training and business practice. There is no evidence that either of the staff members has acted contrary to Council's Code of Conduct in regard to this matter.
- + No evidence was adduced during the investigation that a member of the Stores Department had improperly accessed the OPRS, although this aspect is being followed-up by Ms Cooper.

3 Findings and Recommendations

3.1 Findings

- + The requisitions (and associated purchase orders) are not 'token' or nominal. They are blanket orders which were raised properly and in accordance with Council's internal finance training and business practices. Neither the requisitions nor the purchase orders were raised contrary to Council's procurement policy.
- + There is no evidence to date that a member of the Stores Department improperly accessed the OPRS.
- + There have been no breaches of Council's Code of Conduct in relation to the creation of the requisitions or purchase orders, or improperly accessing the OPRS.
- + This investigation was initiated on a misunderstanding by Ms Cooper as to the true nature of the requisitions and purchase orders.

3.2 Recommendations

Procure recommends that Council give consideration to the following actions:

- + Review its policies, procedures and training in relation to the raising of requisitions and purchase orders within the OPRS;
- + Review the recommendations of the *Internal Audit of Accounts Payable*, April 2016 and the *Procurement and Tendering Process – Oversight Review*, February 2016 to ensure their implementation; and
- + That the BMCC Finance Department consider changing the manner in which online requisitions are completed for blanket orders in line with the suggestion contained in Section 4 - Systemic Issues below.

4 Systemic Issues

4.1 The Prohibition on Nominal Requisitions

- + This investigation arose out of a misunderstanding about the nature of the requisitions involved. It would appear that, although the BMCC's *Procurement and Tendering Process – Oversight Review* identified the risk of using nominal requisitions as High, the recommended prohibition on them has either not been implemented, or has not been effectively communicated to relevant staff. This matter should be addressed as a matter of urgency.

4.2 Completing Blanket Orders

- + As shown above, the current method for creating a Total Cost on a requisition for blanket orders is to simply multiply a \$1.00 Unit Cost by the Quantity Ordered, where the quantity ordered is the amount budgeted for the service. Although this provides the desired outcome, it doesn't say how that outcome was determined. As most services are based on either an hourly, daily or other rate, it may be more effective to use this as the Unit Cost and multiply it by the number of hours, days or other unit (Quantity Ordered) that the service is estimated to take. In the present case, for example, the requisition for Centium's services may have been entered as \$1,000 (Unit Cost) multiplied by 80 days (Quantity Ordered). It is acknowledged that this method may not always be applicable but should be used whenever appropriate.

5 List of Attachments

No.	Attachment Name
A	Excerpt from Code of Conduct – Final Report - Review 16/09, 7 February 2017
B	Requisition number 132104 (Ms Wickramasekera)
C	Purchase Order number 077276 (Ms Wickramasekera)
D	Requisition number 132145 (Mr Hargreaves)
E	Purchase Order number 077277 (Mr Hargreaves)
F	Written Quotations Procurement Standard, 29 July 2013
G	Sustainable Procurement Policy – Interim Procedure to Clarify Purchase Order Requirement 2017
H	Training slide - 'How do you use it?'
I	Formal letter requesting Ms Wickramasekera to attend a meeting with the Procure investigator.
J	Transcription of interview with Ms Wickramasekera

Mr Robert Greenwood
General Manager
Blue Mountains City Council

Your ref: F10552-17/160534

Our ref: E16/1662

By email: JCooper@bmcc.nsw.gov.au

24 August 2017

Dear Mr Greenwood

Attention: Ms Jasmine Cooper, Executive Officer

I refer to your letter dated 22 August 2017.

The Commission appreciates your co-operation in enabling us to better assess the allegations made.


Following our consideration of the information obtained, including that obtained from you, we will not be further pursuing the matter.

If you have any queries in this regard, you can contact me on 8281 5786.

Yours sincerely



Andrew Garcia
Manager Assessments

From: Stuart Liddell SLiddell@bmcc.nsw.gov.au 
Subject: FW: Written Quotations/Tenders
Date: 5 September 2017 at 11:50 am
To: Jasmine Cooper JCooper@bmcc.nsw.gov.au



Jasmine

Further to the email I have only just forwarded to you. Can you please assess and deal with accordingly.

That said, I understand that this matter had previously been raised and assessed by you, and that the outcome had been communicated?

Can you please confirm my understanding.

Regards
Stuart.

Stuart Liddell | Group Manager People & Systems | t 02 4780 5716 | m 0414 195 716 | e sliddell@bmcc.nsw.gov.au

Blue Mountains City Council • council@bmcc.nsw.gov.au • www.bmcc.nsw.gov.au • Locked Bag
1005 Katoomba NSW 2780

From: Rhett Hahn
Sent: Tuesday, 5 September 2017 9:30 AM
To: Stuart Liddell
Subject: FW: Written Quotations/Tenders

Hi Stuart, please see below request from Steve Irwin , following Kirrilly's email , which appears to follow on from a request for quotations by Geoff Whatmore,

In the interest of transparency and good governance, I request that if these files are sensitive in nature can the quotes only be placed in a file that the staff can access. I note from Marks Bruhn's email below on the 16 November that he was satisfied the quotations have been received and asked the reqs to be processed but may have missed sending this to the staff.

I hope this will help to ease what appears to be some stress within this area.

Your advice on how to proceed with this request would be appreciated.

Regards

Rhett Hahn | Acting Director Service Delivery | x5789

From: Steve Irwin
Sent: Thursday, 31 August 2017 2:31 PM
To: Kirrilly Twomey
Cc: Geoff Whatmore; Rhett Hahn
Subject: FW: Written Quotations/Tenders

Hi Kirrilly , these were some of the questions and concerns asked at the time we first became aware of the problems , just to keep you in the loop.

I don't know about American Consulting , all I am concerned about is whether or not Council had

I don't know about Arriscar Consulting , all I am concerned about is whether or not Council had quotes for both Mulligan and Centium when we were told they did .

You would hope that quotes would be in the system to start off their engagement .

I would like to witness for myself the information purely on an ethical basis and for my own wellbeing. Geoff on the other hand would need to see the information for legislative and governance reasons .

Your information does NOT answer my questions but seeing you are off for a time the next in line may have to take over .

I assume the reason you cc'ed Rhett in is because he is next in line ?

Besides all the silly work talk have a GREAT holiday .

Regards Steve

From: Geoff Whatmore
Sent: Friday, 18 November 2016 1:53 PM
To: Mark Bruhn
Cc: Steve Irwin;
Subject: RE: Written Quotations/Tenders

Thanks for the reply Mark. I note your direction to process the requisitions however I have some genuine concerns about whether the required processes have been followed in these instances. There are three key principles in the procurement process, especially in relation to the spending of public monies, as stated by the NSW Department of Premier and Cabinet. When considering expenditure they must ensure that they:

Are open, transparent and accountable in their dealings.
Ensure that their dealings promote fairness and competition, and
Obtain best value.

In regards to the two requisitions under discussion, I have yet to see how they follow these principles, and therefore how they comply with Council's requirements. Following my original request, I was advised that you were satisfied that written quotations for both contracts have been received, and referred me to the two Trim files, F10028 and F10099. On investigation it was found that both those Trim files were locked and access was denied. How is this open and transparent? How many quotations were received.? The Written Quotations Procurement Standard is very clear on the requirements of quotations where the expenditure is greater than \$50001.00, advertising on Council's internet page for example. All of the requirements, as follows, need to be included on the appropriate Trim file also.

Approval to Procure by Written Quotation
Checklist for Preparation of Written Quotations Request
Quotation Documents
Evaluation Criteria
Independent assessors analysis and sign off
Comparative Analysis
Approval to Engage Supplier
Summary of Written Quotations

The apparent reluctance in this instance to provide access to this information appears to indicate that the above requirements were not carried out. If this is the case, we need to ask, are there any conflicts of interest, how is this process transparent, how are we promoting fairness and competition, are we obtaining value for money. The standard is also very specific in regards to the sanctions for non-compliance.

Additionally, requisition 132104 on Centium for \$80000 would mean expenditure this year exceeds \$140000, in excess of council's tender limit of \$120000. As you noted, this second order was raised following market testing in the new financial year, so in effect would be a new engagement. Section 55 (1)(h) of the Local Government Act 1993 states "A council must invite tenders before entering into any of the following contracts: a contract requiring the payment of instalments by or to the council over a period of 2 or more years". Advice may need to be obtained to ascertain if this falls within this requirement.

These issues highlight a concern raised in the response to the Procurement Review. Internal audit and Governance control Strategic Procurement. They are answerable to themselves when it comes to major procurement.

Your further advice on how to proceed would be appreciated. External advice will also be sought

Thanks

From: Mark Bruhn
Sent: Wednesday, 16 November 2016 5:49 PM
To: Geoff Whatmore
Cc: Steve Irwin
Subject: RE: Written Quotations/Tenders

Good afternoon

Apologies for taking so long to get back, I am back to back with meetings and wanted to review the files as well

I am satisfied that written quotations for both contracts have been received so please process requisitions 132104 and 132145.

I understand the persons making the requisitions cannot make changes as they have been approved by the Group Manager, so can you please add the following notes to each requisition

Centium Trim F10028 – quotes received and contract awarded for a period of 12 months until 30 June 2016

MA & SE Mulligan Trim F10099 – quote received

Thanks for raising this with me.

Mark Bruhn | Director Service Delivery | t 02 4780 5000 | m 0414 195 509 | e mbruhn@bmcc.nsw.gov.au

18 September 2017

Reference: P2044

Mr Steve Irwin
C/o Blue Mountains City Council
2 Civic Place
Katoomba NSW 2780

Dear Mr Irwin,

CONFIDENTIAL

It has been brought to my attention that you have continued to raise your concerns about matters which have been considered and concluded.

I am aware that on 31 August 2017 you emailed the acting Director, Kirrilly Twomey. In this email you sought access to information relating to the requisitions questioned by Geoff Whatmore, Purchasing & Supply Coordinator, in his email to the then Director, Service Delivery, Mark Bruhn, on 18 November 2016.

I have answered your emails and ongoing query in relation to this matter through emails dated 12 May 2017, 25 May 2017 and 7 June 2017.

In an email dated 12 May 2017, I advised you that a review of the requisition process was conducted and the review found that there was no breach of the Code of Conduct. I advised you that the matter had concluded.

In an email dated 25 May 2017, I directed you to my email of 12 May in which I had advised you that the matter has concluded, and I advised that it requires no further discussion.

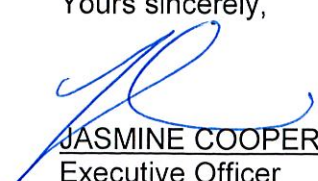
As stated in my email dated 7 June 2017, the fact you are not satisfied with this outcome does not change the position, and that is matter is closed.

You are not entitled to any further information in relation to this matter.

The Council will not engage in any further discussion with you on this matter.

A copy of this letter will be placed on your personnel file and you have the opportunity to provide your own written comments as an attachment to your file, should you wish to do so.

Yours sincerely,

A blue ink signature of Jasmine Cooper, consisting of a stylized 'J' and 'C' followed by the name.

JASMINE COOPER
Executive Officer

12 October 2017

Office of the General Manager

Reference File: P2044

Mr Steve Irwin
C/o Blue Mountains City Council
2 Civic Place
Katoomba NSW 2780

CONFIDENTIAL

Dear Mr Irwin,

Response to email of 29 September 2017

This letter is in response to your email to me dated Friday 29 September 2017.

Let me commence by stating that the Executive Officer was following my instruction in sending you the letter to which you refer.

In November 2016, your work colleague raised an allegation regarding a breach of policy over a procurement matter. As with all such allegations, the matter was taken very seriously and I instructed the matter to be formally investigated.

A Code of Conduct preliminary assessment was conducted in the first instance. The outcome of this was that I determined that further review was required. As such, there was a thorough investigation conducted into the processes.

This review found that there was no breach of the Code of Conduct. Therefore, the matter was concluded in February 2017.

As you expressed ongoing concerns in relation to this matter, you were informed of this fact in writing on 12 May 2017.

Despite informing you of the outcome, you are clearly not accepting of the outcome and have continued to agitate regarding this matter.

You have now been informed in writing on four occasions that the matter is closed. The letter to which you refer in your email is the last such letter.

I am extremely disappointed that you continue to persist with this matter after being informed in writing on a number of occasions that the matter is closed.

As such, I have no other option other than to formally instruct you to cease pursuing this matter forthwith.

Any continuation will be considered as not following a lawful and reasonable instruction from your employer and will result in disciplinary action.

A copy of this letter will be placed on your personnel file and you have the opportunity to provide your own written comments as an attachment to your file, should you wish to do so.

Yours faithfully

A handwritten signature in dark ink, appearing to read 'Robert Greenwood', with a long horizontal flourish extending to the right.

ROBERT GREENWOOD
General Manager

From: Mark Bruhn
Sent: Monday, 7 November 2016 2:07 PM
To: Geoff Whatmore
Cc: Steve Irwin
Subject: RE: Written Quotations/Tenders

Thanks

I'll make sure this is correct, ask the staff to amend requisition with reference when its done, then let you know I am no longer putting hold on it

Mark Bruhn | Director Service Delivery | t 02 4780 5000 | m 0414 195 509 | e mbruhn@bmcc.nsw.gov.au

From: Geoff Whatmore
Sent: Monday, 7 November 2016 2:00 PM
To: Mark Bruhn
Cc: Steve Irwin
Subject: RE: Written Quotations/Tenders

Mark.

There is no requirement to advertise but it does state that at a minimum it must be placed on council's intranet. If there was a re market testing there should be a copy of the quotations on file.

As for the trim reference, that is a requirement of the Standard and the Procurement Policy to ensure best practice etc.

Thanks
Geoff

From: Mark Bruhn
Sent: Monday, 7 November 2016 1:34 PM
To: Geoff Whatmore
Subject: RE: Written Quotations/Tenders

Thanks Geoff

I'll pass this on, but FYI from what I can gather, the expenditure for Centium was re market tested this financial year, so effectively would be a new engagement.

To clarify, what you require is a trim reference or quotation reference on the Purchase requisition?

I see your comments re written quotes must be advertised, this appears to be contradicted by the previous sentence saying there is no legal requirement to. Another matter to tidy up!

Cheers

Mark Bruhn | Director Service Delivery | t 02 4780 5000 | m 0414 195 509 | e mbruhn@bmcc.nsw.gov.au


From: Geoff Whatmore
Sent: Monday, 7 November 2016 12:45 PM
To: Mark Bruhn
Cc: Steve Irwin
Subject: Written Quotations/Tenders

Mark

As discussed earlier, I have had a good read of the Written Quotations Procurement Standards and you are correct, there is no mention of a required number of quotations, however it is very specific on other requirements of written quotations. These include among other things Referral and Advice, Approvals, the requirement to place requests for written quotations on Council's intranet, receipt of the quotations, independent assessor that signs off on the analysis, and Sanctions for Non-compliance.

Further to the tendering requirements, the fact that the expenditure was carried out over two financial years is not necessarily relevant as there is a requirement to call tenders for instalment contracts over a period of two or more years.

Thanks
Geoff

From: Mark Mulligan mmulligan@bmcc.nsw.gov.au 
Subject: RE: Ray Hadley yesterday
Date: 16 November 2017 at 5:00 pm
To: Kirrilly Twomey KTwomey@bmcc.nsw.gov.au
Cc: Rhett Hahn RHahn@bmcc.nsw.gov.au, Daniel Long dlong@bmcc.nsw.gov.au

Hello Kirrilly

I'm not offended by the question at all.

I was brought in to review the Safety Improvement Project Plan, progress against the plan objectives (see below) and to develop policy, procedures and training materials which would assist BMCC to deliver against the objectives of the project.

The objectives for this project were:

- To ensure Officers of BMCC as described under the provisions of the WHS Act 2011 fulfill their due diligence obligations;
- To be fully compliant with WHS Act 2011 & WHS Regulations 2011, Codes and Australian Standards;
- To commit to continuous improvement in WHS and strive for compliance with AS/NZS 4801: Occupational Health and Safety Management Systems
- To demonstrate strong and consistent safety leadership at all levels of BMCC;
- To facilitate the systematic management of WHS at BMCC;
- To mature the capability of the SMS at BMCC – this to be done over all phases of the project; to progressively integrate into the organisation's ERM ^[1];
- To embed WHS processes and functions into the business through accessible and user friendly documentation and IT system support;
- To set meaningful WHS performance targets and provide assurance on WHS performance through a systematic audit and inspection program;
- To increase WHS competency across BMCC through training and communication;
- To assess the potential for WHS and risk management software solutions and to implement if suitable.

For example some of the material I developed was:

- The Incident Reporting and Investigation Procedure and associated templates that we now use;
- I reviewed and revised the WHS Consultation procedure and PSSG Charter;
- The Risk Management Procedure;
- The Remote and Isolated Workers Procedure;
- The Measuring and Evaluating Performance procedure
- The Workplace and Worksite Inspection procedure and associated templates
- I also created the first WHS document register for BMCC – getting rid of obsolete documents and identifying documents that needed to be reviewed or created to ensure compliance with the WHS Act.

I also developed a WHS management system manual to align all BMCC procedures to AS/NZS4801. That was the final piece of work I did and that manual is still in draft as the organization did not proceed with attaining certification to AS/NZS4801.

I trust this helps.

I would have loved to come back in 2017 to help the Safety Team finish the project but clearly there were a number of people unhappy or threatened with the changes that were occurring in

WHS and thus grievances were lodged among other things and here we are today dredging up the same old BS via Ray Hadley.

Cheers

Mark Mulligan | Director, Service Delivery | t 02 4780 5789 | m 0414 195 500 | e mmulligan@bmcc.nsw.gov.au

Blue Mountains City Council • council@bmcc.nsw.gov.au • www.bmcc.nsw.gov.au • Locked Bag 1005
Katoomba NSW 2780

From: Kirrilly Twomey
Sent: Thursday, 16 November 2017 11:25 AM
To: Mark Mulligan
Subject: RE: Ray Hadley yesterday

Hi Mark,

Thanks for the info

I absolutely hate to ask – but can you send me a little info about the brief you were given when you joined the Council to lead the Safety Improvement Project.

What were you bought in to do?

It is easy for people to criticise and in your short term contract I am sure you weren't responsible for the entire safety management system and how every policy and plan was implemented in the past and into the future but I feel I need to be clearer about what you were here to do.

I believe Rhett and Dan may also be responding to this type of question so it might be good if we were all saying the same thing.

I am sorry that this occurring and hope you aren't offended by this question.

Regards

Kirrilly Twomey | Manager, Leisure and Visitor Information Centres | t 02 47235113 | m 0414 195 891 | e ktwomey@bmcc.nsw.gov.au

Blue Mountains City Council • council@bmcc.nsw.gov.au • www.bmcc.nsw.gov.au • Locked Bag
1005 Katoomba NSW 2780

From: Mark Mulligan

From Mark Mulligan

Sent: Thursday, 16 November 2017 9:44 AM

To: Kirrilly Twomey; Rhett Hahn; Daniel Long; Belinda Huxley; Craig Wilson; Sarah-Jane Martin

Subject: Ray Hadley yesterday

Hi Folks

Another round of mis-information from Ray Hadley yesterday and I just wanted you to have some facts if you are asked any questions by your staff.

A summary of some of Ray Hadley's commentary below:

- There's a bit of stench attached to BMCC... all of a sudden a whole range of people who previously worked in Country Energy or Endeavour Energy with Greenhill, are appointed key positions inside Council.
- It's like a boys' club. So to a certain extent I'm glad the boy's club has been broken now that Rosemary Dillon is the Acting GM... I suspect she doesn't have a career behind her in the electricity sector.
- (Caller – Rod) I worked at Essential when Graham was there. He stuffed the railways up and then he came over and got rid of a heap of workers...
- Graham goes to Country Energy... Marky the Sparky was there and Mark Greenhill was there. And he ends up at Endeavour Energy and Mark Greenhill was there as well...
- I'll be personally ringing Vince this afternoon...
- So you know Mulligan. Yeah, he was there... when I mentioned him yesterday, he's on a large stipend at BMCC... someone sent me an email from Bathurst and said 'I just saw Markie the Sparkie down the road'....
- Mark Mulligan worked with Stuart Liddell. Liddell worked with Mark Greenhill... Joined at the hip... they've all been employed in the electricity sector employed at some stage by Vince Graham and they've all ended up together at BMCC... They've all ended up together in the foetal position at BMCC.

Can I just set the record straight on these matters:

- 1) I never worked with Mark Greenhill in any organisation and in fact had never met him until November 2016;
- 2) Vince Graham was the CEO of Endeavour Energy - I worked for Essential Energy where Terri Benson was the CEO. The NSW government created a holding company to merge the boards of Endeavour Energy, Essential Energy and Ausgrid (the three NSW state owned poles and wires businesses) in July 2012 and at that time Vince Graham was appointed as the CEO of Networks NSW. I then worked for the newly merged entity for four months before leaving to set up my consultancy business. I reckon I spoke to Vince Graham on no more than six occasions and have not seen nor spoken to him since 2012;
- 3) Stewart and I did work together at Essential Energy, we have never made any secret of this. However, understand that it was an organisation of 4,500 people. I worked directly with Stewart in 2003/04 from the Bathurst Office and after that point we were located in different towns and offices. Stewart ceased working for Essential Energy some time in 2009 and apart from exchanging a Christmas email, we might have seen one another or spoke to each other a total of once per year up until I joined the BMCC team in late 2016 to help with the Safety Project.

There is no "boys club" and never was.

By the way, a caller also rang Hadley to say they saw me in Bathurst in the middle of the day, to which he suggested I was on a flexi day or stress leave! I must have a doppelganger or a teleporter, as last time I checked with Sarah, I'm pretty sure I was here every day this week. I can also confirm I won't be taking stress leave so whomever the weasels are that are running

can also commit. With me taking stress leave, so whenever the readers are that are running this BS to Hadley are not going to see the back of me anytime soon.

I'm sorry if you guys are having to deal with this rubbish on top of what is already a challenging time for the BMCC and as always if you or your teams have any questions, I'm more than happy to answer them.

Regards

Mark Mulligan | Director, Service Delivery | t 02 4780 5789 | m 0414 195 500 | e mmulligan@bmcc.nsw.gov.au

Blue Mountains City Council • council@bmcc.nsw.gov.au • www.bmcc.nsw.gov.au • Locked Bag 1005
Katoomba NSW 2780

^[1] ERM is an acronym for "Enterprise Risk Management."

Ms Jasmine Cooper
Executive Officer
Blue Mountains City Council

Your ref: CC17/12
Our ref: E17/1712
Contact: Linda Madgwick
Telephone: 8281 5712

By email: Jcooper@bmcc.nsw.gov.au

22 December 2017

Dear Ms Cooper

I refer to the General Manager's report dated 16 November 2017, pursuant to section 11 of the ICAC Act, regarding allegations in relation to certain recruitments.

The Commission has now examined the information provided.

The Commission's Assessment Panel has determined that the Commission not investigate the matter in light of the investigation that is currently underway into allegations regarding both appointments of Messrs Mulligan and Hargreaves.

However, we would appreciate receiving a copy of the investigation report from you once that has been received.

The Panel also noted that Ray Hadley's radio show referred to an email dated 7 November 2016 from Mr Bruhn to Mr Liddell regarding a proposed "Analysis" document. Given its apparent connection to the appointment of Mr Mulligan, it would be appreciated if the investigator could be asked to consider any such document and its significance to the recruitment.

Yours sincerely



Andrew Garcia
Manager Assessments

Blue Mountains City Council

The City within a World Heritage National Park

<u>POSITION DESCRIPTION</u>	
Position ID	P00004
Position	Director, Service Delivery
Reports to	General Manager
Organisational Dimensions	Workforce: 550 Assets: \$393 Budget \$61 million Demographics 75,000 residents & 26 Townships
Position Dimensions	Delegations TBD Direct Reports 5 Workforce Approx. 300
Band/Level/Grade	Senior Contract Manager
Evaluation Date	July 2016
POSITION SUMMARY <p>The Director Service Delivery is accountable for providing leadership and direction to a large workforce in the delivery of high quality frontline services that will ensure the achievement of business objectives that will improve the well-being of the community and environment.</p> <p>As a member of the Executive Leadership Team, contribute to the development of strategic plans and corporate policy for the organisation and participate in decision making on critical planning and operational issues ensuring all actions align with the organisation achieving its vision to “build a successful future for the Blue Mountains”.</p> <p>The Director Service Delivery will also lead and champion the organisational values and behaviours of Working Together, Work Safe - Home Safe, Service Excellence, Value for Money, Trust & Respect, and Supporting Community.</p>	

KEY RESPONSIBILITIES

1. Develop, implement and manage strategies, plans and budgets for the directorate (*including Parks & Support Services, Transport & Civil Assets, Waste & Cleaning, Leisure & Visitor Information Centres*) to achieve business objectives and meet statutory, customer, community, environmental and obligations.
2. Develop and maintain strong working relationships with key internal and external stakeholders ensuring the organisation is recognised as responsive and customer focused.
3. Provide policy, planning and operational advice the General Manager and the Council in a responsive and timely manner.
4. Lead and drive the implementation of good governance practices and activities across the directorate, including fiscal and budget management; enterprise risk management; and corporate governance and compliance.
5. Lead and drive a strong customer service culture across the directorate to achieve or exceed relevant internal and external service performance standards.
6. Develop and implement continuous business improvement initiatives and programs to ensure ongoing review and improvement of the directorate.
7. Promote and drive a strong safety culture by ensuring that work is carried out in a safe and environmentally sound manner.
8. Create a working environment that empowers all employees to take ownership of their work, encouraging innovative thinking and a flexible and enthusiastic work culture.
9. Prepare and present position papers and council reports on key business issues of interest to the General Manager Executive Leadership Team and Council to provide accurate and complete information, authoritative analysis, advice and sound recommendations for action.

AUTHORITY AND ACCOUNTABILITY

- Guidance is available in the form of broad policy direction, legislative requirements or from the Elected Council or General Manager.
- Decisions made by the job holder affect the work and activities across a major function or a number of departments.
- The work of the jobholder has major long-term influence across the whole of the community.
- The jobholder is accountable/liable for the actions of others with any consequences (including legal) being borne by the individual, and/or is responsible for the overall development and maintenance of safety and other standards.
- The job holder develops a budget for a major functional area or multiple departments and "controls expenditure" within approved budget.
- This job controls expenditure which includes salary and non-salary costs above \$10m.
- Set financial targets for a Division, which will provide the framework for strategic decision making and objective setting. Define required returns on investment for the Division.

JUDGEMENT & PROBLEM SOLVING

- Problems are solved using research, analysis, and evaluation of information which may not be readily available. Judgement is important as there is often no right or wrong solution.
- The jobholder must make judgements or recommendations based on advanced analytical or creative thought.
- Significant planning is required to coordinate with various organisational units including external affiliates or multiple resources.
- Understand the main commercial and technical strategies of key players, the current sophistication of the market, and the major market forces (the business environment) in which the organisation operates and develop business strategies for the Division.

MANAGEMENT SKILLS

- Direction and coordination of a Division of the Council.
- The job holder approves and makes final decisions in the following work areas:
 - Evaluating performance
 - Assigning work activities
 - Coaching
 - Identifying training needs
 - Authorising timesheets
 - Approving overtime
 - Approving leave
 - Appointing employees
 - Handling employee complaints
 - Disciplinary actions
- The job holder supervises 4 to 6 personnel directly.
- The job holder supervises 161 to 300 personnel indirectly.

INTERPERSONAL SKILLS

This job requires written communication skills which enable the job holder to write complex and detailed technical reports, proposals and submissions.

The jobholder is required to resolve unusual customer enquiries or problems and is may also be responsible for resolving disputes between customers.

Required as a major part of the job to provide service to internal customers, with accountability for measuring and consistently improving service.

Requires extensive, on-going cooperation, coordination and communications between Divisions and Branches for work production or service quality.

This job requires communication skills which enable the job holder to perform the following activities:

- Provide information and explain situations
- Advise, recommend or counsel
- Sell, persuade, influence
- Resolve conflict
- Participate in meetings/group discussions
- Conduct meetings/lead group discussions
- Make formal presentations or speeches
- Negotiate agreements
- Counsel on problems
- Speak to the media
- Train/Facilitate Groups

The job holder is required to interact with the following groups or individuals within and outside the council on a regular basis and for the purpose shown below:

Provide and obtain information:

- Media

Advise or recommend:

- Council Meeting
- Councillors
- Committee Meetings of Council
- Professional/industry associations including unions
- Employees of other councils
- Members of courts or tribunals
- Members of Parliament

Negotiate or persuade:

- Department/Division Heads
- Section Managers/Team Leaders
- Other Council Employees (not including direct reports)
- Members of the public/residents/ratepayers
- Commercial/industrial/development representatives (eg vendors, builders, clients)
- Community organisations - service clubs etc
- Consultants, solicitors and other professionals
- Government officers (eg Roads & Traffic Authority, Dept of Local Government)
- Applicants for employment
- Local Business

QUALIFICATIONS & EXPERIENCE

Thorough knowledge of practices, principles and relationships between broad organisation functions. Jobs in this category require a broad understanding of all or most of the functional areas of the Council along with high educational attainments and/or knowledge of specialised techniques. OR A position requiring extensive experience at a senior level as a specialist covering a major function of critical and strategic importance. With jobs at this level, this knowledge is usually obtained by post-graduate education or professional training eg. Masters Degree or MBA.

It would be expected that the person would have fifteen year's or more experience.

In addition to the qualifications and experience, the job holder must possess the following licences or certificates:

- Driving Licence Class C (Car)

SPECIALIST KNOWLEDGE & SKILLS

The operational knowledge needed by the jobholder includes knowledge of the structure and functions of several departments.

In addition, the job holder requires the following level of technical skills.

Expert Knowledge areas:

- Employee Relations
- Occupational Health and Safety Program
- Project Management
- Corporate/Business Planning
- Risk Management
- Financial Planning/Analysis
- Roads Construction & Maintenance Evaluation
- Maintenance Management Systems
- Waste Management
- Asset Engineering

Solid Working Knowledge areas:

- Vehicle & Plant Fleet Management
- Swimming Pool Operations/Management
- Service Specification
- Contract Management
- Construction Planning
- Bushland Management
- Landfill Operations
- Environmental Assessment
- Cost/Benefit Analysis
- Performance Management
- Environmental Legislation
- Local Government Legislation
- Occupational Health & Safety Legislation
- Emergency Management and Disaster Planning
- Parks Management

[Type text]

ASSESSMENT – DIRECTOR SERVICE DELIVERY (August 2016)

[Type text]

CRITERIA - Rate applicants individually against each criteria using the rating scale						
Considerable senior leadership skills.	No	Some	No	No	No	No
Role model/champion values and behaviours.	No	?	No	No	No	No
Leading large mutli-disciplinary teams (blue collar).	No	No	No	No	No	No
Workplace health and safety culture.	No	No	No	No	No	No
Customer service culture and delivery.	No	No	No	No	No	Yes
Business improvement initiatives and programs.	No	Yes	Yes	No	No	No
Policy & planning.	No	Yes	Yes	No	No	No
Fiscal and budget management.	No	Yes	No	No	No	Yes
Governance, compliance & ERM.	No	Yes	Yes	No	No	No
Relationship building skills.	No	?	Yes	No	No	Yes
Prepare position papers/council reports.	No	Yes	No	No	No	No
Portfolio experience: Transport, Civil, Waste, Cleaning, Parks & Support, Leisure & VICs.	No	No	No	No	No	No
Relevant Qualifications.	Nothing relevant	MBA Masters IS Bsc Computer Science	BBus IT	Nothing relevant	Nothing relevant	Nothing relevant.
COMMENTS						
Recommended for Interview	NO	NO	NO	NO	NO	NO

[Type text]

ASSESSMENT – DIRECTOR SERVICE DELIVERY (August 2016)

[Type text]

CRITERIA - Rate applicants individually against each criteria using the rating scale						
Considerable senior leadership skills.	Yes	No	Yes	Yes	Some	NA
Role model/champion values and behaviours.	Yes	No	Yes	Yes	Yes	NA
Leading large multi-disciplinary teams (blue collar).	Yes	No	Yes	Yes	Yes	NA
Workplace health and safety culture.	Yes	No	Yes	Yes	Yes	NA
Customer service culture and delivery.	Yes	No	Yes	Yes	Yes	NA
Business improvement initiatives and programs.	Yes	No	Yes	Yes	Yes	NA
Policy & planning.	?	No	Yes	Yes	Yes	NA
Fiscal and budget management.	Yes	No	Yes	Yes	Yes	NA
Governance, compliance & ERM.	?	No	Yes	Yes	Yes	NA
Relationship building skills.	?	No	Yes	Yes	Yes	NA
Prepare position papers/council reports.	Yes	No	Yes	Yes	Yes	NA
Portfolio experience: Transport, Civil, Waste, Cleaning, Parks & Support, Leisure & VICs.	No	No	Yes	Limited	Yes	NA
Relevant Qualifications.	Bsc Elec. Engineer Dip PMgt	Nothing relevant	MBA Dip Change Mgt Bsc Chemistry	BBus (Mgt & Mkt) GM Program AGSM Public Sector Exec Program	MBA GDip Leisure Mgt BEdu	NA
COMMENTS						
Recommended for Interview	NO	NO	YES	YES	YES	NO

[Type text]

ASSESSMENT – DIRECTOR SERVICE DELIVERY (August 2016)

[Type text]

CRITERIA - Rate applicants individually against each criteria using the rating scale			BRUHN			
Considerable senior leadership skills.	No	No	Some	Yes	Yes	Yes
Role model/champion values and behaviours.	No	Yes	Yes	?	Yes	Yes
Leading large multi-disciplinary teams (blue collar).	No	No	Yes	Yes	Yes	Yes
Workplace health and safety culture.	Yes	?	Yes	Yes	Yes	Yes
Customer service culture and delivery.	No	?	Yes	?	Yes	Yes
Business improvement initiatives and programs.	No	Yes	Yes	Yes	Yes	Yes
Policy & planning.	No	Yes	Yes	?	Yes	Yes
Fiscal and budget management.	No	?	Yes	Yes	Yes	Yes
Governance, compliance & ERM.	No	?	Yes	Yes	Yes	Yes
Relationship building skills.	?	?	Yes	?	Yes	Yes
Prepare position papers/council reports.	No	Yes	?	Yes	Yes	Yes
Portfolio experience: Transport, Civil, Waste, Cleaning, Parks & Support, Leisure & VICs.	No	No	Some	Some	Yes	No
Relevant Qualifications.	Bhc Engineering	PhD Ideas History ThM Phil & History MA Phil & History	Bch Horticulture MT Eliza Snr Mgt Program	Bch Mining Dip Mgt	Bch Civil Eng.	Bch Arts Grad Cert Bus
COMMENTS						
Recommended for Interview	NO	NO	YES	NO	YES	NO

[Type text]

ASSESSMENT – DIRECTOR SERVICE DELIVERY (August 2016)

[Type text]

CRITERIA - Rate applicants individually against each criteria using the rating scale						
Considerable senior leadership skills.	Yes	No	Some	Some	No	No
Role model/champion values and behaviours.	Yes	No	Yes	Yes	Yes	?
Leading large multi-disciplinary teams (blue collar).	Yes	No	No	Some	No	Limited
Workplace health and safety culture.	Yes	No	Yes	Yes	Yes	Yes
Customer service culture and delivery.	Yes	No	?	Yes	?	Yes
Business improvement initiatives and programs.	Yes	No	Yes	Yes	?	Yes
Policy & planning.	Yes	No	Yes	Yes	?	Yes
Fiscal and budget management.	Yes	No	Yes	Yes	Yes	Yes
Governance, compliance & ERM.	Yes	No	Yes	Yes	?	?
Relationship building skills.	Yes	No	Yes	Yes	?	?
Prepare position papers/council reports.	Yes	No	Yes	Yes	?	?
Portfolio experience: Transport, Civil, Waste, Cleaning, Parks & Support, Leisure & VICs.	No	No	Yes Small scale.	No	Yes	Some
Relevant Qualifications.	MBA	Nothing relevant	BEng Civil	PhD Bsc Eng	No degree. Cert. Qualified	BSc Arch. Grad Cert PM ANZ P Mgr
COMMENTS		No relevant experience.				
Recommended for Interview	YES	NO	MAYBE	MAYBE	NO	NO

[Type text]

ASSESSMENT – DIRECTOR SERVICE DELIVERY (August 2016)

[Type text]

CRITERIA - Rate applicants individually against each criteria using the rating scale						
Considerable senior leadership skills.	Yes	Yes	Some			
Role model/champion values and behaviours.	Yes	Yes	Yes			
Leading large multi-disciplinary teams (blue collar).	Yes	?	Some			
Workplace health and safety culture.	Yes	?	Yes			
Customer service culture and delivery.	Yes	Yes	Yes			
Business improvement initiatives and programs.	Yes	Yes	Yes			
Policy & planning.	Yes	Yes	Yes			
Fiscal and budget management.	Yes	Yes	Yes			
Governance, compliance & ERM.	Yes	?	Yes			
Relationship building skills.	Yes	?	Yes			
Prepare position papers/council reports.	Yes	?	Yes			
Portfolio experience: Transport, Civil, Waste, Cleaning, Parks & Support, Leisure & VICs.	Limited	No	No			
Relevant Qualifications.	BSc Mgt & Mkt AGSM GMs Prog Telstra Leadership Program	No Degree	BSc Science PMgt			
COMMENTS						
Recommended for Interview	YES	NO	MAYBE			

Director Service Delivery - V16/3611

Venue: GM's Office

Panel: Robert Greenwood, Stuart Liddell & Lee Morgan

Date: Wednesday, 17 August 2016

CANDIDATE	TELEPHONE	TIME	CONFIRMED
██████████	████	█:45am	OK
Mark Bruhn	5368	11:45am	OK
██████████	██████████	12:45pm	OK
BREAK		1:30pm	
██████████	██████████	2:00pm	OK
██████████	██████████	3:00pm	OK
██████████	██████████	4:00pm	OK



22 August 2016

Mr Robert Greenwood
General Manager
Blue Mountains City Council
Locked Bag 1005
KATOOMBA NSW 2780



United Services Union

Level 7, 321 Pitt St
Sydney NSW 2000

p (02) 9265 8211

f (02) 9261 2265

w www.usu.org.au

e united@usu.org.au

ABN: 95 571 805 442

Ref: 20160812DPA01MET

Contact: Daniel Papps

Also by email: rgreenwood@bmcc.nsw.gov.au

Dear Mr Greenwood,

Re: Director, Service Delivery (P00004)

We refer to the above position which we understand Council is currently in the position of recruiting.

We enclose the following documents for your reference:

1. Position Description – Director, Service Delivery marked “A”; and
2. Position Description – Director, Service Delivery marked “B”.

We understand these two position descriptions were issued in in connection with the current recruitment process for this position.

There appears to be a slight discrepancy between the “A” marked version and the “B” marked version of this position description.

The “A” marked version contains as a ‘qualification and experience’ a ‘Professional Engineer’s Registrar’ whereas the “B” marked version does not.

Please confirm which the correct position description is.

Could you also please confirm the following:

- a. Why was a change made to the qualification requirements for this position?
- b. Were staff notified of this change?
- c. If so, when were staff notified of this change?
- d. Was this change brought to the attention of the Joint Consultative Committee?

Given this apparent discrepancy it may be appropriate to hold off on appointing a new Director, Service Delivery until these issues are resolved.

Should you wish to discuss any of the above please do not hesitate to contact Mr Daniel Papps on 02 9265 8211

Yours faithfully,

Graeme Kelly

GENERAL SECRETARY

Per: Steve Donley, Manager Metropolitan



Blue Mountains City Council
The City within a World Heritage National Park

<u>POSITION DESCRIPTION</u>	
Position ID	P00004
Position	Director, Service Delivery
Reports to	General Manager
Organisational Dimensions	Workforce: 550 Assets: \$393 Budget: \$61 million Demographics: 75,000 residents & 26 Townships
Position Dimensions	Delegations: TBD Direct Reports: 5
Band/Level/Grade	Senior Contract Manager
Evaluation Date	July 2016
POSITION SUMMARY <p>The Director Service Delivery is accountable for providing leadership and direction to a large workforce in the delivery of high quality frontline services that will ensure the achievement of business objectives that will improve the well-being of the community and environment.</p> <p>As a member of the Executive Leadership Team, contribute to the development of strategic plans and corporate policy for the organisation and participate in decision making on critical planning and operational issues ensuring all actions align with the organisation achieving its vision to "build a successful future for the Blue Mountains".</p> <p>The Director Service Delivery will also lead and champion the organisational values and behaviours of Working Together, Work Safe - Home Safe, Service Excellence, Value for Money, Trust & Respect, and Supporting Community.</p>	

KEY RESPONSIBILITIES

1. Develop, implement and manage strategies, plans and budgets for the directorate (*including Parks & Support Services, Transport & Civil Assets, Waste & Cleaning, Leisure & Visitor Information Centres*) to achieve business objectives and meet statutory, customer, community, environmental and obligations.
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AUTHORITY AND ACCOUNTABILITY

- Guidance is available in the form of broad policy direction, legislative requirements or from the Elected Council or General Manager.
- Decisions made by the job holder affect the work and activities across a major function or a number of departments.
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- This job controls expenditure which includes salary and non-salary costs above \$10m.
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JUDGEMENT AND PROBLEM SOLVING

- Problems are solved using research, analysis, and evaluation of information which may not be readily available. Judgement is important as there is often no right or wrong solution.
- The jobholder must make judgements or recommendations based on advanced analytical or creative thought.
- Significant planning is required to coordinate with various organisational units including external affiliates or multiple resources.
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MANAGEMENT SKILLS

- Direction and coordination of a Division of the Council.
- The job holder approves and makes final decisions in the following work areas:
 - Evaluating performance
 - Assigning work activities
 - Coaching
 - Identifying training needs
 - Authorising timesheets
 - Approving overtime
 - Approving leave
 - Appointing employees
 - Handling employee complaints
 - Disciplinary actions
- The job holder supervises 4 to 6 personnel directly.
- The job holder supervises 161 to 300 personnel indirectly.

INTERPERSONAL SKILLS

This job requires written communication skills which enable the job holder to write complex and detailed technical reports, proposals and submissions.

The jobholder is required to resolve unusual customer enquiries or problems and is may also be responsible for resolving disputes between customers.

Required as a major part of the job to provide service to internal customers, with accountability for measuring and consistently improving service.

Requires extensive, on-going cooperation, coordination and communications between Divisions and Branches for work production or service quality.

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- Provide information and explain situations
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- Sell, persuade, influence
- Resolve conflict
- Participate in meetings/group discussions
- Conduct meetings/lead group discussions
- Make formal presentations or speeches
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- Counsel on problems
- Speak to the media
- Train/Facilitate Groups

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- Media

Advise or recommend:

- Council Meeting
- Councillors
- Committee Meetings of Council
- Professional/industry associations including unions
- Employees of other councils
- Members of courts or tribunals
- Members of Parliament

Negotiate or persuade:

- Department/Division Heads
- Section Managers/Team Leaders
- Other Council Employees (not including direct reports)
- Members of the public/residents/ratepayers
- Commercial/industrial/development representatives (eg vendors, builders, clients)
- Community organisations - service clubs etc
- Consultants, solicitors and other professionals
- Government officers (eg Roads & Traffic Authority, Dept of Local Government)
- Applicants for employment
- Local Business

QUALIFICATIONS AND EXPERIENCE

Thorough knowledge of practices, principles and relationships between broad organisation functions. Jobs in this category require a broad understanding of all or most of the functional areas of the Council along with high educational attainments and/or knowledge of specialised techniques. OR A position requiring extensive experience at a senior level as a specialist covering a major function of critical and strategic importance. With jobs at this level, this knowledge is usually obtained by post-graduate education or professional training eg. Masters Degree or MBA.

It would be expected that the person would have fifteen year's or more experience.

In addition to the qualifications and experience, the job holder must possess the following licences or certificates:

- Driving Licence Class C (Car)
- Professional Engineer's Registrar

SPECIALIST KNOWLEDGE AND SKILLS

The operational knowledge needed by the jobholder includes knowledge of the structure and functions of several departments.

In addition, the job holder requires the following level of technical skills.

Expert Knowledge areas:

- Employee Relations
- Occupational Health and Safety Program
- Project Management
- Corporate/Business Planning
- Risk Management
- Financial Planning/Analysis
- Roads Construction & Maintenance Evaluation
- Maintenance Management Systems
- Waste Management
- Asset Engineering

Solid Working Knowledge areas:

- Vehicle & Plant Fleet Management
- Swimming Pool Operations/Management
- Service Specification
- Contract Management
- Construction Planning
- Bushland Management
- Landfill Operations
- Environmental Assessment
- Cost/Benefit Analysis
- Performance Management
- Environmental Legislation
- Local Government Legislation
- Occupational Health & Safety Legislation
- Emergency Management and Disaster Planning
- Parks Management



Blue Mountains City Council

The City within a World Heritage National Park

<u>POSITION DESCRIPTION</u>	
Position ID	P00004
Position	Director, Service Delivery
Reports to	General Manager
Organisational Dimensions	Workforce: 550 Assets: \$393 Budget \$61 million Demographics 75,000 residents & 26 Townships
Position Dimensions	Delegations TBD Direct Reports 5 Workforce Approx. 300
Band/Level/Grade	Senior Contract Manager
Evaluation Date	July 2016
POSITION SUMMARY The Director Service Delivery is accountable for providing leadership and direction to a large workforce in the delivery of high quality frontline services that will ensure the achievement of business objectives that will improve the well-being of the community and environment. As a member of the Executive Leadership Team, contribute to the development of strategic plans and corporate policy for the organisation and participate in decision making on critical planning and operational issues ensuring all actions align with the organisation achieving its vision to "build a successful future for the Blue Mountains". The Director Service Delivery will also lead and champion the organisational values and behaviours of Working Together, Work Safe - Home Safe, Service Excellence, Value for Money, Trust & Respect, and Supporting Community.	

KEY RESPONSIBILITIES

1. Develop, implement and manage strategies, plans and budgets for the directorate (*including Parks & Support Services, Transport & Civil Assets, Waste & Cleaning, Leisure & Visitor Information Centres*) to achieve business objectives and meet statutory, customer, community, environmental and obligations.
2. Develop and maintain strong working relationships with key internal and external stakeholders ensuring the organisation is recognised as responsive and customer focused.
3. Provide policy, planning and operational advice the General Manager and the Council in a responsive and timely manner.
4. Lead and drive the implementation of good governance practices and activities across the directorate, including fiscal and budget management; enterprise risk management; and corporate governance and compliance.
5. Lead and drive a strong customer service culture across the directorate to achieve or exceed relevant internal and external service performance standards.
6. Develop and implement continuous business improvement initiatives and programs to ensure ongoing review and improvement of the directorate.
7. Promote and drive a strong safety culture by ensuring that work is carried out in a safe and environmentally sound manner.
8. Create a working environment that empowers all employees to take ownership of their work, encouraging innovative thinking and a flexible and enthusiastic work culture.
9. Prepare and present position papers and council reports on key business issues of interest to the General Manager Executive Leadership Team and Council to provide accurate and complete information, authoritative analysis, advice and sound recommendations for action.

AUTHORITY AND ACCOUNTABILITY

- Guidance is available in the form of broad policy direction, legislative requirements or from the Elected Council or General Manager.
- Decisions made by the job holder affect the work and activities across a major function or a number of departments.
- The work of the jobholder has major long-term influence across the whole of the community.
- The jobholder is accountable/liable for the actions of others with any consequences (including legal) being borne by the individual, and/or is responsible for the overall development and maintenance of safety and other standards.
- The job holder develops a budget for a major functional area or multiple departments and "controls expenditure" within approved budget.
- This job controls expenditure which includes salary and non-salary costs above \$10m.
- Set financial targets for a Division, which will provide the framework for strategic decision making and objective setting. Define required returns on investment for the Division.

JUDGEMENT & PROBLEM SOLVING

- Problems are solved using research, analysis, and evaluation of information which may not be readily available. Judgement is important as there is often no right or wrong solution.
- The jobholder must make judgements or recommendations based on advanced analytical or creative thought.
- Significant planning is required to coordinate with various organisational units including external affiliates or multiple resources.
- Understand the main commercial and technical strategies of key players, the current sophistication of the market, and the major market forces (the business environment) in which the organisation operates and develop business strategies for the Division.

MANAGEMENT SKILLS

- Direction and coordination of a Division of the Council.
- The job holder approves and makes final decisions in the following work areas:
 - Evaluating performance
 - Assigning work activities
 - Coaching
 - Identifying training needs
 - Authorising timesheets
 - Approving overtime
 - Approving leave
 - Appointing employees
 - Handling employee complaints
 - Disciplinary actions
- The job holder supervises 4 to 6 personnel directly.
- The job holder supervises 161 to 300 personnel indirectly.

INTERPERSONAL SKILLS

This job requires written communication skills which enable the job holder to write complex and detailed technical reports, proposals and submissions.

The jobholder is required to resolve unusual customer enquiries or problems and is may also be responsible for resolving disputes between customers.

Required as a major part of the job to provide service to internal customers, with accountability for measuring and consistently improving service.

Requires extensive, on-going cooperation, coordination and communications between Divisions and Branches for work production or service quality.

This job requires communication skills which enable the job holder to perform the following activities:

- Provide information and explain situations
- Advise, recommend or counsel
- Sell, persuade, influence
- Resolve conflict
- Participate in meetings/group discussions
- Conduct meetings/lead group discussions
- Make formal presentations or speeches
- Negotiate agreements
- Counsel on problems
- Speak to the media
- Train/Facilitate Groups

The job holder is required to interact with the following groups or individuals within and outside the council on a regular basis and for the purpose shown below:

Provide and obtain information:

- Media

Advise or recommend:

- Council Meeting
- Councillors
- Committee Meetings of Council
- Professional/industry associations including unions
- Employees of other councils
- Members of courts or tribunals
- Members of Parliament

Negotiate or persuade:

- Department/Division Heads
- Section Managers/Team Leaders
- Other Council Employees (not including direct reports)
- Members of the public/residents/ratepayers
- Commercial/industrial/development representatives (eg vendors, builders, clients)
- Community organisations - service clubs etc
- Consultants, solicitors and other professionals
- Government officers (eg Roads & Traffic Authority, Dept of Local Government)
- Applicants for employment
- Local Business

QUALIFICATIONS & EXPERIENCE

Thorough knowledge of practices, principles and relationships between broad organisation functions. Jobs in this category require a broad understanding of all or most of the functional areas of the Council along with high educational attainments and/or knowledge of specialised techniques. OR A position requiring extensive experience at a senior level as a specialist covering a major function of critical and strategic importance. With jobs at this level, this knowledge is usually obtained by post-graduate education or professional training eg. Masters Degree or MBA.

It would be expected that the person would have fifteen year's or more experience.

In addition to the qualifications and experience, the job holder must possess the following licences or certificates:

- Driving Licence Class C (Car)

SPECIALIST KNOWLEDGE & SKILLS

The operational knowledge needed by the jobholder includes knowledge of the structure and functions of several departments.

In addition, the job holder requires the following level of technical skills.

Expert Knowledge areas:

- Employee Relations
- Occupational Health and Safety Program
- Project Management
- Corporate/Business Planning
- Risk Management
- Financial Planning/Analysis
- Roads Construction & Maintenance Evaluation
- Maintenance Management Systems
- Waste Management
- Asset Engineering

Solid Working Knowledge areas:

- Vehicle & Plant Fleet Management
- Swimming Pool Operations/Management
- Service Specification
- Contract Management
- Construction Planning
- Bushland Management
- Landfill Operations
- Environmental Assessment
- Cost/Benefit Analysis
- Performance Management
- Environmental Legislation
- Local Government Legislation
- Occupational Health & Safety Legislation
- Emergency Management and Disaster Planning
- Parks Management

26 August 2016

Office of the General Manager

Reference File: F00407

Document No. 16/169994, 16/173546

Your Reference: 20160812DPAO1MET

Contact: Daniel Papps

Mr Graeme Kelly
General Secretary
United Services Union
Level 7 321 Pitt St
SYDNEY NSW 2000

Dear Mr Kelly

SUBJECT Director, Service Delivery

Thank you for correspondence regarding the recently advertised vacancy - Director Service Delivery.

In response I offer the following comments:

- As a result of the vacancy I took the opportunity to review the requirements and focus of the role. As you would be aware this role is responsible for leading a significant number of people and as such I have strengthened the focus in the areas of people leadership & development; improving safety outcomes; and customer service. Therefore the correct Position Description is the one without the engineering requirements.
- The position advertisement requested all interested candidates to contact Stuart Liddell (Group Manager People & Systems) in the first instance to discuss the role. Through this contact a copy of the correct Position Description was provided. As a result I am confident that all potential candidates, both internally and externally, in fact made contact with Stuart as requested in the position advertisement and therefore provided with the correct Position Description. This is best evidenced by the number of applications received and the diversity of those applications.
- The posting of the Position Description on the BMCC website should not have occurred, however as soon as this was known it was removed from the website.
- With regard to the Staff Consultative Committee, it is not normal practice for senior staff positions to be tabled at the Staff Consultative Committee (SCC). That said, in response to a question, SCC were informed of the recruitment process by the Group Manager People & Systems.

Finally, while I appreciate you bringing this to my attention, the recruitment process will continue as planned.

In the meantime, I am more than happy to discuss any concerns a potential candidate may have directly with them.

Yours faithfully

A handwritten signature in black ink, appearing to be 'R. Greenwood', with a stylized flourish extending to the right.

ROBERT GREENWOOD
General Manager

From: Stuart Liddell SLiddell@bmcc.nsw.gov.au 
Subject: Director Service Delivery - Second Round (Tommorrow @ 1.30pm)
Date: 29 August 2016 at 1:45 pm
To: Robert Greenwood RGreenwood@bmcc.nsw.gov.au, Lee Morgan LMorgan@bmcc.nsw.gov.au

Robert & Lee

As you know we have the second round recruitment exercise for the Director Service Delivery tomorrow afternoon in the Jamison Room from 1.30pm.

Schedule

- 1.40 pm – [REDACTED]
- 2.30 pm – [REDACTED]
- 3.20 pm – Mark Bruhn

Two of the candidates will be using the data facilities in the Jamison, while one has requested that we bring along our ipads. As such, can you please bring along your fully charged ipad.

Regards
Stuart.

Stuart Liddell | Group Manager People & Systems | t 02 4780 5716 | m 0414 195 716 | e sliddell@bmcc.nsw.gov.au

Blue Mountains City Council • council@bmcc.nsw.gov.au • www.bmcc.nsw.gov.au • Locked Bag
1005 Katoomba NSW 2780

1 September 2016

Mr Robert Greenwood
General Manager
Blue Mountains City Council
Locked Bag 1005
KATOOMBA NSW 2780

Also by email: rgreenwood@bmcc.nsw.gov.au

Dear Mr Greenwood,

Re: Director, Service Delivery (P00004)

We refer to the above matter and to your letter dated 26 August 2016.

We note the suggestion that the Position Description for the above role should not have been placed on the BMCC website.

In our experience it is quite common for position descriptions to be placed on a Councils website along with the job advertisement.

Could you please confirm whether it is the practice of Council to exclude position descriptions from job advertisements.

Should you wish to discuss any of the above please do not hesitate to contact Mr Daniel Papps on 02 9265 8211

Yours faithfully,



Graeme Kelly
GENERAL SECRETARY
Per: Steve Donley, Manager Metropolitan

United Services Union

Level 7, 321 Pitt St
Sydney NSW 2000

p (02) 9265 8211

f (02) 9261 2265


w www.usu.org.au

e united@usu.org.au

ABN: 95 571 805 442

Ref: 20160812DPA01MET

Contact: Daniel Papps

From: Robert Greenwood RGreenwood@bmcc.nsw.gov.au 
Subject: Appointment Director Service Delivery
Date: 5 September 2016 at 12:23 pm
To: All Staff AllStaff@bmcc.nsw.gov.au



Dear Colleagues

I am pleased to announce that Mark Bruhn (Manager, Parks & Support Services) has been appointed to the role of Director Service Delivery following an extensive recruitment campaign.

I am sure you will join me in congratulating Mark on securing the role and provide him with all the support he needs in helping to build a successful future for the Blue Mountains.

I would also like to take the opportunity to thank Kirrilly Twomey for acting in the Director's role during this period and also, I would like to thank Justin Sinclair who acted for Kirrilly.

Regards,

Robert

Robert Greenwood | General Manager | t 02 4780 5518 | e rgreenwood@bmcc.nsw.gov.au

Blue Mountains City Council • council@bmcc.nsw.gov.au • www.bmcc.nsw.gov.au • Locked Bag 1005
Katoomba NSW 2780

26 September 2016

Office of the General Manager

Reference File: F00407
Document No. 16/178620, 16/195636
Your Reference: 20160812DPAO1MET
Contact: Daniel Papps

Mr Graeme Kelly
General Secretary
United Services Union
Level 7 321 Pitt St
SYDNEY NSW 2000

Dear Mr Kelly

SUBJECT Recruitment Process - Director Service Delivery

I refer to your follow up letter dated 1 September 2016 regarding the advertising process in relation to the Director Service Delivery role.

I can confirm it is our practice to place the Position Description for advertised roles on our website, with the exception of all senior staff positions.

Yours faithfully



ROBERT GREENWOOD
General Manager



Business Paper Confidential Meeting

**Venue: Administrative Headquarters
Civic Place
Katoomba**

Meeting: 7.30pm 22 August 2017



CONFIDENTIAL MEETING

22 AUGUST 2017

AGENDA

ITEM NO.	PAGE	SUBJECT	COMMENTS
		<u>PROVIDING GOOD GOVERNMENT</u>	
7	4	Review of Organisational Structure	

ITEM NO: 7

SUBJECT: REVIEW OF ORGANISATIONAL STRUCTURE

FILE NO: F09165 15/82791

*This report is considered confidential under Section 10A of the Local Government Act 1993
a) personal matters concerning particular individuals (other than councillors).*

Delivery Program Link

Principal Activity: Civic Leadership

Service: Governance and Risk

Recommendations:

1. *That the Council acknowledges it is required under the Local Government Act to consider a review of the organisational structure with the first 12 months in office;*
 2. *That the Council approves the proposed organisational structural changes outlined in the report in response to Recommendation 1 and Council's desire to strengthen its ability to deliver on the 2017-2021 Council Strategic Priorities;*
 3. *That the Council also confirms no changes to the Senior Staff structure and confirms the Senior Staff positions to be that of:*
 - *General Manager*
 - *Director City & Community Outcomes*
 - *Director Development & Customer Services*
 - *Director Service Delivery*
 - *Group Manager People & Systems*
 - *Group Manager Integrated Planning & Finance;*
 4. *That the Council notes the proposed changes will be delivered from a combination of existing resources and savings generated from business improvement initiatives;*
 5. *That the Council acknowledges that the General Manager will progressively implement changes, below the Management Team level, as is necessary to deliver on the 2017-2021 Council Strategic Priorities;*
 6. *That the General Manager consults with potentially affected employees, the Staff Consultative Committee and relevant Unions of the changes;*
 7. *That the General Manager informs all employees of the changes; and*
 8. *That the end of Quarter 1 2017 – 2018, is the intended effective commencement date for the new structure noting that some changes will be progressively implemented from 1 September 2017 to ensure the implementation process is as seamless as possible.*
-

Report by General Manager:

Reason for report

The reason for the report is to strengthen Council's ability to deliver on the 2017-2021 Council Strategic Priorities, and at the same time meet its obligations under the Local Government Act - to review the organisational structure within the first 12 months in office.

Background and Key Considerations

The current organisational structure was adopted in March 2011, and subsequently refined in October 2013 and July 2015, in line with the following key objectives:

- To support the delivery of Council's Integrated Plans;
- To improve service delivery and responsiveness within our financial capacity;
- To clarify accountability for strategy, outcome setting and operational activities; and
- To reinforce continuous improvement and innovation.

The structural changes implemented in 2011, 2013 and 2015 have proven successful in supporting the organisation in delivering on key priorities and objectives. This assessment is reinforced by key organisational results, as reported to Council, including Council being assessed as Fit for the Future and the strong Community Survey outcomes.

At Council's December 2016 Strategic Workshop, Council reviewed and reaffirmed the strategic direction and guiding principles in response to the Strategic Community Plan - *Sustainable Blue Mountains 2025*. At the March 2017 Councillor Strategic Workshop, the strategic priorities 1-5 were re-affirmed and strategic priority 6 was added:

1. Improve approach to asset management to support delivery of the Council's commitments to Fit for the Future targets, the State Governments expectations for Councils and support value for money services to the community.
2. Committing to the delivery of the Council's Fit for the Future Targets – Maintaining the Best Value Decision Making Frame to maximise the outcomes for the community from the SV2 income.
3. Commence the strategic review of the services that the Council provides to inform future decision making and priorities.
4. Increase focus and priority on Business Improvement and Innovation to improve effectiveness and efficiency.
5. Position the Council to be more proactive in communicating and engaging with the community on the business of the Council.
6. Develop a strategic approach to tourism and the visitor economy that also addresses the increased visitation, local community and funding options.

At the March 2017 strategic workshop, Council also acknowledged the need to accelerate implementation on these key priorities to ensure by 2020 Council achieves its' Fit for the Future targets and is financially sustainable at the conclusion of SV2.

As such, the organisation needs to focus resources to address these challenges and continue to position for the future. This review is also an opportunity to further strengthen and improve the current structure to meet these challenges.

Observations and Proposed Changes

Organisational Structure

While a four directorate model was considered in 2015, it was recognised at the time that the 3 Directorate and 2 Group structure had proven effective and provided the correct focus in delivering on our organisational objectives, plans and strategies.

During this review, a four directorate model was again considered. However, to best meet Council's desire to strengthen and accelerate our ability to deliver on Council's 4 year Strategic Priority Outcomes, wholesale changes are not considered to be warranted at this time and could be counter-productive.

Therefore no major fundamental changes to the organisational structure are recommended. As such, in addition to the General Manager, the Senior Staff positions (Executive Leadership Team) would consist of the following roles:

- Director, City & Community Outcomes
- Director, Development & Customer Services
- Director, Service Delivery
- Group Manager, People & Systems
- Group Manager, Integrated Planning & Finance

In addition to the overall organisational structure there is a need to continue to strengthen our ability to deliver on the Council's strategic priorities. In response several key areas require a greater focus and are to be strengthened and/or refined, as discussed below.

City & Community Outcomes (C&CO)

In the 2015 review, several changes were made to the C&CO Directorate to improve the focus on delivery of a strategic planning framework for Council, including identifying future demand for assets and infrastructure.

Changes were also made to better fund asset management and to link roads and civil infrastructure asset management better with maintenance and operations within Service Delivery Directorate. The environmental operations area was integrated into C&CO to ensure that all environmental management and planning functions were in one Directorate, particularly due to the importance of the natural environment across the LGA. A discrete economic outcomes area was established to re-engage Council with strategic planning for economic development (including tourism). Finally, C&CO's approach to project management delivery was also improved through the formal establishment of a PMO and extensive training in project management for staff. These changes have proven to be successful.

As significant progress has been made with strategic planning for future asset needs and in asset data collection, the next stage in improvement to asset management for Council will be a focus on asset management plan (AMP), the development of analysis tools to ensure optimisation of resource allocation and works program preparation and to provide detailed service level planning to translate strategy into delivery in Council.

Asset & Service Planning

With the emphasis now on these additional areas, it is proposed that Council strengthen its approach to asset and service planning through the establishment of a dedicated branch (Asset & Service Planning) within C&CO. This will bring together the current strategic asset management, asset data collection and asset planning coordination functions into a branch that has responsibility for preparation of all asset management plans, the development and management of analysis systems for asset planning, ensuring asset registers and systems are maintained and to commence development of service level input into asset planning (service planning).

Over the next 12 months, as Councils strategic planning framework is further progressed, it is intended to move a planning role into the team to lead service planning related to asset delivery (Service Planning Coordinator).

This branch will be responsible for ensuring that asset management plans are prepared and effectively guide asset management decisions and expenditure across the Council.

Many of the improvements in asset planning and management for Council will not be related to structural change, but instead in improving asset management maturity as per Councils current asset management improvement plan.

Infrastructure & Major Projects (formerly Infrastructure & Strategic Assets)

In 2015, the infrastructure and strategic assets activities were consolidated into one branch to improve infrastructure planning and better integration with the long term asset works programs and strengthen the link between strategic asset management and project management and delivery.

While this change has been successful in delivering major infrastructure projects it has not made the anticipated progress on asset management. Given the ever increasing need to focus on asset management the strategic assets team will be reassigned to the newly formed Asset & Service Planning branch to ensure these activities are aligned and progressed.

Environment & Culture

No changes proposed.

Community & Economic Outcomes

No changes proposed.

Strategic Outcomes & Projects

No changes proposed.

Service Delivery (SD)

In the 2015 review, only minor changes were made to the Service Delivery Directorate. It is now necessary to streamline and strengthen the focus on some core activities that impact on the way the City is presented to residents and visitors and to continue to improve service delivery and business improvement across the Directorate consistent with Council's strategic priorities.

At a Directorate level, the management structure across each of the branches will undergo refinement to ensure responsibility and accountability is appropriately assigned, with an emphasis on business performance.

Director Service Delivery

The recently vacated Director Service Delivery position provides an opportunity to recruit a Director on an interim basis. As such, it has been determined to engage an interim Director for a 12 month fixed term period.

The rationale for this decision is twofold. Firstly, it provides an incoming General Manager the ability to determine the incumbent for this position. Secondly, an interim Director will be able to have a stronger focus in delivering against specific outcomes including strengthening organisational alignment; driving business performance and improvement; and strengthening service delivery.

At the branch level the following is proposed:

Resource Recovery & Waste Services (formerly Waste & Cleansing Services)

The Waste & Cleansing Services branch will be renamed Resource Recovery & Waste Services and will now be solely dedicated to the management and delivery of domestic waste resource recovery services and the management of our resource recovery facilities.

This will include the management of the resource recovery facilities at Katoomba and Blaxland - the management of both has now been brought in-house. Given the need to extend the life of the Blaxland facility the emphasis on resource recovery management is a priority. To strengthen both this and the City Presentation branch the cleansing services and street sweeping activities will be reassigned to the City Presentation branch.

City Presentation (formerly Parks & Support Services)

It is acknowledged that the look and feel of the City to residents and visitors alike needs to be improved within our funding ability. As a result this branch will now have the presentation of the City as its core purpose, hence the name change.

To do this several changes are also proposed. Firstly, the cleansing services and street sweeping teams, currently in Waste & Cleansing Branch, will be reassigned to the newly named City Presentation Branch. The other core component is the existing parks teams responsible for the maintenance and upkeep of sportsgrounds and town centres. Bringing these activities together will ensure better integration, coordination and delivery in the presentation of the City.

The fleet and procurement activities also form part of this Branch. In the 2015 review, the strategic procurement aspects were reassigned to the People & Systems Group to establish and mature an organisational approach to procurement. While this move has been successful, to ensure the focus of the City Presentation Branch is focused on its core objective, the recommendations from the Procurement Improvement Project need to be fully implemented to achieve this (discussed further in the P&S section).

To further strengthen this, the fleet and procurement activities will be transferred to the Business Performance branch.

Business Performance (formerly Business & Asset Systems)

As Service Delivery is the largest Directorate in the organisation, stronger alignment with organisational strategies and the business transformation approach being adopted by the organisation is needed to ensure initiatives are implemented in the most effective and efficient manner.

As such, the Business & Asset Services role will be redesigned and progressed to a manager role. This Branch will also take the lead on the structural reform across the Directorate. As discussed earlier, the Fleet and Procurement activities will be reassigned to the Business Performance Branch.

Transport & Civil Assets

No changes proposed.

Leisure & Visitor Information Services

No changes proposed.

Development & Customer Services (D&CS)

In the 2015 review, for efficiency and effectiveness reasons it was determined that the management of the Blue Mountains Theatre & Community Hub was best placed with the Blue Mountains Cultural Centre, in the D&CS Directorate.

This change has proven to be very successful and no further changes are proposed to the Development & Customer Services Directorate.

People & Systems (P&S)

In 2015, the need for an organisational approach to business improvement was established. While significant progress has occurred in this area to date, there is now an acknowledgement that we need to take a more transformational approach to business improvement. As a result, it is proposed to create a manager role that will oversee the business transformation program office reporting directly to the Group Manager People & Systems.

As discussed earlier, 2015 also saw the transfer of strategic procurement to P&S. This move has been successful as a strategic procurement audit has since been undertaken, and a Procurement Improvement Project (PIP) established. The recommendations from the audit and subsequent PIP have identified a range of initiatives that will not only strengthen our corporate governance in the procurement area but are anticipated to deliver significant savings annually when fully implemented.

In response to the Council's priority to be more proactive in communicating and engaging with the community, resources have been reassigned to strengthen the team's capacity and capability to better deliver on this strategic priority. This has already proven successful as the development of a corporate communications strategy and plan has occurred and the scoping exercise for a new corporate website is well underway.

Integrated Planning & Finance (IP&F)

In the 2015 review, no changes were made to the Integrated Planning & Finance Group.

With the challenge of achieving required Fit for the Future targets by 2020 and continuing to improve financial sustainability, there is now a need for a greater focus on our strategic finance activities. It is therefore proposed that the operational and strategic finance components are strengthened by reporting both roles directly to the Group Manager IP&F.

As a result the Program Leader Strategic Finance role would be progressed to a manager role reporting directly to the Group Manager. At the same time, the former CFO role is being redesigned to a Financial Controller role to strengthen our focus on core operational components.

Revised Organisational Structure

The proposed organisational structural changes of significance have been identified in the report and as shown at Attachment 1.

Financial and Human Resource Implications

Financial

The proposed changes at the Management Team level consist of refocusing 3 manager roles and redesigning 4 program leader roles, will have a financial implication in the order of \$80K. There will also be a requirement for further resources, on a needs basis, to deliver on the 2017-2021 Council Strategic Priorities in the order of \$270K.

However, all the proposed organisational structure changes will be delivered from a combination of existing resources and savings generated from business improvement initiatives.

The recruitment for the redesigned management and program leader positions will be by way of internal expressions of interest in the first instance, followed by an external recruitment exercise as is necessary. Costs associated with this process will be one off in nature. To fund this, sources of revenue will need to be identified from existing budgets, reserves, savings, budget review or a combination of each.

Legal and Risk

It is important that due process and communication is followed especially in regard to employee matters. There are no other legal and risk matters that have been identified.

Timeframe and Consultation

Timeframe

Should the Council approve the recommendations it is intended to commence implementation immediately and have the new structure fully implemented by the end of the Quarter 2, 2016-2017. It is also intended that the transition will be such that it creates the least disruption to the workforce and the community. The suggested timing will also allow for progressive changes to occur.

Consultation

Should the Council agree to proceed with the new organisational structure then the following process will be implemented:

1. Notification to the relevant Unions that the Council has determined a new structure;
2. Notification to the Staff Consultative Committee;
3. Consultation with affected employees; and
4. Notification to all employees.

External Consultation

Following Council endorsement, advice to the relevant Unions will occur indicating that the Council has determined a new organisational structure.

Conclusion

The operating environment in local government continues to change and since 2013 the NSW Local Government reform agenda has gained momentum, and now requires all Council's in NSW to demonstrate their ability to be "Fit for the Future" and manage assets strategically.

Council has reviewed and reaffirmed the strategic direction and guiding principles and added a strategic priority – resulting in the 2017-2021 Council strategic priorities. Critical to the successful delivery of these strategic priorities is the need to strengthen our capacity and capability in several areas as identified in the report. The report also identifies that the current business as usual approach will not be sufficient and the need to take a more timely transformational approach is necessary.

The need for Council to be adaptive to change through business efficiency, service reviews, innovation and continuous improvement remains the key to success. It is important that the organisation is structured, skilled and resourced to be effective and efficient, minimise risk and deliver on the things that the Council has planned to do within our means.

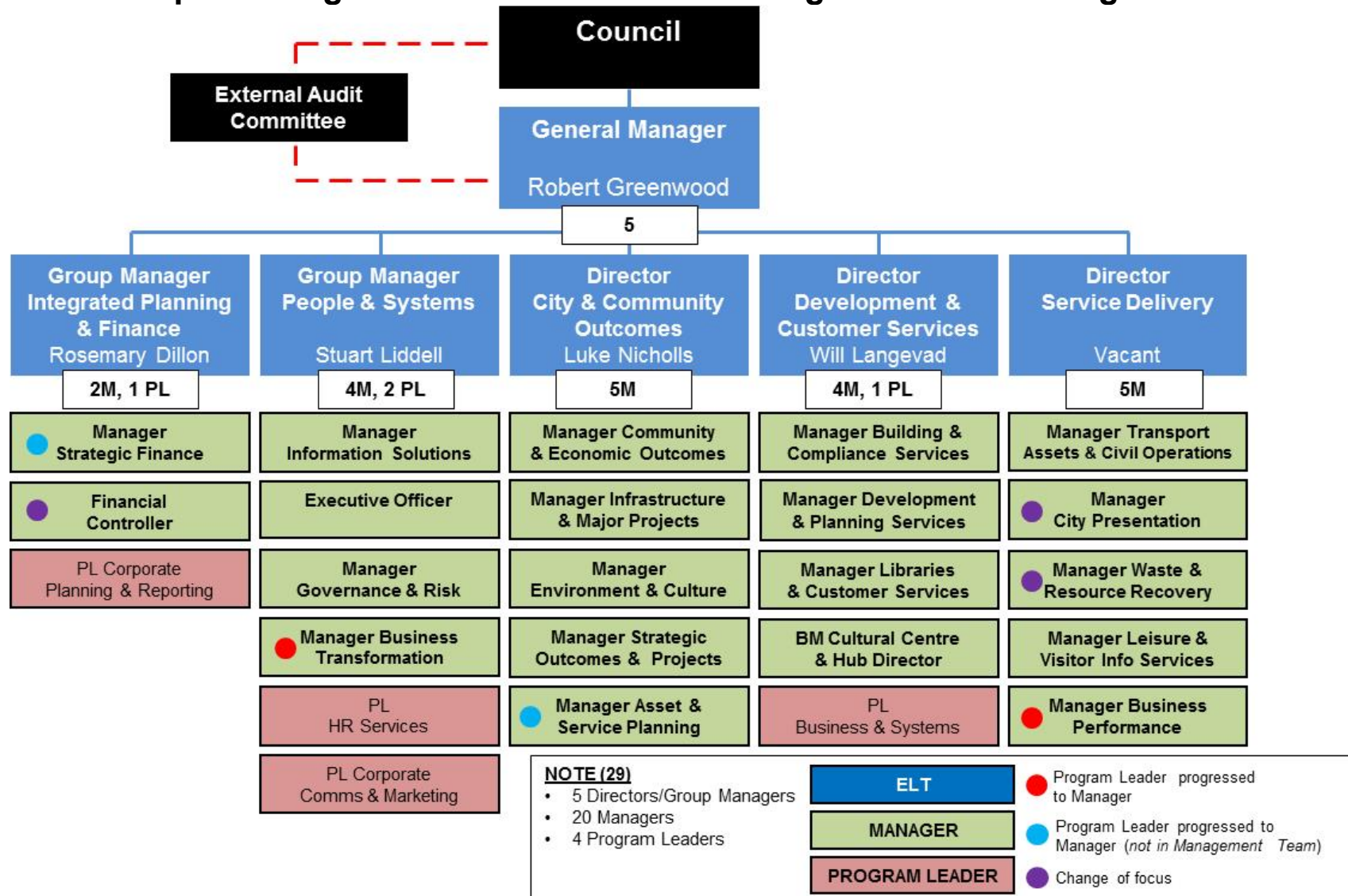
Overall the management team numbers, resulting from the redesigned structure in response to the need to increase our capacity and capability, will only increase by one. Below this level there will also be a need to increase resources, however these changes will be minimal by nature. The funding of all resource requirements will be through the combination of existing resources and savings generated from business improvement initiatives.

The organisational structural changes recommended to the Council are considered to be a continuation of our response to the ever changing environment and build on the 2011, 2013 and 2015 structural changes.

ATTACHMENTS/ENCLOSURES

1	Revised Organisational Structure		Attachment
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Proposed Organisational Structure – Management Team - August 2017



Attachment 1: Revised Organisational Structure

HAYS Executive

SHORTLIST CANDIDATE REPORT

Blue Mountains City Council

Director, Service Delivery

Prepared by Paul Phillips

August 2017

hays.com.au



HAYS Executive

CANDIDATES

Candidate: **Paul Phillips**

[Redacted]

Mark Bluffington

[Redacted]

hays.com.au

Hays Executive

hays.com.au

Hays Executive

Page 2 of 2

Page 2 of 2

HAYS Executive

Condition	Qualification	Availability	Current Salary Package	Required Training	Market Flexibility	Organizational Commitment	Desire to Work Fulltime	Compensation Ratio	Personal Situation	Travel Requirement	Transferable Qualification	Desired Location
[REDACTED]	High School Graduate with 10 years experience in [REDACTED]	Available	\$12,000	GERMAN	Highly	Strong	Strong	Strong	Strong	Strong	Strong	USA
[REDACTED]	High School Graduate with 10 years experience in [REDACTED]	Available	\$12,000	GERMAN	Highly	Strong	Strong	Strong	Strong	Strong	Strong	USA
[REDACTED]	High School Graduate with 10 years experience in [REDACTED]	Available	\$12,000	GERMAN	Highly	Strong	Strong	Strong	Strong	Strong	Strong	USA

High School
Hays Executive

High School

HAYS Executive

Condition	Qualification	Availability	Current Salary Package	Required Training	Market Flexibility	Organizational Commitment	Desire to Work Fulltime	Compensation Ratio	Personal Situation	Travel Requirement	Transferable Qualification	Desired Location
[REDACTED]	High School Graduate with 10 years experience in [REDACTED]	Available	\$12,000	GERMAN	Highly	Strong	Strong	Strong	Strong	Strong	Strong	USA
[REDACTED]	High School Graduate with 10 years experience in [REDACTED]	Available	\$12,000	GERMAN	Highly	Strong	Strong	Strong	Strong	Strong	Strong	USA

High School
Hays Executive

High School

HAYS Executive

CANDIDATE PROFILE

Lewis has over 15 years' experience managing commercial building large diverse teams of all experience while ensuring the highest quality work standards with extensive experience in electrical, mechanical, and plumbing. The situation required to achieve the desired result, leading by example, communicating clearly, both positive and constructive, having empathy, delegating, encouraging and developing the capability of skill and reading them into independence.

Lewis's exchange management ability has been utilized at both temporary and permanent services by managing the changes required within the business unit, developing a business plan of change responses, making the employees of the organization changes that are required and making the support of the employees and implementing the appropriate adjustments.

Lewis has a track record of commercial success in building and sustaining large and diverse teams across both soft and hard services. This combined with the ability to drive successful outcomes in complex environments and situations, as well as the ability to manage risk and development of the staff with the challenges facing the Director, Service Delivery at Hays.

The candidate has extensive experience in the construction industry, with a focus on the commercial building sector. They have a proven track record of managing large teams and delivering high-quality work. The candidate is currently seeking a challenging role where they can utilize their skills and experience to drive business growth and success.

The candidate is a highly motivated and results-driven professional with a strong background in the construction industry. They are currently seeking a role where they can leverage their extensive experience and skills to contribute to the success of the organization.

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Hays Executive

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HAYS Executive

Education

- Sheffield Hallam University, Edge (Hons) Engineering & Business Management, Mechanical Engineering.

Overview

Individuals thinking with a focus on the operational aspects of the business, proven ability to quickly analyse the business drivers and develop strategies to grow the business line.

Work History

Property Care Services

March 2014 - Present - Head of Facilities & Work Place Services APAC

Senior Manager, Commercial, Education, Healthcare, Aviation, Retail Hospitality

- Regional accountability (over 200) for all aspects of the operations, facilities management, work place services across the APAC region covering 400 properties, 10 countries, 5 million sqm and over 50,000 employees with a turnover over US\$100m per annum.
- Implemented the operational and integrated Facility Service Model to align with the company's growth objectives.
- Managed all APAC facilities services provided in compliance with the contractual obligations and SLA, and the best of quality related requests designed KPI values.
- Managed the APAC Facility regions operations, implementation of workplace services, processes and maintenance.
- Implemented workplace strategies and local business requirements to create operational plans.
- Overseeing the APAC Facility areas of compliance, OHS and fire safety control.
- Managing country managers, regional facility managers, facilities management engineering and asset with any technical issues that may arise.
- Overseeing APAC Facility performance management work and feedback.

Skills

October 2008 - February 2014 - Health, Facilities & Services Manager ANZ

Senior Manager, Commercial, Automotive, Aviation, Industrial

- Reported to the Global Director with end to end accountability across the ANZ region covering 30 properties, 5,000,000 sqm, to provide operational leadership, management, and achieved operational excellence to the company & client accounts in line with company strategy, policies, objectives, processes and practices.
- Ensured quality and timeliness of service delivery in accordance with contract.

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HAYS Executive

- Reviewed and proactively established required processes and training to personnel to consistently meet financial and performance expectations of the client in a competitive market.
- Provided technical and management direction for all corporate and facility management services, ensuring that our resources reduce costs and increase satisfaction.
- Owned and coordinated all facility-related business opportunities for the organization.
- Account management: project management of change activities, accountability for overall performance.
- Involved in the corporate supply chain management project and development services.
- Involved in the corporate supply chain management project and development services.
- and subject matter experts in further education for the key client accounts.

Infra Corporation, Asia

October 2000 – September 2003 – General Manager

Services Commercial, Hospitality, Retail, Residential, Industrial

- Reported directly to the Facility Board of Directors with accountability for all facility services and construction projects through the regional retail, residential, commercial, and hotels.

Collins International

November 1998 – September 2000 – Director Sales & Leasing Sydney

Services Commercial, Retail

- Managed and directed the sales and leasing operations business unit in partnership with the organizations policies and procedures, maintaining sales and lease transactions and agreements.

Brill Europe

October 1996 – October 1998 – Victoria

Key Achievements:

- Turned around under-performing business unit by reengineering business model and strategy – resulted operating costs by 20% across the Asia Pacific region by eliminating underperforming service providers.
- Grew business growth by partially selling contracts for up to 100% with organizations such as American Express, UPS, Samsung, and Intel.
- Implemented new sales management strategy to market our services to current and direct organizations sustainability improvements throughout the Asia Pacific region.
- Increased sales corporation gross revenue from USD 100m to USD 150m in fewer than two years across the region through ongoing client contact and business development.

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Hays Executive

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HAYS Executive

CANDIDATE PROFILE

Peter possesses a well-advanced people manager with a wealth of experience in Property Facilities and Capital Management. He has a track record of leading diverse teams in facilities management operations, strategic procurement, and financial and capital management for organizations including F&B, retail, utilities, and transport. He has a proven track record in both written and verbal, having presented industry papers to large forums, presented business development proposals, and been a key player in the industry. He has a proven track record in the industry, having presented industry papers to large forums, presented business development proposals, and been a key player in the industry. He has a proven track record in the industry, having presented industry papers to large forums, presented business development proposals, and been a key player in the industry.

Peter has led major facilities management operations and has responsibility for driving strategy and service model development. In both corporate and government environments, including Property NSW and the Australian Federal Police, he has led a number of key projects, including the development of a new facility management service model.

Peter's track record of over 25 years' experience in property engineering, facilities and facility management, has been demonstrated with his extensive experience in operations management for F&B, retail, utilities, and transport. He has a proven track record in the industry, having presented industry papers to large forums, presented business development proposals, and been a key player in the industry. He has a proven track record in the industry, having presented industry papers to large forums, presented business development proposals, and been a key player in the industry.

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Hays Executive

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PLAYS Executive

There are many reasons why a company's financial health is important. One of the most important is that it affects the company's ability to pay its bills. If a company is not able to pay its bills, it may have to shut down. This can be a disaster for the company and its employees. Therefore, it is important for a company to monitor its financial health closely.

1. 1. The first of the two main parts of the book is devoted to a study of the
2. history of the development of the theory of the structure of the
3. atom, from the classical theory of the atom to the modern quantum
4. theory of the atom, and the second part is devoted to a study of the
5. structure of the atom, from the classical theory of the atom to the modern
6. quantum theory of the atom.
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5. structure of the atom, from the classical theory of the atom to the modern
6. quantum theory of the atom.

THE UNIVERSITY OF CHICAGO PRESS

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1. 本報告は、昭和二十三年三月に於ける、東京府立第一女子高等学校の生徒の、
 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 8

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Internet: <http://www.umichpress.org>

1900 - 1950
 Name: Director, Property Conservation, State of Texas
 Address: 1200 North Main Street, Austin, Texas
 Date: 10/10/1950
 Subject: 1950 Census of Population and Housing

INDEX CONTINUED

Figure 3: Error analysis

145s Executive

[illegible]

मार्गः कर्मसुखिनीति

* This section of the question, development, return and management of natural habitat is not applicable to the question.

Subject English

[illegible]

1. *Chlorophyll a* and *b* contents were determined by the method of Lichtenthaler and Whistler (1973).

[illegible]

WALTON ACHIEVEMENT

Executive, Planning, Administrative and Information Systems, 1974-1975, 1976-1977, 1978-1979, 1980-1981, 1982-1983, 1984-1985, 1986-1987, 1988-1989, 1990-1991, 1992-1993, 1994-1995, 1996-1997, 1998-1999, 2000-2001, 2002-2003, 2004-2005, 2006-2007, 2008-2009, 2010-2011, 2012-2013, 2014-2015, 2016-2017, 2018-2019, 2020-2021, 2022-2023, 2024-2025, 2026-2027, 2028-2029, 2030-2031, 2032-2033, 2034-2035, 2036-2037, 2038-2039, 2040-2041, 2042-2043, 2044-2045, 2046-2047, 2048-2049, 2050-2051, 2052-2053, 2054-2055, 2056-2057, 2058-2059, 2060-2061, 2062-2063, 2064-2065, 2066-2067, 2068-2069, 2070-2071, 2072-2073, 2074-2075, 2076-2077, 2078-2079, 2080-2081, 2082-2083, 2084-2085, 2086-2087, 2088-2089, 2090-2091, 2092-2093, 2094-2095, 2096-2097, 2098-2099, 2100-2101, 2102-2103, 2104-2105, 2106-2107, 2108-2109, 2110-2111, 2112-2113, 2114-2115, 2116-2117, 2118-2119, 2120-2121, 2122-2123, 2124-2125, 2126-2127, 2128-2129, 2130-2131, 2132-2133, 2134-2135, 2136-2137, 2138-2139, 2140-2141, 2142-2143, 2144-2145, 2146-2147, 2148-2149, 2150-2151, 2152-2153, 2154-2155, 2156-2157, 2158-2159, 2160-2161, 2162-2163, 2164-2165, 2166-2167, 2168-2169, 2170-2171, 2172-2173, 2174-2175, 2176-2177, 2178-2179, 2180-2181, 2182-2183, 2184-2185, 2186-2187, 2188-2189, 2190-2191, 2192-2193, 2194-2195, 2196-2197, 2198-2199, 2200-2201, 2202-2203, 2204-2205, 2206-2207, 2208-2209, 2210-2211, 2212-2213, 2214-2215, 2216-2217, 2218-2219, 2220-2221, 2222-2223, 2224-2225, 2226-2227, 2228-2229, 2230-2231, 2232-2233, 2234-2235, 2236-2237, 2238-2239, 2240-2241, 2242-2243, 2244-2245, 2246-2247, 2248-2249, 2250-2251, 2252-2253, 2254-2255, 2256-2257, 2258-2259, 2260-2261, 2262-2263, 2264-2265, 2266-2267, 2268-2269, 2270-2271, 2272-2273, 2274-2275, 2276-2277, 2278-2279, 2280-2281, 2282-2283, 2284-2285, 2286-2287, 2288-2289, 2290-2291, 2292-2293, 2294-2295, 2296-2297, 2298-2299, 2300-2301, 2302-2303, 2304-2305, 2306-2307, 2308-2309, 2310-2311, 2312-2313, 2314-2315, 2316-2317, 2318-2319, 2320-2321, 2322-2323, 2324-2325, 2326-2327, 2328-2329, 2330-2331, 2332-2333, 2334-2335, 2336-2337, 2338-2339, 2340-2341, 2342-2343, 2344-2345, 2346-2347, 2348-2349, 2350-2351, 2352-2353, 2354-2355, 2356-2357, 2358-2359, 2360-2361, 2362-2363, 2364-2365, 2366-2367, 2368-2369, 2370-2371, 2372-2373, 2374-2375, 2376-2377, 2378-2379, 2380-2381, 2382-2383, 2384-2385, 2386-2387, 2388-2389, 2390-2391, 2392-2393, 2394-2395, 2396-2397, 2398-2399, 2400-2401, 2402-2403, 2404-2405, 2406-2407, 2408-2409, 2410-2411, 2412-2413, 2414-2415, 2416-2417, 2418-2419, 2420-2421, 2422-2423, 2424-2425, 2426-2427, 2428-2429, 2430-2431, 2432-2433, 2434-2435, 2436-2437, 2438-2439, 2440-2441, 2442-2443, 2444-2445, 2446-2447, 2448-2449, 2450-2451, 2452-2453, 2454-2455, 2456-2457, 2458-2459, 2460-2461, 2462-2463, 2464-2465, 2466-2467, 2468-2469, 2470-2471, 2472-2473, 2474-2475, 2476-2477, 2478-2479, 2480-2481, 2482-2483, 2484-2485, 2486-2487, 2488-2489, 2490-2491, 2492-2493, 2494-2495, 2496-2497, 2498-2499, 2500-2501, 2502-2503, 2504-2505, 2506-2507, 2508-2509, 2510-2511, 2512-2513, 2514-2515, 2516-2517, 2518-2519, 2520-2521, 2522-2523, 2524-2525, 2526-2527, 2528-2529, 2530-2531, 2532-2533, 2534-2535, 2536-2537, 2538-2539, 2540-2541, 2542-2543, 2544-2545, 2546-2547, 2548-2549, 2550-2551, 2552-2553, 2554-2555, 2556-2557, 2558-2559, 2560-2561, 2562-2563, 2564-2565, 2566-2567, 2568-2569, 2570-2571, 2572-2573, 2574-2575, 2576-2577, 2578-2579, 2580-2581, 2582-2583, 2584-2585, 2586-2587, 2588-2589, 2590-2591, 2592-2593, 2594-2595, 2596-2597, 2598-2599, 2600-2601, 2602-2603, 2604-2605, 2606-2607, 2608-2609, 2610-2611, 2612-2613, 2614-2615, 2616-2617, 2618-2619, 2620-2621, 2622-2623, 2624-2625, 2626-2627, 2628-2629, 2630-2631, 2632-2633, 2634-2635, 2636-2637, 2638-2639, 2640-2641, 2642-2643, 2644-2645, 2646-2647, 2648-2649, 2650-2651, 2652-2653, 2654-2655, 2656-2657, 2658-2659, 2660-2661, 2662-2663, 2664-2665, 2666-2667, 2668-2669, 2670-2671, 2672-2673, 2674-2675, 2676-2677, 2678-2679, 2680-2681, 2682-2683, 2684-2685, 2686-2687, 2688-2689, 2690-2691, 2692-2693, 2694-2695, 2696-2697, 2698-2699, 2700-2701, 2702-2703, 2704-2705, 2706-2707, 2708-2709, 2710-2711, 2712-2713, 2714-2715, 271

1. The first step in the process of identifying a problem is to recognize that a problem exists. This is often done by comparing current performance with a desired state or goal. Once a problem is identified, the next step is to define the problem more precisely. This involves determining the scope of the problem, the resources available, and the constraints that may be affecting the problem. The third step is to analyze the problem. This involves identifying the causes of the problem and the relationships between different factors. The fourth step is to develop a solution. This involves brainstorming possible solutions and evaluating them based on their feasibility, effectiveness, and cost. The fifth step is to implement the solution. This involves putting the chosen solution into action and monitoring its progress. The final step is to evaluate the results. This involves comparing the actual results with the desired state and determining whether the problem has been solved. If not, the process may need to be repeated.

Issue of Interest for Selling Carbon Credits Starting July 4, 2012

State of New York

Subjunctive Mood

1. **संस्कृत**

2005年12月31日

2000-2001

Executive

CANDIDATE PROFILE

अवधिपूर्वक प्रस्ताव

Many patients are not aware of the fact that they are not alone in their struggle with a chronic disease. They are often unaware of the fact that they are not alone in their struggle with a chronic disease. They are often unaware of the fact that they are not alone in their struggle with a chronic disease.

Mark has the advantage of having connected to Brian Williams City Council at a time when the potential around fostering culture of accountability and one of continuous improvement through development at The City Service Delivery. He believes that he is in a strong position to hit the ground running as he takes on the role of the new Managing Director of the Council. Mark is available to commence at the start of October 2017.

[illegible]

10. Further consideration of this subject may be appropriate in a future year, as the results of the study are being analyzed and the results of the study are being analyzed. The results of the study are being analyzed and the results of the study are being analyzed.

Play's Executive
Play's Content

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HAYS Executive

CURRICULUM VITAE

PROFILE

I am a highly motivated, innovative and collaborative person, with a proven track record of working with large diverse teams across a range of technical and professional disciplines, to deliver results through a people based leadership and a collaborative style that can be understood at all levels of an organisation. My strengths include:

- Developing and implementing strategic and business plans across safety, human resources, finance, security, health, environment and construction management disciplines
- Understanding business all aspects of the organisation and applying a self driven approach to all decision making which delivers optimal business outcomes and just compliant outcomes without over engineering by robust safety management systems
- Building successful and resilient teams for teams and employees and creating capability gaps that help to individual's growth and the organisations business objectives
- Developing and delivering a wide ranging and innovative program of professional development for people, staff, sector leaders and stakeholders across a large diverse workforce

EDUCATION

- Electrical Trades Course for Electricians (NTV TAFE NSW)
- Graduate Diploma in Management Development Studies - University of New South Wales (1998)
- Graduate Diploma in Management - Charles Sturt University (2003)
- Masters of Management - Charles Sturt University (2004)
- Management Systems Qualifying - TAFE Training Academy (2015)
- Certificate IV Training and Assessment - First Choice Training (2016)

EMPLOYMENT HISTORY

M.A. and S.E. Whiffen Consulting Services - Managing Director

November 2012 - Current

Energy, Construction and Education sector based consulting business with a focus on professional services, experience starting and leading major projects across NSW, VIC, Strategic Planning, Risk Management and Training. Major clients include:

- The Australian National University (currently Associate Director WNS - Human resources planning)
- ActewAGL (Corberris)
- Western Power (Perth)
- The Australian Renewable Energy Agency (ARENA)
- Hines Construction (Regional NSW)

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Hays Executive

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Essential Energy - Executive Manager Human Resources and Safety

April 2011 - November 2017

Reporting directly to the Managing Director. Providing leadership and support to the Board and Managing Director, leading and managing the Human Safety team in the delivery of strategic business outcomes that ensure the achievement of strategic business objectives. Collaborating with the representatives of the safety and Employee Services role, including safety with the operational responsibility of being CEO of Essential Energy's Registered Training Organisation (RTO). Operational budget of \$40M/annum with 210 employees.

- Reduced serious safety performance (RPI) 2.1. Over 80 of the 120 works depots have been 100% free for greater than 10 years. Achieved a 38% reduction in annual reported safety incidents in the past year and worked compensation premium costs have been reduced year on year for the past 5 years.
- Improved unplanned absence rates to less than 5% per employee per year.
- Reduced recruitment costs to \$650 per recruit and a reduction of 45% 2017.
- Managed the first ever fully undertaken in NSW ever agreed to by WorkCover NSW to establish a Cooperative Research Centre for Safety in the oil and gas sector.
- Australian Training Award finalist for "Australian Apprenticeship Employer" category. Developed an online learning management system saving upward of 10,000 man days through consistent delivery readiness for field based employees.
- Implemented a 500,000 training for Corporate Policy Library.
- Maintained a reputation with certification as a 100% AS/NZS 45001 and ISO 27001.
- Developed a reliable OHS obligations register.
- Introduced a Service Desk and performance management tool (Pass-Up People).
- Developed and launched Women's Employment and Development Strategy.
- Improved Employment and Development Strategy as part of our broader Respectful Workplace Strategy and
- Implemented a new leadership principles based development and coaching program supported by LSI and a range of leader behavior to engagement culture.

Essential Energy - General Manager Safety and Employee Services (GSM)

March 2010 - April 2011

A member of the Senior Leadership Team with full accountability for all safety, security, physical health and wellbeing (PHW) activities as outlined in the PHW Safety and Wellbeing Operations role with the addition of Human Resources Management, Learning and Development and Technical Training but excluding Fleet and Property Services.

- Developed and implementation of needed talent sourcing and talent management strategy and reviewing plan within PHW
- Transition to Work/Paid Loss Scheme for Workers Compensation delivery through savings of \$2M in the business
- Created the Essential Safety Office as a single point of contact for all electrical safety, including development of the IV manual for OG and ES work.

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Hays Executive

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HAYS Executive

- Developed and delivered significant change in service process eliminating the delivery over 100 savings and simplifying the risk assessment process for all business
- Delivered significant returns to Group and affected policy, including winning leading and a lifetime package, with minor support and security leading to 2003 reputation index
- Implementation of safety behaviour program for 2003 reputation index
- Finalists in 2003 Best Overall, Best Safety Awards (first year in service)
- Development and delivery of Environmental Awareness training programme
- HR Advanced developed in accordance with Quality Standard ISO 9001

Essential Energy - General Manager Safety and Business Operations

March 2005 - March 2010

A member of the Senior Leadership Team with full accountability for all occupational health, safety and environmental activities as outlined in the Chief Safety Officer role below with the additional responsibilities of Fleet, Property Services and Physical Security.

- Response development planning for fleet services targeted resulting in 11 Hays and 1100 fleet coordination employees attending Personal Trainer, disaster, maintenance, improvement, safety and reliability courses across the fleet.
- Negotiation of 10th year contract for the delivery of 1100 Hays and 1100 fleet delivering savings to the business in excess of \$500 over five years.
- Introduction of new fleet structure fleet breakdown frequency to provide greater transparency to the business and drive productivity improvement.
- On budget and on target completion of Asset Power Studies (ASPS) and
- Established Tool, Equipment, Chemicals and Portable to ensure SSHE services to supporting operations. Over 5000 services delivered in 2009. Continued recognition with Global Germany winning National Workplace Award in 2010.

Essential Energy - Chief Safety Officer

September 2006 - March 2005

A member of the Senior Leadership Team with full accountability for all occupational health, safety and environmental activities providing leadership and support to the Board and Managing Director and responsible for driving a "leader in safety" culture across the business.

- Established a dynamic team of OHSE professionals who were ranked in the top three engaged business in the country since 2005.
- Reduced Lost Time injuries by 75% since September 2004.
- Reduced Workers Compensation claims costs by 40% since September 2004.
- Reduced Reportable Injury Incidents by 50% since 2004.
- Attained AS/NZS 4801 and ISO 14001 accreditation OHSE Management System.
- Developed and launched "Powerful People" program for all employees.
- Developed and launched "Safety Sense" award with recognition program and
- Creation of a nationally based trade network for OHSE.

Hays.com.au

Hays Executive

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HAYS Executive

Essential Energy - High Performance Culture (HPC) Program Manager
February 2005 - September 2004

Essential Energy - Group Manager Corporate Business Development
July 2004 - January 2003

Advanced Energy - Managing Corporate Strategy and Regulatory Affairs
December 2002 - July 2001

Advanced Energy - Manager Corporate Strategy Business Development
September 1997 - December 2000

Advanced Energy - Executive Technician 2 Retail & Commercial Manager
July 1994 - September 1997

Hays.com.au

Hays Executive

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CANDIDATE PROFILE

[illegible][illegible]

1. The first step in the process of creating a new product is to identify a market need. This is often done through market research, which can involve surveys, focus groups, and other methods of gathering information about potential customers. Once a market need has been identified, the next step is to develop a concept for a product that meets that need. This is often done through brainstorming and prototyping. Once a concept has been developed, the next step is to create a business plan for the product. This plan should outline the costs of production, the pricing strategy, and the marketing plan. Once a business plan has been created, the next step is to secure funding for the product. This can be done through a variety of methods, including venture capital, angel investors, and crowdfunding. Once funding has been secured, the next step is to manufacture the product. This is often done through a combination of in-house production and outsourcing to third-party manufacturers. Finally, the product is launched into the market and marketed through a variety of channels, including retail stores, online platforms, and direct sales.

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SAVING EXECUTIVES

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THE UNIVERSITY OF CHICAGO

- Education, experience in Executive Management and General Manager roles in local Government and State Government in NSW over 25 years.**
General Manager, NSW State and Territory Emergency Management Commission, 2000-2007. I have an in-depth NSW Government Commission Agency with the Projects Division, directly delivering any solid building construction residential housing development projects across NSW in a period of over 1600 units per year.
General Manager, Blacktown City Council, 2000-2005. One of the two largest opponents in a major local authority with 800 staff, 120 subdivisions and 25,000 residents.
General Manager of Projects Division of Housing NSW, 2005-2007. Respected as a fully-qualified and senior manager and professional services building industry.
Chief of the Joint Civil Defence Operations and Incident Strategy at a State Police Command. Experienced in commercialised services delivery in the public sector, creating planning and business models, strategic objectives in the management of large operations, budgeting, asset and investment portfolios, major capital works and on-site delivery programs.
Chief in the design and management of local council developments in the public sector, both State and Local Government. Extensive NSW in the design, management and delivery of public, State and local government, multi-skilled team management and technical information experience in design of organisational structure, representation, operations and development in corporate level.
Engaged in Working with Members of Parliament and their staff, public sector Chief Executive, Councillors, Mayors, Heads of public authorities, community leaders, senior government department officials and Ministers, where appropriate.
Former Chairman of the Board of NSW Design Community Housing Association, Chairman of the Corporation, Institute of Company Directors (ICD).
Successful twenty complex design, construction and delivery of residential buildings. Strong involvement of NSW Government, Statewide, including construction management and other professionals for construction and final presentation.
Highly experienced in team management, project management and business development. Experienced in strategic land-use planning and contemporary development, urban planning and legislation. Former member of a State Housing Planning Panel (HPP), and an active board member and Assessment Panel (HAP).
Current expertise in the development of affordable housing. Experienced in land economics, development planning and residential development, infrastructure.
Highly experienced in the acquisition and disposal of property in the public sector. Strong experience in commercialised local government and independent construction.
Advanced understanding of contemporary state management and housing recovery strategy and practice.
Wishes to further contribute, own business and social business ideas and processes

HAYS Executive

QUALIFICATIONS

- * Bachelor of Engineering from NSW Institute of Technology Sydney, 16 May 1983
- * Certificate of Qualification in a Local Government Engineer 1985
- * University of NSW - Graduated in Local Government Executive degree 1991
- * Graduate of Australian Institute of Company Directors (GACD) 1991
- * University of Technology Sydney - Bachelor of Business Administration in Business Administration and Engineering Management (1991-96)
- * Organisation Analysis and Design
- * Accounting and Financial Administration
- * Executive for Engineers
- * Public Sector Development
- * Contemporary Issues and Technologies Change
- * ARSMA Management Education (for Construction) Ltd.
- * Political Awareness
- * Negotiation Skills and Dispute Resolution
- * Change Management
- * People Management

HAYS Executive

EMPLOYMENT SUMMARY

NEW LAND DEVELOPMENT CORPORATION GENERAL MANAGER PROJECTS DIVISION 2011-2014

As a member of L&NDC Executive and project in responsible for achievement of the strategic outcomes and business initiatives assigned to L&NDC Business Plan. L&NDC Projects Division is a specialised service provider delivering cost effective professional services and project management on behalf of L&NDC and other H&NDC agencies. Current projects to the value of \$200 million per year are delivered by Projects Division.

BLACKTIE CITY COUNCIL 2005-2007 MANAGER CITY OPERATIONS

The position of Senior City Operations is responsible for all of Council's place management initiatives, maintenance and operational activities. Serving a population of 100,000 people, City Operations delivers a diverse range of excellent quality customer services to the City through 220 Council staff and support personnel of 500 staff in.

BLACKTIE CITY COUNCIL 2007-2009 GENERAL MANAGER

The position of General Manager of my Local Government Council in NSW is a responsible and highly challenging role of strategic management within the public sector. Blacktie City Council is the largest of the five largest councils in Sydney serving a community of 1,600,000 people. During my time as General Manager, the Council has achieved a strategic budget of \$150 million annually.

- * The role of operations of the Council can be described by some further statistics:
- * Staff of 900
- * Investment funds of \$100 million
- * Infrastructure assets of \$1 billion under management
- * 100 Development Applications approved per month

DEPARTMENT OF HERITAGE NSW 2005-2007 CORPORATE MANAGER, RESISTANCE

Heritage is a distinguished service provider within Heritage NSW (HNSW), providing a range of specialist services to clients within HNSW as well as selected external clients in the public sector. The Corporate Manager is responsible for the success of the business, reporting through the Deputy Director General to the Director General, and at that time to the Minister, Heritage.

- * Services delivered by Heritage Heritage
- * Managing Heritage from Heritage Heritage
- * Heritage Heritage
- * Heritage Heritage
- * Heritage Heritage

The role of Heritage Heritage is to manage a range of \$150 million in the value of projects, delivering a range of services of \$10 million. A core average of 100 professionals and a network of external resources are engaged in the delivery of these programs on behalf of clients. Heritage Heritage is a specialised project, usually using professional staff as 150, a range of Quality Management System to ensure project and program management as well as project management.

SECRET

MASSACHUSETTS COMMERCE COURT, 335-7100
 100 State Street, 10th Floor

THE UNIVERSITY OF CHICAGO PRESS

- [Faint, illegible handwritten notes]*

சென்னை, 15.05.2019

LIVERPOOL CITY COUNCIL 1995
Director, Technical Services

此種情形，實由於我國社會經濟之落後，及國民教育之普及，而致發生之現象也。

有。一。二。三。四。五。六。七。八。九。十。十一。十二。十三。十四。十五。十六。十七。十八。十九。二十。二十一。二十二。二十三。二十四。二十五。二十六。二十七。二十八。二十九。三十。三十一。三十二。三十三。三十四。三十五。三十六。三十七。三十八。三十九。四十。四十一。四十二。四十三。四十四。四十五。四十六。四十七。四十八。四十九。五十。五十一。五十二。五十三。五十四。五十五。五十六。五十七。五十八。五十九。六十。六十一。六十二。六十三。六十四。六十五。六十六。六十七。六十八。六十九。七十。七十一。七十二。七十三。七十四。七十五。七十六。七十七。七十八。七十九。八十。八十一。八十二。八十三。八十四。八十五。八十六。八十七。八十八。八十九。九十。九十一。九十二。九十三。九十四。九十五。九十六。九十七。九十八。九十九。一百。

BRICK HOUSE

此等文字，皆係當時文士所撰，其詞多屬浮薄，其意多屬諷刺。然其間亦有頗具文采者，如《南齊書》卷之六十五、六十六、六十七、六十八、六十九、七十、七十一、七十二、七十三、七十四、七十五、七十六、七十七、七十八、七十九、八十、八十一、八十二、八十三、八十四、八十五、八十六、八十七、八十八、八十九、九十、九十一、九十二、九十三、九十四、九十五、九十六、九十七、九十八、九十九、一百、一百零一、一百零二、一百零三、一百零四、一百零五、一百零六、一百零七、一百零八、一百零九、一百一十、一百一十一、一百一十二、一百一十三、一百一十四、一百一十五、一百一十六、一百一十七、一百一十八、一百一十九、一百二十、一百二十一、一百二十二、一百二十三、一百二十四、一百二十五、一百二十六、一百二十七、一百二十八、一百二十九、一百三十、一百三十一、一百三十二、一百三十三、一百三十四、一百三十五、一百三十六、一百三十七、一百三十八、一百三十九、一百四十、一百四十一、一百四十二、一百四十三、一百四十四、一百四十五、一百四十六、一百四十七、一百四十八、一百四十九、一百五十、一百五十一、一百五十二、一百五十三、一百五十四、一百五十五、一百五十六、一百五十七、一百五十八、一百五十九、一百六十、一百六十一、一百六十二、一百六十三、一百六十四、一百六十五、一百六十六、一百六十七、一百六十八、一百六十九、一百七十、一百七十一、一百七十二、一百七十三、一百七十四、一百七十五、一百七十六、一百七十七、一百七十八、一百七十九、一百八十、一百八十一、一百八十二、一百八十三、一百八十四、一百八十五、一百八十六、一百八十七、一百八十八、一百八十九、一百九十、一百九十一、一百九十二、一百九十三、一百九十四、一百九十五、一百九十六、一百九十七、一百九十八、一百九十九、二百。

- [illegible]

HAYS Executive

HAYS Executive

During my period of responsibility, HAYS Projects Division has developed a comprehensive project management and other the various management to ensure that there is no overlap in any project and that the project is completed on time and within the budget.

8. Project Management

Throughout my career in Local Government and in State Government, I have been in responsible roles where capital works delivery was a strong focus. In my capacity roles I have been able to identify, manage and coordinate project management principles to manage work and deliver programs of capital works.

1997-1998 Project Division and Capital Division have been active in a number of projects and programs. In addition, both of these divisions have been active members of a global project management institute during the period of my responsibility in these roles.

Many of the projects which I have initiated and delivered have been awarded on the strong financial, cultural and organizational support of Council, ultimately following the overall success of the Council. For example, when I was with a Sub-committee for a health consultation with the health sector, I was able to develop a solution with the health sector, which was a significant success. I was able to secure funding from the health sector, which was a significant success. I was able to secure funding from the health sector, which was a significant success. I was able to secure funding from the health sector, which was a significant success.

9. Budget Overview and Finance

I consider one of my greatest achievements in this role was the successful completion of my duties as leader of a large organization. I was able to manage the financial aspects of the organization and ensure that the organization was able to meet its financial obligations. I was able to manage the financial aspects of the organization and ensure that the organization was able to meet its financial obligations. I was able to manage the financial aspects of the organization and ensure that the organization was able to meet its financial obligations.

In 2003-2004, I was able to manage the financial aspects of the organization and ensure that the organization was able to meet its financial obligations. I was able to manage the financial aspects of the organization and ensure that the organization was able to meet its financial obligations. I was able to manage the financial aspects of the organization and ensure that the organization was able to meet its financial obligations. I was able to manage the financial aspects of the organization and ensure that the organization was able to meet its financial obligations.

The change has been a significant achievement for the organization and has been a significant achievement for the organization. The change has been a significant achievement for the organization and has been a significant achievement for the organization. The change has been a significant achievement for the organization and has been a significant achievement for the organization.

My leadership skills have been a significant achievement for the organization and has been a significant achievement for the organization. My leadership skills have been a significant achievement for the organization and has been a significant achievement for the organization. My leadership skills have been a significant achievement for the organization and has been a significant achievement for the organization.

10. Manage risk and change

I have extensive experience and success with change management and risk management. I have been able to manage the financial aspects of the organization and ensure that the organization was able to meet its financial obligations. I have been able to manage the financial aspects of the organization and ensure that the organization was able to meet its financial obligations. I have been able to manage the financial aspects of the organization and ensure that the organization was able to meet its financial obligations.

RESUME

Current Positions

CEO, Transport City Council
0411 724 1965

Other Roles

Director General, Department of Housing NSW
0411 724 1965

Other Roles

Former Deputy Chair Executive, Department of Human Services
0411 724 1965

Other Roles

Former Deputy, Meritville Council
0411 724 1965

Other Roles

Executive Director NSW Land and Housing Corporation
0411 724 1965

Blue Mountains City Council
Director Service Delivery
Interview Questions – 22 September 2017

1. Paul Philipps (Hays) has obviously outlined why we have decided to appoint a Director for a 12 month period. Can you please share with us your understanding of the current situation.

2. Tell us why you are interested in the opportunity?

3. As you are aware, the directorate needs strengthening in the areas of: line management accountability, organisational culture (values & behaviours), safety performance, service levels. Talk us through what you consider to be your key relevant experience relating to these aspects?

4. Please tell us how you would go about trying to connect the Directorate and workforce to the organisation vision, values and strategy? (if needed)

5. Discuss your experience leading significant change management activities (using examples)?

7. So what would expect the key challenges of this role to be?
Discuss the value you would bring in dealing with them?

8. The role is responsible for some 300 employees (mainly blue collar). Talk to us about your experience in leading and managing large workforces?

9. The role is also responsible for a significant proportion of the organisation's budget. Talk to us about your experience in managing large budgets and the responsibilities that come with it?

10. Significant business efficiency and improvement is much needed in the directorate.
Discuss your experience and approach to this?

11. How would you best describe your leadership style?

12. Given the circumstances, describe the attributes that would serve you well in this role?

13. Do you have any questions of us?

Applicant Details

Applicant Name: **MARIA MOUNICAN**

Position: **DIRECTOR SERVICE DELIVERY**

Vacancy Number:

Interview Date: **22 September 2017**

Interviewer Name: **ROBERT CROFTWOOD**

Assessment of Interview

| Selection Criteria | Exceeds Requirements | Meets Requirements | Does Not Meet Requirements | Comments
<i>Note: comments as to why the applicant has been assessed at this level is compulsory</i> |
|----------------------------------|----------------------|--------------------|----------------------------|---|
| Motivational Fit | / | | | |
| Relevant Experience | / | | | |
| Senior/Executive Leadership | / | | | |
| Culture/Change Management | / | | | |
| Communication Skills | / | | | |
| Interpersonal/Influencing Skills | / | | | |
| Business Improvement | / | | | |
| Customer Service | / | | | |
| Financial Skills | / | | | |
| Relevant Qualifications | / | | | |

Overall comments:

HIGHLY SUITABLE CANDIDATE.

Based on this interview does the applicant display the standard required to perform this position?

☒ Yes

☐ No

☐ Undecided

☐ Proof of Evidence to
work in Australia
sighted

If 'Yes' or 'Undecided' is indicated, this applicant will need to be ranked against other applicants interviewed and a final recommendation made by the panel.

MARK MILLIGAN

Blue Mountains City Council

Director Service Delivery

Interview Questions - 22 September 2017

1. Paul Philipps (Hays) has obviously outlined why we have decided to appoint a Director for a 12 month period. Can you please share with us your understanding of the current situation.

Understands the challenge
Business Transformation
Active Plant
Time & motion benchmarking

2. Tell us why you are interested in the opportunity?

change in the Energy industry
what works well - doesn't
How do you handle people who don't want to participate
3 businesses - network now combined
Bring Platform - Vision Values. Want them contribute
down on the experience.
APP X
DP X

3. As you are aware, the Directorate needs strengthening in the areas of: line management accountability, organisational culture (values & behaviours), safety performance, service levels. Talk us through what you consider to be your key relevant experience relating to these aspects?

Some will change some will say he's in.
Difficult decision within the Account
Capitally test levels of management reports - Right to executive committee
Real expectation - training / coaching

4. Please tell us how you would go about trying to connect the Directorate and workforce to the organisation vision, values and strategy? (if needed)

Strategy Business Plan Policies
Connect the part purpose - KPI
why reason for coming to work
Operational Plan → Strategy
Operational Plan
Helps when people are at

5. Discuss your experience leading significant change management activities (using examples)?

Answer.
\$5 billion - sort of Technology Programme
Contract Management / Risk Management
used from Sales
Project Management / Safety / Value of 4
Contract delivered
Public Accountant / Corp / Financials → public accountability
Controls.

7. So what would expect the key challenges of this role to be?
Discuss the value you would bring in dealing with them?

Part Reconciling India

Seen as central as

Build trust and respect.

Hoping to get lower entry - continuity

People to get as far as possible

Keep communicating right sort info.

Unions - good communication

Can manage unions

8. The role is responsible for some 800 employees (mainly blue collar). Talk to us about your experience in leading and managing large workforces?

- Local Govt similar Country Councils understanding culture

- Show how it can improve.

- Property & Plant. 180.

- Contact with unions - stated as appropriate

9. The role is also responsible for a significant proportion of the organisation's budget. Talk to us about your experience in managing large budgets and the responsibilities that come with it?

Strategic Operations Plan → budget

What people to account for budget

Good use of resources - idle plant

Look at business improving budget: £280m extra

10. Significant business efficiency and improvement is much needed in the directorate. Discuss your experience and approach to this?

Last 5 years amongst systems.

Safety

Goodness

Quality

Process improving - Finance staff

11. How would you best describe your leadership style?

Substantive and Learning Quality

Communication - Extracted

Coaching - Performance Coaching Sessions

listen

Engagement after level down for management

12. Given the circumstances, describe the attributes that would serve you well in this role?

Sense of community

Like to be part of a team

As consultant don't often get the results of the work

Like leadership team - Build good advice & improve those below.

13. Do you have any questions of us?

- Available

- Organisations context interested in

Applicant Details

| | |
|--|--|
| Applicant Name: <u>MARK MULLIKAN</u> | |
| Position: <u>DIRECTOR SERVICE DELIVERY</u> | |
| Vacancy Number: <u>PROD-4</u> | Interview Date: <u>22 September 2017</u> |
| Interviewer Name: <u>LUKE MASON</u> | |

Assessment of Interview

| Selection Criteria | Exceeds Requirements | Meets Requirements | Does Not Meet Requirements | Comments |
|----------------------------------|----------------------|--------------------|----------------------------|---------------------|
| Motivational Fit | | ✓ | | |
| Relevant Experience | | ✓ | | |
| Senior/Executive Leadership | | ✓ | | |
| Culture/Change Management | | ✓ | | |
| Communication Skills | | ✓ | | <u>Strong Comm.</u> |
| Interpersonal/Influencing Skills | | ✓ | | |
| Business Improvement | | ✓ | | |
| Customer Service | | ✓ | | |
| Financial Skills | | ✓ | | |
| Relevant Qualifications | | ✓ | | |

Overall comments:

Positive - Strengths in Business
Knowledge - Strong Comm &
Leadership.

Based on this interview does the applicant display the standard required to perform this position?

☒ Yes ☐ No ☐ Undecided ☐ Proof of Evidence to work in Australia sighted

If 'Yes' or 'Undecided' is indicated, this applicant will need to be ranked against other applicants interviewed and a final recommendation made by the panel.

Blue Mountains City Council
Director Service Delivery

Interview Questions - 22 September 2017

1. Paul Philipps (Hays) has obviously outlined why we have decided to appoint a Director for a 12 month period. Can you please share with us your understanding of the current situation.

12 months transition period from Paul to you.
RETIREDMENT. UNUSUAL SITUATION FROM
PREVIOUS EXPERIENCE. AND THAT'S THAT
LEADERSHIP WILL BE USED TO REFORM. A NEW LEADER.
BUT SOLID.

2. Tell us why you are interested in the opportunity?

Real interest in challenging the situation.
Efficiency of operation. Real utilisation.
Real CHANGE. LIKE COMMUNITY SUPPORT.

3. As you are aware, the directorate needs strengthening in the areas of: line management accountability, organisational culture (values & behaviours), safety performance, service levels. Talk us through what you consider to be your key relevant experience relating to these aspects?

Change in business transformation involvement.
A number of ways to get there. Review.
Programme / process. Outcomes to achieve that.
Opportunities to contribute to solution. -
But it's a process. It's a process. It's a process.

4. Please tell us how you would go about trying to connect the Directorate and workforce to the organisation vision, values and strategy? (if needed)

Disseminate vision across the organisation. Additional.
Driver - Learning at efficiency in management.
Incentivising staff by the directorate. Shared.
Thrive. Review at all on the way. On.
Expectations. Focus on implementation.

5. Discuss your experience leading significant change management activities (using examples)?

See above - all. Transformation of.
Multi-level Subsequent Success.
Also on it. Current future - with.

Look forward to starting and not looking back on
improvement on current situation. Also
into Performance Review - also.

| | |
|--------------------------|-----------------------------------|
| Applicant Details | |
| Applicant Name: | <i>MANUEL MURIELA</i> |
| Position: | DIRECTOR SERVICE DELIVERY |
| Vacancy Number: | Interview Date: 22 September 2017 |
| Interviewer Name: | <i>Steve Wood</i> |

Assessment of Interview

| Selection Criteria | Exceeds Requirements | Meets Requirements | Does Not Meet Requirements | Comments
<small>*** Note: comments as to why the applicant has been assessed at this level is compulsory</small> |
|--|----------------------|--------------------|----------------------------|---|
| Motivational Fit | ✓ | | | <i>Very Strong</i> |
| Relevant Experience | | ✓ | | <i>Extensive experience in various roles etc</i> |
| Senior/Executive Leadership | ✓ | | | <i>Extensive industry history</i> |
| Culture/Change Management | ✓ | | | <i>extensive</i> |
| Communication Skills | | ✓ | | <i>very strong</i> |
| Interpersonal/Influencing Skills | | ✓ | | <i>very strong</i> |
| Business Improvement | | ✓ | | <i>very strong</i> |
| Customer Service | | ✓ | | <i>very strong</i> |
| Financial Skills | ✓ | | | <i>very strong</i> |
| Relevant Qualifications | ✓ | | | <i>Master of Engg Electrical Engg</i> |
| Overall comments: <i>like the organisation
- he seems to be able to make a difference
- passionate about making a difference
- very strong leadership skills</i> | | | | |
| Based on this interview does the applicant display the standard required to perform this position? | | | | |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Undecided <input type="checkbox"/> Proof of Evidence to work in Australia sighted | | | | |
| If 'Yes' or 'Undecided' is indicated, this applicant will need to be ranked against other applicants interviewed and a final recommendation made by the panel. | | | | |

MANIC MULLIGAN

Blue Mountains City Council

Director Service Delivery

Interview Questions - 22 September 2017

1. Paul Philippe (Haya) has obviously outlined why we have decided to appoint a Director for a 12 month period. Can you please share with us your understanding of the current situation.

2. Tell us why you are interested in the opportunity?

- likes the organisation
- good

3. As you are aware, the directorate needs strengthening in the areas of: line management accountability, organisational culture (values & behaviours), safety performance, service levels. Talk us through what you consider to be your key relevant experience relating to these aspects?

→ heavy industry experience - merge of industry
→ opex. + capex. targets. ACTIVEN - ASL
→ create a running platform. Basecamp
→ sustainable business model. Groundwork
→ break down barriers for expectations of leadership

4. Please tell us how you would go about trying to connect the Directorate and workforce to the organisation vision, values and strategy? (if needed)

→ communication - Strategy, action + policy
→ the individual KPI's - clear like on sign...
→ create an operational plan → that links.

5. Discuss your experience leading significant change management activities (using examples)?

→ Australian Renewable Energy Association (ARENA)
→ lead at contractor / contract management
→ work with next practices
→ contractor management framework
→ establish framework →

26

7. So what would expect the key challenges of this role to be? Discuss the value you would bring in dealing with them?

- Part. pre-conceived ideas
- establish a base
- seen as an outsider - building trust & rapport
- communicative style over many periods
- beneficial interest in staff - not to
- accurate information - engage with key

8. The role is responsible for some 800 employees (mainly blue collar). Talk to us about your experience in leading and managing large workforces? (limited experience)

LN

- Don't connect commit.
- allocation to particular services
- having people to spend
- control & monitored so easily
- shut down process.

N

9. The role is also responsible for a significant proportion of the organisation's budget. Talk to us about your experience in managing large budgets and the responsibilities that come with it?

- County Council
- essential - Air, Water, Quality, Environment
- property & estate management
- connectivity with the north - going to roots
- apart in value

LN

10. Significant business efficiency and improvement is much needed in the directorate. Discuss your experience and approach to this?

- part of what he does now - management system
- Safety, quality, environment
- look at + understand process
- process maps. what he does...

SL

11. How would you best describe your leadership style?

- communicative
- coaching - leadership is 2 ways
- regular scheduled leadership conversations
- performance coaching
- 1:1s with

SL

12. Given the circumstances, describe the attributes that would serve you well in this role?

- sense of community (fundamental)
- embedded in a regional community
- choice to be part of team - some good feed

SL

13. Do you have any questions of us?

2 week notice agreed

| Applicant Details | |
|------------------------------------|-----------------------------------|
| Applicant Name: | [REDACTED] |
| Position: DIRECTOR | [REDACTED] |
| Vacancy Number: | Interview Date: 22 September 2017 |
| Interviewer Name: ROBERT WAGENWOLD | |

Assessment of Interview

| Selection Criteria | Exceeds Requirements | Meets Requirements | Does Not Meet Requirements | Comments
<i>Note: comments as to why the applicant has been assessed at this level is compulsory</i> |
|---|----------------------|--------------------|----------------------------|---|
| Motivational Fit | | / | | |
| Relevant Experience | | / | | |
| Senior/Executive Leadership | / | | | |
| Culture/Change Management | | / | | |
| Communication Skills | / | | | |
| Interpersonal/Influencing Skills | / | | | |
| Business Improvement | / | | | |
| Customer Service | / | | | |
| Financial Skills | / | | | |
| Relevant Qualifications | / | | | |
| <p>Overall comments:</p> <p>SOME GOOD QUALITIES ESPECIALLY REGARDING BUSINESS IMPROVEMENT CUSTOMER SERVICE SKILLS. SOME PROBLEMS ON CUSTOMER SERVICE - LOCAL TEAM SETTING. NOT SURE WOULD HIT THE BUSINESS RUNNING.</p> | | | | |
| <p>Based on this interview does the applicant display the standards required to perform this position?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Undecided <input type="checkbox"/> Proof of Evidence to work in Australia sighted</p> <p>If 'Yes' or 'Undecided' is indicated, this applicant will need to be ranked against other applicants interviewed and a final recommendation made by the panel.</p> | | | | |

Blue Mountains City Council

Director Service Delivery

Interview Questions - 22 September 2017

1. Paul Phillips (Hays) has obviously outlined why we have decided to appoint a Director for a 12 month period. Can you please share with us your understanding of the current situation.

Dist. Manager
Account Management Role - Budgetary Control.
Key Corporate Goals NANA Intel.
Shareholder Engagement JEL - use highlight this
Management large team various delivery & capabilities
Operations & Asset Management
Help Desk
Finance
O&M relationships
Regional / National

2. Tell us why you are interested in the opportunity?

3. As you are aware, the directorate needs strengthening in the areas of: line management accountability, organisational culture (values & behaviours), safety performance, service levels. Talk us through what you consider to be your key relevant experience relating to these aspects?

Micro Chip Intel Technical / Technical Review more on as train & coach.
Procedures important
Ondas. - spelled operational team - competing

4. Please tell us how you would go about trying to connect the Directorate and workforce to the organisation vision, values and strategy? (If needed)

Agreement - alignment
What success looks like
KPI - feedback to staff - alignment

5. Discuss your experience leading significant change management activities (using examples)?

Property new property facilities - JEL

7. So what would expect the key challenges of this role to be?
Discuss the value you would bring in dealing with them?

R
Range of work challenge - Environmental Scan
Key stakeholders
Innovate from scratch
Value add - Build - impact roles then output

8. The role is responsible for some 300 employees (mainly blue collar). Talk to us about your experience in leading and managing large workforces?

L
up to \$20 Intel Account
12 DIRECT REPORTS - BLUE COLLAR MANUFACTURING
CAUTIONS ABOUT GOVERNMENT
CHARTERS - TERMINATED LARGE COMPANY ENSURED CONTINUITY

9. The role is also responsible for a significant proportion of the organisation's budget. Talk to us about your experience in managing large budgets and the responsibilities that come with it?

L
Good experience managing finance.

10. Significant business efficiency and improvement is much needed in the directorate. Discuss your experiences and approach to this?

L
Align to a start up.
Establish Team -
Best Practice owner, Engineer in product
systems analysis
JULI 2014 system

11. How would you best describe your leadership style?

Collaborative
Engaging team - Part of the Team
Self Management engaged to listen with team.

12. Given the circumstances, describe the attributes that would serve you well in this role?

Urgency
DIVERSIFIED MANAGEMENT Skills,
MEETING REQUIREMENTS

13. Do you have any questions of us?

- POTENTIAL
- LOCAL GOVT SETTING?
-

Applicant Details

| | |
|-------------------------------------|-----------------------------------|
| Applicant Name: [REDACTED] | |
| Position: DIRECTOR SERVICE DELIVERY | |
| Vacancy Number: P00004 | Interview Date: 22 September 2017 |
| Interviewer Name: LUCIE WICKHAM | |

Assessment of Interview

| Selection Criteria | Exceeds Requirements | Meets Requirements | Does Not Meet Requirements | Comments
<small>*** Note: comments as to why the applicant has been assessed at this level is compulsory</small> |
|----------------------------------|----------------------|--------------------|----------------------------|---|
| Motivational Fit | | ✓ | | |
| Relevant Experience | | ✓ | | |
| Senior/Executive Leadership | | ✓ | | |
| Culture/Change Management | | ✓ | | |
| Communication Skills | | ✓ | | |
| Interpersonal/Influencing Skills | | ✓ | | |
| Business Improvement | ✓ | | | Strong - systems |
| Customer Service | | ✓ | | |
| Financial Skills | | ✓ | | |
| Relevant Qualifications | ✓ | | | |

Overall comments:

MEETS REQUIREMENTS - ADEQUATE BUT WEAKER ON LEADERSHIP

Based on this interview does the applicant display the standard required to perform this position?

☒ Yes ☐ No ☐ Undecided ☐ Proof of Evidence to work in Australia sighted

If 'Yes' or 'Undecided' is indicated, this applicant will need to be ranked against other applicants interviewed and a final recommendation made by the panel.

1. Paul Philipps (Hays) has obviously outlined why we have decided to appoint a Director for a 12-month period. Can you please share with us your understanding of the current situation.

SERVICES DIRECTOR. Cannot meet.
Publisher proposes. Planned in Cambridge
November. Not an addition. —
Strongly changed yet.

2. Tell us why you are interested in the opportunity?

Answers below - Rha nar, Takumar.
 Mount with FREQUENTLY met. - Quaternary.
 etc. + First and. Part of.
 SUMMIT WOULD BE - CONVEYANCE

3. As you are aware, the directorate needs strengthening in the areas of: line management accountability, organisational culture (values & behaviours), safety performance, service levels. Talk us through what you consider to be your key relevant experience relating to these aspects?

Organizational culture. - 1955 report -
 bring together. 3000 - part the team, 1955.
 House building right in. initial empty chair.
 getting change other needed and
 back performance - spend on more on. 1955.

4. Please tell us how you would go about trying to connect the Directorate and workforce to the organisation vision, values and strategy? (if needed)

Kaban

Stage a. entire/mid

5. Discuss your experience leading significant change management activities (using examples)?

Presenting new transaction - addresses.
 Considered up to 3 computer. — to be
 in contact. Understood what scope
 necessary etc. etc. After practice standard.
 The whole of the experiment. Great effort.

external - new not standard current base -
190 standard transformers

Make strategy. — change right strategy

7. So what would expect the key challenges of this role to be? Discuss the value you would bring in dealing with them?

• Diversity of activity fully place.
• Unpleasant range of work — crisis
John first — getting. might where change
+ make from Eric's value creating / learning into

8. The role is responsible for some 300 employees (mainly blue collar). Talk to us about your experience in leading and managing large workforces?

Not done temp. + low. Product +
Haber and + maintenance — cost. Service.
X, number. 1000 in relay. — people. — cost

9. The role is also responsible for a significant proportion of the organisation's budget. Talk to us about your experience in managing large budgets and the responsibilities that come with it?

Team 520 staff for water supply. —
12 direct reports. — with it. Manager. stakeholder
work. Plans + engaged with staff. their business?
Preston's role has had time over to manage budget

10. Significant business efficiency and improvement is much needed in the directorate. Discuss your experience and approach to this?

My own start-up and first year
Account — not happen in large Centre
Established. etc..

Large budget
(over 1000)
revenue

11. How would you best describe your leadership style?

Collaborative (horizontal)
team feel part journey.

Spencer
not clear
anything

12. Given the circumstances, describe the attributes that would serve you well in this role?

And role in JLE. new party pattern is
transition. to property left + delivery by JLE
first question. Used to director.

13. Do you have any questions of us?

? Challenges over 6 months —
What are by review.
Thrombosis Man Board for

Emergency
12 months
3 months duration
then 3 weeks b.
Optimisation

→ CEO commitment to the
Team 5 — Collaborative Approach. —
after 494 not.

Applicant Details

Applicant Name:

Position: DIRECTOR SERVICE DELIVERY

Vacancy Number:

Interview Date: 22 September 2017

Interviewer Name:

Frank Under

Assessment of Interview

| Selection Criteria | Exceeds Requirements | Meets Requirements | Does Not Meet Requirements | Comments
<small>*Note: comments as to why the applicant has been assessed at this level is compulsory</small> |
|----------------------------------|----------------------|--------------------|----------------------------|--|
| Motivational Fit | | ✓ | | <i>good</i> |
| Relevant Experience | | ✓ | | <i>good</i> |
| Senior/Executive Leadership | | ✓ | | <i>good - senior / contract</i> |
| Culture/Change Management | | ✓ | | <i>strong</i> |
| Communication Skills | | ✓ | | <i>strong</i> |
| Interpersonal/Influencing Skills | | ✓ | | <i>good</i> |
| Business Improvement | ✓ | | | <i>strong</i> |
| Customer Service | ✓ | | | <i>strong</i> |
| Financial Skills | ✓ | | | <i>strong</i> |
| Relevant Qualifications | | ✓ | | <i>good</i> |

Overall comments:

*good candidate
• Would be ideal an "Manager" but
• Not sure about Director level.*

Based on this interview does the applicant display the standard required to perform this position?

☒ Yes

☐ No

☐ Undecided

☐ Proof of Evidence to work in Australia sighted

If 'Yes' or 'Undecided' is indicated, this applicant will need to be ranked against other applicants interviewed and a final recommendation made by the panel.

Blue Mountains City Council

Director Service Delivery

Interview Questions - 22 September 2017

1. Paul Phillips (Hays) has obviously outlined why we have decided to appoint a Director for a 12 month period. Can you please share with us your understanding of the current situation.

Reasonable understanding.

2. Tell us why you are interested in the opportunity?

Stakeholder mgmt
mgmt of large team
change mgmt
client relationship mgmt.
Program mgmt
Marketing
Operational delivery
Change mgmt.

3. As you are aware, the directorate needs strengthening in the areas of: line management accountability, organisational culture (values & behaviours), safety performance, service levels. Talk us through what you consider to be your key relevant experience relating to these aspects?

org. culture - Intel - bring together a team across Asia Pacific.
maintenance of all facilities
review their competencies
or move them on
enhancement of competency
we are a large team

4. Please tell us how you would go about trying to connect the Directorate and workforce to the organisation vision, values and strategy? (if needed)

5. Discuss your experience leading significant change management activities (using examples)?

property NSW trans. fm
very technical in nature.

7. So what would expect the key challenges of this role to be?
Discuss the value you would bring in dealing with them?

1. Career diversity poor follow.
2. Good handle of range of non activity taking place
3. Revision current circumstances

8. The role is responsible for some 300 employees (mainly blue collar). Talk to us about your experience in leading and managing large workforces?

3-8-25 7520 staff (Account Director Inter)
mainly blue collar - motivation problem
16 - more cautious - communication - understand the language

9. The role is also responsible for a significant proportion of the organisation's budget. Talk to us about your experience in managing large budgets and the responsibilities that come with it?

justify the effort - sign off requirements.

10. Significant business efficiency and improvement is much needed in the directorate. Discuss your experience and approach to this?

align with a stand up.
writing
1st procedural standards
2002 - 2006. Best practice lead
AD 5x 9 signpost - yellow field

11. How would you best describe your leadership style?

collaborative - a 'friendly guy'
part of the journey - staff
respected & recognised for business outcomes

12. Given the circumstances, describe the attributes that would serve you well in this role?

sense of urgency (no time to much around)
transition management & (fine table for)
optimisation (change)
reign of

13. Do you have any questions of us?

currently available.

11/11/17

Applicant Details

Applicant Name: [REDACTED]

Position: DIRECTOR SERVICE DELIVERY

Vacancy Number:

Interview Date: 22 September 2017

Interviewer Name:

ROBIN GREENWOOD

Assessment of Interview

| Selection Criteria | Exceeds Requirements | Meets Requirements | Does Not Meet Requirements | Comments
*** Note: comments as to why the applicant has been assessed at this level is compulsory |
|----------------------------------|----------------------|--------------------|----------------------------|--|
| Motivational Fit | | | | <p>NOT GO FORWARD</p> |
| Relevant Experience | | | | |
| Senior/Executive Leadership | | | | |
| Culture/Change Management | | | | |
| Communication Skills | | | | |
| Interpersonal/Influencing Skills | | | | |
| Business Improvement | | | | |
| Customer Service | | | | |
| Financial Skills | | | | |
| Relevant Qualifications | | | | |

Overall comments:

Based on this interview does the applicant display the standard required to perform this position?

☐ Yes

☒ No

☐ Undecided

☐ Proof of Evidence to work in Australia sighted

If 'Yes' or 'Undecided' is indicated, this applicant will need to be ranked against other applicants interviewed and a final recommendation made by the panel.

Blue Mountains City Council

Director Service Delivery

Interview Questions – 22 September 2017

1. Paul Philippe (Hays) has obviously outlined why we have decided to appoint a Director for a 12 month period. Can you please share with us your understanding of the current situation.

2. Tell us why you are interested in the opportunity?

Likes working with people
Worked in
Australia, tough market – push back
make it better, run
things.

3. As you are aware, the directorate needs strengthening in the areas of: line management accountability, organisational culture (values & behaviours), safety performance, service levels. Talk us through what you consider to be your key relevant experience relating to these aspects?

Ted Bax talk
Work with front line & work back
Talk to employees. – direct.
There can be improvement
Lead by example.
Honeywell – Bully.
diplomati – led to take
a hard line – come on board.

4. Please tell us how you would go about trying to connect the Directorate and workforce to the organisation vision, values and strategy? (If needed)

Start with the manager – only not getting message
– separate – skill
– don't want to be change
manipulated

5. Discuss your experience leading significant change management activities (using examples)?

Honeywell – make it different activity – get new
direction
– teamwork.

| | |
|-------------------------------------|-----------------------------------|
| Applicant Details | |
| Applicant Name: | [REDACTED] |
| Position: DIRECTOR SERVICE DELIVERY | |
| Vacancy Number: | Interview Date: 22 September 2017 |
| Interviewer Name: <i>LYNE REED</i> | |

Assessment of Interview

| Selection Criteria | Exceeds Requirements | Meets Requirements | Does Not Meet Requirements | Comments
<i>** Note: comments as to why the applicant has been assessed at this level is compulsory</i> |
|--|----------------------|--------------------|----------------------------|--|
| Motivational Fit | | | | <i>Not Satisfied</i> |
| Relevant Experience | | | | |
| Senior/Executive Leadership | | | | |
| Culture/Change Management | | | | |
| Communication Skills | | | | |
| Interpersonal/Influencing Skills | | | | |
| Business Improvement | | | | |
| Customer Service | | | | |
| Financial Skills | | | | |
| Relevant Qualifications | | | | |
| Overall comments: | | | | |
| <p>Based on this interview does the applicant display the standards required to perform this position?</p> <p> <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Undecided <input type="checkbox"/> Proof of Evidence to work in Australia sighted </p> <p>If 'Yes' or 'Undecided' is indicated, this applicant will need to be ranked against other applicants interviewed and a final recommendation made by the panel.</p> | | | | |

Blue Mountains City Council

Director Service Delivery

Interview Questions - 22 September 2017

1. Paul Phillips (Hays) has obviously outlined why we have decided to appoint a Director for a 12 month period. Can you please share with us your understanding of the current situation.

Realign the last time approach. to be.
Compared to - no more.

2. Tell us why you are interested in the opportunity?

Working people - experience knowledge -
put himself through university
that might be the best. different
ways - T. D. D. D.

3. As you are aware, the directorate needs strengthening in the areas of: line management accountability, organisational culture (values & behaviours), safety performance, service levels. Talk us through what you consider to be your key relevant experience relating to these aspects?

• Traditional but also talking on. ^{attorney} ^{there}
• work for the last 10 years - ^{can}
• get what working / not working. - ^{check}
• clearly by example ^{role} - ^{interview}

4. Please tell us how you would go about trying to connect the Directorate and Workforce to the organisation vision, values and strategy? (if needed)

• ^{role} / ^{candidate} - ^{ten} leaders.
Structure.
• Be clear - better always for clear.
• ^{role} - ^{way} they not ^{get} ^{scope}
correct.

5. Discuss your experience leading significant change management activities (using examples)?

Honeywell - ^{national} role - ^{lean} effort.
Kapurat / ^{not} on ^{ten} effort.

Realign ^{van} ^{edge} - ^{optimally}

Honeywell. (for ^{national} references).
addressing ^{bill} 71498. ^{strategy} ^{reference} ^{high}

change
well
cost

Applicant Details

| | |
|--|-----------------------------------|
| Applicant Name: [REDACTED] | |
| Position: DIRECTOR SERVICE DELIVERY | |
| Vacancy Number: | Interview Date: 22 September 2017 |
| Interviewer Name: <i>Stuart Hiddle</i> | |

Assessment of Interview

| Selection Criteria | Exceeds Requirements | Meets Requirements | Does Not Meet Requirements | Comments
<small>Note: comments as to why the applicant has been assessed at this level is compulsory</small> |
|----------------------------------|----------------------|--------------------|----------------------------|---|
| Motivational Fit | | ✓ | | <i>OK</i> |
| Relevant Experience | | ✓ | | <i>?</i> |
| Senior/Executive Leadership | | ✓ | | <i>Some</i> |
| Culture/Change Management | | ✓ | | <i>some</i> |
| Communication Skills | | ✓ | | <i>difficult to understand</i> |
| Interpersonal/Influencing Skills | | ✓ | | <i>OK</i> |
| Business Improvement | | ✓ | | <i>OK</i> |
| Customer Service | | ✓ | | <i>good</i> |
| Financial Skills | | ✓ | | <i>good</i> |
| Relevant Qualifications | | ✓ | | <i>OK</i> |

Overall comments:

Not suitable for the role

Based on this interview does the applicant display the standard required to perform this position?

- ☐ Yes
 ☒ No
 ☐ Undecided
 ☐ Proof of Evidence to work in Australia sighted

If 'Yes' or 'Undecided' is indicated, this applicant will need to be ranked against other applicants interviewed and a final recommendation made by the panel.

Blue Mountains City Council

Director Service Delivery

Interview Questions - 22 September 2017

1. Paul Philippe (Hays) has obviously outlined why we have decided to appoint a Director for a 12 month period. Can you please share with us your understanding of the current situation.

2. Tell us why you are interested in the opportunity?

- Likes working with people
- Australia tough environment } need to
- Ignorant, obnoxious } have read an article
3 a lecture
3 other need
3 micro manage

3. As you are aware, the directorate needs strengthening in the areas of: financial management, accountability, organisational culture (values & behaviours), safety performance, service levels. Talk us through what you consider to be your key relevant experience relating to these aspects?

words from the frontline - "how can we make it better?"
talking to employees - "how can we make it better?"
getting noise
leading by example
- KPI's
- monitors

4. Please tell us how you would go about trying to connect the Directorate and workforce to the organisation vision, values and strategy? (if needed)

5. Discuss your experience leading significant change management activities (using examples)?

X Honeywell

| Applicant Details | |
|-------------------|-----------------------------------|
| Applicant Name: | [REDACTED] |
| Position: | DIRECTOR SERVICE DELIVERY |
| Vacancy Number: | Interview Date: 22 September 2017 |
| Interviewer Name: | ALBERT GAGLIARDI |

Assessment of Interview

| Selection Criteria | Exceeds Requirements | Meets Requirements | Does Not Meet Requirements | Comments
*** Note: comments as to why the applicant has been assessed at this level is compulsory |
|----------------------------------|----------------------|--------------------|----------------------------|--|
| Motivational Fit | | / | | |
| Relevant Experience | / | | | |
| Senior/Executive Leadership | / | | | |
| Culture/Change Management | / | | | |
| Communication Skills | | / | | |
| Interpersonal/Influencing Skills | | / | | |
| Business Improvement | / | | | |
| Customer Service | / | | | |
| Financial Skills | / | | | |
| Relevant Qualifications | / | | | |

Overall comments:

GOOD CANDIDATE - POSITIVE AND THE BEST RESPONSE FOR CULTURAL CHANGE AND CUSTOMER

Based on this interview does the applicant display the standard required to perform this position?

☒ Yes

☐ No

☒ Undecided

☐ Proof of Evidence to work in Australia sighted

If 'Yes' or 'Undecided' is indicated, this applicant will need to be ranked against other applicants interviewed and a final recommendation made by the panel.

Blue Mountains City Council
Director Service Delivery

Interview Questions – 22 September 2017

| | |
|--|--|
| 1. Paul Philippe (Hays) has obviously outlined why we have decided to appoint a Director for a 12 month period. Can you please share with us your understanding of the current situation. | ✓ |
| 2. Tell us why you are interested in the opportunity? | <p>REDUNDANT TRAINING – TAKE OVER MENCE ORG.</p> <p>ASSET MANAGEMENT</p> <p>MANAGING LARGE VOLUME ASSET MANAGEMENT</p> <p>CONDITION BASED MANAGEMENT</p> |
| 3. As you are aware, the directorate needs strengthening in the areas of line management accountability, organisational culture (values & behaviours), safety performance, service levels. Talk us through what you consider to be your key relevant experience relating to these aspects? | <p>LOOKING AT BEST PRACTICE EXPERIENCE AN LEADERSHIP</p> <p>ASSET MANAGEMENT – NOT AWARE OF EMERGENCY</p> <p>– FOCUS ON OUTCOMES FOR BUSINESS</p> <p>DIRECTOR TYPE OF EMPLOYEES – ASK ME ABOUT A</p> <p>SHIFTER MIND SET – TOOK TIME GIVEN TO BUSINESS</p> |
| 4. Please tell us how you would go about trying to connect the Directorate and workforce to the organisation vision, values and strategy? (if needed) | <p>↓</p> <p>LEADERSHIP / MANAGEMENT MORE THAN TECHNICAL</p> <p>CONSTRUCTIVE WORKING</p> <p>THINK LONG TERM LONG DOWN</p> <p>REAL OUTCOME – ACTIONS</p> <p>KPI PERFORMANCE MANAGEMENT</p> |
| 5. Discuss your experience leading significant change management activities (using examples)? | <p>↓</p> |

7. So what would expect the key challenges of this role to be?
Discuss the value you would bring in dealing with them?

CHANGE COMING

SUBSEQUENT WORKING
UNABLE COM - MAKE APP.

CHANGE A TRANSFORMATION COMING

LAST WORKER UNDERSTAND WHOSE ARE GOING
COMMUNICATION - BACK TO COMMUNITY

8. The role is responsible for some 300 employees (mainly blue collar). Talk to us about your experience in leading and managing large workforces?

MANAGEMENT - ROLE

→ 306

CONTRACT
KEY EMPLOYEES

TECHNICALS, SIMILAR WORKERS TURNING
MAKE A COMPLETE PHYSICAL - SAFETY

FROM LEADERS HAVE RESPONSIBILITY - SYSTEM

9. The role is also responsible for a significant proportion of the organisation's budget. Talk to us about your experience in managing large budgets and the responsibilities that come with it?

\$130M OVER - MANAGE WORKS

\$40M BUDGET

\$15-16M OVER - MANAGE

THROUGH COORDINATE APPROX \$30M. OPERATIONS

10. Significant business efficiency and improvement is much needed in the directorate.
Discuss your experience and approach to this?

REQUIREMENT - OPTIMUM SOLUTIONS

TYPE OF RESEARCH & NOT SEARCHING

\$3M SAVING

CREATING OUTDOOR

11. How would you best describe your leadership style?

DIRECT

EMPOWERING

MILITARY

QUALIFIER

GROUP EXERCISE

LEGAL ACCOUNTING - CUSTOMER

12. Given the circumstances, describe the attributes that would serve you well in this role?

SUCCESS

THROUGH



13. Do you have any questions of us?

GOOD EXPERIENCE

POSSIBLY NOT ELITE AT THE DIRECTOR LEVEL FOR
DEPT EXPERIENCE FOR SIGNIFICANT ECONOMIC OBJECTS

Applicant Details

| | |
|-------------------------------------|-----------------------------------|
| Applicant Name: [REDACTED] | |
| Position: DIRECTOR SERVICE DELIVERY | |
| Vacancy Number: | Interview Date: 22 September 2017 |
| Interviewer Name: Stuart Haden | |

Assessment of Interview

| Selection Criteria | Exceeds Requirements | Meets Requirements | Does Not Meet Requirements | Comments
*** Note: comments as to why the applicant has been assessed at this level is compulsory |
|--|----------------------|--------------------|----------------------------|--|
| Motivational Fit | | ✓ | | Strong |
| Relevant Experience | | ✓ | | Yes in different industry |
| Senior/Executive Leadership | | ✓ | | Group GM Transporex |
| Culture/Change Management | | ✓ | | Strong |
| Communication Skills | | ✓ | | On |
| Interpersonal/Influencing Skills | | ✓ | | Strong |
| Business Improvement | ✓ | | | Very Strong |
| Customer Service | | ✓ | | Customer focused |
| Financial Skills | | ✓ | | Very Strong |
| Relevant Qualifications | | ✓ | | Great Engineering
MSE |
| Overall comments: good talker
Systems focused
would be excellent in the
Business Performance
Role | | | | |
| Based on this interview does the applicant display the standard required to perform this position? | | | | |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Undecided <input type="checkbox"/> Proof of Evidence to work in Australia sighted | | | | |
| If 'Yes' or 'Undecided' is indicated, this applicant will need to be ranked against other applicants interviewed and a final recommendation made by the panel. | | | | |

Blue Mountains City Council

Director Service Delivery

Interview Questions – 22 September 2017

1. Paul Philipps (Hays) has obviously outlined why we have decided to appoint a Director for a 12 month period. Can you please share with us your understanding of the current situation.

Understand dimensions of the role
- have some framework
- value add

2. Tell us why you are interested in the opportunity?

See this as an opportunity
- looking to ~~be~~ apply my skills
to a new role

3. As you are aware, the directorate needs strengthening in the areas of: line management, accountability, organisational culture (values & behaviours), safety performance, service levels. Talk us through what you consider to be your key relevant experience relating to these aspects?

talked about systems processes

4. Please tell us how you would go about trying to connect the Directorate and workforce to the organisation vision, values and strategy? (if needed)

5. Discuss your experience leading significant change management activities (using examples)?

Cons: Co-own experience
several times
now team

7. So what would expect the key challenges of this role to be?
Discuss the value you would bring in dealing with them?

Keep it simple

8. The role is responsible for some 300 employees (mainly blue collar). Talk to us about your experience in leading and managing large workforces?

*Lead a team of similar / larger dimensions
Cross manager Maintenance - 350 - performance
would contact all employees on a Monday, then follow
regularly*

9. The role is also responsible for a significant proportion of the organisation's budget. Talk to us about your experience in managing large budgets and the responsibilities that come with it?

*CAPEX - \$130M \$30M - inventory
OPEX - \$15M \$11M Training (staff) cost centre
CEO for P&O
\$10-15M Fleet Budget*

Optimised security strategy

10. Significant business efficiency and improvement is much needed in the directorate. Discuss your experience and approach to this?

Very innovative approach

11. How would you best describe your leadership style?

*A direct / collaborative / engaging
engagement - team dynamics
How raising funds*

Team about the journey

12. Given the circumstances, describe the attributes that would serve you well in this role?

*A process / systems / detail
innovative
"their success is
our success"
Strategic style / la
quite change national style of
engagement*

13. Do you have any questions of us?

"What does success look like"

Applicant details

| | |
|-------------------------------------|-----------------------------------|
| Applicant Name: [REDACTED] | |
| Position: DIRECTOR SERVICE DELIVERY | |
| Vacancy Number: | Interview Date: 22 September 2017 |
| Interviewer Name: DOBBS CROFTENWOOD | |

Assessment of interview

| Selection Criteria | Exceeds Requirements | Meets Requirements | Does Not Meet Requirements | Comments
<small>Note: comments as to why the applicant has been assessed at this level is compulsory</small> |
|---|----------------------|--------------------|----------------------------|---|
| Motivational Fit | / | | | |
| Relevant Experience | / | | | |
| Senior/Executive Leadership | / | | | |
| Culture/Change Management | / | | | |
| Communication Skills | / | | | |
| Interpersonal/Influencing Skills | / | | | |
| Business Improvement | / | | | |
| Customer Service | / | | | |
| Financial Skills | / | | | |
| Relevant Qualifications | / | | | |
| Overall comments:
WAYNE IS NOT AVAILABLE FOR THE | | | | |
| <p>Based on this interview does the applicant display the standard required to perform this position?</p> <p> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Undecided <input type="checkbox"/> Proof of Evidence to work in Australia sighted </p> <p><small>If 'Yes' or 'Undecided' is indicated, this applicant will need to be ranked against other applicants interviewed and a final recommendation made by the panel.</small></p> | | | | |

Blue Mountains City Council
Director Service Delivery

Interview Questions - 22 September 2017

1. Paul Philippe (Hays) has obviously outlined why we have decided to appoint a Director for a 12 month period. Can you please share with us your understanding of the current situation.

GOOD UNDERSTANDING OF WHERE IT IS AT.

2. Tell us why you are interested in the opportunity?

- NOT ABLE TO COMMIT TO 12 MONTHS 5 DAY WEEK
- COULD ASSESS SHORTER PERIOD OR 2 DAYS.

3. As you are aware, the Directorate needs strengthening in the areas of: line management accountability, organisational culture (values & behaviours), safety performance, service levels. Talk us through what you consider to be your key relevant experience relating to these aspects?

RECENT EXPERIENCE GOOD UNDERSTANDING

4. Please tell us how you would go about trying to connect the Directorate and workforce to the organisation vision, values and strategy? (if needed)

PAID EMPLOYEE WORKING, SUPPORTING, BUILD
THESE RELATIONSHIPS - LEADERSHIP POSITION

5. Discuss your experience leading significant change management activities (using examples)?

WAS SUPERVISING SOME STAFF AT THE
AGE OF DIRECTORATE LEAD JUST ANOTHER
@ LIVERPOOL.

7. So what would expect the key challenges of this role to be?
Discuss the value you would bring in dealing with them?

8. The role is responsible for some 300 employees (mainly blue collar). Talk to us about your experience in leading and managing large workforces?

9. The role is also responsible for a significant proportion of the organisation's budget. Talk to us about your experience in managing large budgets and the responsibilities that come with it?

10. Significant business efficiency and improvement is much needed in the directorate.
Discuss your experience and approach to this?

11. How would you best describe your leadership style?

12. Given the circumstances, describe the attributes that would serve you well in this role?

13. Do you have any questions of us?

EXCELLENT AND DATE BUT
APPROPRIATE NOT AVAILABLE FOR THIS.

Applicant Details

| | |
|--|-----------------------------------|
| Applicant Name: [REDACTED] | |
| Position: DIRECTOR SERVICE DELIVERY | |
| Vacancy Number: | Interview Date: 22 September 2017 |
| Interviewer Name: Stuart G. [REDACTED] | |

Assessment of Interview

| Selection Criteria | Exceeds Requirements | Meets Requirements | Does Not Meet Requirements | Comments
<small>Note: comments as to why the applicant has been assessed at this level is compulsory</small> |
|--|----------------------|--------------------|----------------------------|---|
| Motivational Fit | | | | |
| Relevant Experience | | | | |
| Senior/Executive Leadership | | | | |
| Culture/Change Management | | | | |
| Communication Skills | | | | |
| Interpersonal/Influencing Skills | | | | |
| Business Improvement | | | | |
| Customer Service | | | | |
| Financial Skills | | | | |
| Relevant Qualifications | | | | |
| Overall comments:
<i>Excellent candidate
 However unable to commit to full-time role.
 → offered to assist if needed.</i> | | | | |
| Based on this interview does the applicant display the standard required to perform this position?
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Undecided <input type="checkbox"/> Proof of Evidence to work in Australia sighted | | | | |
| If 'Yes' or 'Undecided' is indicated, this applicant will need to be ranked against other applicants interviewed and a final recommendation made by the panel. | | | | |

Blue Mountains City Council
Director Service Delivery
Interview Questions – 22 September 2017

1. Paul Philippe (Hays) has obviously outlined why we have decided to appoint a Director for a 12 month period. Can you please share with us your understanding of the current situation.

not available

2. Tell us why you are interested in the opportunity?

not sure he wants a 12 month / 5 day / week job

3. As you are aware, the directorate needs strengthening in the areas of: line management accountability, organisational culture (values & behaviours), safety performance, service levels. Talk us through what you consider to be your key relevant experience relating to these aspects?

4. Please tell us how you would go about trying to connect the Directorate and workforce to the organisation vision, values and strategy? (if needed).

5. Discuss your experience leading significant change management activities (using examples)?

7. So what would expect the key challenges of this role to be?
Discuss the value you would bring in dealing with them?

8. The role is responsible for some 300 employees (mainly blue collar). Talk to us about your experience in leading and managing large workforces?

9. The role is also responsible for a significant proportion of the organisation's budget. Talk to us about your experience in managing large budgets and the responsibilities that come with it?

10. Significant business efficiency and improvement is much needed in the directorate.
Discuss your experience and approach to this?

11. How would you best describe your leadership style?

12. Given the circumstances, describe the attributes that would serve you well in this role?

13. Do you have any questions of us?

Reference Check Report - Ex Employer

| | | | |
|----------|-------------------------|-------------------|--------------------------|
| Referee: | <u>Terri Benson</u> | Candidate: | <u>Mark Mulligan</u> |
| Title: | <u>Company Director</u> | Candidate reg no: | <u>2265041</u> |
| Company: | <u>South East Water</u> | Requested by: | <u>Olivia McConville</u> |
| Phone: | <u>[REDACTED]</u> | Position: | <u>Researcher</u> |
| | | Date requested: | <u>6/10/2017</u> |

I am calling from Hays Executive, Mark has provided your name as a referee, and I would therefore like to obtain some information from you about Mark. This information may be disclosed to potential employers, including employers based overseas. Under Privacy laws, Mark can gain access to the information you provide upon request to us. You can gain access to, or request to correct the information you have given me by contacting our Privacy Officer. Any questions regarding your privacy can also be made to our Privacy Officer. A copy of our privacy policy is located on the Hays website. Are you happy to proceed?

1. Describe the nature of the relationship with Mark (eg direct manager).

Worked together for 16 years in Essential Energy. Haven't worked together in 5 years

2. Confirm employment record, including position, responsibilities, start and finish dates (month/year).

Mark worked in Essential Energy from 2004 - 2012. I started working there in 2009. He had different roles throughout this time - his most recent role was Executive Manager of Human Resources and Safety

3. Confirm remuneration details. Where possible confirm each of the following components: base, superannuation, bonus/commission.

N/A

4. What were the key technical aspects of the role and how well did Mark perform them?

He reported to me - he was in HR and safety part of the exec team. I was the MD at the time. Mark originally took on the role of chief safety officer which was not on exec team - he reported into the HR team. We had a whole change around the safety part of the organisation. Unfortunately, a fatality happened so we need to change things. He drove this whole change process and how we thought about the safety team. In regards to safety incidents - we went from double digits down to single figures within 3 years. We created HR safety role when I became MD - He took on a technical safety role to look after people.

5. What key behaviours/personal attributes were required to successfully perform this role and how well did Mark demonstrate these?

The ability of natural leadership and accountability, providing a support for business, how to measure things and hold accountability. Leading and being visible and being highly accountable - setting standards to those around you. He had to have productive relationships - do things across the business and transfer. Mark is someone who builds genuine relationships and genuinely is interested in people and their lives outside of work. He has high levels of accountability, he can always perform. He gives respect - he is purposeful with his accountability.

6. People skills

a. Who did this role require Mark to liaise with on a regular basis and how well did they communicate with them?

Mark is really organised - he communicates through multiple forms. He would communicate with the whole exec team, me and the external regulators - our advisors and service providers. Mark has good working relationships, he has productive, honest and direct conversations. He maintains respectful relationships in tough environments. Inside the organisation he built rapport and respect and outside he engaged professionally.

b. Was Mark responsible for managing people? If so, please comment on their management skills and style of management.

Mark managed a team of 120 people. He has the ability to create relationships and always knew what was going on. He would get to know people on a personal level and understand their dynamic - get to know their families. He doesn't expect to people to walk in and be the same every day. Mark celebrates success, and has high levels of understanding, clear standards and accountability. He holds others to account in a respectful way. He's genuine - when he thanks someone he is genuine, he puts in that extra effort. He's well thought of and values people.

7. What do you consider to be their main strengths? (This could include technical skills, personal attributes and anything else of relevance.)

He has a hard work ethic, his ability to remember the people he works with, respects individuals, his technical knowledge - he came up from a trade background and then built himself up. Mark is strong and expert at what he does. He taught himself a lot and has learnt a lot - he has a lot of skills.

8. Please describe any areas for improvement you observed; eg where additional support or training may be required (this could include technical skills, personal attributes and anything else of relevance, please provide examples).

In the early days - because he has high levels of accountability and standards for himself he tended to expect that of others - it would make people feel judged. However, he has worked on this over the years and gained trust in people. His relationships are all respectful and he makes people feel valued.

9. What were their significant achievements whilst with your organisation?

The leadership of the safety project - we had high rates of accidents and he brought this down. People said we were in a dangerous industry and these things could not be avoided, but Mark led a whole change. He led a culture change and during this time unfortunately we had a fatality so Mark had to manage a legal environment around this - he led all the rethinking of safety and brought in more purposeful accountability. When we merged the 3 companies into 1 he ran an integration project and highlighted the importance of the customer. He led a cultural change over 18 months he created this programme and ran it across 4,500 people - he owned that programme.

10. To what level do you think they met the desired objectives of the role? Please provide examples.

He exceeded them

11. What style of management does Mark respond best to?

He is very adaptive - he responds best to clear accountability and consistency.

12. What was the level of drive and motivation that they displayed whilst with your organisation?

Mark is a self-starter, I never saw him miss a deadline or a deliverable. He would adapt - he's very self-driven and motivated always does his best.

13. Please comment on their attendance record, including punctuality and reliability.

Never any issues

14. Please comment on their honesty and integrity.

He has high integrity -- very honest. I never would have to question him

15. Health & Safety is a critical component of every workplace. Please describe X's commitment and approach to workplace health and safety. If you have concerns, please provide further details.

Self-explanatory in the role he is in -- no issues

16. Please explain, as you understand it, their reasons for leaving? If unsure of specific details, please advise if the parting was amicable.

There were significant changes in the business -- he relocated he had been there for a long time it made more sense for him to move.

17. What roles do you think Mark would be suitable for in the future?

Similar exec role -- he could be an MD or CEO. Mark suits being part of a n exec team/ leadership effort. He is happy to own the company line when he needs. He is suitable for a role where he can influence the direction of an organisation.

18. Please comment on their suitability for the kind of job described (where appropriate).

Very suited to this role.

19. Do you have any further comments that would assist us in our search for employment for Mark that we haven't covered?

I would employ him tomorrow -- if I wasn't based in Melbourne. He's always on my list

20. Hypothetically, would you or your company re-employ?

☒ Yes ☐ No

21. Do we have your permission to disclose these comments to selected potential employers if required?

☒ Yes ☐ No

22. May we contact you again for any further clarification?

☒ Yes ☐ No

Conducted by: Olivia McConville

Date conducted: 6/10/2017

Position: Researcher

Special Note: In providing this information, Hays Specialist Recruitment (Australia) Pty Limited (Hays) has relied on advice from previous employers and referee's supplied by the candidate. Whilst Hays does not doubt the advice received, it does not and cannot warrant the accuracy of the enclosed information. This information is provided at your request to assist in the assessment of the candidate and is given on the express condition that it is strictly confidential and that Hays will not be liable in any way, manner or form, in respect of its contents or your use thereof.

Reference Check Report - Ex Employer

| | | | |
|----------|--------------------|-------------------|-------------------|
| Referee: | Quinten McAllister | Candidate: | Mark Mulligan |
| Title: | Branch Manager | Candidate reg no: | 6621713 |
| Company: | Actu AGI | Requested by: | Olivia McConville |
| Phone: | [REDACTED] | Position: | Researcher |
| | | Date requested: | 5/10/2017 |

I am calling from Hays Executive, Mark has provided your name as a referee, and I would therefore like to obtain some information from you about Mark. This information may be disclosed to potential employers, including employers based overseas. Under Privacy laws, Mark can gain access to the information you provide upon request to us. You can gain access to, or request to correct the information you have given me by contacting our Privacy Officer. Any questions regarding your privacy can also be made to our Privacy Officer. A copy of our privacy policy is located on the Hays website. Are you happy to proceed?

1. Describe the nature of the relationship with Mark (eg direct manager).

I had a strong professional relationship with him. In a previous life I worked with him for 6-10 years reported to him directly in the early 2000s. I used Mark as a mentor - we both moved onto other roles in different organisations. I have engaged Mark through professional consultancy in recent years.

2. Confirm employment record, including position, responsibilities, start and finish dates (month/year).

I have engaged Mark on an adhoc basis since 2012. I have been trying to get him for the last 12 months but he's been so busy.

3. Confirm remuneration details. Where possible confirm each of the following components: base, superannuation, bonus/commission.

N/A

4. What were the key technical aspects of the role and how well did X perform them?

Drawing on the key technical aspects from the main consultancy piece which is most relevant for this role - most of the work I have engaged him in over 6 years has a risk and safety element. I'm in a utility business and one of the draw cards for Mark is more considered and extensive in regards to how a regulated service base operates and his knowledge of how that works and how to integrate the key elements in a safety environment and risk based operations.

5. What key behavioural/personal attributes were required to successfully perform this role and how well did Mark demonstrate these?

In regards to demonstration I can only categorise it as exceptional. I have rang Mark 5/6 times in the last few months to engage him in work but I can't get him as he's so busy. Mark is a very strong leader and very astute. He is very experienced in pulling together a team and getting them to be high performing. He's got an operational background, he is really understanding of the maturity in the culture. He developed a transitional plan, and identified what the risk factors are and how to move organisation forward and gain momentum - he's very good at this. He is honest, builds rapport as a grassroots blue collar worker, he's super intelligent and gets understanding and respect in any level. I have no issues with him coming in and talking directly with the CEO or blue collar workforce and being able to represent truly and accurately what their views are.

6. People skills

- a. Who did this role require Mark to liaise with on a regular basis and how well did they communicate with them?

It was quite broad ranging - grassroots blue collar workforce, semi-professionals (whole safety environment team) but mainly the senior management team - myself and my peers. In regards to the analysis work he did for us - how the transition plan would move us to where we wanted to be.

- b. Was Mark responsible for managing people? If so, please comment on their management skills and style of management.

Not directly in this role. He was my manager in early role. He brought together a team of 40/50 people to effectively improve safety and culture of workforces of 4,000 people. He was able to build skills and capability within this team. Mark is very open, honest and transparent and very committed individual. I have attempted to replicate his work model. Mark has a strong view on individuals - he can identify people's strengths and weakness and use this to develop the team and work on people. He would always commit to and make contact with people who were working for him to understand how things were going. He makes time for people and in my opinion this is very important.

7. What do you consider to be their main strengths? (This could include technical skills, personal attributes and anything else of relevance.)

Mark is a true professional, anything he does he does at 120% - It is always well thought out and constructed. He takes everything into consideration and works out how the organisation can move forward. He's very likeable and a strong leader. He's authentic, he's passionate about safety and improving safety - he wanted people to be safe at work and to be leaving in the same state that they arrived to work. They can see the real passion in this - the way he communicates and builds rapport and support - his authenticity builds respect and commitment in his team.

8. Please describe any areas for improvement you observed; eg where additional support or training may be required (this could include technical skills, personal attributes and anything else of relevance, please provide examples).

None observed - being totally honest no, I never observed any room for improvement. When I worked for him he was strategic and always had the longer term plan in his head. He knew how to move and develop the business - develop individuals and gain momentum.

9. What were their significant achievements whilst with your organisation?

It was all project based work - in reality he delivered an exceptional outcome in regards to the report and the forward transition plan - it was well thought out and constructed. I was always happy with his work.

If you go back to his years in Essential Energy - the cultural change that occurred through the blue collar workforce was significant - how they viewed/treated incidents - less accident/ less time off work for work-related injuries - the whole driving of the organisation was significant and I need to stress these were the outcomes delivered through his leadership.

10. To what level do you think they met the desired objectives of the role? Please provide examples.

He met the objectives of this role - the only downfall would be we didn't actually get self-insurance - we just missed out. We set out for it but didn't get it. It wasn't commercially viable for us to get there - if we

were to do it again we would get it

11. What style of management does Mark respond best to?

N/A

12. What was the level of drive and motivation that they displayed whilst with your organisation?

Exceptional - for someone who has worked for so many years - the best example I can give is - in 2000 Mark was charged with effectively resetting the cultural expectations across 4000 employees. We merged 3 companies into 1. Mark developed the programme over 18 months to basically reset the expectations and create common understanding to move forward - he developed a new set of safety and customer-based principals. The level of drive he had to follow this through over this time and see the result and see how 3 organisations came together was very high.

13. Please comment on their attendance record, including punctuality and reliability.

N/A

14. Please comment on their honesty and integrity.

Exceptional - I never had to question anything from Mark.

15. Health & Safety is a critical component of every workplace. Please describe X's commitment and approach to workplace health and safety. If you have concerns, please provide further details.

Never ever any concerns - he is extremely passionate about safety as mentioned previously.

16. Please explain, as you understand it, their reasons for leaving? If unsure of specific details, please advise if the parting was amicable.

This was a contract role.

17. What roles do you think Mark would be suitable for in the future?

Mark has a real passion for safety - anything that is based around driving forward a safety culture and risk and compliance, risk management.

His personal history - anything to do with service based operation - delivering a service and adding value to a customer, so anything from a council to a utility company.

18. Please comment on their suitability for the kind of job described (where appropriate).

More than suitable for this role as mentioned in question above.

19. Do you have any further comments that would assist us in our search for employment for Mark that we haven't covered?

If Mark wasn't so far away and I had an opportunity I wouldn't hesitate to employ him in a senior role in my organisation or a direct management role. If I could get him again I would - I can't recommend him enough.

20. Hypothetically, would you or your company re-employ?

☒ Yes ☐ No

21. Do we have your permission to disclose these comments to selected potential employers if required?

☒ Yes ☐ No

22. May we contact you again for any further clarification?

☒ Yes ☐ No

Conducted by: Olivia McCervilla

Date conducted: 8/10/2017

Position: Researcher

Special Note: In providing this information, Hays Specialist Recruitment (Australia) Pty Limited (Hays) has relied on advice from previous employers and referees supplied by the candidate. Whilst Hays does not doubt the advice received, it does not and cannot warrant the accuracy of the enclosed information. This information is provided at your request to assist in the assessment of the candidate and is given on the express condition that it is strictly confidential and that Hays will not be liable in any way, manner or form, in respect of its contents or your use thereof.

Jess Badman

From: Robert Greenwood [RGreenwood@bmcc.nsw.gov.au]
Sent: Friday, 27 October 2017 1:54 PM
To: All Staff
Subject: Director Service Delivery

Colleagues

As most of you will be aware I had decided to make an interim appointment to the vacant Director Service Delivery role for 12 months to lead and support the Directorate to implement the new structure and business improvement.

With the assistance of an external agency the recruitment process has now been completed.

I am pleased to announce that Mark Mulligan will take up the role from next Wednesday 1 November. Mark has considerable senior management experience and will be known to most of you as he was previously engaged to lead the successful Safety Improvement Project across the organisation.

I am sure you will all support Mark in his role as the interim Director.

I would like to take this opportunity to also thank both Kirrilly Twomey and Rhett Hahn for acting in the role over the last couple of months.

Regards

Robert

Robert Greenwood
General Manager



E-MAILED

9 November 2017

Mr Robert Greenwood
General Manager
Blue Mountains City Council
Locked Bag 1005
KATOOMBA NSW 2780

| | | |
|------------------|-------------|---------|
| Rec'd
Records | 13 NOV 2017 | BMCC |
| SLFEP | | |
| REPLY DANCE | | RLC No. |

United Services Union

Level 7, 321 Pitt St
Sydney NSW 2000

p (02) 9265 8211

f (02) 9261 2265

w www.usu.org.au

e united@usu.org.au

ABN: 95 571 805 442

Ref: BLUE 13/4.1
Contact: Daniel Papps

Also by email: rgreenwood@bmcc.nsw.gov.au

Dear Mr Greenwood,

Re: Director Service Delivery

We refer to the above matter and to our letter dated 2 November 2017.

We note that Union has not yet received a response to this correspondence.

In addition, we have been made aware of certain allegations surrounding the appointment of the Director of Service Delivery which are extremely concerning.

This morning Ray Hadley on his 2GB radio show alleged that the successful applicant for the Director Service Delivery role, Mr Mark Mulligan, has a close personal relationship with Mr Stuart Liddell, and that this relationship allowed Mr Mulligan to be given lucrative consulting work at Council and was appointed to the above mentioned role based on this relationship.

This information is inconsistent with the information provided to the Union under your letter dated 31 October 2017, and in light of the peculiar decision of Council to not consider internal applicants for this position (which remains unexplained) we feel compelled to take the allegations made by Mr Hadley seriously.

In answer to these concerns, and in addition to the remaining unanswered questions from our earlier correspondence (which we set out again), we ask the following:

1. How was this job vacancy advertised? Please also provide the Union with a copy of the advertisement?
2. How many applicants applied for the position?
3. How many applicants were interviewed for the position?
4. Were the interviews conducted by way of an interview panel?
5. If so, who sat on these panels?
6. Why did Council not advertise this position internally where, on its face, there are suitably qualified internal candidates?

Given the very public nature of these allegations we would expect a prompt response so that this issue may be fully and finally resolved.

New South Wales Local Government, Clerical, Administrative, Energy, Airlines & Utilities Union

Regional Offices: Newcastle, Wollongong. Satellite Offices: Armidale, Bathurst, Canberra, Dubbo, Grafton, Hay, Port Macquarie, Wagga Wagga

(2)

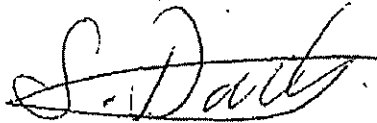
Mr Robert Greenwood
Blue Mountains City Council

In reply please quote: BLUE 13/4.1
Contact: Daniel Papps

We also note the previous advice conveyed to us by your Scott Buchanan regarding correspondence being sent to the central Council email address.

However given the sensitive nature of the allegations and the individuals potentially implicated we considered it more appropriate in this instance to send the correspondence directly to you.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'S. Kelly', written over a horizontal line.

Graeme Kelly
GENERAL SECRETARY
Per: Steve Donley, Manager Metropolitan
DP/ec

31 October 2017

Our Reference: F00407
Your reference:

Mr Graeme Kelly
General Secretary
United Services Union
Level 7, 321 Pitt St
SYDNEY NSW 2000

Attention: Daniel Papps

SUBJECT: Director Service Delivery

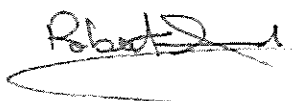
Dear Sir,

I refer to your letter dated 30 October 2017 where you requested information in relation to the appointment of Mr Mark Mulligan to the position of Director Service Delivery on a 12 month basis. Council has reviewed the issues in your letter and advises the following:

- Director Service Delivery is a designated Senior Staff position and the appointment was made by the General Manager;
- The Council was aware of the 12 month tenure for the position;
- Hays were engaged to find a suitable applicant;
- The appointment is for 12 months and was not advertised internally;
- No permanent appointment to the position will occur until an open recruitment process has been undertaken at which time internal applicants can apply.

If you seek clarification or further information please do not hesitate to contact Scott Buchanan, Program Leader HR Services on (02) 4780 5688.

Yours faithfully



ROBERT GREENWOOD
General Manager

Jess Badman

From: Robert Greenwood [RGreenwood@bmcc.nsw.gov.au]
Sent: Friday, 10 November 2017 4:08 PM
To: All Staff
Subject: Media allegations 2GB

Importance: High

Colleagues,

Over recent days very serious allegations have been made against the Council and against individual Council officers in the media.

The allegations will be independently investigated. The allegations will also be referred by the Council to ICAC.

The media reports made specific allegations against Mr Mark Mulligan, who was recently appointed as the Council's Acting Director, Service Delivery.

Those allegations have no foundation whatsoever.

To address the specific comments made on 2GB radio:

- Mark was not engaged by the Council in 2016 as a consultant because of any prior links with a Council employee. Mr Mulligan has never worked in a consulting business with any current or former employee of the Council. Any allegations to the contrary are scurrilous.
- Mark was engaged in 2016 on the basis of his experience and qualifications. He accepted the engagement on short notice to assist the Council and the Council was grateful for his readiness to undertake that work.
- Mark has worked in senior executive safety and management roles since 2004. His qualifications and experience are extensive. Full details of these matters are available through his Linked In profile and could have been easily searched and identified before the recent allegations against him were made.
- Mark was appointed as Acting Director with the assistance of a well-known external recruiting firm engaged by the Council and following a full interview process.
- All processes followed in relation to Mark's original engagement and his current employment were appropriate.

I encourage staff to stay focused on the what you do best in serving the community.

Regards

Robert Greenwood | General Manager | t 02 4780 5518 | e rgreenwood@bmcc.nsw.gov.au

Blue Mountains City Council • council@bmcc.nsw.gov.au • www.bmcc.nsw.gov.au • Locked Bag 1005 Katoomba NSW 2780

Angus Broad

From: Rosemary Dillon
Sent: Monday, 12 February 2018 1:56 PM
To: All Staff
Subject: Acting Director Service Delivery

Good Afternoon Staff,

As part of the review of the current and future needs of Blue Mountains City Council and in consultation with Mark Mulligan, Acting Director Service Delivery, I advise that Mark's employment with Council will cease, effective close of business today. I would like to take this opportunity to thank Mark for his contribution to Council and wish him all the best with his future endeavours.

For the next week, Service Delivery Managers will report directly to me so I can better understand key issues impacting the Directorate. This will be ahead of Kirrilly Twomey taking on the role of Acting Director Service Delivery, when she returns from leave on Tuesday 20 February.

In light of current asbestos and safety issues, I am also as a priority working on interim measures to improve alignment of buildings and parks - maintenance, asset management, customer liaison and planning.

I appreciate the support and contributions of all staff as we work to address the challenges before us.

Thanks
Rosemary

Rosemary Dillon | General Manager | t 02 4780 5518 | | e rdillon@bmcc.nsw.gov.au

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Blue Mountains City Council

The City within a World Heritage National Park

| <u>POSITION DESCRIPTION</u> | |
|------------------------------------|--|
| Position ID | P00911 |
| Position | Program Leader Business Improvement |
| Reports to | Manager, Governance & Risk |
| Organisational Dimensions | Workforce: 550
Assets: \$393
Budget \$61 million
Demographics 75,000 residents & 26 Townships |
| Position Dimensions | Budget \$0
Delegations \$0
Direct Reports 0 |
| Band Level | S341 |
| Evaluation Date | 10 February 2016 |

POSITION SUMMARY

The Program Leader Business Improvement is a key member of a team reasonable broadly for enterprise risk management, internal audit and safety. Reporting to the Manager Governance & Risk, this position will design and execute projects to enhance the effectiveness and efficiency of a range of council's critical business processes and systems. The position holder will also be responsible for building business improvement capability and understanding in the business. Business improvement projects will be conducted in accordance with a 'program office' approach, with the position holder responsible for the oversight of one or more project leads who in turn will be responsible for delivering projects against agreed terms of reference. The position holder will be responsible for project definition, overseeing project leads, project reporting and working with the business to formulate and track improvement strategies derived from projects.

KEY RESPONSIBILITIES

1. Deliver and oversee business improvement projects in areas such as (but not limited to) safety, procurement, contract management, compliance management, asset management, systems integration and process improvement accounting for the needs of the business, council's strategic objectives and the goal of enhanced productivity/efficiency.
2. Act as a principle advisor to the business on 'best practise' procurement methodologies with particular emphasis upon innovation and value for money.
3. Design and advise on business improvement and project management methodologies for council wide application. Priorities business improvement projects and maintain an on-going program of present and future projects.
4. Deliver presentations and submissions to internal governance bodies on business improvement proposed projects, current project status and the annual business improvement program. Progressively build business improvement and project management capability in council through an on-going program of education, training and advice.
5. Deliver and oversee business improvement projects across the organisation including: building "fit for purpose" cross functional teams; overseeing the execution of business improvement projects in accordance with adopted project management frameworks; implementing appropriate business improvement methodologies; and by driving business improvement outcomes/actions through the business.
6. Provide advice on the best governance model for each business improvement project recognising that multiple projects will be executed simultaneously and provide advice and guidance to council on the development of management systems and their integration into organisation business processes as determined through the business improvement plan.
7. Track progress on business improvement outcomes/actions to ensure completion in accordance with agreed timelines and report on the attainment of project milestones and business improvement actions to steering committees.
8. Design and execute, either directly or indirectly, assurance exercises to confirm whether projected or anticipated benefits of business improvement projects have been realised.

AUTHORITY AND ACCOUNTABILITY

- The jobholder may work away from Council premises and is required to make autonomous decisions usually influenced only by Council policy, the situation and relevant legislative framework. Independent action is required.
- Decisions made by the job holder affect the work and activities of all divisions of the council.
- The work of the job holder influences the external environment by ensuring services are consistent with Council standards.
- The job holder is involved in the development and maintenance of appropriate safety or other standards, or provides instruction and/or training concerning such standards.
- The job holder develops a complete budget for a section or a specific project. Responsible for costing resources/time/people and materials.
- Review financial targets for section and forecast costs and commitments. Achieve results through cost and revenue targets and active management of expenditure for section. Use procedures such as benchmarking to monitor cost effectiveness.
- This job has contract management responsibility of up to \$100,000.

JUDGEMENT AND PROBLEM SOLVING

- Problems are solved through the research and application of in-depth expertise. Conceptual thinking is required.
- The jobholder must develop innovative solutions to new, complex and wide-ranging problems.
- Ongoing planning is required to ensure strategic outcomes or the coordination of resources covering multiple work cycles or long term projects.
- Understand the main commercial and technical strategies of key players, the current sophistication of the market, and the major market forces (the business environment) in which the organisation operates and develop business strategies for the Division.

MANAGEMENT SKILLS

- Lead two or more project work teams

INTERPERSONAL SKILLS

- This job requires written communication skills which enable the job holder to write complex and detailed technical reports, proposals and submissions.
- The jobholder is required to anticipate and pre-empt customer requirements and do utmost to meet these. In addition, the jobholder should monitor and evaluate the effectiveness of customer service provided and recommend modifications to improve service.
- Required as a major part of the job to provide service to internal customers, with accountability for measuring and consistently improving service.
- Requires extensive, on-going cooperation, coordination and communications between Divisions and Branches for work production or service quality.

QUALIFICATIONS AND EXPERIENCE

- Thorough knowledge of several functions plus specialisation in one function OR a position requiring a high degree of expert knowledge in a major field of critical importance covering several separate disciplines. Jobs at this level require a wide education, probably including technical proficiency in a specialised area, University Bachelor degree or equivalent or extensive business experience.

SPECIALIST KNOWLEDGE AND SKILLS

- The operational knowledge needed by the jobholder includes knowledge of the structure and functions of the whole organisation.
- In addition, the job holder requires the following level of technical skills.

EXPERT KNOWLEDGE AREAS:

- Corporate/Business Planning
- Project Management
- Risk Management
- Cost/Benefit Analysis
- Data interpretation

SOLID WORKING KNOWLEDGE AREAS:

- Best Practice and Benchmarking
- Statistical Analysis
- Audit
- Asset Management Systems
- Tendering Procedures
- Purchasing and Procurement
- Contract Law
- Contract Management
- Contract Administration
- Workplace Health and Safety Program
- Workplace Health & Safety Legislation
- Local Government Legislation
- PC Applications Software Word Processing/Typing
- Budget Administration
- Training & Development
- Performance Management

SELECTION CRITERIA:

ESSENTIAL

1. Demonstrated understanding of business improvement and project management methodologies and their application in complex settings.
2. Experience in planning, conducting and managing complex business improvement projects, with particular emphasis upon the optimisation of activities such as safety, procurement, contract management and compliance management.
3. Demonstrated experience in the management of complex projects.
4. Ability to initiate and manage change.
5. Understanding and experience in the development, monitoring, reporting and improvement of management systems and their performance.
6. Formal tertiary qualifications in business, project management, accounting, process improvement/engineering or a related field combined with a high level broad based industry experience in business improvement and/or project management.
7. Demonstrated high level of oral communication skill, including the ability to liaise effectively and tactfully with executive management and operational staff in relation to obtaining information, presenting review findings and seeking cooperation in the acceptance of recommendations for change/reform; and the ability to liaise with external agencies regarding business improvement projects and other related matters.
8. Demonstrated high level of skill in written communication, particularly with respect to presenting reports, preparing correspondence and other written material.
9. Demonstrated sound knowledge of legislation and standards governing public sector financial administration and accountability and the ability to rapidly acquire knowledge of legislation, policy and procedures related to the Council
10. Demonstrated ability to work independently, to meet deadlines and to deal with confidential and sensitive information

11. Demonstrated high level of skills in problem-solving and analysis of complex systems, in using and understanding financial and other management reporting systems, and in using computer programs (particularly spread sheeting and word processing)
12. Understanding of continuous learning principles, equal employment opportunities, occupational health and safety, ethical practice principles and to act with probity at all times.
13. Demonstrated ability to work with teams

- For all vacancies less than 3 months and all casual appointments, complete pages 1 & 2 only.
- For all vacancies greater than 3 months, plus all fixed term contracts and Higher Duties appointments greater than 12 weeks; complete pages 1 – 4. A **signed copy of this completed form must be emailed** to the HR Services Business Partner no later than 10:00am Friday for the following Wednesday's EMT meeting.

| Section 1: Position Details | | | | |
|--|---|---|---|---|
| <input checked="" type="checkbox"/> New Position | Position Title: Program Leader Business Improvement | | Position Number: | |
| Existing Position | | | | |
| Group: People & Systems | | Branch: Governance & Risk | | |
| Position Reports Directly to (in Org Structure): Manager Governance & Risk
(Position & Name) | | | | |
| Employment Status:

Refer to the definitions found in the <i>Recruitment and Employment of Staff</i> protocol when selecting employment status. | <input checked="" type="checkbox"/> Permanent Appointment | <input type="checkbox"/> Temporary Appointment | <input type="checkbox"/> Casual Appointment | <input type="checkbox"/> Fixed Term Contract |
| | <input checked="" type="checkbox"/> Full Time | <input type="checkbox"/> Part Time | <input type="checkbox"/> Job Share With Who: | |
| | Is this a child-related role? | | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Contract Period | Commencement Date: | ____/____/____ | Termination Date: | ____/____/____ |
| Work Pattern:
e.g. Mon – Fri, 8:30am – 5:00pm inc RDO | Mon – Fri, 8:30am – 5:00pm inc RDO | | | Total Hours per Week: 37.5 |
| Salary Classification: | Ledger Number for Payroll Use (salary costs):
_____ - _____ - _____ | | | |
| | Salary/Wage: | Band: | Level: | Grade: |
| Motor Vehicle: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | If a motor vehicle is applicable you must indicate whether the position will hold an operational only or full lease. Failure to provide this information will result in non-approval. | |
| | <input type="checkbox"/> Operational Lease Only | <input type="checkbox"/> Full Lease | | |
| Additional Benefits or Allowances: | | | | |
| Location of Position:
e.g. South Street Depot | Katoomba HQ | | | |
| Contact Person: | Grant Mckay | | Contact Phone: 47805671 | |

| Section 2: Reason for Recruitment Action | | | |
|---|---|------------------------------|-----------------------------|
| Details of vacancy review / reason for recruitment; i.e. resignation of employee: | Organisational need identified through a business realignment | | |
| Name of Resigned Employee: (if applicable) | N/A | | |
| What alternative options have been considered to fill the position? | None | | |
| Impacts on the organisation if this recruitment is delayed: | Delay in commencing important business improvement initiatives | | |
| Name of Employee arranged for assignment if applicable: | | | |
| Employment History: If no, please attach the following: | Has this person worked for BMCC previously, within the last 12 months? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | <input type="checkbox"/> 2 x Reference Checks <input type="checkbox"/> Resume <input type="checkbox"/> Copies of Identification <input type="checkbox"/> WWCC if applicable | | |

| Section 3: Approvals Required – if Casual/Temp Less than 3 Months | | | |
|---|--|-------|----------------|
| Branch Manager Signature: | | Date: | ____/____/____ |

| Section 4: Human Resources Use Only | | | |
|--|---|----------------|--|
| Pre-Placement Health Assessment Required: | <input type="checkbox"/> Yes <input type="checkbox"/> No | WWCC Required: | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Any additions/alterations to standard contract: | <input type="checkbox"/> Yes Specify: _____
<input type="checkbox"/> No | | |
| If a new position, has this been reviewed by the Staff Consultative Committee? | <input type="checkbox"/> Yes <input type="checkbox"/> No | | Date: ____/____/____ |
| HRBP/Advisor Signature: | | Date: | ____/____/____ |

| Section 5: Position Review | |
|---|--|
| Comment on whether the Position Description has been reviewed and outcomes of this:

e.g. Job evaluation | Job Evaluation |
| How is this position funded?

e.g. grant or other external funding | Internal funding |
| Previous Advertising: | Has this position previously been advertised within the last 12 months? If yes, provide vacancy number. <div style="float: right;"> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
 Vacancy: </div> |

| Section 6: Proposed Recruitment Panel | | |
|---|--|--|
| Recruitment Panel: | Team Leader: Grant McKay | Position: Manager Governance & Risk |
| Note: All members of the recruitment panel must be of equal or greater salary classification than the position being recruited.

The Independent panel member must be from outside the branch of the position being recruited. | Independent: | Position: |
| | Technical Expert:
<i>Or other, if applicable</i> | Position: |

| Section 7: Summary | |
|---|--|
| Recommendation - Include any final comments for EMT's consideration, supporting the business case for recruitment: | |

Section 8: Supporting Documentation Required

All supporting documentation must be supplied at the time of submission to your HRBP. Failure to do so may result in the delay of your request being forwarded to EMT.

- ☐ Position Description ☐ Competency Matrix ☒ Branch Structure *Highlight vacant position* ☐ Advertising Template

Section 9: Director Approval

Director approval is required before documentation is submitted to Human Resources.

Director Signature:

Date: ____/____/____

Section 10: EMT Approval

To be completed by an EMT representative or the Group Manager, People & Systems.

Authority to recruit has been:

 **Approved**

☐ Declined

Date: 5 / 2 / 16

Changes, conditions and/or comments required for approval:

Authorising Signature for EMT:

mtg

Angus Broad

From: John Hargreaves <jchargreaves@gmail.com>
Sent: Sunday, 21 February 2016 10:39 AM
To: Human Resources External Contact
Subject: Application for V16/3491 - Program Leader Business Improvement
Attachments: 201602 Resume - John Hargreaves.pdf

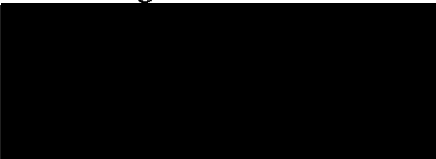
V16/3491 - Program Leader Business Improvement

Please find attached my resume which outlines my work history and relevant experience in the above role I am applying for at BMCC.

Although currently employed, since moving permanently to Wentworth Falls in October of 2014 I have been seeking employment in my new local region of the Blue Mountains.

As I trust you will glean from my resume, I have the experience and skills to fulfil the requirements of the role as advertised. I look forward to discussing the position further with relevant members of the organisation.

With regards,
John Hargreaves



JOHN HARGREAVES

Address: [REDACTED]

Email: [REDACTED]

Mobile: [REDACTED]

PROFESSIONAL PROFILE

John is a business performance improvement professional. He is tertiary qualified with a Bachelor of Science and a Masters in Management with over 30 years' experience in management and consulting covering all aspects of organisational change with a focus on business process improvement. Experience includes strategy development, project management and team leadership in designing business processes for large scale business transformation programs.

As lead workshop facilitator, John has managed cross-functional design teams in the review of core processes prior to the implementation of enterprise resource planning (ERP) systems, e.g. SAP. He has done this for both Finance/Logistics and Human Resources modules in the Finance, Telecommunications and Manufacturing industries. More recent process work has focused on administration and operations.

QUALIFICATIONS

- Master of Management, Revans University (Colorado, USA)
- Bachelor of Science, Sydney University (Australia)
- Diploma of Education, Sydney Teachers College (Australia)
- Logistics Certificate, Graduate School of Management – University of NSW (Australia)
- Lean Six Sigma – internal CSC accreditation and inducted into The Unipart Way at eXenet
- Global Project Management course – internal CSC accreditation
- Certified in Lombardi BPM Suite – Blueprint and TeamWorks
- AIM accredited (IMA USA) – Accelerated Implementation Methodology for the management of organisational change; also experienced in the use of Prosci's ADKAR model for change.
- Founding member (August 2004) of the Business Process Management Round Table (Australia) – chaired by QUT¹
- Psychometric Profiling accreditations: (1) Team Management Systems (2) Thomas International
- GE Work Out[®] methodology
- Internal Auditing – ISC Pty Ltd; conducted at WentWest Limited

KEY ACHIEVEMENTS

- As lead process design facilitator, planned and led numerous cross-functional workshops in the start-up years for a major telecommunications company.
- Led an international business analysis team to map the support B2B processes for a large international bank based in Hong Kong.
- Managed the business and process analysts' team on concept/pre-feasibility design phase of an internal \$50M project to replace the billing system of a major worldwide consultancy company.
- As Business Analysis Practice Manager at CSC, created a Business Analysis Capability Centre framework while managing 20 BAs within the Business Architecture group. This framework was then extended and used throughout the organisation for both full-time BAs (250 off) and part-time BAs (1,500 off). Recognised as a strong mentor for both young and more experienced staff.
- Successfully managed the sharing and transference of knowledge across three independent health care organisations in a major change and adoption program.

¹ QUT is Queensland University of Technology

JOHN HARGREAVES

- At WentWest developed heightened understanding and appreciation for quality improvement through induction programs and internal auditor training; involved senior managers in internal and external audits; streamlined administration processes in the registrar training program.

CAREER SUMMARY

| | |
|--|----------------|
| WentWest Limited, Quality Manager | 2013 – present |
| WentWest Limited, eHealth Change and Adoption Manager | 2012 – 2013 |
| eXenet Pty Ltd, Director of Partnership Programs | 2010 – 2012 |
| CSC Pty Ltd, Business Analysis Practice Manager | 2006 – 2010 |
| Delta Business Partners, Director | 2000 – 2006 |
| Optus Communications, Senior Consultant (Business Process Reengineering) | 1994 – 2000 |

EMPLOYMENT

WentWest Limited

Quality Manager and RTP Administration Manager

Oct 2013 – present

The Company –

WentWest is a not-for-profit company that has operated since 2002 as part of the western Sydney health care community; the company delivers support and education to primary health care providers, working with key partners to progress the region's health system.

Role profile – responsible for the quality management system of the organisation and its adherence to the ISO 9001 standards; guides the development and manages the maintenance of policies and supporting processes, work instructions and tools whilst embedding quality throughout the organisation. Additionally, responsible for the administration of WentWest's registrar training program for the combined Primary Health Network regions of Western Sydney and Nepean-Blue Mountains; has managed six staff across both roles.

Role Responsibilities –

- Promoting a greater understanding of the WentWest Quality Framework across the organisation;
- Promoting performance improvement throughout the organisation; ensuring staff awareness of the requirements of all stakeholders in relation to the Quality Management System (QMS)
- Prepare and implement the yearly Quality Improvement Plan
- Preparing for and managing towards the successful outcome of all external audits
- Prepare the Internal Audit Schedule and monitor required improvements; maintain a trained internal audit group
- Provision of high quality and proactive program support to the COO, Director of Medical Education and Medical Education Team in administering the AGPT² program
- Manage the AGPT program administration requirements including all functions associated with the appropriate delivery and recording of registrar training
- Manage the accreditation requirements for all training practices in accordance with the RACGP³ governing body for the program; partake in practice reviews with the Director of Training.

² AGPT = Australian General Practice Training

³ RACGP = Royal Australian College of General Practitioners

JOHN HARGREAVES

- Provide accurate and relevant reporting to key management members on training activities including previous year comparisons; projections of future years and presentation of gaps within the statistics

Achievements/Outcomes – carried out all responsibilities successfully; underwent three full external plus two surveillance audits over a period of 2.5 years: (1) ISO 9001 QMS (2) Medicare Local (3) AGPT Bi-College⁴; policies compliant with the quality system requirements; arranged training sessions as required to ensure all personnel have an adequate knowledge of the QMS and procedures; ensured the QMS is imbedded into all operations and service delivery; facilitated practice accreditation visits to ensure 100% accreditation at all times for practices with registrars.

WentWest Limited

eHealth Change and Adoption Manager

May 2012 – Oct 2013

Role profile – brought on to lead the process analysis and change management components of the organisation's eHealth program. Focused transitioned to the transfer of the learnings gained to other organisations.

Role Responsibilities –

- Conducting needs analyses – for both providers and consumers of health care
- Creating the change, impact analysis and communications plans
- Matrix management of 5 eHealth Officers in each of 3 Medicare Local organisations; includes coaching and mentoring of 15 individuals
- Managing key stakeholders – internal and external – across the 3 organisations
- Overall responsibility \$500k annual budget

Achievements/Outcomes – using a 'hub and cluster' model, successfully delivering on learnings gained at WentWest to two other Medicare Locals. Achieving and over achieving on targets set by the Department of Health and Aging and managing within budget limits. Introduced university students to assist in achieving targets. Recognised by the University of Western Sydney as "UWS Employer of the Year, 2012" for employing 12 university students as casuals to assist in the achievement of targets; trained and managed these students.

eXenet Pty Ltd

Director – Partnership Programs

Jan 2010 – May 2012

The Company –

eXenet is a boutique consulting company based in North Sydney that provides a support infrastructure to a large number of successful eExecutives, managers and supervisors from a wide variety of business disciplines.

Role profile – develop the m8tes strategic partnership model and promote it in process outsourcing environments, primarily in supply chain.

Role Responsibilities –

- Formalising the m8tes model and creating marketing and sales collateral

⁴ Bi-College = the two General Practitioner colleges: (1) Royal Australian College of General Practitioners (2) Australian College of Rural and Remote Medicine

JOHN HARGREAVES

- Presenting and selling to prospective clients
- Overall responsibility for the rollout of projects
- Implementing a managed approach to projects using the five TR3DS fundamentals:
| Tactless Communication | Root Cause Analysis | 3rd Party Facilitation | Disciplined Task Management | Solution Focused |
- Planning and managing facilitated workshops for partner organisations

Achievements/Outcomes – successfully delivered the m8tes model for strategic partnership management. Managed relationships at both executive and operational level across partner organizations, with major clients in the materials handling, transportation and franchising sectors.

CSC Pty Ltd

Business Analysis Practice Manager

Jan 2006 – Dec 2010

Role profile – initially hired as an Organisational Change consultant to bring improved change management practices into major transformation programs. Using my process improvement and change skills, moved on to become a Business Architect and concluded my work at CSC as Business Analysis Practice Manager.

Role Responsibilities –

- Lead change manager on major transformation projects, both client and internal to CSC
- Architecting business processes on major transformation projects
- Management of 20 business analyst staff Australia-wide
- Creation and implementation of a Business Analysis Capability Centre framework for all business and process analysts in CSC
- Management and mentoring of university cadet students
- Performance management reviews
- Managing project utilisation of self and staff reporting to me

Achievements/Outcomes – see bullet points 3 and 4 in Key Achievements section above. Additionally, using my previous process redesign experience across Australia, USA, Europe and Asia I was able to help CSC's business analysts broaden their perspective on the linking of process design work with the people side of change on major projects. As part of the practice manager role, was instrumental in helping to establish a 'virtual bench' of BAs for South Australian Health using CSC's recruitment subsidiary, Paxus. During 2009/10 was a member of the CSC project team that revamped the company's organisational change methodology. Successfully led a team of 2 business and 2 process analysts in completing the concept and pre-feasibility phase of CSC's internal billing transformation project.

Delta Business Partners Director (Dec 2002 – Jan 2006)

Working on various client projects as an independent consultant, focusing on the execution of strategy by aligning purpose with people and processes (both intra and intercompany). Projects included: (1) As-Is analysis and To-Be re-design for the NSW Attorney General's Department CourtLink implementation – the largest of its type in the world (2) strategy execution consulting to a LOB of a \$4B company (3) the re-design of the Claims Management process ('short tail' personal insurance) for the largest insurance group in Australia (4) strategy planning for the Enterprise Risk & Group Actuary division of the same company.

Cable & Wireless Global (Jun 2000 – Dec 2002)

JOHN HARGREAVES

As lead contracting consultant and Director at Delta Business Partners, worked at C&W Global on process re-design; reported to the Senior VP of Global Process Implementation; worked on a major change program that involved the design and implementation of the Genesis knowledge management tool to aid process dissemination worldwide. Other responsibilities included: (1) Process Design Methodology development (2) Training of Business Process Analysts (3) Coordination of all customer interface process design work on a B2B implementation in Hong Kong – managed a 12 person staff (4) Conducting a "Lessons Learned" review of the overall B2B project (6) Mentoring and development of staff.

Optus Communications Senior Consultant (Jan 1994 – Jun 2000)

Started broader BPR work at Optus in January 1994, building on the understanding gained in the area of logistics supply chain process analysis. Developed into the company's lead workshop facilitator for process design and redesign work, bringing together cross-functional teams to solve intra and intercompany business issues and manage aspects of organisational change. As senior consultant/facilitator, mentored a staff of six who reported to the Director, Business Process Architecture. Was relationship manager for the Optus account through a sub-contract arrangement and led a HR team in aligning its processes for a SAP implementation.

Previous Related Experience (1980 – 1993)

As Director for Resource Allocation (Gattorna Strategy Consultants) was responsible for client relationship management with regard to logistics network optimization technology that was sourced from the United States, at first Washington DC, then Boston MA. Liaised with US developers and sold into the Australasian market. Two major projects using this optimization technology were major players in the Australian dairy industry at the time; a third was in the steel industry.

For the CHEP Pallet Division of Brambles Industries Limited (BIL), managed a supply budget of \$15M (circa 1980). Using analytical skills developed an enhanced version of existing materials supply methods. Expanded new supply methods nationwide and coordinated the allocation and relocation of 'pallets-for-hire' to ensure maximum rental utilization. In final 3 years at BIL, extended previous position's responsibilities to include: (1) Management of national supply budget – \$25M (2) Budget Planning (3) Off-shore sourcing of raw materials. Staff of 2 reporting directly with 6 states' operations managers having a secondary reporting line.

PROFESSIONAL REFERENCES

Available upon request following interviews.

| | | | | | | | |
|---|-------------------|--|--|--|---|--|--|
| Vacancy Number: V16/3491 | | | | | Position Title: Program Leader Business Improvement | | |
| Rating Scale for Assessing Applications | | | | | | | |
| (1) Below standard required for this position | | (2) Meets standard required for this position | | | (3) Generally exceeds the standard for this position | | |
| | Applicants | | | | | | |
| Rate applicants individually against each criteria using the rating scale above

Note: applicants recommended for interview should be able to demonstrate all criteria | | | | | John Hargreaves | | |
| ESSENTIAL CRITERIA –
please insert additional rows if required | | | | | | | |
| Demonstrated experience with a range of business improvement methodologies and tools. | | | | | | | |
| Demonstrated high level of experience in applying business improvement tools, programs and training to ensure new frameworks are strongly embedded into an organisation culture. | | | | | | | |
| Demonstrated high level of experience in the development, monitoring, reporting and improvement of management systems and their performance. | | | | | | | |
| Demonstrated high level of oral communication skill, including the ability to liaise effectively and tactfully with executive management and operational staff in relation to obtaining information, presenting review findings and seeking cooperation in the acceptance of recommendations for change/reform; and the ability to liaise with external agencies regarding business improvement projects and other related matters. | | | | | | | |

| | | | | | | | |
|--|---|--|--|--|--|--|--|
| Demonstrated high level of skills in problem-solving and analysis of complex systems, in using and understanding financial and other management reporting systems, and in using computer programs (particularly spread sheeting and word processing) | | | | | | | |
| Demonstrated high level of skill in written communication, particularly with respect to presenting reports, preparing correspondence and other written material. | | | | | | | |
| Demonstrated sound knowledge of legislation and standards governing public sector financial administration and accountability and the ability to rapidly acquire knowledge of legislation, policy and procedures related to the Council | | | | | | | |
| Demonstrated ability to work independently, to meet deadlines and to deal with confidential and sensitive information | | | | | | | |
| Understanding of continuous learning principles, equal employment opportunities, occupational health and safety, ethical practice principles and to act with probity at all times. | | | | | | | |
| Demonstrated ability to work with teams | | | | | | | |
| Recommended for interview – please tick: | | | | | | | |
| Panel Members Signatures:
Note all panel members must sign | <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="border-bottom: 1px solid black; width: 30%;"></div> <div style="border-bottom: 1px solid black; width: 30%;"></div> <div style="border-bottom: 1px solid black; width: 30%;"></div> </div> | | | | | | |

| | | | | | | |
|--|---|---|---|--|---|--------------------|
| Vacancy Number: V16/3490 | | Position Title: Safety Improvement Project Lead | | | | |
| Rating Scale for Assessing Applications | | | | | | |
| (1) Below standard required for this position | | (2) Meets standard required for this position | | (3) Generally exceeds the standard for this position | | |
| | | Applicants | | | | |
| Rate applicants individually against each criteria using the rating scale above

Note: applicants recommended for interview should be able to demonstrate all criteria | | | | | | Michael Shellshear |
| ESSENTIAL CRITERIA
Please insert additional rows if required | | | | | | |
| 1. Extensive experience in, and knowledge of, safety management systems (SMS) and the manner in which they shape and control safety outcomes in complex organizations. | 1 | 1 | 1 | 2 | 2 | 2 |
| 2. Demonstrated recent experience in reviewing, designing, implementing, managing change and assessing safety management systems, with particular emphasis on the enhancement of legacy systems including (but not limited to) aspects relating to worker's compensation, return to work, injury management, community safety and wellbeing. | 1 | 1 | 1 | 2 | 2 | 2 |
| 3. Familiarity with business improvement methods and their application to the enhancement | 1 | 1 | 1 | 2 | 2 | 2 |

Original Issue: 1 August 2013
Current Version: 24 July 2013



Authorised By: Group Manager, People & Systems
Document Owner: Human Resources
Page 1 of 2

Assessment Sheet - Applications
FORM 4

| of management systems in general and safety in particular. | | | | | | | | | |
|--|---|---|---|---|---|---|---|---|--|
| 4. Demonstrated ability to lead/conduct a safety management improvement project under the guidance and oversight of a business improvement program office. | 1 | 1 | 1 | 2 | 2 | 2 | 2 | 2 | |
| 5. Demonstrated experience in the building of capability as a key component of safety system management improvement, including (but not limited to) assurance. | 1 | 1 | 1 | 2 | 2 | 2 | 2 | 2 | |
| 6. Demonstrated ability to design and administer training as a means of achieving safety system management improvement. | 1 | 1 | 1 | 2 | 2 | 2 | 2 | 2 | |
| 7. Formal qualifications in WH&S combined with broad based industry experience. | 1 | 1 | 1 | 2 | 2 | 2 | 2 | 2 | |
| 8. Demonstrated oral communication skills, including the ability to liaise effectively and tactfully with management and operational staff to obtain information, present review findings and seek cooperation in the acceptance of recommendations for change/reform. | 1 | 1 | 1 | 2 | 2 | 2 | 2 | 2 | |
| 9. Demonstrated high level of skill in written communication, particularly with respect to presenting reports, preparing | 1 | 1 | 1 | 2 | 2 | 2 | 2 | 2 | |

Original Issue: 1 August 2013
Current Version: 24 July 2013

Authorised By: Group Manager, People & Systems
Document Owner: Human Resources
Page 2 of 2

| correspondence and other written material. | | | | | | | | | |
|--|--|----|----|---------|---------|---------|---------|---------|---------|
| 10. Demonstrated ability to work independently, to meet deadlines and to deal with confidential and sensitive information | 1 | 1 | 1 | 2 | 2 | 2 | 2 | 2 | 2 |
| 11. Understanding of continuous learning principles, equal employment opportunities, occupational health and safety, ethical practice principles and to act with probity at all times. | 1 | 1 | 1 | 2 | 2 | 2 | 2 | 2 | 2 |
| 12. Demonstrated ability to work with and in multidisciplinary teams. | 1 | 1 | 1 | 2 | 2 | 2 | 2 | 2 | 2 |
| Recommended for interview – please tick: | No | No | No | Yes (3) | Yes (2) | Yes (1) | Yes (4) | Yes (5) | Yes (6) |
| Panel Members Signatures:
Note all panel members must sign |   | | | | | | | | |

| Interview Listing | |
|--|---------------------------|
| Position Title: Program Leader Business Improvement | Vacancy Number: V16/3491 |
| Date: Tuesday 8 March, 2016 | Location: Jamison Room HQ |
| Interview Panel: Grant McKay, Rosemary Dillon and Mark Bruhn | |

| Name | Time | Contact Number | Attending (Y / N) | Email |
|-----------------|------------|----------------|--|--------------------|
| [REDACTED] | [REDACTED] | [REDACTED] | Cannot attend on this date. Have advised Grant. | |
| John Hargreaves | 1.45pm | [REDACTED] | yes | Confirmations sent |
| [REDACTED] | [REDACTED] | [REDACTED] | yes | Confirmation sent |
| [REDACTED] | [REDACTED] | [REDACTED] | yes | Confirmation sent |
| [REDACTED] | [REDACTED] | [REDACTED] | Hoping to interview after the 14 th . | |

Tuesday 15 March, 2016 – Jamison Room, HQ

| Name | Time | Contact Number | Attending (Y / N) | Email |
|------------|------------|----------------|---------------------------|-----------|
| [REDACTED] | [REDACTED] | [REDACTED] | yes | confirmed |
| [REDACTED] | [REDACTED] | [REDACTED] | Yes – Telephone Interview | confirmed |

| Interview Checklist | |
|---|---|
| Confirmation of Interview email Sent: | <input type="checkbox"/> Yes <input type="checkbox"/> |
| Interview Listing Saved in TRIM: | <input type="checkbox"/> Yes <input type="checkbox"/> |
| Interview Listing Emailed to Recruitment panel: | <input type="checkbox"/> Yes <input type="checkbox"/> |
| Customer Service Staff Advised of Interviews: | <input type="checkbox"/> Yes <input type="checkbox"/> |
| Unsuccessful Letters Sent : | <input type="checkbox"/> Yes <input type="checkbox"/> |

The Recruitment Team Leader is to ensure this form is completed post interview and forwarded to your Human Resource Business Partner.

Note: No verbal offers of employment are to be made until your Human Resource Business Partner has reviewed the vacancy file and advised the Recruitment Team Leader that an offer is ready to be made.

Position Details

| | | | |
|-------------------------|----------------------------------|------------------------------------|--|
| Vacancy Number: | | Position Title: | |
| Group: | | Branch: | |
| Number of Applications: | Females <input type="checkbox"/> | Males <input type="checkbox"/> | Reference Checks: <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Salary Classification: | | Date of Interviews: ____/____/____ | |

Applicant Ranking

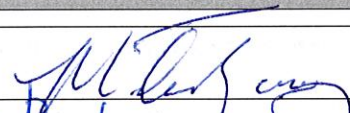
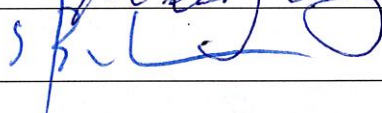
| | |
|--|--|
| Exceeds Requirements for Position:
<ul style="list-style-type: none"> • [REDACTED] • [REDACTED] • [REDACTED] • [REDACTED] | Meets Requirements for Position:
<ul style="list-style-type: none"> • [REDACTED] • John Hargreaves * • [REDACTED] • [REDACTED] |
| Needs Development for Position:
<ul style="list-style-type: none"> • [REDACTED] • [REDACTED] • [REDACTED] • [REDACTED] | Not Suitable for Position:
<ul style="list-style-type: none"> • [REDACTED] • [REDACTED] • [REDACTED] • [REDACTED] |
| The committee recommends the appointment of: [REDACTED] | |
| Reasons for appointment: [REDACTED] declined to proceed. Panel to recommend to conduct 2nd interview with [REDACTED] + J. Hargreaves. as meets requirements above. M. [REDACTED] | |

Recruitment Panel

| | | |
|---------------------------|-----------------------|------------------------|
| Recruitment Team Leader: | Name: GRANT MCKAY | Signature: [Signature] |
| Independent Panel Member: | Name: ROSEMARY DILLON | Signature: [Signature] |
| Other Panel Member: | Name: MARK BROWN | Signature: [Signature] |

*GM * Subject to successful second interview.*

Approval to Appoint

| | | |
|---------------------------------|--|----------------------|
| Group Manager | Signature:  | Date: <u>21/4/16</u> |
| HRBP | Signature:  | Date: <u>21/4/16</u> |
| Manager, P&S
(if applicable) | Signature: _____ | Date: ____/____/____ |

For Human Resources Use Only

| | | | | |
|---|---|---------------------------|------------------------------|-----------------------------|
| Verbal Offer Made: | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Agreed Commencement Date: | <u>N/A</u> | |
| Interviewed Applicants: | Have all interviewed applicants been advised unsuccessful? | | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Comments or Conditions to be included in Offer of Employment: | | | | |
| Pre-employment health assessment required: | <input type="checkbox"/> Yes <input type="checkbox"/> No | WWCC required: | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Date Organised: | ____/____/____ | Date Organised: | ____/____/____ | |

Angus Broad

From: Stuart Liddell <SLiddell@bmcc.nsw.gov.au>
Sent: Friday, 18 March 2016 1:44 PM
To: Grant McKay
Subject: Re: Development in the Recruitment of the Program Leader Business Improvement (V16/3491)

Grant

Thanks for the update.

Agree and agree a second round interview process anyway - whether one or two.

Although if two I will have to exclude myself from the panel. While unusual maybe GM and you?

That said are they that close?

Anyway let's workout a plan Monday.

Stuart.

Sent from my iPad

> On 18 Mar 2016, at 8:48 am, Grant McKay <gmckay@bmcc.nsw.gov.au> wrote:

>

> Stuart, just a quick update. Candidate for the position of Program Leader Business Improvement [REDACTED] e-mailed me overnight to formally withdraw her application. This leaves John Hargreaves and [REDACTED] as the only remaining competitive candidates for the role. In my judgement we probably need a second round process to further explore the strengths and weaknesses of these candidates and unambiguously separate them out. [REDACTED] has only been interviewed over the telephone to date and it is the panel's view that we wouldn't proceed with her without a face to face meeting/interview in any event.

>

> I'm not sure what this second round process would look like. It's something I need to discuss with you when you are well. As we have previously discussed agreed upon, this is a crucial role and time spent in selecting the right person is time well spent.

>

> Grant

>

> Grant McKay | Manager Governance & Risk | t (02) 4780 5671 | m 0414 195 671 | e gmckay@bmcc.nsw.gov.au

>

> Blue Mountains City Council B council@bmcc.nsw.gov.au www.bmcc.nsw.gov.au Locked Bag 1005 Katoomba NSW 2780

>

> -----Original Message-----

> From: Grant McKay

> Sent: Thursday, 17 March 2016 11:06 AM

> To: Stuart Liddell

> Subject: RE: Recruitment Interview Status Please

>

> Safety Improvement Project Leader (SIPL) - V16/3490:

>

> The following were selected for interview:

>

> 1. [REDACTED]
 > 2. Michael Shellshear
 > 3. [REDACTED]
 >
 > [REDACTED] withdraw immediately prior to interview. After speaking to [REDACTED] on the telephone I have grave concerns for his stability and would not contemplate appointing him. [REDACTED] has accepted another appointment in the interim.
 >
 > Shellshear was interviewed on Monday, 14 March and recommended for appointment by the panel of Grant McKay, Kirrilly Twomey and Mark Bruhn. I now have his referees and will complete the checks today and tomorrow.
 >
 > Program Leader Business Improvement (PLBI) - V16/3491:
 >
 > The following were selected for interview:
 >
 > 1. John Hargreaves,
 > 2. [REDACTED]
 > 3. [REDACTED]
 > 4. [REDACTED]
 > 5. [REDACTED]
 >
 > Interviews occurred on Tuesday, 8 March and Tuesday 15 March. [REDACTED] was interviewed on the telephone out of necessity. The panel of Grant McKay, Rosemary Dillon and Mark Bruhn recommended [REDACTED] for appointment. She was exemplary and way above all the other applicants - probably the best performing applicant in interview I have ever experienced. The panel were blown away by her demeanour, her technical skill and her experience. Her alignment with the key aspects of the selection criteria is near perfect.
 >
 > I have asked [REDACTED] for her referees so I can commence the checking process. She told me late yesterday afternoon that she needs another 24 hours to contemplate this. Obviously she is having second thoughts. However, all I am asking for is her referees. She hasn't been offered a position or asked to commit to anything. To this end, I have asked her to provide me with referees by COB tomorrow. If she delays further or withdraws her application I will move to the next two recommended candidates; John Hargreaves and [REDACTED] and commence the referee checking process for one of them. [REDACTED] were not recommended by the panel. As you predicted, [REDACTED] was way below the standard required.
 >
 > Grant
 >
 > Grant McKay | Manager Governance & Risk | t (02) 4780 5671 | m 0414 195 671 | e gmckay@bmcc.nsw.gov.au
 >
 > Blue Mountains City Council B council@bmcc.nsw.gov.au www.bmcc.nsw.gov.au Locked Bag 1005 Katoomba NSW 2780
 >
 > -----Original Message-----
 > From: Stuart Liddell
 > Sent: Thursday, 17 March 2016 8:56 AM
 > To: Grant McKay
 > Subject: Recruitment Interview Status Please
 >
 >
 >
 > Sent from my iPad

Scott Buchanan

From: Grant McKay <gmckay@bmcc.nsw.gov.au>
Sent: Wednesday, 20 April 2016 8:58 AM
To: Scott Buchanan; Megan TeBay
Subject: Program Leader Business Improvement - Recruitment Action

Scott, please note the following e-mail exchange between myself and Robert Greenwood regarding the recruitment of the Program Leader Business Improvement. We have landed on the position of on-boarding candidate John Hargreaves on a 12 month contract (see below). I'll discuss this with John today. In the meantime, would it be possible to commence the drafting of a contract that reflects Robert's direction? Once John confirms to me that he is open to the idea of a 12 month contract, then we should go ahead and organise for his pre-employment medical (which I will also remind him of today). John to the best of my knowledge is currently a free agent so he may be able to commence with us very quickly subject to the completion of the pre-employment formalities.

Megan, please indicate if anything I have said below doesn't accord with the discussion we had yesterday.

Kindest Regards,

Grant

Grant McKay | Manager Governance & Risk | t (02) 4780 5671 | m 0414 195 671 | e gmckay@bmcc.nsw.gov.au

Blue Mountains City Council B council@bmcc.nsw.gov.au www.bmcc.nsw.gov.au Locked Bag 1005 Katoomba NSW 2780

From: Robert Greenwood
Sent: Tuesday, 19 April 2016 2:50 PM
To: Grant McKay
Cc: Megan TeBay
Subject: RE: Business Improvement Recruitment

Thanks Grant.

I thought we both shared the same doubts not just me!

While I still have fairly significant doubts I will go with your judgement based on second more informal interview.

My view would be a 12 months contract. I would not formalise the option of extending at this stage it puts too much pressure on the organisation.

I would say we will do our normal 3 months' probation assessment and then at 9 months we will review our position and make a determination on the way forward and let him know.

At the end of the day it's about what our needs are.

Regards,

Robert

Robert Greenwood | General Manager | t 02 4780 5518 | e rgreenwood@bmcc.nsw.gov.au

Blue Mountains City Council • council@bmcc.nsw.gov.au • www.bmcc.nsw.gov.au • Locked Bag 1005 Katoomba NSW 2780

From: Grant McKay
Sent: Friday, 15 April 2016 9:24 AM

To: Robert Greenwood
Subject: Business Improvement Recruitment

Robert,

Following up from our last conversation regarding the Program Leader Business Improvement recruitment exercise, I met informally with John Hargreaves, one of the applicants you and I interviewed. I had a full and frank conversation with John about the role and my concerns. I came away confident that he has the personal resilience, strength, tactfulness and drive to do the job in the manner in which it needs to be done. In addition, I completed one reference check who confirms his professionalism and his strong ability to get things done. The other reference check is pending availability.

However based on the concerns you expressed, I suggest we bring John into the role on a 12 month contract. That gives us the option of going back to the market in 12 months with nothing lost. If it does work out, then we have advanced a number of important projects and secured a good person in a difficult market.

I believe there is a need to get the safety and procurement improvement projects started ASAP. Our Safety Improvement Project Lead starts on Monday on a 12 month temporary contract. The faster we get the BI Program Leader in place to lead this person and provide momentum to the project the better the outcome will be.

Therefore I am recommending we commence John on a 12 month contract with the option to make permanent upon review. I have received HR advice on this approach. I have also discussed this strategy with Stuart who agrees in principle.

Can you confirm you are in support of this approach.

Kindest Regards,

Grant

Grant McKay | Manager Governance & Risk | t (02) 4780 5671 | m 0414 195 671 | e gmckay@bmcc.nsw.gov.au

Blue Mountains City Council B council@bmcc.nsw.gov.au www.bmcc.nsw.gov.au Locked Bag 1005 Katoomba NSW 2780

The Recruitment Team Leader is to ensure this form is completed post interview and forwarded to your Human Resource Business Partner.

Note: No verbal offers of employment are to be made until your Human Resource Business Partner has reviewed the vacancy file and advised the Recruitment Team Leader that an offer is ready to be made.



Position Details

| | | | |
|------------------------------------|--|---------------------------------------|---|
| Vacancy Number: V16/3491 | Position Title: Program Leader Business Improvement | | |
| Group: People & Systems | | Branch: Governance & Risk | |
| Number of Applications: | Females <input type="checkbox"/> | Males <input type="checkbox"/> | Reference Checks: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Salary Classification: 341 | | Date of Interviews: 4 / 4 / 17 | |

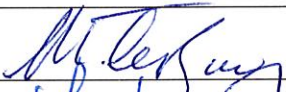
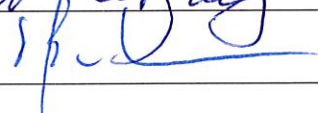
Applicant Ranking

| | |
|---|--|
| Exceeds Requirements for Position: | Meets Requirements for Position: |
| <ul style="list-style-type: none"> | <ul style="list-style-type: none"> John Hargreaves |
| Needs Development for Position: | Not Suitable for Position: |
| <ul style="list-style-type: none"> | <ul style="list-style-type: none"> |
| The committee recommends the appointment of: John Hargreaves in accordance with the arrangements set out in the General Managers email of 19 April 2016. | |
| Reasons for appointment: Skills and experience to meet the requirements of role | |

Recruitment Panel

| | | |
|---------------------------|----------------------------------|--|
| Recruitment Team Leader: | Name: Grant McKay Mgr | Signature:  |
| Independent Panel Member: | Name: Robert Greenwood GM | Signature:  |
| Other Panel Member: | Name: | Signature: |

Approval to Appoint

| | | |
|---------------------------------|--|-----------------------------|
| Group Manager | Signature:  | Date: <u>21 / 4 / 16</u> |
| HRBP | Signature:  | Date: <u>21 / 4 / 16</u> |
| Manager, P&S
(if applicable) | Signature: | Date: <u> / / </u> |

For Human Resources Use Only

| | | | |
|---|---|---------------------------|---|
| Verbal Offer Made: | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Agreed Commencement Date: | <u>2 / 5 / 16</u> |
| Interviewed Applicants: | Have all interviewed applicants been advised unsuccessful? | | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Comments or Conditions to be included in Offer of Employment: | | | |
| Pre-employment health assessment required: | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | WWCC required: | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Date Organised: | <u>26 / 4 / 16</u> | Date Organised: | <u> / / </u> |

Angus Broad

From: Grant McKay <gmckay@bmcc.nsw.gov.au>
Sent: Friday, 6 May 2016 5:10 PM
To: Trevor Anderson; Yasoda Wickramasekera; Michael Keyes; Michael Shellshear
Subject: Program Leader Business Improvement

Colleagues, as discussed at our last team meeting, John Hargreaves will commence on Monday as the Program Leader Business Improvement. John has been a leader in organisational change and business process improvement for over 30 years. He brings to our branch extensive experience in strategy development, project management, quality assurance, strategic procurement and the execution of large scale business transformation projects in finance, telecommunications, logistics, manufacturing, administration and operations in Australia, Asia and extensively in the United States. He has a Bachelor of Science degree from the University of Sydney and a Master of Management. He also has extensive post graduate qualifications in logistics, project management and Lean Six Sigma and is a founding member of the Business Process Management Round Table at the Queensland University of Technology.

John will head up the Business Improvement Program Office within our branch and will report to me. The first two projects John will guide and oversee are the Safety Improvement Project and the Procurement Improvement Projects. Both are complex and will involve extensive consultation at all levels of the organisation.

Kindest Regards,

Grant

Grant McKay | Manager Governance & Risk | t (02) 4780 5671 | m 0414 195 671 | e gmckay@bmcc.nsw.gov.au

Blue Mountains City Council B council@bmcc.nsw.gov.au www.bmcc.nsw.gov.au Locked Bag 1005 Katoomba
NSW 2780

Blue Mountains City Council

The City within a World Heritage National Park

| <u>POSITION DESCRIPTION</u> | |
|---|---|
| Position ID | P00873 |
| Position | Manager City Presentation |
| Reports to | Director, Service Delivery |
| Organisational Dimensions | Workforce: 770 people
Assets Managed: \$642 million
Annual Budget: \$108 million
City Population and Spread: 76,000 residents and 27 townships |
| Position Dimensions | Delegations \$50,000
Direct Reports 4 to 6 |
| Band/Level/Grade | 3/4 or 4/2 |
| Evaluation Date | 26/09/2017 |
| <u>POSITION SUMMARY</u>

The Manage City Presentation is responsible for further enhancing the look and feel of the City to residents and visitors alike and ensuring the overall presentation of our City including the maintenance of Council's assets parks, sportsgrounds, cemeteries, buildings, including cleansing services is of high quality delivery of customer service and consistent with Council's strategic priorities. | |

KEY RESPONSIBILITIES

1. Establish sustainable relationships with internal customers to better understand their respective needs and expectations and develop improved services aligned to the organisational strategy.
2. Actively identify and seek out partnership and alternate funding opportunities for all functional areas under the jurisdiction of this position.
3. Formulation and management of the Branch's financial budget to achieve agreed outcomes.
4. Identify and manage all forms of risk associated with the functions of the Parks and Support Services Branch, and contribute to risk management at a corporate level.
5. Exercise sound staff management practices and leadership; develop a strong culture of consistently delivering timely, quality outcomes in an environment of sound business practice and customer service ethos within the Branch.
6. Lead and manage the development of realistic, deliverable and sustainable strategies, policies, business and action plans and services which are in-sync with customer expectations and outcomes as identified in the Council's integrated planning documents, across the specialist and functional areas of the Branch.
7. Work in partnership with the other branch managers within the City Services Directorate in developing and fostering a strong, vital and sustainable management team culture.
8. Work in partnership to ensure that outcomes identified in the integrated planning documents are translated into effective and appropriate planning and specification of service outcomes; work in partnership with other areas of Council, and suppliers in translating outcomes into sustainable, consistent and quality service outputs.
9. Lead and manage the development of sustainable, cost-effective and best practice strategies and policies in the key areas of parks and building maintenance, cleansing services and maintenance.
10. Provide high level specialist advice to, and keep the Director, General Manager and Council well informed regarding the legislative framework, strategies, policies and latest trends and developments of the specialist and functional areas encompassed within the Branch.
11. Represent the Council, Organisation, Directorate and Branch in a positive, informed and mature manner and in accordance with its best interests at all times.

AUTHORITY AND ACCOUNTABILITY

- The jobholder may work away from Council premises and is required to make autonomous decisions usually influenced only by Council policy, the situation and relevant legislative framework. Independent action is required.
- Decisions made by the job holder affect the work and activities across a major function or a number of departments.
- The work of the jobholder influences a number of separate community groups through policy application and development.

- The job holder is involved in the development and maintenance of appropriate safety or other standards, or provides instruction and/or training concerning such standards.
- The job holder develops a complete budget for a department, including personnel requirements.
- Balance expenditure and revenue across a Department's budget or the budget of a major project.
- This job has contract management responsibility from \$1m to \$5m.

JUDGEMENT AND PROBLEM SOLVING

- Problems are solved using research, analysis, and evaluation of information which may not be readily available. Judgement is important as there is often no right or wrong solution.
- The jobholder must make judgements or recommendations based on advanced analytical or creative thought.
- Significant planning is required to coordinate with various organisational units including external affiliates or multiple resources.
- Understand the current and desired market positioning and strategic business direction of the organisation and apply business principles to the Department(s) to achieve these aims.

MANAGEMENT SKILLS

- Direction and coordination of operations of a branch function within the Council or coordination of a major cross-divisional function.
- The person offers recommendations regarding:
 - Appointing employees
 - Disciplinary actions
- The job holder approves and makes final decisions in the following work areas:
 - Evaluating performance
 - Assigning work activities
 - Coaching
 - Identifying training needs
 - Authorising timesheets
 - Approving overtime
 - Approving leave
 - Handling employee complaints
- The job holder supervises 4 to 6 personnel directly.
- The job holder supervises 41 to 80 personnel indirectly.
- The job holder supervises 1 to 5 contractors.

INTERPERSONAL SKILLS

- This job requires written communication skills which enable the job holder to write complex and detailed technical reports, proposals and submissions.
- The jobholder is responsible for formulating customer service programs, including assessment of customer satisfaction with the service and coordination of customer input with the service design.
- Required to provide service to internal customers as a regular part of the job. Service includes answering queries, providing documentation, sourcing advice and referring queries to appropriate personnel.
- Requires extensive, on-going cooperation, coordination and communications between Divisions and Branches for work production or service quality.

This job requires communication skills which enable the job holder to perform the following activities:

- Provide information and explain situations
- Advise, recommend or counsel
- Sell, persuade, influence
- Negotiate agreements
- Resolve conflict
- Participate in meetings/group discussions
- Conduct meetings/lead group discussions
- Train one-to-one
- Counsel on problems
- Make formal presentations or speeches
- Train/Facilitate Groups

The job holder is required to interact with the following groups or individuals within the council on a regular basis and for the purpose shown below:

- Provide and obtain information:
 - Council Meeting
 - Councillors
 - Committee Meetings of Council
 - General Manager
 - Other Council Employees (not including direct reports)
- Advise or recommend:
 - Department/Division Heads
- Negotiate or persuade:
 - Section Managers/Team Leaders

The job holder is required to interact with the following groups or individuals outside the council and for the purpose listed below:

- Provide and obtain information:
 - Applicants for employment
 - Members of courts or tribunals

- Advise or recommend:
 - Members of the public/residents/ratepayers
 - Professional/industry associations including unions
 - Consultants, solicitors and other professionals
 - Employees of other councils
- Negotiate or persuade:
 - Commercial/industrial/development representatives (eg vendors, builders, clients)
 - Community organisations - service clubs etc
 - Government officers (eg Roads & Traffic Authority, Dept of Local Government)
 - Local Business

QUALIFICATIONS AND EXPERIENCE

Thorough knowledge of several functions plus specialisation in one function OR a position requiring a high degree of expert knowledge in a major field of critical importance covering several separate disciplines. Jobs at this level require a wide education, probably including technical proficiency in a specialised area, University Bachelor degree or equivalent or extensive business experience.

It would be expected that the person would have seven, but less than eleven years' experience.

In addition to the qualifications and experience, the job holder must possess the following licences or certificates:

- Driving Licence Class C (Car)

SPECIALIST KNOWLEDGE AND SKILLS

- The operational knowledge needed by the jobholder includes knowledge of the structure and functions of the jobholder's own section.
- In addition, the job holder requires the following level of technical skills.
- **Comprehensive Knowledge areas:**
 - Building Systems and Construction
 - Contract Administration
 - Project Management
 - Risk Management
 - Property Management
 - Contract Management
 - Parks Management
- **Solid Working Knowledge areas:**
 - Budget Administration
 - Statistical Analysis
 - Data interpretation
 - Corporate/Business Planning
 - Asset Management Systems
 - Cemetery Management & Control
 - Tendering Procedures
 - Service Specification
 - Audit
 - Financial Planning/Analysis

- Cost/Benefit Analysis
- Sports Field Maintenance
- Equal Employment Opportunity
- Occupational Health and Safety Program
- Performance Management
- Road maintenance labouring
- Environmental Legislation
- Local Government Legislation
- Contract Law
- Purchasing & Procurement

ESSENTIAL CRITERIA

- Relevant tertiary qualifications in operations management, asset management, parks management.
- Significant relevant experience managing similar operations of Parks and/or Town Centres.
- Demonstrated experience in leading large operational teams to deliver organisational priorities.
- Demonstrated ability to delivery quality results in an operational environment.
- Experience in proposing new, creative and sound alternatives to improve client service.
- Strategic outlook for facility development and innovation.
- Strong commitment to partnering relationships with customers, contractors, sponsors, supporters and stakeholders.
- Experience in building and developing a strong team that capitalises on differences in diversity, encourages constructive discussion and focuses on organisational objectives/ service standards and continuous improvement.
- Strong problem solving skills.
- Demonstrated ability to work to strict deadlines, coordinating multiple tasks, having a strategic outlook for development and innovation.
- Demonstrated experience in developing partnering relationships.
- Strong communication skills.
- Strong budget management.
- Commitment to and understanding of Work Health and Safety and Equal Employment Opportunity principles and practices.
- Demonstrated commitment to championing the organisation values and behaviours.

Complete this form to indicate your advertisement preferences. It is to be completed in conjunction with the *Recruitment Requisition*. This completed form must be emailed to your HRBP no later than 12pm Friday.

Note: Human Resources will fund standard advertisement s in the Blue Mountains Gazette for a maximum of 2 weeks. The business area will incur all additional costs.

Section 1: Advertising Costs

Provide ledger number for advertisement costings:

_____ - _____ - _____

Section 2: Publication Preferences

| | Section of Publication where advertisement will appear | When |
|------------------------------|---|--|
| Blue Mountains Gazette | <input type="checkbox"/> Positions Vacant | Following Wednesday |
| Sydney Morning Herald | <input type="checkbox"/> Local Government – Tuesday Edition | Following Tuesday |
| | <input type="checkbox"/> Positions Vacant – Saturday Edition | Following Saturday |
| Penrith Press | <input type="checkbox"/> Positions Vacant – Friday Edition | Following Friday |
| | <input type="checkbox"/> Positions Vacant – Tuesday Edition | Following Tuesday |
| Other Options | <input type="checkbox"/> Other Publications; i.e. Local Government Job Directory, Lithgow Mercury – please state:

<input type="checkbox"/> Internet Sites; i.e. Seek, MyCareer – please state:

<input type="checkbox"/> Target tertiary institutions or groups; i.e. universities – please state:

 | Various depending on selected advertising medium |
| Expression of Interest (EOI) | X EOI only – for internal positions. Refer to Human Resources | Council Intranet, Friday 5pm |

All positions must be advertised for a minimum of 2 weeks. Do you wish to advertise for greater than 2 weeks?

☐ No ☐ Yes If yes, please indicate how many weeks you wish to advertise: _____

Section 3: Advertisement Body

| | | | |
|--|--|---|--|
| <p>Standard Introduction:</p> <p>This cannot be changed.</p> | <p>Experience career and lifestyle at its best, all within the beauty of a World Heritage National Park.</p> | | |
| <p>Position Title:</p> | | | |
| <p>Responsibilities:</p> <p>Insert one paragraph about position responsibilities, challenges, etc.</p> <p>Maximum word count is 100 words.</p> | <p>As a result of the Organisational Restructure Applications applications are sort for the following management roles:</p> <p>Manager Asset & Service Planning
Contact Person - Tony Middleton/Luke Nicholls ext 5571</p> <p>Manager City Presentation
Contact Person - Craig Wilson ext 5789</p> <p>Manager Business Performance
Contact Person - Craig Wilson ext 5789</p> <p>Manager Innovation & Change
Contact Person - Stuart Liddell ext 5716</p> <p>Financial Controller
Contact Person - Rosemary Dillon ext. 5679</p> <p>Manager Strategic Finance
Contact Person - Rosemary Dillon ext. 5679</p> <p>Your application will consist of:</p> <ul style="list-style-type: none"> • Examples of how you have applied your skills and experience to key aspects of the role. You should include relevant work experience, qualifications, skills, abilities and examples. This statement should be succinct and generally not exceed 3 pages • Your updated resume <p>Please see the attached position descriptions for details:</p> <p>Applications close 13 October, 2017.</p> | | |
| <p>Requirements:</p> <p>Insert one paragraph about what you are looking for in your candidate – essential requirements only.</p> <p>Maximum word count is 50 words.</p> | | | |
| <p>Other Information:</p> <p>i.e. part time, job share, etc</p> | | <p>Will this position primarily involve contact with children?</p> | <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> |
| <p>Other Benefits:</p> <p>i.e. motor vehicle, etc</p> | | | |
| <p>Salary/Wage Classification:</p> | | | |

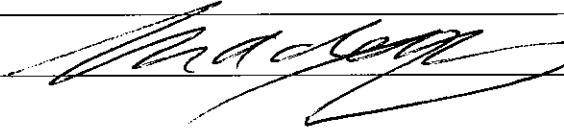
| | | | |
|---|---|--|--|
| \$ to be inserted by HR | | | |
| Recruitment Team Leader:

Contact for position enquiries | | | |
| Recruitment Team Leader Contact Number: | | | |
| Reference Number:

To be inserted by HR | | Closing Date:

To be inserted by HR | |
| Standard Advert Close:

This cannot be changed. | APPLICATION INFORMATION: Prior to lodging an application or contacting us for further information please review the full "Advertisement", "Position Description" and "Information on How to Apply" from our website www.bmcc.nsw.gov.au or call 4780 5000. | | |

| | | |
|--|--------------|-----------------|
| Director Signature:  | Date: | <u>29.9.17</u> |
| HRBP Signature: | Date: | <u> / / </u> |

Recruitment Requisition

FORM 2

- For all vacancies less than 3 months and all casual appointments, complete pages 1 & 2 only.
- For all vacancies greater than 3 months, plus all fixed term contracts and Higher Duties appointments greater than 12 weeks; complete pages 1 – 4. A **signed copy of this completed form must be emailed** to the Program Leader HR Services no later than 10:00am Friday for the following Wednesday's ELT meeting.

| Section 1: Position Details | | | | |
|--|--|--|--|--|
| xNew Position

<input type="checkbox"/> Existing Position | Position Title: Manager City Presentation | | Position Number:

P00873 | |
| Group/Directorate: <u>City Services</u> | | | Branch: City Presentations | |
| Position Reports Directly to (in Organisation Structure):
(Position, Name & Position Number) | | | | |
| Employment Status:

Refer to the definitions found in the <i>Recruitment and Employment of Staff</i> policy when selecting employment status. | <div style="display: flex; justify-content: space-between;"> <div> <input checked="" type="checkbox"/> Permanent Appointment

 <input type="checkbox"/> Full Time

 Is this a child-related role? </div> <div> <input type="checkbox"/> Temporary Appointment

 <input type="checkbox"/> Part Time

 <input type="checkbox"/> Yes </div> <div> <input type="checkbox"/> Casual Appointment

 <input type="checkbox"/> Job Share With Who:

 <input type="checkbox"/> No </div> <div> <input type="checkbox"/> Term Contract </div> </div> | | | |
| Contract Period | Commencement Date:
<div style="border-bottom: 1px solid black; width: 100px; margin-top: 5px;"></div> | <div style="border-bottom: 1px solid black; width: 100px; margin-top: 5px;"></div> | Termination Date:
<div style="border-bottom: 1px solid black; width: 100px; margin-top: 5px;"></div> | <div style="border-bottom: 1px solid black; width: 100px; margin-top: 5px;"></div> |
| Work Pattern:
e.g. Mon – Fri, 8:30am – 5:00pm inc RDO | <div style="border-bottom: 1px solid black; width: 100%; margin-top: 5px;"></div> | | | Total Hours per Week:

<div style="border-bottom: 1px solid black; width: 100px; margin-top: 5px;"></div> |
| Salary Classification: | Ledger Number for Payroll Use (salary costs & Motor Vehicle costs):

<div style="border-bottom: 1px solid black; width: 100%; margin-top: 5px;"></div> | | | |
| Motor Vehicle: (Please tick)

<input type="checkbox"/> Existing

<input type="checkbox"/> Additional

(Business Case to be attached as per section 8) | <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> PUA Category 1 (Pre-Tax)

 <input type="checkbox"/> PUA Category 2 (Post-Tax) </div> <div> <input type="checkbox"/> Commuter

 <input type="checkbox"/> Business </div> </div> <p style="font-size: small;">If a motor vehicle is applicable you must indicate category and supply business case for approval. Failure to provide this information will result in non-approval. Refer to Motor Vehicle Management Policy for details on relevant category.</p> <p style="font-size: small;">Fleet Services Business Case Template located on Intranet (Policy & Guiding Documents, Policy: Operational, Fleet Services)</p> | | | |
| Additional Benefits or Allowances: | <div style="border-bottom: 1px solid black; width: 100%; margin-top: 5px;"></div> | | | |
| Location of Position:
e.g. South Street Depot | <div style="border-bottom: 1px solid black; width: 100%; margin-top: 5px;"></div> | | | |

| | | | | | | | |
|--|---|--|--|------------------------------|--|-----------------------------|--|
| Contact Person: | | | | Contact Phone: | | | |
| Section 2: Reason for Recruitment Action | | | | | | | |
| Details of vacancy review / reason for recruitment; i.e. resignation of employee: | | | | | | | |
| Name of Employee previously in position: (if applicable) | | | | | | | |
| What alternative options have been considered to fill the position? | | | | | | | |
| Impacts on the organisation if this recruitment is delayed: | | | | | | | |
| Name of Employee arranged for assignment if applicable: | | | | | | | |
| Employment History:
If no, please attach the following: | Has this person worked for BMCC previously, within the last 12 months? | | | <input type="checkbox"/> Yes | | <input type="checkbox"/> No | |
| | <input type="checkbox"/> 2 x Reference Checks <input type="checkbox"/> Resume <input type="checkbox"/> Copies of Identification <input type="checkbox"/> WWCC if applicable | | | | | | |

| | | | |
|--|--|--|-----------------------------|
| Section 3: Approvals Required – if Casual/Temp Less than 3 Months | | | |
| Branch Manager Signature: | | | Date: ____/____/____ |

| | | | |
|---|---|-----------------------------|--|
| Section 4: Human Resources Use Only | | | |
| Pre-Placement Health Assessment Required: | <input type="checkbox"/> Yes | <input type="checkbox"/> No | WWCC Required: <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Any additions/alterations to standard contract: | <input type="checkbox"/> Yes Specify: _____
<input type="checkbox"/> No | | |
| If a new position, has this been reviewed by the Staff Consultative Committee? | <input type="checkbox"/> Yes <input type="checkbox"/> No | | Date: ____/____/____ |
| Program Leader HR Services Signature: | | | Date: ____/____/____ |

| Section 5: Position Review | |
|---|--|
| Comment on whether the Position Description has been reviewed and outcomes of this:

e.g. Job evaluation | |
| How is this position funded?

e.g. grant or other external funding | The position is currently funded by the Manager Parks role |
| Previous Advertising: | Has this position previously been advertised within the last 12 months? If yes, provide vacancy number. <div style="text-align: right;"> <input type="checkbox"/> Yes <input type="checkbox"/> No
 Vacancy: </div> |

| Section 6: Proposed Recruitment Panel | | |
|--|--|------------------|
| Recruitment Panel: | Team Leader: | Position: |
| Note: All members of the recruitment panel must be of equal or greater salary classification than the position being recruited.

The Independent panel member must be from outside the branch of the position being recruited. | Independent: | Position: |
| | Technical Expert:
<i>Or other, if applicable</i> | Position: |

| Section 7: Summary of Business Case (including reason for vehicle requirement if applicable) | |
|---|--|
| Recommendation - Include any final comments for ELT's consideration, supporting the business case for recruitment: | |

Section 8: Supporting Documentation Required

All supporting documentation must be supplied at the time of submission to HR Services. Failure to do so may result in the delay of your request being forwarded to ELT.

- ☐ Position Description ☐ Branch Structure
Highlight vacant position ☐ Advertising Template
 (Form 3) ☐ Vehicle Business Case
*(if required; Fleet Services
 can assist with preparing)*

Section 9: Director/Group Manager Approval

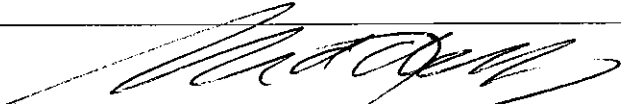
Director approval is required before documentation is submitted to HR Services.

Director/Group Manager Signature:

Date: / /

Section 10: ELT Approval

To be completed by an ELT representative or the Group Manager, People & Systems.

| | | | |
|--|--|-----------------------------------|---------------|
| Authority to recruit has been: | <input checked="" type="checkbox"/> Approved | <input type="checkbox"/> Declined | Date: 29.9.17 |
| Vehicle Authority:
(as per business case) | <input type="checkbox"/> Approved
<input type="checkbox"/> New
<input type="checkbox"/> Existing | <input type="checkbox"/> Declined | |
| Changes, conditions and/or comments required for approval: | Organisation Structure – position to be advertised internally in the first instance. | | |
| Authorising Signature for ELT: |  | | |

- ☐ *Copy to be supplied to Fleet Services if motor vehicle required on approval.

270

271

The Recruitment Team Leader is to ensure this form is completed post interview and forwarded to your Human Resource Business Partner.

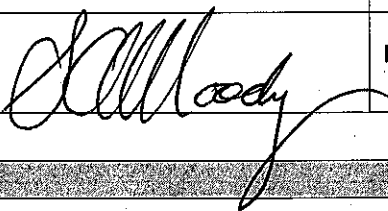
Note: No verbal offers of employment are to be made until your Human Resource Business Partner has reviewed the vacancy file and advised the Recruitment Team Leader that an offer is ready to be made.

| Position Details | |
|---|---|
| Vacancy Number: V17-4056 | Position Title: MANAGER CITY PRESENTATIONS |
| Group: SERVICE DELIVERY | Branch: CITY PRESENTATIONS |
| Number of Applications: Females <input type="checkbox"/> Males <input checked="" type="checkbox"/> 2 | Reference Checks: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Salary Classification: CIRCA \$140,000 | Date of Interviews: 1, 12, 17 |

| Applicant Ranking | |
|--|----------------------------------|
| Exceeds Requirements for Position: | Meets Requirements for Position: |
| • | • DAN LONG |
| • | • [REDACTED] |
| • | • |
| • | • |
| Needs Development for Position: | Not Suitable for Position: |
| • | • |
| • | • |
| • | • |
| • | • |
| The committee recommends the appointment of: DAN LONG | |
| Reasons for appointment: DAN WAS REGARDED AS THE MOST SUITABLE CANDIDATE. | |

| Recruitment Panel | |
|---------------------------|--|
| Recruitment Team Leader: | Name: MARK MULLIGAN Signature: Mark Mulligan |
| Independent Panel Member: | Name: CRAIG WILSON Signature: Craig Wilson |
| Other Panel Member: | Name: KERRILLY TWOMEY Signature: K. Twomey |

Approval to Appoint

| | | |
|---------------------------------|---|----------------------|
| Group Manager | Signature: _____ | Date: ____/____/____ |
| HRBP | Signature: _____ | Date: ____/____/____ |
| Manager, P&S
(if applicable) | Signature:  | Date: <u>1.12.17</u> |

For Human Resources Use Only

| | | |
|---|---|---|
| Verbal Offer Made: | <input type="checkbox"/> Yes <input type="checkbox"/> No | Agreed Commencement Date: ____/____/____ |
| Interviewed Applicants: | Have all interviewed applicants been advised unsuccessful? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| Comments or Conditions to be included in Offer of Employment: | | |
| Pre-employment health assessment required: | <input type="checkbox"/> Yes <input type="checkbox"/> No | WWCC required: <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Date Organised: | ____/____/____ | Date Organised: ____/____/____ |

From: Luke Nicholls lnicholls@bmcc.nsw.gov.au 
Subject: City Presentation Manager Recruitment
Date: 7 May 2018 at 3:37 pm
To: Rosemary Dillon RDillon@bmcc.nsw.gov.au
Cc: Kirrilly Twomey KTwomey@bmcc.nsw.gov.au, Scott Buchanan sbuchanan@bmcc.nsw.gov.au



Rosemary

I have discussed with Kirrilly the way forward with recruitment of this role.

I would like to finalise the current recruitment process, and to do this have asked Kirrilly to make a recommendation on behalf of the panel (KT was a panel member).

I will review the recommendation of the preferred candidate and close out the process. Only if I have concerns regarding the recommendation will I seek an interview with the preferred candidate, prior to approving.


This will be important to conclude and provide certainty for the City Presentation team that has had acting Managers for a long time.

Regards

Luke

Luke Nicholls | Director - City & Community Outcomes | t 02 4780 5734 | e lnicholls@bmcc.nsw.gov.au

Blue Mountains City Council ● council@bmcc.nsw.gov.au ● www.bmcc.nsw.gov.au ● Locked Bag 1005
Katoomba NSW 2780

From: Kirrilly Twomey KTwomey@bmcc.nsw.gov.au 
Subject: FW: Application - Manager City Presentation (Position Number P00873)
Date: 8 May 2018 at 12:31 pm
To: Luke Nicholls lnicholls@bmcc.nsw.gov.au
Cc: Rosemary Dillon RDillon@bmcc.nsw.gov.au

Hi Luke,

Interviews were undertaken on 1st December 2017 for the Manager, City Presentation.

Dan Long was recommended by the selection panel as the preferred candidate for the position however the process stalled following the reference checks.

Dan has been acting in this position since September 2016 and prior to that he also was acting in the position approx. June 2015 – December 2015.

I have attached for your information Dan's application, the interview records and the selection report signed by the selection panel for your consideration.

Regards

Kirrilly Twomey | Director, Service Delivery | t 02 47805000 | m 0414 195 891 | e ktwomey@bmcc.nsw.gov.au

Blue Mountains City Council • council@bmcc.nsw.gov.au • www.bmcc.nsw.gov.au • Locked Bag 1005 Katoomba NSW 2780

From: Daniel Long
Sent: Thursday, 12 October 2017 12:35 PM
To: Human Resources External Contact
Subject: Application - Manager City Presentation (Position Number P00873)

To whom it may concern,

Please find attached my application for the position of Manager City Presentation (Position Number P00873). Attached is my resume and claim for the position.

Please feel free to contact me for further information.

Regards

Daniel Long | A/ Manager Parks and Support Services | t 02 4780 5576 | e dlong@bmcc.nsw.gov.au

Blue Mountains City Council • council@bmcc.nsw.gov.au • www.bmcc.nsw.gov.au • Locked Bag 1005 Katoomba NSW 2780



Application -
Manag...ion.pdf



Dan Long -
Resum...017.pdf



DOC080518.pdf



DOC080518.pdf

Daniel Long
[REDACTED]
[REDACTED]

Tel: [REDACTED]

Email: [REDACTED]

12 October 2017

'Staff Applications'
Human Resources
Blue Mountains City Council
Locked Bag 1005
KATOOMBA NSW 2780

Application – Manager City Presentation (P00873)

To Whom It May Concern:

I am writing to apply for the vacant position of Manager City Presentation (position no P00873). Enclosed is a copy of my resume, which includes my personal information, education, training, work history and acquired skills and experience.

Below is my claim for the position.

Since 2009 I have held positions with staff management responsibility at Blue Mountains City Council (BMCC), initially in program leader roles and subsequently in the contract manager positions of Bushfire Recovery Manager (12 months) and Manager Operations (6 months). Furthermore I have been in the acting in the position of Manager Parks and Support Services for the past 12 months. The opportunity to work in these distinctly different manager positions has given me a unique insight into the requirements to operate at a manager level at BMCC and has allowed me to further develop my management skills and knowledge. Furthermore it has shown that I can be extremely adaptable as the priorities of the organisation changes.

In relation to the specific functions and responsibilities of the position my past experience makes me an excellent fit due to my knowledge of the key areas. These areas include park, sportsground, cemeteries, building and town centre maintenance which have been gained while working firstly in the Operations Branch and then in the Parks and Support Services Branch. This experience has given significant experience in the management of operational staff and the challenges faced on a day to day basis.

In addition, I have always worked closely with the areas that provide cleansing services for buildings, facilities and town centres. As such I have a good knowledge of these services and teams, which is growing every day as I have taken it upon myself to engage with them and learn more about the current schedules, resourcing and challenges faced in these areas.

I am also recognised in the organisation as someone who is keen to liaise, collaborate and engage with BMCC and the community to achieve the best outcomes possible. This has been a particularly important attribute during my role as the Bushfire Recovery Manager and on the Asbestos Management Project Team where these skills were critical to achieving the required objectives.

The highlighted points below succinctly highlight a range of skills and attributes that I have developed over time that will be particularly useful in this management position:

Staff Management - In my current role I am responsible for between 70 to 80 operational staff members. While contracted as the Manager Operations I was responsible for approximately 140 operational staff. As such I am well versed in all manner of staff management and industrial relations matters.

Budget Management - During my management roles I have been responsible for numerous budgets from small to large including Operations Branch budget (approx. \$12 million) and the Parks and Support Services Branch budget (approx. \$7 million).

Maintenance Planning – Key achievements over the past 12 months while acting in the manager role have been working with my staff to develop fully documented mowing and horticultural programs for parks, sportsgrounds and town centres. These plans have been provided to Council's strategic planners as part of the development of the Open Space and Recreation Strategy, so that they are able to understand the current service levels delivered and the implications of suggested changes to these service levels.

Workplace Health and Safety (WHS) - A thorough knowledge has been developed through working in local government in the past 15 years and, in particular, working in operational areas at BMCC. In addition I am currently the management representative on the BMCCs Katoomba Depot WHS Committee.

Motivation/Coaching - I have always been a firm believer in trying to develop staff who show initiative and who want to better themselves. The outcome of this is that several staff members under my guidance have gone on to improve their careers, become leaders and are now starting to develop the next generation of leaders.

Relationship Building, Networking and Collaboration - The manager and program leader roles in particular have enabled me to develop and maintain positive and productive relationships with staff at all levels, branch managers, Councils elected representatives and members of the executive leadership team. My 'can do' attitude and willingness to take on challenges has allowed me to effectively work across many functional areas within council and collaborate on a wide range of projects that have benefited both council and the community.

Furthermore, I have developed and maintained positive relationships with community groups, state government agencies, customers and external clients and providers. A major communication/networking role recently undertaken is that of the Bushfire Recovery Manager after the Blue Mountains area suffered a significant bushfire event. This role required me to develop working relationships with State Government bureaucrats (Ministry for Police and Emergency Services, Public Works), State and Federal politicians and a range of local agencies and stakeholders. Developing and maintaining these relationships was critical to delivering a successful community recovery package.

Political awareness - The Manager for Bushfire Recovery role in particular has given me unique access to the political nature of local government as I was required to give briefings to councillors, prepare council reports and liaise on a regular basis with the ward councillors of the bushfire affected areas. In addition I had regular contact with State and Federal Members and bureaucrats.

Change Management - Regularly involved with staff negotiation and coaching in relation to the ever changing nature of local government activities and the changing priorities and objectives of the organisation. This included the successful staff transition from the Community and Corporate to City Services Directorate, including not only role and responsibility definition but also a physical move from the Headquarters building to the Katoomba depot.

Most recently I have been managing the consultation and staff engagement as part of the restructure for which this position was created.

Policy Creation and Implementation - Inaugural and still current member of the Policy Control Team (PCT) at BMCC. This team is responsible for developing templates and guidelines in relation to the creation of policy and procedures. The PCT is also responsible for reviewing how new policy is created, ensuring effective consultation has taken place and providing advice to the author and Council's Executive Leadership Team.

Strategy/Plan Development and Implementation - Most recently responsible as part of a small team working with a consultant to develop Council's Asbestos Management Plan. This involved a great deal of research and staff consultation to ensure that a plan was developed that had staff backing so that it can be easily implemented.

Previously responsible for the BMCCs Recovery Action Plan and Bushfire Recovery Communication Strategy during my tenure as the Bushfire Recovery Manager.

Corporate/Business Planning - An excellent understanding with input at numerous business planning and service level workshops and being directly responsible for ensuring corporate priorities are delivered. Witness to and involved in the way that corporate priorities changed and were re-focused as a result of the October 2013 bushfires that saw close to 200 houses in the Blue Mountains destroyed as the Bushfire Recovery Manager.

Statistical Analysis and Data Interpretation - My degree and extensive local government experience have taught me to look for trends and utilise data to gain efficiencies and develop comprehensive business cases and submissions. The presentation of data that is meaningful and easy to understand is also a strong point.

Legislation and Regulations - I am conversant in a wide range of legislation relevant to local government including the Local Government Act, Roads Act, WHS Act and Regulation, Noxious Weeds Act, Environmental Planning and Assessment Act etc.

General Administration - Computer literate, well organised, self-sufficient with an excellent knowledge of corporate systems used at BMCC.

Additionally I have held positions in both the strategic and operations sections of BMCC and have extensive experience in a broad range of areas across the organisation. I therefore fully understand the challenges faced by local government in NSW and in particular by BMCC.

In closing I would add that since being employed around 12 years ago by BMCC I have always maintained a positive attitude and have strived to provide high quality outcomes and the best and most efficient service possible. I thoroughly enjoy working at BMCC where I have been given the opportunity to learn, develop and in turn develop others. As such I feel that a full time management position would be a natural career progression and I would welcome the opportunity to discuss further at an interview.

Yours Sincerely

A handwritten signature in black ink that reads "Daniel Long". The signature is written in a cursive, flowing style.

Daniel Long

RESUME

Name: Daniel Colsford Long
Address: [REDACTED]
Phone: Home: [REDACTED] Mobile: [REDACTED] Work: (02) 4780 5576
Email: dlong@bmcc.nsw.gov.au

Date of Birth: [REDACTED] **Driving Licence:** NSW Class C
Marital Status: Married

Nationality: British with Australian Permanent Residency Status (visa can be viewed on request)

PERSONAL PROFILE

- Reliable, responsible with a professional with a 'can do' attitude.
- Experience of working within a high pressure environment.
- Ability to work on own initiative, as part of a team and to strict deadlines.
- High level organisational, communication and interpersonal skills.
- Demonstrated ability to motivate, coach and develop staff.

EDUCATION AND QUALIFICATIONS

1997 – 1998 University of Plymouth, Seale Hayne faculty of Agriculture, Food and Land Use, Devon, England
Bachelor of Science (BSc) Degree in Rural Studies

1993 - 1997 University of Plymouth, Seale Hayne faculty of Agriculture, Food and Land Use, Devon, England
Higher National Diploma (HND) in Rural Resource Management (Placement Year HND Course)

EMPLOYMENT HISTORY

October 2016 – Current: Blue Mountains City Council, Acting Manager Parks and Support Services

- Full management responsibility for the teams responsible the delivery of services in the following areas:
 - Open Space, Parks, Sportsgrounds, Cemeteries, Building and Public Domain (Town Centres) maintenance
 - Fleet, Mechanical Services and Councils Warehouse

May 2017 – August 2017: Blue Mountains City Council, Asbestos Management Project Team

- Addressing a SafeWork NSW notice to develop, consult and collaborate in relation to the development of an Asbestos Management Plan, Asbestos Policy, Asbestos Register and a suite of training packages for the organisation.

January 2015 – July 2015: Blue Mountains City Council, Manager Operations

- Responsible for the operational and financial management of maintenance services for civil infrastructure, parks, sportsgrounds, cemeteries, council owned and managed buildings.
- Management of the Bushland Operations section which includes functions such as noxious weed management, bush regeneration, bushcare, walking tracks and fire mitigation.

March 2014 - December 2014: Blue Mountains City Council, Bushfire Recovery Manager

- Management of the Council led bushfire recovery effort;
- Manage the Council Recovery Team;
- Implementing the local recovery governance structure;
- Develop and implement the Recovery Action Plan;

2011 – 2017 (with secondments as listed above): Blue Mountains City Council, Program Leader Operations

- Manage teams responsible for the delivery of day to day operational, maintenance, asset investigation and data collection activities for the following areas:
 - **Community Open Space:** Parks; Sportsgrounds; Tree Management; Cemeteries.
 - **Buildings and Facility Maintenance:** Community; Commercial; Operational.
 - **Bushland Operations:** Fire Mitigation; Noxious Weeds; Bush Regeneration; Bushcare; Walking Tracks.
 - **Asset Investigations and Data Collection:** Civil; Recreation; Buildings.
- Staff management (responsible for between 70 – 80 employees) including performance reviews, motivating, mentoring, disciplinary, recruitment and workplace health and safety.
- Budget and resource management for the areas of responsibility. Operational budget responsibility of \$9 million.
- Forward and strategic planning for the areas of responsibility including the development of resourcing strategies and regular reviews of workplace efficiencies.

2009 – 2011: Blue Mountains City Council, Program Leader, City Assets Services

- Lead and coordinate a small team (5 people) responsible for the operational management of assets across the Blue Mountains Local Government Area. This includes allocation of facilities to users and liaison with users regarding use and maintenance of facilities and undertaking investigations in relation to asset management that fall outside the scope of regular maintenance. These assets included:
 - Recreation assets including parks, sports courts, sportsgrounds and cemeteries;
 - Community buildings and facilities including community buildings and halls;
 - Civil assets including roads, drains and footpaths.

2008 – 2009: Blue Mountains City Council, Acting Program Leader, Service Level Agreements.

- Acting in this position from October 2008 to February 2009 and September 2009 to November 2009;
- Managing a small team dealing with the management of maintenance contracts across a wide range of assets;
- Preparation of annual maintenance budgets.

2005 – 2009: Blue Mountains City Council, Assets Auditor, Assets & Contract Management Branch.

- Management of parks, sportsgrounds and leisure and aquatic maintenance budgets;
- Monitor and report on the implementation of Service Level Agreements (SLA's) and the location/condition of recreational assets;
- Ongoing development of SLA's;
- Implementation of Sustainable Asset Management Plans (SAM Plans);
- Negotiating positive outcomes between Council's Assets Branch and City Services (council's service provider);

2002 – 2005: Hornsby Shire Council, Parks Facilities Officer, Parks and Landscape Team (Environment Division).

- Councils Online "Champion Role". Successful in the design, creation of business procedures, training documents, implementation and on-going development of Council's Reservation Management System (RMS) as part of the Councils Online Project;
- Assisted with the creation of the Hornsby Shire Council Draft Sports Facility Strategy Report and Leisure Strategic Plan along with numerous other reports and documentation;
- Management of all booking and hiring for sportsgrounds and recreational facilities;
- Responsible for website content and maintenance for the Parks and Landscape team;
- Development and Management of the Parks & Landscape 5 Year Capital Works database;

ACQUIRED SKILLS AND EXPERIENCE

- An excellent knowledge of current challenges faced by local government.
- Knowledge of a range of Acts relevant to Local Government.
- Experienced at dealing with a range of different organisations and stakeholders including Councils, State and Federal Government, Volunteer/Community Groups, Retail Chains, Store Managers, CEOs and Directors.
- Demonstrated staff management, recruitment and selection skills.
- Computer literate with an extremely good knowledge of a range of software packages including Microsoft Office (Word, Excel, Power Point, Access and VISIO), Claris Works, Lotus Notes, TRIM, Pathways and experienced in GIS packages MapInfo and Eview.
- Certificate IV in Quality Management and Assurance.
- Holder of an OHS Construction Induction Training Certificate for construction work in NSW (White Card)

PERSONAL INTERESTS

I actively enjoy and participate in a number of sports and recreational pastimes including fishing and I coach the under 8s Lithgow City Rangers Soccer team. I also have a keen interest in food, wine and beer.

REFERENCES

Grant McKay
Manager Governance and Risk
Blue Mountains City Council
Phone: 4780 5671
Mobile: 0414 195 671
Email: gmckay@bmcc.nsw.gov.au

Rhett Hahn
A/ Director Service Delivery
Blue Mountains City Council
Phone: 4780 5373
Mobile: 0414 195 065
Email: rhahn@bmcc.nsw.gov.au

Alan Cattermole
Director Cultural and Community Services
Bathurst Regional Council
Phone: 02 6333 6206
Mobile: 0418 713 519
Email: alan.cattermole@bathurst.nsw.gov.au

| Applicant Details | |
|--------------------------------------|---------------------------------|
| Applicant Name: DAN LONG | |
| Position: Manager City Presentations | |
| Vacancy Number: | Interview Date: 1 December 2017 |
| Interviewer Name: Mark Mulligan | |

| Assessment of Interview | | | | |
|---|----------------------|--------------------|----------------------------|--|
| Selection Criteria | Exceeds Requirements | Meets Requirements | Does Not Meet Requirements | Comments
*** Note: comments as to why the applicant has been assessed at this level is compulsory |
| Working Together | ✓ | | | DAN HAS CONSISTENTLY DEMONSTRATED HIS CAPABILITY IN THIS SPACE |
| Work Safe Home Safe | | ✓ | | SOUND EXAMPLES PROVIDED. |
| Service Excellence | | ✓ | | TALKING TO THE UNITE OF EMPLOYMENT STAFF |
| Value for Money | ✓ | | | UNDERSTANDS BENCHMARKING SERVICES & PROVIDED GOOD EXAMPLES |
| Trust and Respect | | ✓ | | SEEING |
| Supporting Community | | ✓ | | GRANT HISTORY VIA BUSHFIRE RESERVE POLICE & UNDERSTANDING THE NEEDS OF DIFFERENT BM COMMUNITIES |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| Over all comments:
DAN WOULD BE A GREAT FIT FOR THE POSITION | | | | |

| | | | |
|--|-----------------------------|------------------------------------|--|
| Based on this interview does the applicant display the standard required to perform this position? | | | |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Undecided | <input checked="" type="checkbox"/> Proof of Evidence to work in Australia sighted |
| If 'Yes' or 'Undecided' is indicated, this applicant will need to be ranked against other applicants interviewed and a final recommendation made by the panel. | | | |

Outline for Opening the Interview

1. Greet the applicant

- ☐ Give your name and position
- ☐ Thank them for making time for the interview
- ☐ State that you appreciate their interest in the position and organisation

2. Explain the interview's purpose

- ☐ To give you both a chance to get acquainted
- ☐ To help you learn more about the candidate's background and experience
- ☐ To help the candidate understand the position and the organisation

3. Describe the interview plan

- ☐ Will first briefly review the candidate's past jobs/experience
- ☐ Then will ask for specific examples of things the candidate has done in those jobs/experiences and how he/she went about doing them
- ☐ Towards the end of the interview, you will provide information and answer any questions about the position and the organisation the applicant might have
- ☐ Indicate that you will be taking notes

Interview Notes

1. Selection Criteria – Working Together

Question: Provide an example that demonstrates your commitment to working together with staff and the community to deliver positive outcomes for the organisation and community?

- Bushfire recovery role example
 - Dealing with NAO's & community organisations
 - Regarded as a highlight of the past 10 years of BMCC
- 14 months acting in Parks & Support Services.
- program leader operations in 2011
- bushfire manager recovery role 2013

Position for the Blue Mountains & BMCC

2. Selection Criteria – Work Safe Home Safe

Question: Provide an example of your commitment to safety for yourself and staff you are responsible for?

- Chair of South Street depot WHS committee
- Re-affirming the need for inspections with group of Supervisors
- Personal wellbeing
- Set example of wearing PPE

3. Selection Criteria – Service Excellence

Question: Provide an example of your commitment to achieving service excellence? What were the measurable outcomes?

- Develop clear documentation in relation to service delivery
 - ↳ eg. splitting out clear mowing schedules 3 weeks
 - ↳ eg. how many crew hours are dedicated in each town centre.
- ↳ empower staff to work with the community
- ↳ Katoomba main street as an example

4. Selection Criteria – Value For Money

Question: What does value for money mean to you? What examples can you give regarding delivering value for money to the community?

- Looking at services we are providing & benchmarking against other providers e.g. contractors
↳ Sportsground Maintenance example & getting in new tractor under SUZ funding
- Staff won innovation award for this.
- Looking at doing more with less.

5. Selection Criteria – Trust and Respect

Question: Provide an example of how you build trust and respect within your team.

- Open door policy
- Challenging time spans for CP staff & getting on with staff like the brooching a cemetery
- Can feed into other areas also
- Be prepared to admit when you are wrong.

6. Selection Criteria – Supporting Community

Question: What does supporting the community mean to you? Can you provide a recent example that demonstrates your commitment to the community?

- Working with volunteers in Pairs & Town centres
- Access some funding for volunteers in this space.
- Developing agreements with community groups
- Understanding the different needs & wants of the community
↳ Good Blackheath example

Outline for Closing the Interview

1. Overview of the position

- ☐ Give the candidate a brief overview of the position and Council
- ☐ Advise the candidate of any additional information that you think is relevant to the position

2. Conditions of Employment

- ☐ Advise the candidate of the hours of work of this position
- ☐ Advise the candidate of the RDO scheme
- ☐ Advise the candidate of any other relevant conditions for this position

3. Candidate Questions

- ☐ Ask the candidate if they have any questions about the position or conditions of employment

4. Evidence to work in Australia

- ☐ Ensure that the applicant has the proof of evidence to work in Australia. These include:
 - Evidence of permanent resident status
 - Temporary visa with entitlement to work
 - Australian or New Zealand passport
 - Certificate of Australian citizenship
 - Australian Birth Certificate

If the recruitment panel is shown evidence that does not contain a photograph, supplementary documentation that contains a photo will need to be sighted/copied. For example, drivers licence.

5. Close the interview

- ☐ Advise the candidate that if they are successful in moving through to the next stage of the recruitment process they will be required to attend a pre-employment health assessment, two reference checks, an employment history check and a Working with Children Check if the position is child-related.
- ☐ Advise the candidate that they will be advised if successful or unsuccessful
- ☐ Advise the candidate of the timeframe it will take to advise them of the decision (this generally takes 10-14 days)
- ☐ Thank them for making time for the interview and for their interest in the position and Council.

| Applicant Details | |
|--------------------------|--|
| Applicant Name: | Daniel Long. |
| Position: | Manager City Presentations |
| Vacancy Number: | Interview Date: 1 December 2017 |
| Interviewer Name: | Mark Mulligan Kimilly Twomey |

Assessment of Interview

| Selection Criteria | Exceeds Requirements | Meets Requirements | Does Not Meet Requirements | Comments
*** Note: comments as to why the applicant has been assessed at this level is compulsory |
|----------------------|----------------------|--------------------|----------------------------|--|
| Working Together | | ✓ | | Bushfire Recovery - many stakeholders |
| Work Safe Home Safe | | ✓ | | |
| Service Excellence | | ✓ | | Service specifications. ^{this is a weakness.} for Branch - good focus. |
| Value for Money | | ✓ | | |
| Trust and Respect | | ✓ | | |
| Supporting Community | | ✓ | | Volunteers |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Over all comments:

Willing to take on projects - successful in Bush Fire Recovery

Based on this interview does the applicant display the standard required to perform this position?

☒ Yes

☐ No

☐ Undecided

☐ Proof of Evidence to work in Australia sighted

If 'Yes' or 'Undecided' is indicated, this applicant will need to be ranked against other applicants interviewed and a final recommendation made by the panel.

Outline for Opening the Interview

1. Greet the applicant

- ☐ Give your name and position
- ☐ Thank them for making time for the interview
- ☐ State that you appreciate their interest in the position and organisation

Why - 12 years - Rec Asset
Program Leader
Transfer - to depot 2011
2013 Bushfire - recovery mgr role
Passion for BMCC - good people.
Optimistic view.
Allowed me to grow.

2. Explain the interview's purpose

- ☐ To give you both a chance to get acquainted
- ☐ To help you learn more about the candidate's background and experience
- ☐ To help the candidate understand the position and the organisation

5 years - mgr / community
volunteers
sporting.

3. Describe the interview plan

- ☐ Will first briefly review the candidate's past jobs/experience
- ☐ Then will ask for specific examples of things the candidate has done in those jobs/experiences and how he/she went about doing them
- ☐ Towards the end of the interview, you will provide information and answer any questions about the position and the organisation the applicant might have
- ☐ Indicate that you will be taking notes

Asbestos - willingness

Interview Notes

1. Selection Criteria - Working Together

Question: Provide an example that demonstrates your commitment to working together with staff and the community to deliver positive outcomes for the organisation and community?

Bushfire Recovery - liase with multiple areas - community impact
200 houses, networks
Appreciated - clarity.
Council mgd the recovery. - Team / Freedom, buffering, community.
Councillors / State Gov. - Remain positive.

2. Selection Criteria - Work Safe Home Safe

Question: Provide an example of your commitment to safety for yourself and staff you are responsible for?

Chair WMS South Street Depot - workers.
Process for completing task.
Conscious - positive try not to let things get on top of me.
Ray Hadley - High vis - will bull staff up.
set the bar high. - improvements. - requirements.

3. Selection Criteria - Service Excellence

Question: Provide an example of your commitment to achieving service excellence? What were the measurable outcomes?

Bushfire - Relevant to City Preservation.
Clear documents in services we provide C+CO - this is what we
deliver for you - split mowing / hort - 3 weekly - strategic planners
can have conversation - where are we shifting from - community.
Empowering team. - community
partnership.
- seek resourcing.

4. Selection Criteria – Value For Money

Question: What does value for money mean to you? What examples can you give regarding delivering value for money to the community?

Value for money - benchmark against contractors. - Review a heap of money
- sports ground - contractors to airlec - sports ground tractor -
- built capacity.
- can work in the parks area - improved ~~local~~ community services.
- award to mark Goddard.
- wider deck - improved productivity.

5. Selection Criteria – Trust and Respect

Question: Provide an example of how you build trust and respect within your team.

Open with my team - open door - talk to them. - Asbestos.
4am - timeframe.
allocate time to go out + see them on site. - call them into
a meeting.
brushcut - cemetery - questioning - Ricky
operational practises - Open, accept responsibility.

6. Selection Criteria – Supporting Community

Question: What does supporting the community mean to you? Can you provide a recent example that demonstrates your commitment to the community?

Volunteers - high on agenda - policy - risk assessment - parks + town centres.
Active Blackheath
Katoomba
Leura - coming on
Woodford
Council / Community
- Rhoda 50+ years / dwarfs

Hazelbrook

Participation in Upper Mtn.

Delivery?

Customer Service

Outline for Closing the Interview

1. Overview of the position

- ☐ Give the candidate a brief overview of the position and Council
- ☐ Advise the candidate of any additional information that you think is relevant to the position

2. Conditions of Employment

- ☐ Advise the candidate of the hours of work of this position
- ☐ Advise the candidate of the RDO scheme
- ☐ Advise the candidate of any other relevant conditions for this position

3. Candidate Questions

- ☐ Ask the candidate if they have any questions about the position or conditions of employment

4. Evidence to work in Australia

- ☐ Ensure that the applicant has the proof of evidence to work in Australia. These include:
 - Evidence of permanent resident status
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 - Australian or New Zealand passport
 - Certificate of Australian citizenship
 - Australian Birth Certificate

If the recruitment panel is shown evidence that does not contain a photograph, supplementary documentation that contains a photo will need to be sighted/copied. For example, drivers licence.

5. Close the interview

- ☐ Advise the candidate that if they are successful in moving through to the next stage of the recruitment process they will be required to attend a pre-employment health assessment, two reference checks, an employment history check and a Working with Children Check if the position is child-related.
- ☐ Advise the candidate that they will be advised if successful or unsuccessful
- ☐ Advise the candidate of the timeframe it will take to advise them of the decision (this generally takes 10-14 days)
- ☐ Thank them for making time for the interview and for their interest in the position and Council.

| Applicant Details | |
|-------------------|---------------------------------|
| Applicant Name: | Dan Long. |
| Position: | Manager City Presentations |
| Vacancy Number: | Interview Date: 1 December 2017 |
| Interviewer Name: | Mark Mulligan CRAIG WILSON |

| Assessment of Interview | | | | |
|--|----------------------|--------------------|----------------------------|--|
| Selection Criteria | Exceeds Requirements | Meets Requirements | Does Not Meet Requirements | Comments
*** Note: comments as to why the applicant has been assessed at this level is compulsory |
| Working Together | | ✓ | | GOOD EXAMPLE OF LEADING PROJECT & OTHER GROUPS, INVOLVING WORKING WITH STAFF & COMMUNITY |
| Work Safe Home Safe | | ✓ | | INVOLVING AS CHAIR OF WHIS COMMITTEE SHOWS STRONG COMMITMENT. |
| Service Excellence | | ✓ | | GOOD KNOWLEDGE OF SERVICE STAMPING SERVICE. GOOD CUSTOMER SERVICE. |
| Value for Money | | ✓ | | UNDERSTANDS SERVICE LEVELS & IMPACT ON VALUE. GOOD KNOWLEDGE BUDGETING. |
| Trust and Respect | | ✓ | | VERY GOOD WORKING WITH TEAM & COMMUNITY. |
| Supporting Community | | ✓ | | VERY GOOD EXAMPLES & EXPERIENCE IN WORKING WITH COMMUNITY. |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| Over all comments: VERY MOTIVATED, ENERGETIC & PASSIONATE.
EXPERIENCED MANAGER. EXCELLENT COMMUNICATOR.
GOOD KNOWLEDGE OF ALL ASPECTS FOR THIS ROLE. | | | | |

| | | | |
|--|-----------------------------|------------------------------------|---|
| Based on this interview does the applicant display the standard required to perform this position? | | | |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Undecided | <input type="checkbox"/> Proof of Evidence to work in Australia sighted |
| If 'Yes' or 'Undecided' is indicated, this applicant will need to be ranked against other applicants interviewed and a final recommendation made by the panel. | | | |

Outline for Opening the Interview

1. Greet the applicant

- ☐ Give your name and position
- ☐ Thank them for making time for the interview
- ☐ State that you appreciate their interest in the position and organisation

2. Explain the interview's purpose

- ☐ To give you both a chance to get acquainted
- ☐ To help you learn more about the candidate's background and experience
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- ☐ Will first briefly review the candidate's past jobs/experience
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- ☐ Towards the end of the interview, you will provide information and answer any questions about the position and the organisation the applicant might have
- ☐ Indicate that you will be taking notes

Interview Notes

1. Selection Criteria – Working Together

Question: Provide an example that demonstrates your commitment to working together with staff and the community to deliver positive outcomes for the organisation and community?

PASSION FOR BLUE MOUNTAINS - HAS BEEN GIVEN OPPORTUNITY TO GROW
BUSHFIRE RECOVERY MANAGER - LARGE INTERMALLY, NEOL, COMMUNITY NETWORK,
GOOD RESOURCES.
- KEOO Team from Parties / SUPPORT ALLOW TEAM TO
GET ON.
- REMAIN POSITIVE.
VERY MOTIVATED

2. Selection Criteria – Work Safe Home Safe

Question: Provide an example of your commitment to safety for yourself and staff you are responsible for?

CHAIR NHAS COMMITTEE - WORKING WITH STATE
- INSPECTIONS
- ALWAYS
- SET EXAMPLE - WEAR BOOTS / HIGH VIS
- MAKE NOISE TO DO - CONSTANT REMINDING.

3. Selection Criteria – Service Excellence

Question: Provide an example of your commitment to achieving service excellence? What were the measurable outcomes?

DEFINE SERVICES - (NAME DOCS OF SERVICES PROVIDED) - SPECIFY WHAT IS DELIVERED
eg NOISE IN PARKS & PUBLIC DOMAINS.
Same for HORTICULTURAL
EMPOWER TEAM TO WORK WITH COMMUNITY.
GOOD COMMUNITY PARTNERSHIPS

4. Selection Criteria – Value For Money

Question: What does value for money mean to you? What examples can you give regarding delivering value for money to the community?

- SERVICES - BENCHMARKING - BE IN BALANCE
- eg SPORTSCLUBS - CONSIDERED GIVING TO THE LABOUR.
- PROVIDE FLEXIBILITY.
- INNOVATION AWARD
- CONTINUAL IMPROVEMENT.

5. Selection Criteria – Trust and Respect

Question: Provide an example of how you build trust and respect within your team.

- OPEN WITH TEAM.
- FACE TO FACE - ANSWER QUESTIONS
- HOW TO INTERACT WITH STAFF BASED ON SPAN OF HOURS
- MEET ON SITE - DIFFERENT CONVERSATIONS
- FEEDS INTO SAFETY, VALUE FOR MONEY
- BE UPFRONT - HONEST.

6. Selection Criteria – Supporting Community

Question: What does supporting the community mean to you? Can you provide a recent example that demonstrates your commitment to the community?

- VOLUNTEERS - PROPER AGREEMENTS, RISK ASSESSMENTS (eg APE)
- STRONG BUSINESS NETWORK.
- AIM TO BUILD LOCAL AREA NETWORKS.
- DIFFERENCES IN COMMUNITY - DIFFERENT APPROACHES
- LOWER / UPPER MOUNTAINS.
- BE CLEAR WHAT WE CAN & CANT DO.
- EMPLOYER TO CARE ON JOINING TOGETHER (GRANTS / FUNDING)

Outline for Closing the Interview

1. Overview of the position

- ☐ Give the candidate a brief overview of the position and Council
- ☐ Advise the candidate of any additional information that you think is relevant to the position

2. Conditions of Employment

- ☐ Advise the candidate of the hours of work of this position
- ☐ Advise the candidate of the RDO scheme
- ☐ Advise the candidate of any other relevant conditions for this position

3. Candidate Questions

- ☐ Ask the candidate if they have any questions about the position or conditions of employment

4. Evidence to work in Australia

- ☐ Ensure that the applicant has the proof of evidence to work in Australia. These include:
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 - Temporary visa with entitlement to work
 - Australian or New Zealand passport
 - Certificate of Australian citizenship
 - Australian Birth Certificate

If the recruitment panel is shown evidence that does not contain a photograph, supplementary documentation that contains a photo will need to be sighted/copied. For example, drivers licence.

5. Close the interview

- ☐ Advise the candidate that if they are successful in moving through to the next stage of the recruitment process they will be required to attend a pre-employment health assessment, two reference checks, an employment history check and a Working with Children Check if the position is child-related.
- ☐ Advise the candidate that they will be advised if successful or unsuccessful
- ☐ Advise the candidate of the timeframe it will take to advise them of the decision (this generally takes 10-14 days)
- ☐ Thank them for making time for the interview and for their interest in the position and Council.

BLUE MOUNTAINS CITY COUNCIL APPLICATION FORM

APPLICATION FORM

It is a condition of employment that BMCC conducts an Employment History Check and a minimum of 2 Reference Checks for all external applicants. Information contained in this form is to verify age related salary, WWCC and employment history details with previous employers.

Note: Employment History will be checked for the past five years, or last three positions held.

| POSITION DETAILS: | | | |
|--|---------------------------|--|--|
| Vacancy Number: <u>V17/4056</u> | | Position Title: <u>Manages City Presentation</u> | |
| PERSONAL DETAILS: * Details you provide must match your proof of identity documents EXACTLY | | | |
| Title: <input checked="" type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Miss | | Gender: <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female | |
| *Given Names: <u>Daniel</u> | | | |
| *Surname: <u>Long</u> | | | |
| Current Age: <u>42</u> | | *Date of Birth: [REDACTED] | |
| Home / Mobile Number: [REDACTED] | | Email Address: <u>dlong@bmcc.nsw.gov.au</u> | |
| Do you hold a current driver's licence? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | If yes, list your Licence Class: | |
| Have you applied for a Working with Children Check (WWCC) Clearance? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | WWCC Number:
<i>Child-related positions only</i> | |
| Employment History Details | | | |
| Organisation: <u>BMCC</u> | | Contact Number: <u>as listed below</u> | |
| Organisation: | | Contact Number: | |
| Organisation: | | Contact Number: | |
| Reference Check Details | | | |
| Name: <u>Rhett Hahn</u> | Organisation: <u>BMCC</u> | Position Title: <u>Manager TACO</u> | Contact Number: [REDACTED] |
| Name: <u>Grant McKay</u> | Organisation: <u>BMCC</u> | Position Title: <u>Manager Governance & Risk</u> | Contact Number: [REDACTED] |
| I <u>Dan Long</u> give permission for BMCC to conduct an employment history and reference check prior to commencement of employment. | | | |
| Applicant Signature: <u>[Signature]</u> | | Date: <u>1/12/17</u> | |

The Recruitment Team Leader is to ensure this form is completed post interview and forwarded to your Human Resource Business Partner.

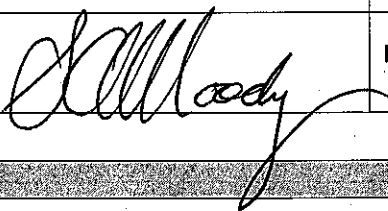
Note: No verbal offers of employment are to be made until your Human Resource Business Partner has reviewed the vacancy file and advised the Recruitment Team Leader that an offer is ready to be made.

| Position Details | |
|---|---|
| Vacancy Number: V17-4056 | Position Title: MANAGER CITY PRESENTATIONS |
| Group: SERVICE DELIVERY | Branch: CITY PRESENTATIONS |
| Number of Applications: Females <input type="checkbox"/> Males <input checked="" type="checkbox"/> 2 | Reference Checks: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Salary Classification: CIRCA \$140,000 | Date of Interviews: 1, 12, 17 |

| Applicant Ranking | |
|--|----------------------------------|
| Exceeds Requirements for Position: | Meets Requirements for Position: |
| • | • DAN LONG |
| • | • [REDACTED] |
| • | • |
| • | • |
| • | • |
| Needs Development for Position: | Not Suitable for Position: |
| • | • |
| • | • |
| • | • |
| • | • |
| The committee recommends the appointment of: DAN LONG | |
| Reasons for appointment: DAN WAS REGARDED AS THE MOST SUITABLE CANDIDATE. | |

| Recruitment Panel | |
|---------------------------|--|
| Recruitment Team Leader: | Name: MARK MULLIGAN Signature: Mark Mulligan |
| Independent Panel Member: | Name: CRAIG WILSON Signature: Craig Wilson |
| Other Panel Member: | Name: KIRRILLY TWOMEY Signature: K. Twomey |

Approval to Appoint

| | | |
|---------------------------------|---|----------------------|
| Group Manager | Signature: _____ | Date: ____/____/____ |
| HRBP | Signature: _____ | Date: ____/____/____ |
| Manager, P&S
(if applicable) | Signature:  | Date: <u>1.12.17</u> |

For Human Resources Use Only

| | | |
|---|---|---|
| Verbal Offer Made: | <input type="checkbox"/> Yes <input type="checkbox"/> No | Agreed Commencement Date: ____/____/____ |
| Interviewed Applicants: | Have all interviewed applicants been advised unsuccessful? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| Comments or Conditions to be included in Offer of Employment: | | |
| Pre-employment health assessment required: | <input type="checkbox"/> Yes <input type="checkbox"/> No | WWCC required: <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Date Organised: | ____/____/____ | Date Organised: ____/____/____ |

From: Luke Nicholls lnicholls@bmcc.nsw.gov.au 
Subject: Re: Application - Manager City Presentation (Position Number P00873) CONFIDENTIAL
Date: 17 May 2018 at 5:17 pm
To: Scott Buchanan sbuchanan@bmcc.nsw.gov.au
Cc: Kirrilly Twomey KTwomey@bmcc.nsw.gov.au

Thanks Scott - approval for appointment is somewhere between my office and HR / you should get it tomorrow. Cheers Luke

Sent from my iPhone

On 17 May 2018, at 4:35 pm, Scott Buchanan <sbuchanan@bmcc.nsw.gov.au> wrote:

Hi Luke,

Reference checks are not a pre-requisite if the candidate is internal, especially not if the candidate is well known to the panel and they understand his/her standard of work performance already.

Regards

Scott Buchanan | Program Leader HR Services | t (02) 4780 5688 | m 0414 195 325 | e sbuchanan@bmcc.nsw.gov.au

image003.png>

Blue Mountains City Council • council@bmcc.nsw.gov.au • www.bmcc.nsw.gov.au • Locked Bag 1005 Katoomba NSW 2780

From: Luke Nicholls
Sent: Wednesday, 16 May 2018 12:34 PM
To: Scott Buchanan
Cc: Kirrilly Twomey
Subject: FW: Application - Manager City Presentation (Position Number P00873) CONFIDENTIAL

Scott

I have been asked to review the recruitment process for Manager City Presentation, as the restructure to locate the Branch into C&CO is about to proceed.

Kirrilly has provided the paperwork on the recruitment and interview process, and the recommendation to appoint Dan Long in this position.

No information is available regarding referee checks, even though approval for this has been given by Dan.

Can you confirm whether referee checks are necessary prior to concluding this process. Dan is a current employee at BMCC and both Kirrilly and I have extensive experience working with Dan at BMCC.

If referee checks are needed I will re-confirm with Dan that he is happy for us to contact referees, prior to approving appointment.

I would like to be able to finalise this process this week – and the GM has asked that she be informed so that she can make the verbal offer to Dan Long for the position.

Regards

Luke

Luke Nicholls | Director - City & Community Outcomes | t 02 4780 5734 | e lnicholls@bmcc.nsw.gov.au

image003.png>

Blue Mountains City Council • council@bmcc.nsw.gov.au • www.bmcc.nsw.gov.au • Locked Bag
1005 Katoomba NSW 2780

From: Kirrilly Twomey
Sent: Tuesday, 8 May 2018 12:32 PM
To: Luke Nicholls
Cc: Rosemary Dillon
Subject: FW: Application - Manager City Presentation (Position Number P00873)

Hi Luke,

Interviews were undertaken on 1st December 2017 for the Manager, City Presentation.

Dan Long was recommended by the selection panel as the preferred candidate for the position however the process stalled following the reference checks.

Dan has been acting in this position since September 2016 and prior to that he also was acting in the position approx. June 2015 – December 2015.

I have attached for your information Dan's application, the interview records and the selection report signed by the selection panel for your consideration.

Regards

Kirrilly Twomey | Director, Service Delivery | t 02 47805000 | m 0414 195 891 | e ktwomey@bmcc.nsw.gov.au

Blue Mountains City Council • council@bmcc.nsw.gov.au • www.bmcc.nsw.gov.au • Locked Bag
1005 Katoomba NSW 2780

From: Daniel Long
Sent: Thursday, 12 October 2017 12:35 PM
To: Human Resources External Contact
Subject: Application - Manager City Presentation (Position Number P00873)

To whom it may concern,

Please find attached my application for the position of Manager City Presentation (Position Number P00873). Attached is my resume and claim for the position.

Please feel free to contact me for further information.

Regards

Daniel Long | A/ Manager Parks and Support Services | t 02 4780 5576 | e dlong@bmcc.nsw.gov.au

image003.png>

Blue Mountains City Council ● council@bmcc.nsw.gov.au ● www.bmcc.nsw.gov.au ● Locked Bag
1005 Katoomba NSW 2780

Memorandum

TO: Human Resources
COPY TO: Acting Director SD
General Manger
FROM: Director, City & Community Outcomes
DATE: 18 May 2018
SUBJECT: Appointment of Manager City Presentation

Purpose

The purpose of this memo is to conclude the recruitment for the Manager City Presentation role. This was disrupted due to the previous Director Service Delivery leaving the Council.

Background

A recruitment process has been larger undertaken for the Manager role, including advertising, interviews and the selection panel have provided a clear recommendation on the preferred candidate for the role. This has been consistent with relevant policies.

Since the previous Director Service Delivery was the 'recruitment team leader' (RTL), and has left Council without finalising the recruitment process, it was agreed that Kirrilly Twomey (A/Director SD), who was also on the interview panel, take over as 'recruitment team leader'.

As the City Presentation Branch is in the process of being relocated into the City & Community Outcomes Directorate, the General Manager requested that the Director C&CO be the relevant Director/Group Manager to conclude the recruitment process.

Review of recruitment process

I have reviewed the recruitment process documentation, and this is consistent with the requirements of the relevant Council policy.

However, no referee checks were available to review.

The Council policy in regards to reference checks allows the following:

"Reference checks are not required for internal applicants, unless considered appropriate by the Recruitment Team Leader".

I have discussed with the RTL, and they have confirmed that they do not believe that referee checks are necessary, as the preferred applicant for the role has been working for a considerable time in Council. I agree with this recommendation. As a result referee checks are considered unnecessary.

Community and Corporate

In addition, the Council policy requires that:

"The recruitment panel must sight all originals of documentation relevant to the selection criteria and in confirming the right to work in Australia. This may include Drivers licence/passport/birth certificate/work visa, qualifications. Australian citizens and permanent residents have unrestricted rights to employment in Australia".

The RTL has confirmed that the preferred applicant has received Australian Citizenship (in addition to having worked as a resident at Council for a significant amount of time). However, I note that qualifications have not been checked. I recommend the verbal offer process to continue, but suggest that the letter of offer should be subject to HR sighting the qualifications as a condition of the offer.

Appointment of preferred applicant

I have reviewed the recommendation of the selection panel, and approve the recruitment of the preferred applicant, Mr Dan Long, for the role.

I have signed the attached Recruitment and Selection Report as the relevant Group Manager/Director. I note that HR have already signed the Report.

Please proceed with concluding the recruitment and advise Kirrilly Twomey as the RTL when it is appropriate to make a verbal offer.



LUKE NICHOLLS
Director, City & Community Outcomes

The Recruitment Team Leader is to ensure this form is completed post interview and forwarded to your Human Resource Business Partner.

Note: No verbal offers of employment are to be made until your Human Resource Business Partner has reviewed the vacancy file and advised the Recruitment Team Leader that an offer is ready to be made.

Position Details

| | |
|---|---|
| Vacancy Number: V17-4056 | Position Title: MANAGER CITY PRESENTATIONS |
| Group: SERVICE DELIVERY | Branch: CITY PRESENTATIONS |
| Number of Applications: Females <input type="checkbox"/> Males <input checked="" type="checkbox"/> 2 | Reference Checks: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Salary Classification: CIRCA \$140,000 | Date of Interviews: 1, 12, 17 |


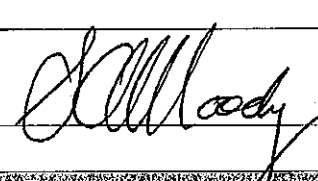
Applicant Ranking

| | |
|---|--|
| Exceeds Requirements for Position:
•
•
•
• | Meets Requirements for Position:
• DAN LONG
• [REDACTED]
•
• |
| Needs Development for Position:
•
•
•
• | Not Suitable for Position:
•
•
•
• |
| The committee recommends the appointment of: DAN LONG | |
| Reasons for appointment: DAN WAS REGARDED AS THE MOST SUITABLE CANDIDATE | |

Recruitment Panel

| | | |
|--------------------------|------------------------------|-----------------------------------|
| Recruitment Team Leader | Name: MARK MULLIGAN | Signature: Mark Mulligan |
| Independent Panel Member | Name: CRAIG WILSON | Signature: Craig Wilson |
| Other Panel Member | Name: KERRILLY TWOMEY | Signature: Kerrilly Twomey |

Approval to Appoint

| | | |
|--------------------------------|--|---------------|
| Group Manager | Signature:  | Date: 17.5.18 |
| HRBP | Signature: | Date: / / |
| Manager P&S
(if applicable) | Signature:  | Date: 1.12.17 |

For Human Resources Use Only

| | | | |
|--|--|--------------------------|--|
| Verbal Offer Made | <input type="checkbox"/> Yes <input type="checkbox"/> No | Agreed Commencement Date | / / |
| Interviewed Applicants | Have all interviewed applicants been advised unsuccessful? | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Comments or Conditions to be included in Offer of Employment | | | |
| Pre-employment health assessment required | <input type="checkbox"/> Yes <input type="checkbox"/> No | WWCC required | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Date Organised | / / | Date Organised | / / |

Division of Local Government
Department of Premier and Cabinet

GUIDELINES FOR THE APPOINTMENT & OVERSIGHT OF GENERAL MANAGERS

July 2011

These are Director General's Guidelines issued pursuant to section 23A of the *Local Government Act 1993*.

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Premier & Cabinet
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DEFINITIONS

Code of Meeting Practice means a code of meeting procedure complying with requirements set out in the *Local Government Act 1993* and the Local Government (General) Regulation 2005

GIPA means the *Government Information (Public Access) Act 2009*

Integrated Planning and Reporting:

Integrated Planning and Reporting Guidelines means the Guidelines issued by the Division of Local Government in 2009

Community Strategic Plan as prescribed under the *Local Government Act 1993*

Delivery Program as prescribed under the *Local Government Act 1993*

Operational Plan as prescribed under the *Local Government Act 1993*

Resourcing Strategy as prescribed under the *Local Government Act 1993*

LGSA means the Local Government and Shires Associations of NSW

LGMA means Local Government Managers Australia (NSW)

Model Code of Conduct means the Model Code of Conduct for Local Councils in NSW prescribed by the *Local Government Act 1993*

Ministerial Investment Order means any investment order approved by the Minister for Local Government under the *Local Government Act 1993*

Quarterly Budget Review Statements means the draft Guidelines issued by the Division of Local Government in October 2010

Senior Staff means senior staff as defined by the *Local Government Act 1993*

Standard Contract means the standard form of contract for the employment of the general manager approved by the Director General (or delegate) pursuant to section 338(4) of the *Local Government Act 1993*

Statutory and Other Offices Remuneration Tribunal means the Statutory and Other Offices Remuneration Tribunal (SOORT) as constituted under the *Statutory and Other Offices Remuneration Act 1975*

The Act means the *Local Government Act 1993*

The Regulation means the Local Government (General) Regulation 2005

PURPOSE

The purpose of these Guidelines is to assist councillors to be aware of their obligations under the *Local Government Act 1993* (the Act) and the Local Government (General) Regulation 2005 (the Regulation) when recruiting, appointing, reappointing and overseeing general managers. It provides a summary of the essential matters that must be addressed by councils when engaging in these processes.

These Guidelines are issued under section 23A of the *Local Government Act 1993* and must be taken into consideration by council's governing body when exercising council functions related to the recruitment, oversight and performance management of general managers.

These Guidelines should be read in conjunction with the following:

- Provisions of the Act and the Regulation 2005
- Local Government General Managers Performance Management Guidelines – LGSA & LGMA
- Practice Note 5: Recruitment of General Managers and Senior Staff – DLG
- The standard form of contract for the employment of the general manager

Any references to sections are references to sections of the Act. Where there are any inconsistencies between these Guidelines and the documents above (with the exception of the Act and Regulation 2005), the Guidelines prevail.

INTRODUCTION

The position of general manager is pivotal in a council. It is the interface between the governing body comprised of elected councillors, which sets the strategy and monitors the performance of the council, and the administrative body of the council, headed by the general manager, which implements the decisions of the governing body. The relationship between the general manager and the councillors is of utmost importance for good governance and a well functioning council.

The Act requires all councils' governing bodies to appoint a person to be general manager (section 334). The Guidelines provide a guide and checklist for councillors to refer to when considering:

- the recruitment and appointment of general managers
- re-appointment of general managers or ending contracts
- conducting performance reviews of general managers, and
- engaging in the day to day oversight of general managers.

They are designed to promote a consistent approach across NSW councils to the recruitment, appointment, and oversight of general managers.

There are appendices to the Guidelines which do not form part of the Guidelines.

These Guidelines were prepared with the assistance of the Local Government and Shires Associations of NSW (LGSA) and the Local Government Managers Association (NSW) (LGMA).

A. STAFFING OF COUNCIL

1. *Organisation structure*

A council should have sufficient and appropriately qualified staff for the efficient and effective delivery of its functions.

The Act requires the governing body of council to determine an organisation structure, the senior staff positions within that structure and the resources to be allocated towards the employment of staff (s332).

When considering the most appropriate organisation structure for council to adopt, the governing body of council needs to consider what human resources are necessary to successfully achieve the goals articulated in the council's Community Strategic Plan, Delivery Program and Resourcing Strategy. For this reason, a Workforce Strategy is an essential component of a council's Resourcing Strategy. A council's organisation structure should align with its Workforce Strategy and be designed to support its Delivery Program and the achievement of its Community Strategic Plan.

The governing body of council must approve and adopt their organisation structure by council resolution. Councils must review and re-determine the council's organisation structure within 12 months of an ordinary election.

Councils may review and re-determine the council's organisation structure at any other time. Generally a council should consider reviewing its organisation structure in the event of a significant change to its Community Strategic Plan, Delivery Program or Resourcing Strategy.

Councillors are entitled to access the council's organisation structure when required and upon request to the general manager.

2. *Appointment of Staff*

The only staff position that is appointed by the governing body of council is that of the general manager. The position of general manager is a senior staff position (s334).

The general manager is responsible for the appointment of all other staff (including senior staff) in accordance with the organisation structure and resources approved by the council's governing body (s335(2)).

However, the general manager may only appoint or dismiss senior staff after consultation with the governing body of council (s337).

B. RECRUITMENT AND SELECTION

1. *Requirements of the Local Government Act 1993*

As with the appointment of all council staff, the council must ensure that the appointment of the general manager is made using merit selection principles (section 349).

Recruitment using merit selection is a competitive process where the applicant who demonstrates that they have the best qualifications and experience relevant to the position is appointed.

Equal Employment Opportunity principles also apply to the recruitment of general managers (sections 349 and 344).

The recruitment process must be open and transparent, but the confidentiality of individual applicants must be maintained. A failure to maintain appropriate confidentiality may constitute a breach of the Act and/or Privacy legislation.

2. *The pre-interview phase*

The council's governing body is responsible for recruiting the general manager.

The governing body of council should delegate the task of recruitment to a selection panel and approve the recruitment process. The panel will report back to the governing body of council on the process and recommend the most meritorious applicant for appointment by the council.

The selection panel should consist of at least the mayor, the deputy mayor, another councillor and, ideally, a suitably qualified person independent of the council. The LGSA and the LGMA can be contacted for assistance to identify suitable independent recruitment committee members and recruitment consultants. The selection panel membership should remain the same throughout the entire recruitment process.

Selection panels must have at least one male and one female member (other than in exceptional circumstances).

The council's governing body should delegate to one person (generally the mayor) the task of ensuring:

- the selection panel is established
- the general manager position description is current and evaluated in terms of salary to reflect the responsibilities of the position
- the proposed salary range reflects the responsibilities and duties of the position
- the position is advertised according to the requirements of the Act
- information packages are prepared
- applicants selected for interview are notified.

The mayor, or another person independent of council staff, should be the contact person for the position and should maintain confidentiality with respect to contact by potential applicants.

3. Interview Phase

Interviews should be held as soon as possible after candidates are short listed.

Questions should be designed to reflect the selection criteria of the position and elicit the suitability of the candidate for the position.

Interviews should be kept confidential.

All written references must be checked.

A selection panel must delegate the task of contacting referees to one panel member. Other panel members should not contact referees.

If contact with someone other than a nominated referee is required, the applicant's permission is to be sought.

At least 2 referees must be contacted and asked questions about the candidate relevant to the selection criteria.

Where tertiary qualifications are relied on they should be produced for inspection and if necessary for verification.

Appropriate background checks must be undertaken, for example bankruptcy checks. For more guidance on better practice recruitment background checks, councils are referred to the Australian Standard AS 4811-2006 *Employment Screening* and ICAC publications, which can be found on the ICAC website at <http://www.icac.nsw.gov.au>.

4. Selection Panel Report

The selection panel is responsible for preparing a report to the council's governing body that:

- outlines the selection process
- recommends the most meritorious applicant with reasons
- recommends an eligibility list if appropriate
- recommends that no appointment is made if the outcome of interviews is that there are no suitable applicants.

This report should be confidential and reported to a closed meeting of council.

The council's governing body must by resolution approve the position of the general manager being offered to the successful candidate before that position is actually offered to that candidate.

5. *Finalising the appointment*

The mayor makes the offer of employment after the governing body of council has resolved to appoint the successful candidate. The initial offer can be made by telephone.

Conditions such as term of the contract (1-5 years) and remuneration package (within the range approved by the governing body of council) can be discussed by phone, but must be confirmed in writing.

The Standard Contract for the Employment of General Managers as approved by the Chief Executive of the Division of Local Government must be used. The Standard Contract (Annexure 3 of these Guidelines) is available in the 'Information for Councils', 'Directory of Policy Advice for Councils' section of the Division's website at <http://www.dlg.nsw.gov.au>.

The terms of the Standard Contract must not be varied. Only the term and the schedules to the Standard Contract can be individualised.

General managers must be employed for 1 – 5 years.

The contract governs:

- the duties and functions of general managers
- performance agreements
- the process for renewal of employment contracts
- termination of employment and termination payments
- salary increases
- leave entitlements.

It should be noted that the Chief Executive of the Division of Local Government cannot approve individual variations to the standard terms of the contract.

Those candidates who are placed on the eligibility list and unsuccessful applicants should be advised of the outcome of the recruitment process before the successful applicant's details are made public.

6. *Record keeping*

Councils should keep and store all records created as part of the recruitment process including the advertisement, position description, selection criteria, questions asked at interview, interview panel notes, selection panel reports and notes of any discussions with the selected candidate. These records are required to be stored and disposed of in accordance with the *State Records Act 1998*.

C. ROLE OF THE GENERAL MANAGER

Councillors comprise the governing body of a council and make decisions by passing resolutions. It is the general manager's role to implement council decisions and carry out functions imposed by legislation. A council's governing body monitors the implementation of its decisions via reports by the general manager to council meetings.

1. *Key duties of all general managers*

The general manager is generally responsible for the effective and efficient operation of the council's organisation and for ensuring the implementation of the council's decisions without undue delay. The general manager carries out all their functions within the guidelines and policy framework approved by the council.

The general manager also has a role to play in assisting the governing body of council develop its strategic direction. The general manager is responsible for guiding the preparation of the Community Strategic Plan and the council's response to it via the Delivery Program. The general manager is responsible for implementing the Delivery Program and will report to the governing body of council on its progress and conduct regular updates and reviews.

The general manager is responsible for recruiting and appointing staff within the organisation structure determined by the governing body of council. This must be in accordance with the budget approved by the council's governing body and be for the purpose of carrying out the council's statutory functions and implementing council's Community Strategic Plan, Delivery Program and Operational Plan.

The general manager must consult with the governing body of council before appointing or dismissing senior staff. The general manager must report to the council at least annually on the contractual conditions of senior staff (cl.217 of the Regulation).

The general manager is responsible for performance management of staff, including staff discipline and dismissal.

The general manager is also responsible for ensuring councillors are provided with information and the advice they require in order to make informed decisions and to carry out their civic duties.

The governing body of council may direct the general manager to provide councillors with advice or a recommendation, but cannot direct as to the content of that advice or recommendation.

Generally, requests by councillors for assistance or information should go through the general manager, except where he or she has authorised another council officer to undertake this role. The Guidelines for the Model Code of Conduct contemplate that a council should develop a policy to provide guidance on interactions between council officials. This policy should be agreed to by both the council's governing body and the general manager.

Councillors could reasonably expect general managers will report routinely on significant industrial issues and/or litigation affecting the council, particularly those that impact on the council's budget or organisation structure.

The general manager should ensure that the council meeting business papers are sufficient to enable the council to make informed decisions, as well as to allow councillors to properly monitor and review the operations of the council. This will assist councils in ensuring that they are complying with any relevant statutory obligations, keeping within the budget approved by the council and achieving the strategic goals set by the council in its Delivery Program and Operational Plan.

Councillors should receive a number of financial reports during the year, including the Quarterly Budget Review Statements included in the Code of Accounting Practice and Financial Reporting and which are referred to in the draft Quarterly Budget Review Statements Guidelines, reports required by the Regulation and any legislation. In addition, the council should receive at least quarterly a report about any significant litigation affecting the council.

Councillors should also receive reports, at least half yearly, on progress towards implementation of the Community Strategic Plan and Delivery Program (see clause 203 of the Regulation or page 20 of the Integrated Planning and Reporting Guidelines).

Clause 10 of the Model Code of Conduct sets out the obligations on general managers and council staff to provide councillors with information in order for councillors to carry out their civic functions.

Councillors have a right to sufficient information to make informed decisions. Applications for information under the *Government Information (Public Access) Act 2009* (GIPAA) are available to everyone including councillors.

2. *Duties delegated to general managers*

A governing body of council may delegate certain functions to the general manager. A delegation of a council function must be made by a council resolution (Chapter 12 Part 3 ss 377-381 of the Act).

A governing body of council cannot delegate the functions set out in section 377(1) of the Act.

A council's governing body may not delegate the adoption of a Code of Meeting Practice, a Code of Conduct, or the endorsement of Community Strategic Plans, Resourcing Strategies, Delivery Programs and Operational Plans.

Each governing body of council must review its delegation of functions during the first 12 months of each term of office (s.380). To assist with this review, it is recommended that, within the first 6 months of the new term, the governing body of council reviews what functions have been delegated and to whom they have been delegated to determine if the delegation and the policies guiding those delegated decisions have been working effectively.

It should be noted that the general manager may sub-delegate a function delegated to him/her by the governing body of council (s378). However, the general manager still retains responsibility to ensure that any sub-delegated function is carried out appropriately.

Where functions are delegated to the general manager to perform on behalf of a governing body of council, it is important for the governing body of council to ensure there are policies in place to guide the decision making. The governing body of council should keep policies guiding the delegated decisions under regular review.

For example, where media liaison is delegated to the general manager, the governing body of council should adopt a media policy to guide statements to the media.

It is important that council's governing body ensure that proper records are kept of applications that are determined under delegation and that there is regular reporting on the implementation of delegated functions. This is essential so that council's governing body can be provided with assurance that the delegated function is being undertaken in accordance with any relevant council policies and regulatory framework, eg, development application decisions.

The council's internal audit function is another important internal control to ensure that delegated functions are complying with relevant policy and legislation. A well designed internal audit program should give council independent assurance that council's internal controls are working effectively.

Where authority to make a decision is delegated this does not remove a council's authority to make a decision.

Matters that fall outside the terms of a council policy, delegation, or day to day management (section 335), should be referred to the governing body of council for a decision.

D. DAY-TO-DAY OVERSIGHT AND LIAISON WITH THE GENERAL MANAGER

Council's governing body is required to monitor and review the performance of the general manager as discussed in Section C, above. However, a council's governing body should delegate to the mayor the role of day-to-day oversight of and liaison with the general manager.

The mayor's role in the day-to-day management of the general manager should include:

- approving leave
- approving expenses incurred
- managing complaints about the general manager.

The council's governing body should ensure there are adequate and appropriate policies in place to guide the mayor in the day-to-day oversight of and liaison with the general manager and keep those policies under regular review.

Some of the key policies the governing body of council should have in place relate to:

- leave
- travel
- credit cards
- purchasing and procurement
- expenses and facilities
- petty cash
- financial and non-financial delegations of authority.

The governing body of council should also ensure there are adequate policies in place with respect to expenditure of council funds, as well as adequate reporting requirements in relation to that expenditure.

The council's governing body should satisfy itself that any policy governing the conferral of a benefit on the general manager, such as use of a motor vehicle, allows the actual dollar value of that benefit to be quantified so it can be accurately reflected in the general manager's salary package in Schedule C to the Standard Contract.

Within 6 months of the date of these Guidelines, council's governing body should check to ensure these key policies are in place. They should then be kept under regular review.

E. PERFORMANCE MANAGEMENT

1. *General manager performance management framework*

The general manager is made accountable to their council principally through their contract of employment.

The role of the governing body is to oversee the general manager's performance in accordance with the Standard Contract.

The performance of the general manager must be reviewed at least annually against the agreed performance criteria for the position. Council may also choose to undertake more frequent interim reviews of the general manager's performance.

The agreed performance criteria are set out in an agreement that is signed within three months of the commencement of the contract. Development of the performance agreement is discussed below.

2. *Establishing the framework for performance management*

The council's governing body is to establish a performance review panel and delegate the task of performance reviews of the general manager to this panel. The extent of the delegation should be clear.

It is recommended that the whole process of performance management be delegated to the performance review panel, including discussions about performance, any actions that should be taken and the determination of the new performance agreement.

Performance review panels should comprise the mayor, the deputy mayor, another councillor nominated by council and a councillor nominated by the general manager. The council's governing body may also consider including an independent observer on the panel. Panel members should be trained in the performance management of general managers.

The role of the review panel includes:

- conducting performance reviews
- reporting the findings and recommendations of those reviews to council
- development of the performance agreement.

The governing body of council and the general manager may agree on the involvement of an external facilitator to assist with the process of performance appraisal and the development of new performance plans. This person should be selected by the governing body of council or the performance review panel. The LGSA and the LGMA can be contacted for assistance to identify suitable independent facilitators to assist in the performance management process.

All councillors not on the panel can contribute to the process by providing feedback to the mayor on the general manager's performance.

All councillors should be notified of relevant dates in the performance review cycle and be kept advised of the panel's findings and recommendations.

The panel should report back to the governing body of council in a closed session the findings and recommendations of its performance review as soon as practicable following any performance review. This should not be an opportunity to debate the results or re-enact the performance review of the general manager. The general manager should not be present when the matter is considered.

The performance management report of any council staff member, including the general manager, should not be released to the public and should be retained on the appropriate confidential council employment file. Release of such personal information to other than the Performance Review Panel, the general manager and the councillors in confidence may be a breach of privacy legislation.

3. *Establishing the performance agreement*

The performance agreement is the most important component of successful performance management. The performance agreement should include clearly defined and measurable performance indicators against which the general manager's performance can be measured.

As one of the general manager's key responsibilities is to oversee the implementation of council's strategic direction, it is important to align the general manager's performance criteria to the goals contained in the council's Community Strategic Plan, Resourcing Strategy, Delivery Program and Operational Plan.

The performance agreement should also include the general manager's personal contribution to the council's key achievements and the general manager's core capabilities, including leadership qualities.

The performance agreement should contain but not be limited to key indicators that measure how well the general manager has met the council's expectations with respect to:

- service delivery targets from the council's Delivery Program and Operational Plan;
- budget compliance;
- organisational capability;
- timeliness and accuracy of information and advice to councillors;
- timely implementation of council resolutions;
- management of organisational risks;
- leadership etc.

4. *Performance Review Process*

The Standard Contract requires that the performance of the general manager must be formally reviewed at least annually. The governing body of council may also undertake interim performance reviews as appropriate.

The assessment should include:

- self assessment by the general manager
- assessment by the review panel of the general manager's performance against the performance agreement.

The performance review meeting should be scheduled with sufficient notice to all parties and in accordance with clauses 7.6 and 7.7 of the Standard Contract.

The meeting should concentrate on constructive dialogue about the general manager's performance against all sections of the agreed performance plan.

The meeting should identify any areas of concern and agree actions to address those concerns.

In undertaking any performance review, care must be taken to ensure that the review is conducted fairly and in accordance with the principles of natural justice and that the laws and principles of anti-discrimination are complied with. The

appointment by a council, in agreement with the general manager, of an external facilitator (see above) to advise on the process should assist council in complying with these laws and principles.

The council's governing body must advise the general manager, in writing, in clear terms, the outcome of any performance review.

The new performance agreement for the next period should be prepared as soon as possible after the completion of the previous period. The agreement should be presented to the governing body of council for discussion in a closed meeting together with the outcomes of the previous review period.

5. *Contract Renewal or Separation*

It is important that any decision by the governing body of council to renew a contract for the general manager and the term of that contract be reported back to an open meeting of council, together with the total amount of any salary package agreed to.

Termination of a contract on the basis of poor performance can only occur where there has been a formal review undertaken against the signed performance agreement where performance difficulties were identified and have not subsequently been remedied. For further discussion on separation or renewal of general managers' contracts, see section F, below.

6. *Reward and Remuneration*

An annual increase in the salary package, equivalent to the latest percentage increase in remuneration for senior executive office holders as determined by the Statutory and Other Offices Remuneration Tribunal, is available to the general manager under the Standard Contract on each anniversary of the contract.

Discretionary increases to the general manager's total remuneration package under the provisions of the Standard Contract may only occur after a formal review of the general manager's performance has been undertaken by the governing body of council and the governing body of council resolves to grant such a discretionary increase because of better than satisfactory performance.

Discretionary increases are intended to be an incentive for general managers to perform at their maximum throughout the life of the contract. Discretionary increases are also intended to encourage contracts of the maximum duration.

Any discretionary increases should be modest and in line with community expectations.

All discretionary increases in remuneration, together with the reasons for the increase, must be reported to an open meeting of council.

F. SEPARATION OR RENEWAL

1. *Termination of a general manager's employment*

The Standard Contract for general managers sets out how a general manager's contract can be terminated before its expiry date by either the governing body of council or the general manager (clause 10 of the Standard Contract).

Termination can be by agreement of both parties. The general manager may terminate the contract by giving 4 weeks written notice to the governing body of council.

A governing body of council may terminate the contract by giving 4 weeks written notice where the general manager has become incapacitated for 12 weeks or more, has exhausted their sick leave and the duration of the incapacity is either indefinite or for a period that would make it unreasonable for the contract to be continued.

Termination of a contract on the basis of poor performance may only occur where there has been a formal review undertaken against the signed performance agreement, where performance difficulties have been identified and have not been remedied as agreed. In these instances, the council must give the general manager either 13 weeks written notice of termination or termination payment in lieu of notice calculated in accordance with Schedule C of the Standard Contract.

A governing body of council may terminate the general manager's contract at any time by giving the general manager 38 weeks written notice or pay the general manager a lump sum of 38 weeks remuneration in accordance with Schedule C of the Standard Contract. If there are less than 38 weeks left to run in the term of the general manager's contract, a council can pay out the balance of the contract in lieu of notice.

In the circumstances set out at 10.4 of the Standard Contract, a council may summarily dismiss a general manager. The remuneration arrangements under these circumstances are set out in clause 11.4 of the Standard Contract.

Section 336 (2) of the Act sets out other circumstances where a general manager's appointment is automatically terminated.

2. *Suspension of General Manager*

The governing body of council may suspend the general manager. However, great caution should be exercised when considering such a course of action and it would be appropriate for a governing body of council to seek and be guided by expert advice from a person or organisation that is suitably qualified and experienced in such matters. The governing body may authorise the Mayor to obtain such expert advice.

Suspension should be on full pay for a clearly defined period.

Any decision to suspend a general manager should be taken by a governing body of council at a closed council meeting, having first carefully considered any independent expert advice obtained on the specific matter.

It would not be appropriate to seek advice from council human resources staff on the issue of suspending the general manager.

The principals of natural justice and procedural fairness apply to any decision to suspend a general manager, ie, the general manager must be advised of the circumstances leading to the suspension, the reasons for the suspension, the period of the suspension and be given a right to respond to the decision to suspend.

3. *Dispute resolution*

The Standard Contract contains a dispute resolution clause at clause 17.

These provisions are designed to encourage councils and general managers to attempt to negotiate agreement on disputes where they arise.

The governing body of council should ideally resolve to delegate this function to the mayor or a panel of 3 councillors including the mayor.

If the dispute involves the mayor then the deputy mayor should take the mayor's place. If there is no deputy mayor then the governing body should resolve to appoint another councillor to take the mayor's place.

The governing body of council and general manager should agree on an independent mediator to mediate the dispute. The LGSA and LGMA can provide assistance to their members to identify a suitable mediator.

The Standard Contract allows the Chief Executive of the Division of Local Government to appoint a mediator where the parties cannot agree on one.

4. *Renewing a general manager's contract*

Clause 5 of the Standard Contract describes how a general manager's appointment may be renewed.

The terms of the new contract, and in particular the schedules to the new contract, should be set out in the letter of offer. Before offering a new contract, the council should carefully review the terms of the schedules to the new contract.

The governing body of council should ensure that the performance management terms of the new contract adequately reflect its expectations as to the general manager's performance.

The governing body of council should also have regard to the previous performance reviews conducted under previous contracts.

The process of deciding whether or not to offer a general manager a new contract should be that:

- a performance review is conducted
- findings and recommendations are reported to a closed council meeting in the absence of the general manager
- the closed meeting considers and decides whether or not to offer a new contract and on what terms as set out in the schedules to the contract
- the general manager is then advised of the governing body of council's decision in confidence by the mayor.

Details of the decision to offer a new contract and a salary package should be reported to an open council meeting.

Appendix 1 - Performance Management Timelines

| Timeline | Activity | Responsibility |
|---|---|---|
| At commencement of each new council | Provide induction training on performance management of the general manager | Council |
| Within 3 months of the commencement date of the contract | A performance agreement setting out agreed performance criteria must be signed between the general manager and the council | Council or council panel
General Manager |
| Within 2 months of the signing of the performance agreement | The general manager must prepare and submit to council an action plan which sets out how the performance criteria are to be met | General Manager |
| 21 days notice (before annual review) | The general manager gives the council written notice that an annual performance review is due | General Manager |
| At least 10 days notice | The council must give the general manager written notice that any performance review is to be conducted | Council or council panel |
| After 6 months | The council may also decide, with the agreement of the general manager, to provide interim feedback to the general manager midway through the annual review period | Council or council panel
General Manager |
| Prior to the annual review | Ensure all councillors on the Review Panel have been trained in performance management of general managers | Council |
| Prior to the annual performance review | The general manager may submit to council a self assessment of his/her performance | General Manager |
| Annually | The general manager's performance must be reviewed having regard to the performance criteria in the agreement | Council or council panel
General Manager |
| Annually | The performance agreement must be reviewed and varied by agreement | Council or council panel
General Manager |
| Within 6 weeks of the conclusion of the performance review | Council will prepare and send to the general manager a written statement with council's conclusions on the general manager's performance during the performance review period | Council or council panel |
| As soon as possible after receipt of the statement | The general manager and the council will agree on any variation to the performance agreement for the next period of review | Council or council panel
General Manager |

Appendix 2 - Stages of performance management

| STAGE | ACTION | PROCESS |
|--|---|---|
| 1. Developing performance agreement | <ul style="list-style-type: none"> Examine the position description and contract List all position responsibilities from the position description Identify stakeholder expectations List the key strategic objectives from the Service Delivery and Operational Plans Develop performance measures (identify indicators - set standards) | <ul style="list-style-type: none"> Good planning Direct and effective communication Open negotiation Joint goal setting |
| 2. Action planning | <ul style="list-style-type: none"> Develop specific strategies to meet strategic objectives Identify resources Delegate tasks (eg, put these delegated tasks into the performance agreements for other senior staff) | <ul style="list-style-type: none"> Detailed analysis Two way communication Detailed documentation |
| 3. Monitoring progress (feedback half way through the review period) | <ul style="list-style-type: none"> Assess performance Give constructive feedback Adjust priorities and reset performance measures if appropriate | <ul style="list-style-type: none"> Communication Avoid bias Counselling Coaching Joint problem solving |
| 4. Annual | <ul style="list-style-type: none"> Assess performance against measures Give constructive feedback Identify poor performance and necessary corrective action Identify outstanding performance and show appreciation | <ul style="list-style-type: none"> Evaluation of the reasons behind performance being as assessed Open, straightforward communication (as bias free as possible) negotiation Counselling, support, training Documenting Decision making |
| 5. Developing revised agreement | See stage 1 | See Stage 1 |

Appendix 3 – Standard Contract of Employment

STANDARD CONTRACT OF EMPLOYMENT

for

**GENERAL MANAGERS OF LOCAL
COUNCILS IN NEW SOUTH WALES**

Acknowledgements

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Contract of Employment

This Contract of Employment is made on

Date _____

between

Name of Council _____

[Referred to in this contract as "Council"]

Address _____

and

Name of Employee _____

[Referred to in this contract as "the employee"]

Address _____

1 Position

The position to which this contract applies is that of General Manager.

Note: A person who has held civic office in relation to Council must not be appointed to any paid position on the staff of Council within 6 months after ceasing to hold the office: section 354 of the Act.

2 Term

Subject to the terms and conditions in this contract, Council will employ the employee for a term of:

[*Length of term*] _____

Note: The term of this contract must not be less than 12 months or more than 5 years (including any option for renewal): section 338 of the Act.

commencing on [*date*] _____

and terminating on [*date*] _____

3 Definitions

3.1 In this contract, unless otherwise stated or indicated:

the Act means the *Local Government Act 1993*.

Code of conduct means the document within the meaning of section 440 of the Act adopted by Council and which incorporates the provisions of the model code.

Commencement date means the date that this contract commences as specified in clause 2.

Confidential information means any and all confidential information, data, reports, operations, dealings, records, materials, plans, statistics, finances or other agreements and things (other than that which is already in the public domain), whether written or oral and of whatever type or nature relating to property, assets, liabilities, finances, dealings or functions of Council or any undertaking from time to time carried out by Council.

Director-General means the Director-General of the New South Wales Department of Local Government.

Equal employment opportunity management plan means the document a council must prepare under Part 4 of Chapter 11 of the Act.

Minister means the New South Wales Minister for Local Government.

Model code means the Model Code of Conduct for Local Councils in NSW prescribed by the Regulation.

Month means a calendar month.

Performance agreement means the agreement referred to in clause 7.

Performance criteria means the criteria to which a performance review is to have regard.

Performance review means a review of the employee's performance conducted in accordance with the procedures under clause 7.

the position means the position referred to in clause 1.

the Regulation means the *Local Government (General) Regulation 2005*.

Senior executive office holder (New South Wales Public Service) means the holder of a senior executive position within the meaning of the *Public Sector Employment and Management Act 2002*.

Statutory and Other Officers Remuneration Tribunal means the Statutory and Other Officers Tribunal constituted under the *Statutory and Other Officers Remuneration Act 1975*.

Termination date means the date that this contract terminates as specified in clause 2.

3.2 Expressions in this contract corresponding with expressions that are defined in the Act have those meanings.

4 Contract operation and application

- 4.1 This contract constitutes a contract of employment for the purposes of section 338 of the Act, and governs the employment of the employee while in the position.
- 4.2 A reference in this contract to any Act or regulation, or any provision of any Act or regulation, includes a reference to subsequent amendments of that Act, regulation or provision.
- 4.3 A reference to a Schedule to this contract refers to a Schedule as may be varied in accordance with this contract, and applies whether or not the Schedule has been physically attached to this contract.
- 4.4 Where the mayor or any other person is lawfully authorised to act as Council or Council's delegate for the purpose of this contract, this contract will be construed as if:
- (a) any reference to Council includes a reference to that authorised person, and
 - (b) any reference to a requirement for Council's approval includes a reference to a requirement for that authorised person's written approval,
- 4.5 Any staff entitlement under a lawful policy of Council as adopted by Council from time to time and that is set out in Schedule A will apply to the employee unless this contract makes express provision to the contrary. Schedule A may be varied from time to time by agreement between the employee and Council, such agreement not to be unreasonably withheld.

Note: Only those policies that create entitlements are to be set out in Schedule A. Schedule A policies are distinct from those which create a *duty or function* as referred to in subclause 6.1.4 and which are *not* required to be set out in Schedule A.

- 4.6 Subject to clauses 7 and 13, the terms of this contract, as varied from time to time in accordance with this contract, represent the entire terms of all agreements between the employee and Council and replace all other representations, understandings or arrangements made between the employee and Council that relate to the employment of the employee in the position.

Note: The contract authorises the making of agreements that are linked to the contract. Clause 7 requires the parties to sign a performance agreement. Clause 13 allows either party to require the other to sign a confidentiality agreement for the purpose of protecting intellectual property.

5. Renewal of appointment

- 5.1 At least 9 months before the termination date (or 6 months if the term of employment is for less than 3 years) the employee will apply to Council in writing if seeking re-appointment to the position.
- 5.2 At least 6 months before the termination date (or 3 months if the term of employment is for less than 3 years) Council will respond to the employee's application referred to in subclause 5.1 by notifying the employee in writing of its decision to either offer the employee a new contract of employment (and on what terms) or decline the employee's application for re-appointment.
- 5.3 At least 3 months before the termination date (or 1 month if the term of employment is for less than 3 years) the employee will notify Council in writing of the employee's decision to either accept or decline any offer made by Council under subclause 5.2.
- 5.4 In the event the employee accepts an offer by Council to enter into a new contract of employment, a new contract of employment will be signed.

6. Duties and functions

- 6.1 The employee will:
 - 6.1.1 to the best of their ability, meet the performance criteria set out in the performance agreement as varied from time to time,
 - 6.1.2 carry out the duties and functions imposed by the Act and Regulation, or any other Act and associated regulations, which include but are not limited to:
 - (a) the efficient and effective operation of Council's organisation,
 - (b) implementing, without undue delay, the decisions of Council,
 - (c) exercising such of the functions of Council as are delegated by Council to the employee,
 - (d) appointing staff in accordance with an organisation structure and resources approved by Council,
 - (e) directing and dismissing staff,
 - (f) implementing Council's equal employment opportunity management plan,

-
- (g) consulting with Council prior to the appointment or dismissal of senior staff,
 - (h) reporting to Council, at least once annually, on the contractual conditions of senior staff,
 - (i) giving immediate notice to Council on becoming bankrupt or making a composition, arrangement or assignment for the benefit of the employee's creditors and providing Council, within the time specified by Council with any further information concerning the cause of the bankruptcy or of the making of the composition, arrangement or assignment,
 - (j) subject to subclause 6.2.3, providing advice and recommendations to Council or the mayor if directed to do so,
 - (k) not engaging, for remuneration, in private employment or contract work outside the service of Council without the approval of Council,
 - (l) not approving, where appropriate, any member of Council staff from engaging, for remuneration, in private employment or contract work outside the service of Council that relates to the business of Council or that might conflict with the staff member's Council duties,
 - (m) acting honestly and exercising a reasonable degree of care and diligence in carrying out the employee's duties and functions,
 - (n) complying with the provisions of the code of conduct,
 - (o) preparing and submitting written returns of interest and disclosing pecuniary interests in accordance with the Act and the Regulation,

Note: Sections 335, 337, 339, 341, 352, 353, 439, 440 and 445 of the Act.

- 6.1.3 carry out the duties and functions set out in Schedule B as varied from time to time by agreement between the employee and Council, such agreement not to be unreasonably withheld,

Note: Schedule B may include additional duties and functions, for example, those related to special projects.

- 6.1.4 carry out the duties and functions set out in the policies of Council as adopted by Council from time to time during the term of this contract,

-
- 6.1.5 observe and carry out all lawful directions given by Council, in relation to the performance of the employee's duties and functions under this contract,
 - 6.1.6 work such reasonable hours as are necessary to carry out the duties and functions of the position and the employee's obligations under this contract,
 - 6.1.7 obtain the approval of the Council for any absences from the business of Council,
 - 6.1.8 promote ethical work practices and maintain a culture of integrity and professionalism where Council staff members treat each other, members of the public, customers and service providers with respect and fairness,
 - 6.1.9 facilitate Council staff awareness of the procedures for making protected disclosures and of the protection provided by the *Protected Disclosures Act 1994*,
 - 6.1.10 take all reasonable steps to ensure that actions and policies of Council accord with the strategic intent of Council,
 - 6.1.11 take all reasonable steps to maximise compliance with relevant legislative requirements,
 - 6.1.12 maintain effective corporate and human resource planning,
 - 6.1.13 maintain the Council staff performance management system,
 - 6.1.14 maintain satisfactory operation of Council's internal controls, reporting systems (including protected disclosures), grievance procedures, the documentation of decision-making and sound financial management,
 - 6.1.15 develop procedures to ensure the code of conduct is periodically reviewed so that it is in accordance with the Act and Regulation and adequately reflects specific organisational values and requirements,
 - 6.1.16 promote and facilitate compliance with the code of conduct ensuring that each councillor and Council staff member is familiar with its provisions, and
 - 6.1.17 report to Council on any overseas travel taken by the employee or any Council staff member where that travel is funded in whole or in part by Council.
- 6.2 Council:

-
- 6.2.1 will provide adequate resources to enable the employee to carry out the duties and functions specified in subclause 6.1 and Schedule B,
 - 6.2.2 will provide the employee with reasonable opportunities to participate in professional development initiatives relevant to the duties and functions under this contract subject to the operational needs of Council, and
 - 6.2.3 will not direct the employee as to the content of any advice or recommendation made by the employee.

Note: section 352 of the Act.

7. Performance agreement and review

- 7.1 Within 3 months after the commencement date, the employee and Council will sign a performance agreement setting out agreed performance criteria.
- 7.2 In the event that the employee and Council are unable to agree on the performance criteria, Council will determine such performance criteria that are reasonable and consistent with the employee's duties and functions under clause 6 and in Schedule B.
- 7.3 The performance agreement may be varied from time to time during the term of this contract by agreement between the employee and Council, such agreement not to be unreasonably withheld.
- 7.4 Within 2 months after signing or varying the performance agreement, the employee will prepare and submit to Council an action plan which sets out how the performance criteria are to be met.
- 7.5 Council will ensure that the employee's performance is reviewed (and, where appropriate, the performance agreement varied) at least annually. Any such review is to have regard to the performance criteria.

Note: Council may review the employee's performance every 6 months or more frequently if necessary.

- 7.6 The employee will give Council 21 days' written notice that an annual performance review in accordance with subclause 7.5 is due.
- 7.7 Council will give the employee at least 10 days notice in writing that any performance review is to be conducted.

-
- 7.8 The structure and process of the performance review is at the discretion of Council following consultation with the employee.
- 7.9 The employee may prepare and submit to Council an assessment of the employee's own performance prior to a performance review.
- 7.10 Within 6 weeks from the conclusion of a performance review, Council will prepare and send to the employee a written statement that sets out:
- (a) Council's conclusions about the employee's performance during the performance review period,
 - (b) any proposal by Council to vary the performance criteria as a consequence of a performance review, and
 - (c) any directions or recommendations made by Council to the employee in relation to the employee's future performance of the duties of the position.
- 7.11 The employee and Council will, as soon as possible after the employee receives the written statement referred to in subclause 7.10, attempt to come to agreement on any proposal by Council to vary the performance criteria and on any recommendations by Council as to the future performance of the duties of the position by the employee.
- 7.11 Subject to the employee being available and willing to attend a performance review, Council undertakes that if a performance review is not held in accordance with this clause, this will not operate to the prejudice of the employee unless the employee is responsible for the failure to hold the performance review.

8. Remuneration

- 8.1 Council will provide the employee with the total remuneration package set out in Schedule C.
- 8.2 The total remuneration package includes salary, compulsory employer superannuation contributions and other benefits including any fringe benefits tax payable on such benefits.

Note: Compulsory employer superannuation contributions are those contributions required under the *Superannuation Guarantee Charge Act 1992* of the Commonwealth and any contributions required to be paid for an employee under a superannuation arrangement entered into by Council for that employee. See Schedule C.

-
- 8.3 Council may, on only one occasion during each year of this contract, approve an increase in the total remuneration package where the employee's performance has been assessed in accordance with a performance review as being of a better than satisfactory standard.
- 8.4 Any increase in remuneration approved under subclause 8.3 will not be paid as a lump sum.
- 8.5 On each anniversary of the commencement date, the total remuneration package will be increased by a percentage amount that is equivalent to the latest percentage amount increase in remuneration for senior executive office holders as determined by the Statutory and Other Officers Remuneration Tribunal.

Note: When making determinations referred to in subclause 8.5, the Tribunal takes into account key national economic indicators and movements in public sector remuneration across Australia, market conditions, the Consumer Price Index and wages growth as measured by the Wage Cost Index. Tribunal determinations are published in the Government Gazette and are available at www.remtribunals.nsw.gov.au. The Premier's Department issues periodic Memoranda summarising the Tribunals determinations. These Memoranda are available at www.premiers.nsw.gov.au.

- 8.6 The structure of the total remuneration package may be varied from time to time during the term of this contract by agreement between the employee and Council, such agreement not to be unreasonably withheld.
- 8.7 The total remuneration package, as varied from time to time, remunerates the employee for all work undertaken by the employee while in the position. No other remuneration, benefit, overtime or allowances other than those to which the employee may be entitled under this contract will be paid to the employee during the term of this contract.

9. Leave

9.1 General

- 9.1.1 Council will pay remuneration calculated in accordance with Schedule C to the employee proceeding on paid leave under this clause.
- 9.1.2 On the termination of this contract, and if the employee is not re-appointed to the position under clause 5 or appointed to any other position in Council's organisation structure, the Council will pay:
- (a) to the employee in the case of annual leave, or

-
- (b) to the employee or new employer council in the case of long service leave,

accrued but unused leave entitlements calculated at the monetary value of the total remuneration package as specified in Schedule C.

9.1.3 If the employee is re-appointed to the position under clause 5 or appointed to any other position in Council's organisation structure within 3 months after the termination of this contract, the employee will be taken to have continuing service with Council for the purpose of determining the employee's entitlement to annual leave, long service leave and sick leave.

9.1.4 Any leave accrued with Council standing to the credit of the employee immediately prior to entering into this contract will be taken to be leave for the purposes of this contract.

9.2 Annual leave

The employee is entitled to four weeks paid annual leave during each year of employment under this contract to be taken as agreed between the employee and Council.

9.3 Long service leave

9.3.1 The employee's entitlement to long service leave is to be calculated by the same method that applies to a non-senior member of Council staff.

9.3.2 Long service leave is transferable between councils in New South Wales in the same manner that applies to a non-senior member of Council staff.

9.4 Sick leave

9.4.1 The employee is entitled to 15 days paid sick leave during each year of employment under this contract provided that:

- (a) Council is satisfied that the sickness is such that it justifies time off, and
- (b) satisfactory proof of illness to justify payment is provided to Council for absences in excess of two days.

9.4.2 Sick leave will accumulate from year to year of employment under this contract so that any balance of leave not taken in any one year may be taken in a subsequent year.

9.4.3 Council may require the employee to attend a doctor nominated by Council at Council's cost.

9.4.4 Accrued but unused sick leave will not be paid out on the termination of this contract.

9.5 Parental leave

9.5.1 Parental leave includes supporting parent's leave, maternity leave, paternity leave and adoption leave.

9.5.2 The employee is entitled to the same parental leave that a non-senior member of Council staff would be entitled.

9.6 Carer's leave

The employee is entitled to the same carer's leave that a non-senior member of Council staff would be entitled.

9.7 Concessional leave

The employee is entitled to the same concessional leave that a non-senior member of Council staff would be entitled.

9.8 Special leave

Council may grant special leave, with or without pay, to the employee for a period as determined by Council to cover any specific matter approved by Council.

10 Termination

10.1 General

On termination of this contract for any reason the employee will immediately return to Council all property of Council in the employee's possession including intellectual property and confidential information and will not keep or make any copies of such property and information.

10.2 Termination date

The employment of the employee under this contract terminates on the termination date.

10.3 Termination by either the employee or Council

This contract may be terminated before the termination date by way of any of the following:

10.3.1 written agreement between the employee and Council,

10.3.2 the employee giving 4 weeks' written notice to Council,

10.3.3 Council giving 4 weeks' written notice to the employee, or alternatively by termination payment under subclause 11.1, where:

- (a) the employee has been incapacitated for a period of not less than 12 weeks and the employee's entitlement to sick leave has been exhausted, and
- (b) the duration of the employee's incapacity remains indefinite or is likely to be for a period that would make it unreasonable for the contract to be continued,

10.3.4 Council giving 13 weeks' written notice to the employee, or alternatively, by termination payment under subclause 11.2 where Council:

- (a) has conducted a performance review, and
- (b) concluded that the employee has not substantially met the performance criteria or the terms of the performance agreement,

10.3.5 Council giving 38 weeks' written notice to the employee, or alternatively, by termination payment under subclause 11.3.

10.4 Summary dismissal

10.4.1 Council may terminate this contract at any time and without notice if the employee commits any act that would entitle an employer to summarily dismiss the employee. Such acts include but are not limited to:

- (a) serious or persistent breach of any of the terms of this contract,

-
- (b) serious and willful disobedience of any reasonable and lawful instruction or direction given by Council,
 - (c) serious and willful misconduct, dishonesty, insubordination or neglect in the discharge of the employee's duties and functions under this contract,
 - (d) failure to comply with any law or Council policy concerning sexual harassment or racial or religious vilification,
 - (e) commission of a crime, resulting in conviction and sentencing (whether or not by way of periodic detention), which affects the employee's ability to perform the employee's duties and functions satisfactorily, or in the opinion of Council brings Council into disrepute,
 - (f) absence from the business of Council without Council approval for a period of 3 or more consecutive business days.

10.4.2 This contract is terminated immediately without notice if the employee becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit.

11 Termination payments

- 11.1 On termination of this contract under subclause 10.3.3, where written notice has not been given, Council will pay the employee a monetary amount equivalent to 4 weeks' remuneration calculated in accordance with Schedule C.
- 11.2 On termination of this contract under subclause 10.3.4, where written notice has not been given, Council will pay the employee a monetary amount equivalent to 13 weeks' remuneration calculated in accordance with Schedule C.
- 11.3 On termination of this contract under subclause 10.3.5, where written notice has not been given, Council will pay the employee a monetary amount equivalent to 38 weeks' remuneration calculated in accordance with Schedule C, or the remuneration which the employee would have received if the employee had been employed by Council to the termination date, whichever is the lesser.
- 11.4 On termination of this contract under subclause 10.3.1, 10.3.2, 10.4.1 or 10.4.2, Council will pay the employee remuneration up to and including the

date of termination calculated in accordance with Schedule C and any other payment to which the employee is entitled under this contract.

12 Expenses and credit cards

In addition to any duties or entitlements that may be set out in any relevant policies of Council as adopted by Council from time to time, the employee will:

- 12.1 keep such records of expenses, travel and motor vehicle use as required by Council from time to time,
- 12.2 be reimbursed by Council for expenses properly incurred on Council business, subject to Council's prior approval to this expense being incurred,
- 12.3 only use any credit card provided by Council for expenses incurred on Council business, and
- 12.4 return any credit card provided by Council on request from Council.

13 Intellectual property

- 13.1 Any literary work, computer program, invention, design, patent, copyright, trademark, improvement or idea developed by the employee in the course of employment under this contract is the sole property of Council and Council will unless otherwise agreed have the exclusive right to use, adapt, patent and otherwise register it.
- 13.2 The employee will immediately disclose to Council any literary work, computer program, invention, design, patent, copyright, trademark, improvement or idea developed by the employee after the commencement date to enable Council to ascertain whether it was discovered, developed or produced wholly outside and wholly unconnected with the course of employment under this contract.
- 13.3 To protect disclosures made in accordance with subclause 13.2, Council or the employee may require a confidentiality agreement to be signed prior to, during or immediately after discussion of the intellectual property being considered.

Note: IP Australia, the Commonwealth Government intellectual property agency, has developed a Confidentiality Agreement Generator for the purpose of preparing intellectual property confidentiality agreements. It is available at <http://www.ipaustralia.gov.au/smartstart/cag.htm>.

13.4 The employee assigns to Council by way of future assignment all copyright, design, design right and other property rights (if any) in respect to any literary work, computer program, invention, design, patent, copyright, trademark, improvement or idea developed by the employee in the course of employment under this contract.

13.5 At the request and expense of Council the employee will complete all necessary deeds and documents and take all action necessary to vest in Council any literary work, computer program, invention, design, patent, copyright, trademark, improvement or idea developed by the employee in the course of employment under this contract and obtain for Council the full benefit of all patent, trademark, copyright and other forms of protection throughout the world.

14 Confidential Information

The employee will not divulge any confidential information about Council either during or after the term of their employment under this contract.

15 Waiver

The failure of either the employee or Council to enforce at any time any provision of this contract or any right under this contract or to exercise any election in this contract will in no way be considered to be a waiver of such provision, right or election and will not affect the validity of this contract.

16 Inconsistency and severance

16.1 Each provision of this contract will be read and construed independently of the other provisions so that if one or more are held to be invalid for any reason, then the remaining provisions will be held to be valid.

16.2 If a provision of this document is found to be void or unenforceable but would be valid if some part were deleted, the provision will apply with such modification as may be necessary to make it valid and effective.

17 Dispute resolution

17.1 In relation to any matter under this contract that may be in dispute, either the employee or Council may:

-
- (a) give written notice to each other of the particulars of any matter in dispute, and
 - (b) within 14 days of receiving a notice specified in subclause 17.1(a), a meeting will be convened between Council (along with any nominated representative of Council) and the employee (along with any nominated representative of the employee) in an attempt to resolve the dispute.
 - 17.2 The employee and Council will attempt to resolve the dispute at the workplace level.
 - 17.3 Upon failure to resolve the dispute at the workplace level, the employee and Council will:
 - (a) refer the dispute to an independent mediator as agreed by the employee and Council, or otherwise as appointed by the Director-General,
 - (b) agree to participate in any mediation process in good faith, with such mediation to operate in a manner as agreed by the employee and Council, and
 - (c) acknowledge the right of either the employee or Council to appoint, in writing, another person to act on their behalf in relation to any mediation process.
 - 17.4 The cost of the mediation service will be met by Council.
 - 17.5 The employee and Council will each be responsible for meeting the cost of any advisor or nominated representative used by them.

18 Service of notices and communications

- 18.1 Any communication, including notices, relating to this contract will be in writing and served on the employee or Council at their last known residential or business address in accordance with subclause 18.2.
- 18.2 Any written communication including notices relating to this contract is taken to be served:
 - (a) when delivered or served in person, immediately,
 - (b) where served by express post at an address within New South Wales in the Express Post Network, on the next business day after it is posted,

-
- (c) where served by post otherwise in the ordinary course of postage, as set down in Australia Post's delivery standards, and
 - (d) where sent by facsimile, within standard business hours otherwise on the next business day after it is sent.

19 Variations

- 19.1 Where this contract provides that its terms may be varied, that variation will be by agreement in writing signed by the employee and Council.

Note: See clauses 4.5, 6.1.3, 7.3, 8.6 and 19.2.

- 19.2 Where the Director-General approves an amended or substitution standard form of contract for the employment of the general manager of a council, the provisions of this contract may be varied by agreement between the employee and Council to the extent that they are consistent with the provisions of that amended or substitution standard form of contract.

Note: See section 338 of the Act.

20 Other terms and conditions

- 20.1 The employee and Council acknowledge that they have sought or had the opportunity to seek their own legal and financial advice prior to entering this contract.
- 20.2 In accordance with section 731 of the Act, nothing in this contract gives rise to any action, liability, claim or demand against the Minister, the Director-General or any person acting under their direction.

21 Signed by the employee and Council

COUNCIL:

The Seal of

[Council name]

[Seal]

affixed by authority of a resolution of Council.

Signed
by Council

Date

Name of signatory
in full [*printed*]

Office held [*printed*]

Signed by Witness

Name of Witness
in full [*printed*]

THE EMPLOYEE:

Signed
by the employee

Date

Name of employee
in full [*printed*]

Signed by Witness

Name of Witness
in full [*printed*]

Schedule A – Council policies

Note: This Schedule may be varied during the term of this contract in accordance with subclauses 4.5 and 19.1 of this contract.

This Schedule operates on and from

Date _____

For the purposes of subclause 4.5 of this contract, the following policies apply to the employee:

Signed by Council _____

Signed by the employee _____

Schedule B - Duties and functions

Note: This Schedule may be varied during the term of this contract in accordance with subclauses 6.1.3 and 19.1 of this contract.

This Schedule operates on and from

Date _____

In addition to the duties and functions specified in clause 6 of this contract, the employee will carry out the following duties and functions:

Signed by Council _____

Signed by the employee _____

Schedule C - Remuneration

Note: This Schedule may be varied during the term of this contract in accordance with subclauses 8.7 and 19.1 of this contract.

This Schedule operates on and from

Date _____

The Annual Total Remuneration Package is as follows:

\$ _____

The Total Remuneration Package is comprised of:

| | |
|----------------------------|-----------|
| | |
| ANNUAL REMUNERATION | \$ |

The employee agrees and acknowledges that deductions under subclause 8.2 of this contract are made principally for the benefit of the employee and that the Council relies on that statement in providing the non-cash benefits requested by the employee.

In the case of an employee who is a member of a defined benefit division of the Local Government Superannuation Scheme (or equivalent) compulsory employer superannuation contributions are the long term or “notional” employer contribution, as advised by the Actuary for the Local Government Superannuation Scheme from time to time.

The employee’s superable salary will be the amount of the total remuneration package less the amount of compulsory superannuation contributions.

Signed by Council _____

Signed by the employee _____

ITEM NO: MM2

SUBJECT: GENERAL MANAGER RECRUITMENT & SELECTION PANEL

FILE NO: F10390 - 17/139607

Delivery Program Link*Principal Activity: Civic Leadership**Service: Governance and Risk***Recommendations:**

1. *That the Council establishes a General Manager Recruitment & Selection Panel for the purpose of determining and managing the recruitment and appointment process for the upcoming vacant position of General Manager, as outlined in the following terms of reference:*
 - *The General Manager Recruitment & Selection Panel consist of five (5) Councillors comprising the Mayor, Deputy Mayor, Alternate Deputy Mayor and two (2) Councillor appointed representatives;*
 - *The General Manager Recruitment & Selection Panel engage independent recruitment expertise to assist in the process;*
 - *The General Manager Recruitment & Selection Panel, following the completion of the recruitment and selection process, recommend for Council approval a preferred candidate for appointment to the position of General Manager;*
 - *The General Manager Recruitment & Selection Panel, following Council approval of a candidate to the position of General Manager, negotiate a four year performance based Standard Contract of Employment (General Managers of Local Councils in New South Wales); and*
 - *The General Manager Recruitment & Selection Panel report back to Council as to the outcome of the negotiation and commencement date as soon as practicable; and*
2. *That the Council appoints two (2) Councillors as representatives on the General Manager Recruitment & Selection Panel.*

Mayoral Minute**Reason for report**

As a result of the General Manager having submitted his formal resignation the process to recruit and appoint a successor needs to be undertaken.

Background

The General Manager has provided Council with five months' notice as to his retirement in November 2017. This advance notice will assist Council in minimising the gap between the departure of the General Manager and the commencement of a new General Manager.

In accordance with Section 336 "Filling of vacancy in position of General Manager" of the NSW Local Government Act 1993 (as amended):

If a vacancy occurs in the position of general manager, the council must immediately appoint a person under section 334 to the vacant position or appoint a person to act in the vacant position.

Whereby Section 334 "Appointment of General Manager" of the NSW Local Government Act 1993 (as amended) states:

A council must appoint a person to be its general manager.

Furthermore in accordance with Section 348 "Advertising of Staff Positions" of the NSW Local Government Act 1993 (as amended):

(1). When it is proposed to make an appointment to a position within the organisation structure of the council, the position must be advertised in a manner sufficient to enable suitably qualified persons to apply for the position.

(2). If the position is a senior staff position, the requirement of this section is satisfied if the position is advertised at least twice in a daily newspaper circulating throughout the State.

As a result, it is required that Council undertake a merit based process for the recruitment and selection of a new General Manager.

Conclusion

As such, it is recommended that Council establish a panel, consisting of 5 Councillors, to undertake the recruitment and selection process on behalf of Council. It is further recommended that Council engage the services of an independent recruitment expert to assist with the process and to ensure probity assurance.

AUTHOR: Stuart Liddell, Group Manager People & Systems

AUTHORISERS: Stuart Liddell, Group Manager People & Systems

Does this paper need to go to a briefing session OR have Ward Councillors been briefed?: No

BLUE MOUNTAINS CITY COUNCIL
MINUTES OF ORDINARY MEETING OF COUNCIL

25 July 2017

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3. That the Council appoints Councillor Myles, Foenander and Fell as representatives on the General Manager Recruitment & Selection Panel.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being:

| For | | Against | |
|-------------|--------------|----------------|-----------|
| Councillors | Greenhill | Councillors | Brown |
| | Christie | | Schreiber |
| | Fell | | |
| | Myles | | |
| | Hollywood | | |
| | Van der Kley | | |
| | McGregor | | |
| | Bowling | | |
| | Foenander | | |
| | Hoare | | |

MINUTE NO. 220

Procedural - Procedural Motion

A MOTION was MOVED by Councillors Hollywood and Foenander:

That the Council endorses that the Councillor representative will be selected by a ballot, the process being:

- Nominations will be taken;
- The Executive Officer will be nominated as the Returning Officer;
- Councillors will select one (1) representative by writing the candidate name on a paper;
- The one (1) candidate with the higher number of votes are chosen;
- Where there are candidates and they are tied, the one chosen is to be chosen by lot;
- To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the returning officer, the slips are folded by the returning officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the returning officer and the candidate whose name is on the drawn slip is chosen.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

| For | | Against | |
|-------------|--------------|----------------|--|
| Councillors | Greenhill | Councillors | |
| | Christie | | |
| | Fell | | |
| | Myles | | |
| | Hollywood | | |
| | Van der Kley | | |
| | McGregor | | |
| | Bowling | | |
| | Brown | | |
| | Foenander | | |
| | Hoare | | |

Schreiber

Nominations were received for the 1 positions of Councillor representative as follows:

Nominee

Shae Foenander (7 votes)

Kevin Schreiber (5 votes)

The Returning Officer collected and tallied the votes and announced that out of the 2 nominees, that being for Councillor Foenander and Schreiber, she proceeded to declare **Councillor Foenander was selected as Councillor Representative on the General Manager Performance Review Panel.**

MINUTE NO. 221

MM3. 17/139611. General Manager Performance Review Panel

A MOTION was MOVED by Councillor Greenhill and Fell:

1. That the Council establishes the General Manager Performance Review Panel for the purpose of conducting the performance review process for the General Manager for the 2016 - 2017 period, consisting of the Mayor, Deputy Mayor, a Council appointed Councillor and Councillor Foenander as the General Manager's nominated representative;
2. That the Council notes the General Manager's nominated Councillor representative for the purposes of the General Manager Performance Review Panel is Councillor McGregor;
3. That the Council appoints Councillor Foenander as their representative on the General Manager Performance Review Panel; and
4. That the Council endorses that the Group Manager People & Systems assist the General Manager Performance Review Panel in conducting the process.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

| For | Against |
|--------------|-------------|
| Councillors | Councillors |
| Greenhill | |
| Christie | |
| Fell | |
| Myles | |
| Hollywood | |
| Van der Kley | |
| McGregor | |
| Bowling | |
| Brown | |
| Foenander | |
| Hoare | |
| Schreiber | |

Memorandum

TO: Mayor – Councillor Mark Greenhill OAM
FROM: Group Manager People & Systems
COPY: General Manager
DATE: 3 August 2017 **FILE:** SCL:53
SUBJECT: General Manager Recruitment & Selection Exercise

At the 27 July 2017 Council Meeting the following resolution was adopted with regard to the process to be established for the recruitment of a replacement General Manager:

1. That the Council establishes a General Manager Recruitment & Selection Panel for the purpose of determining and managing the recruitment and appointment process for the upcoming vacant position of General Manager, as outlined in the following terms of reference:
 - The General Manager Recruitment & Selection Panel consist of six (6) Councillors comprising the Mayor, Deputy Mayor, Alternate Deputy Mayor and three (3) Councillor appointed representatives;
 - The General Manager Recruitment & Selection Panel engage independent recruitment expertise to assist in the process;
 - The General Manager Recruitment & Selection Panel, following the completion of the recruitment and selection process, recommend for Council approval a preferred candidate for appointment to the position of General Manager;
 - The General Manager Recruitment & Selection Panel, following Council approval of a candidate to the position of General Manager, negotiate a four year performance based Standard Contract of Employment (General Managers of Local Councils in New South Wales); and
 - The General Manager Recruitment & Selection Panel report back to Council as to the outcome of the negotiation and commencement date as soon as practicable;
2. That the Council appoints the Mayor, Deputy Mayor, Alternate Deputy Mayor as representatives on the General Manager Recruitment & Selection Panel; and
3. That the Council appoints the Mayor, Deputy Mayor, Alternate Deputy Mayor as representatives on the General Manager Recruitment & Selection Panel; That the Council appoints Councillor Myles, Foenander and Fell as representatives on the General Manager Recruitment & Selection Panel.

As a result the General Manager Recruitment & Selection Panel consists of 6 Councillors:

| | |
|---------------------------------|--|
| 1. Mayor | Councillor Mark Greenhill (Panel Convenor) |
| 2. Deputy Mayor | Councillor Chris Van der Kley |
| 3. Alternate Deputy Mayor | Councillor Romola Hollywood |
| 4. Council Appointed Councillor | Councillor Daniel Myles |
| 5. Council Appointed Councillor | Councillor Mick Fell |
| 6. Council Appointed Councillor | Councillor Shaë Foenander |

Now that the panel has been established, the recruitment process itself needs to get underway and the first step, in accordance with the Council resolution, is to "engage independent recruitment expertise to assist in the process".

As such it is recommended that at least three suitable independent recruitment companies be invited to submit a proposal (Expression of Interest) to assist the General Manager Recruitment & Selection Panel in the recruitment and selection of the replacement General Manager for Blue Mountains City Council.

The following organisations would be considered as having suitable independent recruitment expertise as they specialise in senior local government recruitment in NSW:

- McArthurs – CEO - Matthew McArthur (managed the previous process in 2010)
- Local Government Appointments – NSW Manager - Dennis McGuinn
- Local Government Management Solutions – Manager - Mark Anderson
- Blackadder Associates – Executive Director - Stephen Blackadder

As the senior executive responsible for recruitment at Blue Mountains City Council ordinarily I would be the internal contact point and facilitate the recruitment process for the General Manager on behalf of the Council.

However, as I intend to be a candidate for the position of General Manager it would be inappropriate for me to perform this function and therefore must remove myself from the process on this occasion.

To progress the exercise it is recommended that the current General Manager, Robert Greenwood, commence the process by requesting proposals from three of the above listed companies for the General Manager Recruitment & Selection Panel to consider.

Once a decision has been made as to the most appropriate recruitment company, it is further recommended that the next most senior HR officer in the organisation, Megan TeBay - Program Leader Organisational Development, is appointed as the Council liaison person between Council and the selected recruitment company.

Regards



STUART LIDDELL
Group Manager, People & Systems

People & Systems



Recruitment Requisition FORM 2

- For all vacancies less than 3 months and all casual appointments, complete pages 1 & 2 only.
- For all vacancies greater than 3 months, plus all fixed term contracts and Higher Duties appointments greater than 12 weeks; complete pages 1 – 4. A signed copy of this completed form must be emailed to the Program Leader HR Services no later than 10:00am Friday for the following Wednesday's ELT meeting.

| Section 1: Position Details | | | | |
|---|--|--|---------------------------------|------------------------------|
| <input type="checkbox"/> New Position

<input checked="" type="checkbox"/> Existing Position | Position Title: GENERAL MANAGER, BLUE MOUNTAINS CITY COUNCIL | | Position Number: | |
| Group/Directorate: GM EXECUTIVE | | | Branch: GM | |
| Position Reports Directly to (in Organisation Structure): MAYOR
(Position, Name & Position Number) | | | | |
| Employment Status:

Refer to the definitions found in the <i>Recruitment and Employment of Staff</i> policy when selecting employment status. | <div style="display: flex; justify-content: space-between;"> <input checked="" type="checkbox"/> Permanent Appointment <input type="checkbox"/> Temporary Appointment <input type="checkbox"/> Casual Appointment <input type="checkbox"/> Term Contract </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <input type="checkbox"/> Full Time <input type="checkbox"/> Part Time <input type="checkbox"/> Job Share With Who: </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> Is this a child-related role? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </div> | | | |
| Contract Period | Commencement Date:
TBC
____/____/____ | Termination Date:
____/____/____ | | Total Hours per Week: |
| Work Pattern:
e.g. Mon – Fri, 8:30am – 6:00pm inc RDO | FULL TIME | | | Total Hours per Week: |
| Salary Classification: | Ledger Number for Payroll Use (salary costs & Motor Vehicle costs):
_____ | | | |
| Motor Vehicle: (Please tick)

<input type="checkbox"/> Existing

<input type="checkbox"/> Additional

<i>(Business Case to be attached as per section 8)</i> | <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> PUA Category 1 (Pre-Tax)

 <input type="checkbox"/> PUA Category 2 (Post-Tax) </div> <div> <input type="checkbox"/> Commuter

 <input type="checkbox"/> Business </div> <div style="font-size: small;"> If a motor vehicle is applicable you must indicate category and supply business case for approval. Failure to provide this information will result in non-approval. Refer to Motor Vehicle Management Policy for details on relevant category.

 Fleet Services Business Case Template located on Intranet (Policy & Guiding Documents, Policy: Operational, Fleet Services) </div> </div> | | | |
| Additional Benefits or Allowances: | | | | |
| Location of Position:
e.g. South Street Depot | HEAD QUARTERS, KATOOMBA | | | |
| Contact Person: | MEGAN TEBAY | | Contact Phone: 4780 5673 | |

Authorised By: Group Manager, People & Systems
 Document Owner: HR Services
 Page 1 of 4

Original Issue: 1 August 2013
 Current Version: 16 May 2016

| Section 2: Reason for Recruitment Action | | | |
|---|---|------------------------------|-----------------------------|
| Details of vacancy review / reason for recruitment; i.e. resignation of employee: | RETIREMENT OF INCUMBENT | | |
| Name of Employee previously in position: (if applicable) | ROBERT GREENWOOD | | |
| What alternative options have been considered to fill the position? | N/A | | |
| Impacts on the organisation if this recruitment is delayed: | SIGNIFICANT DISRUPTION TO BUSINESS DELIVERY | | |
| Name of Employee arranged for assignment if applicable: | TBC | | |
| Employment History: If no, please attach the following: | Has this person worked for BMCC previously, within the last 12 months? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | <input type="checkbox"/> 2 x Reference Checks <input type="checkbox"/> Resume <input type="checkbox"/> Copies of Identification <input type="checkbox"/> WWCC If applicable | | |

| Section 3: Approvals Required – if Casual/Temp Less than 3 Months | | | |
|---|----|-------|-------------|
| Branch Manager Signature: | NA | Date: | ___/___/___ |

| Section 4: Human Resources Use Only | | | |
|--|---|----------------|--|
| Pre-Placement Health Assessment Required: | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | WWCC Required: | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Any additions/alterations to standard contract: | <input type="checkbox"/> Yes <input type="checkbox"/> No Specify: | | |
| If a new position, has this been reviewed by the Staff Consultative Committee? | <input type="checkbox"/> Yes NA <input type="checkbox"/> No NA | | Date: ___/___/___ |
| Program Leader HR Services Signature: | | Date: | ___/___/___ |

Recruitment Requisition FORM 2

| Section 5: Position Review | |
|---|--|
| <p>Comment on whether the Position Description has been reviewed and outcomes of this:</p> <p>e.g. Job evaluation</p> | NA |
| <p>How is this position funded?</p> <p>e.g. grant or other external funding</p> | FULLY FUNDED IN ORGANISATION PERMANET BUDGET |
| <p>Previous Advertising:</p> | <p>Has this position previously been advertised within the last 12 months? If yes, provide vacancy number.</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Vacancy:</p> |

| Section 6: Proposed Recruitment Panel | | |
|---|--|---|
| <p>Recruitment Panel:</p> | <p>Team Leader:</p> <p>Mark Greenhill (Panel Convenor)</p> | <p>Position:</p> <p>Mayor Councillor</p> |
| <p>Note: All members of the recruitment panel must be of equal or greater salary classification than the position being recruited.</p> <p>The Independent panel member must be from outside the branch of the position being recruited.</p> | <p>Independent:</p> <ol style="list-style-type: none"> 1. Chris Van der Kley 2. Romola Hollywood 3. Daniel Myles 4. Mick Fell 5. Shae Foenander | <p>Position:</p> <p>Deputy Mayor Councillor
Alternate Deputy Mayor
Councillor
Councillor
Councillor</p> |
| | <p>Technical Expert:</p> <p>RECRUITMENT AGENCY - TBC
Or other, if applicable</p> | <p>Position:</p> |

| Section 7: Summary of Business Case (Including reason for vehicle requirement if applicable) | |
|---|--|
| <p>Recommendation - Include any final comments for ELT's consideration, supporting the business case for recruitment:</p> | |

Section 8: Supporting Documentation Required

All supporting documentation must be supplied at the time of submission to HR Services. Failure to do so may result in the delay of your request being forwarded to ELT.

- ☐ Position Description ☐ Branch Structure
Highlight vacant position ☐ Advertising Template (Form 3) ☐ Vehicle Business Case
(if required; Fleet Services can assist with preparation)

Section 9: Director/Group Manager Approval

Director approval is required before documentation is submitted to HR Services.

Director/Group Manager Signature/Mayoral Signature:

Date: 1 / 1

Mackay - 11-5-18

Section 10: ELT Approval

To be completed by an ELT representative or the Group Manager, People & Systems.

| | | | |
|--|--|-----------------------------------|----------------------|
| Authority to recruit has been: | <input type="checkbox"/> Approved | <input type="checkbox"/> Declined | Date: ____/____/____ |
| Vehicle Authority:
(as per business case) | <input type="checkbox"/> Approved
<input type="checkbox"/> New
<input type="checkbox"/> Existing | <input type="checkbox"/> Declined | |
| Changes, conditions and/or comments required for approval: | | | |
| Authorising Signature for ELT: | | | |

- ☐ *Copy to be supplied to Fleet Services if motor vehicle required on approval.



Mayoral Minute MM4 Ordinary Meeting

Venue: Administrative Headquarters
Civic Place
Katoomba

Meeting: 7.30pm 19 September, 2017

Jess Badman

From: Matthew McArthur <matthew.mcarthur@mcarthur.com.au>
Sent: Tuesday, 26 September 2017 3:41 PM
To: Megan TeBay
Subject: RE: Cultural Centre - Katoomba
Attachments: GM - Draft Advert Text 2017 V5.doc

Hi Megan,

Can you please provide a copy of this proposed text to the mayor for his review and comment please?

Happy for any feedback you may have.

Regards
Matthew McArthur
P: 02 9277 7010

From: Megan TeBay [mailto:MTeBay@bmcc.nsw.gov.au]
Sent: Friday, 22 September 2017 2:28 PM
To: Matthew McArthur
Subject: Cultural Centre - Katoomba

Hi Matthew,
Below are a couple of items for you:

Interviews:

Please note the Cultural Centre opening hours are 10.00am to 4.00pm.

Therefore, I think it would be best to have interviews commence no earlier than 10.30am, this will enable you to have 30 minutes prior to the interview to set up.

Position Description:

I have attached the new format PD, with the new organisation chart attached. Can you please use this template to update the essential criteria and then send me a final copy.

Strategic Priorities:

Below are the strategic priorities set for 2017-2021 mentioned by the Councillors the other night. This is a key focus area for the organisation:

1. *Improve approach to **asset management** to support delivery of the Council's commitments to Fit for the Future targets, the State Governments expectations for Councils and support value for money services to the community;*
2. *Committing to the delivery of the Council's **Fit for the Future Targets** – Maintaining the Best Value Decision Making Frame to maximise the outcomes for the community from the SV2 income;*
3. *Commence the **strategic review of the service levels** that the Council provides to inform future decision making and priorities;*
4. *Increase **focus and priority on Business Improvement and Innovation** to improve effectiveness and efficiency;*

5. *Position the Council to be more **proactive in communicating and engaging with the community** on the business of the Council; and*
6. *Develop a **strategic approach to tourism and the visitor economy** that also addresses the increased visitation, local community and funding options.*

If you could send me an updated timeline and the final PD.

Thanks,

Megan.

Megan TeBay | Program Leader, Organisation Development, People & Systems | t 02 4780 5673 | e mtebay@bmcc.nsw.gov.au

Blue Mountains City Council • council@bmcc.nsw.gov.au • www.bmcc.nsw.gov.au • Locked Bag 1005 Katoomba NSW 2780

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General Manager

- **Major change and development agenda**
- **Financially sustainable / Fit for the Future Council**
- **Unique World Heritage Location**

The City of Blue Mountains is a City within a World Heritage National Park, renowned for its natural beauty and unique environmental and cultural characteristics. Council delivers services to more than 76,000 residents within 27 distinctively unique towns and villages, and is located just over 1 hour's drive from Sydney.

This is an exceptional opportunity for a proven General Manager, or an aspiring senior executive to take their next step up. Working in close partnership with the Mayor and Councillors, you will provide inspirational leadership across the organisation with a focus on advocacy, environmental responsibility, economic sustainability and the development of key community infrastructure.

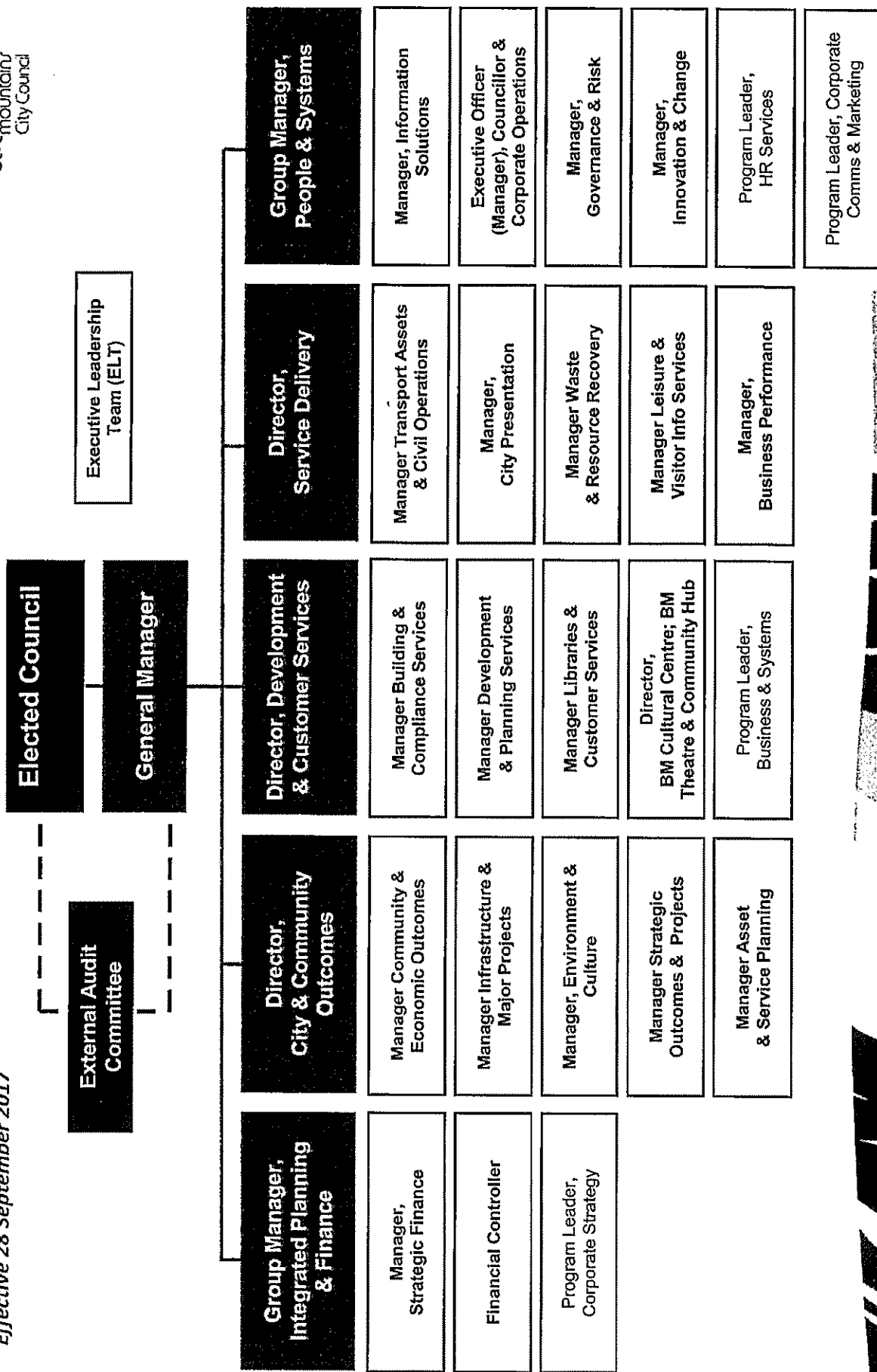
You are a strategic thinker able to deliver on long term vision while also providing the operational direction to help ensure positive outcomes across a broad range of community, corporate and business initiatives. Previous exposure to all facets of community focussed services and operations and an in-depth appreciation for the political and social issues, and future challenges facing Local Government will be essential.

This is a pivotal senior role that will see you having a major influence on Council's future planning and translating strategic vision into results, accordingly the financial rewards fully reflect this.

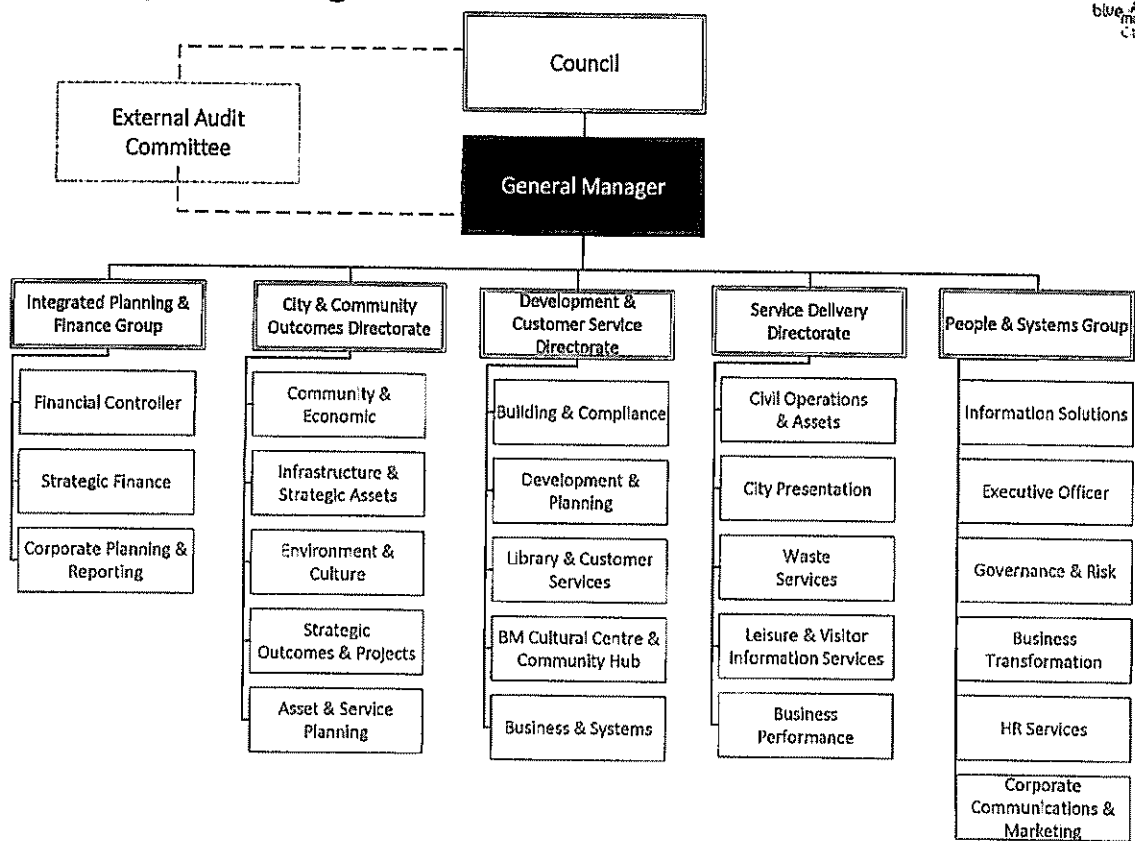
For a comprehensive position description and information pack, visit mcarthur.com.au and enter ref. 133XXX in the Job Search function. For any queries, call Matthew McArthur on (02) 9277 7000. Applications close 9am, Tuesday 17th October 2017.

BMCC Organisational Structure

Effective 28 September 2017



BMCC – Proposed Organisation Structure



Last Updated: 29/09/2017



Blaze Advertising Pty Ltd
ABN 23 062 625 834
Level 2, 162 Collins Street, Melbourne 3000
TEL (03) 8668 8000 FAX (03) 8668 8011

McArthur Mngmt Services Pty Ltd - Sydney
Level 2
1 York Street
Sydney NSW 2000

GM - Blue Mountains

Cost Estimate

Our Order: 125387
Date: 26/09/17
Your Order: Colin Britten
Client Number: 104200/00
Account Manager: Jenny Williams

| Appearance/Position | Size/Details | Rate | Total |
|--------------------------------|----------------|---------|-----------|
| SYDNEY MORNING HERALD | | | |
| Saturday 30 Sep 2017 | | 7936.00 | 7936.00 |
| Full Colour | | | |
| Early General News | | | |
| 1/4 Page V | | | |
| 186x129 | | | |
| LOCAL GOVERNMENT JOB DIRECTORY | | | |
| Monday 02 Oct 2017 | | 1050.00 | 1050.00 |
| Full Colour | | | |
| Employment | | | |
| | Production | | 252.00 |
| | Media Total | | 9,238.00 |
| | Plus GST | | 923.80 |
| | Amount Payable | | 10,161.80 |

APPROVED:

Name: _____

Signature: _____

Date: _____

COST ESTIMATE ONLY.
Rate increases may occur and Production Charges may vary.

From: Megan TeBay
Sent: Wednesday, 27 September 2017 12:47 PM
To: Trudy Snape
Subject: GM Recruitment

Hi Trudy,
I need a ledger number the for GM recruitment.
Could you please provide this to me.
Ta.MT

Megan TeBay | Program Leader, Organisation Development, People & Systems| t 02 4780 5673 | e mtebay@bmcc.nsw.gov.au

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30/9/17

V17/3997

Recruitment Requisition
FORM 2

- For all vacancies less than 3 months and all casual appointments, complete pages 1 & 2 only.
- For all vacancies greater than 3 months, plus all fixed term contracts and Higher Duties appointments greater than 12 weeks; complete pages 1 – 4. A signed copy of this completed form must be emailed to the Program Leader HR Services no later than 10:00am Friday for the following Wednesday's ELT meeting.

Section 1: Position Details

| | | | |
|--|---|--|---|
| <input type="checkbox"/> New Position | Position Title: GENERAL MANAGER, BLUE MOUNTAINS CITY COUNCIL | | Position Number:
P00001 |
| <input checked="" type="checkbox"/> Existing Position | | | |
| Group/Directorate: GM EXECUTIVE | | Branch: GM | |
| Position Reports Directly to (in Organisation Structure): MAYOR
(Position, Name & Position Number) | | | |
| Employment Status:

Refer to the definitions found in the Recruitment and Employment of Staff policy when selecting employment status. | <input checked="" type="checkbox"/> Permanent Appointment | <input type="checkbox"/> Temporary Appointment | <input type="checkbox"/> Casual Appointment |
| | <input type="checkbox"/> Full Time | <input type="checkbox"/> Part Time | <input type="checkbox"/> Job Share With Who: |
| | Is this a child-related role? | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Contract Period | Commencement Date: | TBC | Termination Date: |
| Work Pattern:
e.g. Mon – Fri 8:30am – 5:00pm Inc RDO | FULL TIME | | Total Hours per Week: |
| Salary Classification: | Ledger Number for Payroll Use (salary costs & Motor Vehicle costs): | | |
| | Salary/Wage: Band: Level: Grade: | | |
| Motor Vehicle: (Please tick)
<input type="checkbox"/> Existing
<input checked="" type="checkbox"/> Additional
(Business Case to be attached as per section 8) | <input type="checkbox"/> PUA Category 1 (Pre-Tax)
<input type="checkbox"/> PUA Category 2 (Post-Tax) | <input type="checkbox"/> Commuter
<input type="checkbox"/> Business | If a motor vehicle is applicable you must indicate category and supply business case for approval. Failure to provide this information will result in non-approval. Refer to Motor Vehicle Management Policy for details on relevant category.

Fleet Services Business Case Template located on Intranet (Policy & Guiding Documents, Policy: Operational, Fleet Services) |
| Additional Benefits or Allowances: | | | |
| Location of Position:
e.g. South Street Depot | HEAD QUARTERS, KATOOMBA | | |
| Contact Person: | MEGAN TEBAY | Contact Phone: 4780 5673 | |

| Section 2: Reason for Recruitment Action | | | |
|---|---|------------------------------|-----------------------------|
| Details of vacancy review / reason for recruitment: i.e. resignation of employee: | RETIREMENT OF INCUMBENT | | |
| Name of Employee previously in position: (if applicable): | ROBERT GREENWOOD | | |
| What alternative options have been considered to fill the position? | N/A | | |
| Impacts on the organisation if this recruitment is delayed: | SIGNIFICANT DISRUPTION TO BUSINESS DELIVERY | | |
| Name of Employee arranged for assignment if applicable: | TBC | | |
| Employment History: If no, please attach the following: | Has this person worked for BMCC previously, within the last 12 months? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | <input type="checkbox"/> 2 x Reference Checks <input type="checkbox"/> Resume <input type="checkbox"/> Copies of Identification <input type="checkbox"/> WWCC If applicable | | |

| Section 3: Approvals Required – if Casual/Temp Less than 3 Months | | | |
|---|----|-------|----------------|
| Branch Manager Signature: | NA | Date: | ____/____/____ |

| Section 4: Human Resources Use Only | | | |
|--|---|--------------------------------|--|
| Pre-Placement Health Assessment Required: | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | WWCC Required: | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Any additions/alterations to standard contract: | <input type="checkbox"/> Yes Specify: _____
<input type="checkbox"/> No | | |
| If a new position, has this been reviewed by the Staff Consultative Committee? | <input type="checkbox"/> Yes NA | <input type="checkbox"/> No NA | Date: ____/____/____ |
| Program Leader HR Services Signature: | | Date: | ____/____/____ |

Recruitment Requisition FORM 2

| Section 5: Position Review | |
|---|---|
| <p>Comment on whether the Position Description has been reviewed and outcomes of this:</p> <p>e.g. Job evaluation</p> | NA |
| <p>How is this position funded?</p> <p>e.g. grant or other external funding</p> | FULLY FUNDED IN ORGANISATION PERMANET BUDGET |
| <p>Previous Advertising:</p> | <p>Has this position previously been advertised within the last 12 months? If yes, provide vacancy number.</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Vacancy:</p> |

| Section 6: Proposed Recruitment Panel | | |
|---|--|---|
| <p>Recruitment Panel:</p> | <p>Team Leader:</p> <p>Mark Greenhill (Panel Convenor)</p> | <p>Position:</p> <p>Mayor Councillor</p> |
| <p>Note: All members of the recruitment panel must be of equal or greater salary classification than the position being recruited.</p> <p>The Independent panel member must be from outside the branch of the position being recruited.</p> | <p>Independent:</p> <ol style="list-style-type: none"> 1. Chris Van der Kley 2. Romola Hollywood 3. Daniel Myles 4. Mick Fell 5. Shae Foenander | <p>Position:</p> <p>Deputy Mayor Councillor
Alternate Deputy Mayor
Councillor
Councillor
Councillor</p> |
| | <p>Technical Expert:</p> <p>RECRUITMENT AGENCY - TBC
Or other, if applicable</p> | <p>Position:</p> |

| Section 7: Summary of Business Case (including reason for vehicle requirement, if applicable) | |
|--|--|
| <p>Recommendation - Include any final comments for E.L.T.'s consideration, supporting the business case for recruitment.</p> | |

Section 8: Supporting Documentation Required

All supporting documentation must be supplied at the time of submission to HR Services. Failure to do so may result in the delay of your request being forwarded to ELT.

- ☐ Position Description ☐ Branch Structure
Highlight vacant position

Section 9: Director/Group Manager Approval

Director approval is required before documentation is submitted to HR Services.

Director/Group Manager Signature/Mayoral Signature:

Date: 15/8/17

Section 10: ELT Approval

To be completed by an ELT representative or the Group Manager, People & Systems.

| | | | |
|--|--|-----------------------------------|----------------------|
| Authority to recruit has been: | <input type="checkbox"/> Approved | <input type="checkbox"/> Declined | Date: ____/____/____ |
| Vehicle Authority:
(as per business case) | <input type="checkbox"/> Approved
<input type="checkbox"/> New
<input type="checkbox"/> Existing | <input type="checkbox"/> Declined | |
| Changes, conditions and/or comments required for approval: | | | |
| Authorising Signature for ELT: | | | |

- ☐ *Copy to be supplied to Fleet Services if motor vehicle required on approval.



Mayoral Minute MM1 Confidential Meeting

Venue: **Administrative Headquarters
Civic Place
Katoomba**

Meeting: **7.30pm 17 October, 2017**



CONFIDENTIAL MEETING

17 OCTOBER 2017

AGENDA

| ITEM NO. | PAGE | SUBJECT | COMMENTS |
|----------|------|---------------------------------------|----------|
| | | | |
| | | <u>MINUTE BY MAYOR</u> | |
| | | | |
| 1 | 4 | Appointment of Acting General Manager | |

ITEM NO: 1

SUBJECT: APPOINTMENT OF ACTING GENERAL MANAGER

FILE NO: F10393 - 17/174817

*This report is considered confidential under Section 10A of the Local Government Act 1993
a) personal matters concerning particular individuals (other than councillors).*

Delivery Program Link*Principal Activity: Civic Leadership**Service: Governance and Risk***Recommendations:**

1. *That the Council appoint Stuart Liddell as the Acting General Manager due to the retirement of the General Manager Robert Greenwood, with this appointment being effective from close of business Friday 17 November 2017; and*
2. *That the Council provides the position of Acting General Manager with the full delegations of the position of General Manager.*

Mayoral Minute:**Reason for report**

The General Manager, Robert Greenwood, tendered his resignation on 30 May 2017 with the effective last day being the 17 November 2017. The Council under section 336(1) of the Local Government Act must immediately appoint a person under section 334 to the vacant position or appoint a person to act in the vacant position. The appointment of an acting General Manager will be until such time as the substantive appointment of the General Manager is affected and the successful candidate takes office. The recruitment process has now commenced and is progressing.

Background

Given that current stage of the recruitment process and the need for acceptance by the successful candidate it will in all probability not be completed by the 17 November. The Council will be required to appoint an acting General Manager.

Given that the last weeks of the current general manager's time will be preparing for an effective hand over I have decided that the person selected to act would sit in the general managers chair for the November Ordinary Council meeting as they will be responsible for taking the council resolutions from that meeting forward.

Appointment of Acting General Manager

The Council is currently in the process of taking significant strategic priority outcomes forward and engaging with external stakeholders on key initiatives. The Council is involved in negotiations relating to the City Deals project and the Regional Strategic Alliance. The acting General Manager will be required to be across and continue implement the councils 4 year strategic priority outcomes. The person fulfilling the acting role will ideally be required to have proven experience in leading the Council through any emergencies that may arise particularly as we approach the bushfire season.

In addition the new organizational restructure having been finalised is now being implemented. There is ongoing recruitment and change management issues to be completed.

It is for that reason that the acting general manager will need to have had a proven track record as acting general manager for reasonable periods of time and have the capacity and capability to ensure that the organization is seamless in transition so that the operational plan will be delivered on time and budget for the current financial year.

For the reasons stated above I am recommending Stuart Liddell who in my experience as mayor has acquitted himself well to the acting role when the current general manager has been on leave and performed exceptionally during the recovery phase of the 2013 bushfires. I seek the Councils endorsement.

ITEM NO: SMM2

SUBJECT: GENERAL MANAGER RECRUITMENT UPDATE

FILE NO: F10394 - 17/234620

*This report is considered confidential under Section 10A of the Local Government Act 1993
a) personal matters concerning particular individuals (other than councillors).*

Delivery Program Link

*Principal Activity: Civic Leadership
Service: Governance and Risk*

Recommendations:

1. *That the Council endorses the actions taken to date by the General Manager Recruitment & Selection Panel, including the postponing the process; and*
 2. *That the Council delegates authority to the Mayor to reconvene the General Manager Recruitment & Selection Panel and recommence the General Manager Recruitment & Selection Panel process at an appropriate time.*
-

Mayoral Minute**Reason for report**

Provide Council an update on the status of the General Manager Recruitment Process as determined and managed by the recruitment panel.

Background

At the Ordinary Meeting of the Council held on 25 July 2017 the Council resolved: a

1. *"That the Council establishes a General Manager Recruitment & Selection Panel for the purpose of determining and managing the recruitment and appointment process for the upcoming vacant position of General Manager, as outlined in the following terms of reference:*
 - *The General Manager Recruitment & Selection Panel consist of six (6) Councillors comprising the Mayor, Deputy Mayor, Alternate Deputy Mayor and three (3) Councillor appointed representatives;*
 - *The General Manager Recruitment & Selection Panel engage independent recruitment expertise to assist in the process;*
 - *The General Manager Recruitment & Selection Panel, following the completion of the recruitment and selection process, recommend for Council approval a preferred candidate for appointment to the position of General Manager;*
 - *The General Manager Recruitment & Selection Panel, following Council approval of a candidate to the position of General Manager, negotiate a four year performance based Standard Contract of Employment (General Managers of Local Councils in New South Wales); and*

- *The General Manager Recruitment & Selection Panel report back to Council as to the outcome of the negotiation and commencement date as soon as practicable;*
 - *That the Council appoints the Mayor, Deputy Mayor, Alternate Deputy Mayor as representatives on the General Manager Recruitment & Selection Panel; and*
2. *That the Council appoints the Mayor, Deputy Mayor, Alternate Deputy Mayor as representatives on the General Manager Recruitment & Selection Panel; and*
 3. *That the Council appoints Councillor Myles, Foenander and Fell as representatives on the General Manager Recruitment & Selection Panel."*

[Minute No. 219]

Outline of actions to date:

Advertising

The position was advertised in national print and online media, Saturday 30 Sep 2017 with a closing date of 17 October, 2017.

Response to Advertising

There were 54 applications received for the position.

Selection Panel

As previously outlined, the Selection Panel was established at the 25 July 2017 Ordinary Meeting of the Council and comprised:

Councillor Greenhill, Mayor;
Councillor Van der Kley Deputy Mayor;
Councillor Hollywood, Alternative Deputy Mayor;
Councillor Myles;
Councillor Foenander;
Councillor Fell.

Selection Process to date

A briefing session with the Selection Panel, with Mr Matthew McArthur, determined 13 candidates were to be invited for initial interview with McArthur's.

A final short list of 5 candidates was recommended by McArthur for interview.

First round interviews with the Selection Panel were scheduled for Sunday 12 November, 2017.

Delay in recruitment

On Friday 10 November, 2017 the Mayor, as the Selection Panel Team Leader, determined to delay the second round interviews, as it was considered not in the interests of Council to proceed further with the process due to media coverage at that time.

Specifically it was considered that the process had been unduly compromised, due to critical comments in the media, including references to Selection Panel members and BMCC recruitment processes.

External candidates have been notified.

A new date is yet to be determined and notified to candidates.

Implications

Due to a fixed fee agreement with McArthur and use of Council premises for interviews and meetings, the financial implications for delay of the interviews are NIL.

McArthurs have indicated, based on their discussions with candidates, a delay is not likely to impact candidates attending interviews at a future date.

Conclusion

To date the process has been in accordance with Council's policies and procedures. It was considered not in the best interests of Council to proceed with final interviews at the date originally determined to ensure a robust selection process was maintained. A new interview date is required to be determined.

AUTHOR: Megan TeBay, Program Leader, Organisation Development, People & Systems

AUTHORISERS: Jasmine Cooper, Executive Officer
Robert Greenwood, General Manager

Does this paper need to go to a briefing session OR have Ward Councillors been briefed?: No



Mayoral Minute MM1 Confidential Meeting

Venue: Administrative Headquarters
Civic Place
Katoomba

Meeting: 7.30pm 14 November, 2017



CONFIDENTIAL MEETING

14 NOVEMBER 2017

AGENDA

| ITEM NO. | PAGE | SUBJECT | COMMENTS |
|----------|------|---|----------|
| | | | |
| | | <u>MINUTE BY MAYOR</u> | |
| | | | |
| MM1 | 4 | Appointment of the Acting General Manager | |

ITEM NO: MM1

SUBJECT: APPOINTMENT OF THE ACTING GENERAL MANAGER

FILE NO: F10394 - 17/233129

*This report is considered confidential under Section 10A of the Local Government Act 1993
a) personal matters concerning particular individuals (other than councillors).*

Delivery Program Link*Principal Activity: Civic Leadership**Service: Governance and Risk***Recommendations:**

- 1. That the Council appoints Rosemary Dillon as the Acting General Manager, with this appointment being effective from Friday 17 November 2017 and until the appointment of the General Manager; and*
- 2. That the Council provides the position of Acting General Manager with the full delegations of the position of General Manager.*

Mayoral Minute**Reason for report**

The General Manager, Robert Greenwood, tendered his resignation on 30 May 2017 with the effective last day now being Thursday 16 November 2017. The Council under section 336(1) of the Local Government Act must immediately appoint a person under section 334 to the vacant position or appoint a person to act in the vacant position. The appointment of an acting General Manager will be until such time as the substantive appointment of the General Manager is affected and the successful candidate takes office. The recruitment process has now commenced and is progressing.

Background

At the Ordinary meeting of Council on 17 October 2017 Council resolved:

- 1. "That the Council appoints Stuart Liddell as the Acting General Manager due to the retirement of the General Manager Robert Greenwood, with this appointment being effective from close of business Friday 17 November 2017; and*
- 2. That the Council provides the position of Acting General Manager with the full delegations of the position of General Manager."*

[Minute No. 369]

In recent days very serious allegations have been made against the Council in relation to the management of asbestos (including asbestos in Council owned properties) by the Council. Furthermore, allegations have been made against the Council and against individual Council officers in relation to the recruitment of staff and consultants.

Whilst a review of allegations is taking place Mr Liddell has requested in writing to be stood down as acting General Manager and from his substantive position as Group Manager.

Appointment of Acting General Manager

Given the current situation and to ensure that Council is compliant with section 336(1) of the Local Government Act in that it appoints a person under section 334 it is recommended that Rosemary Dillon is appointed to act in the vacant position until such time as the substantive appointment of the General Manager is affected and the successful candidate takes office.

* * * * *

Jess Badman

From: Robert Greenwood
Sent: Wednesday, 15 November 2017 10:06 AM
To: All Staff
Subject: Acting GM

Importance: High

Dear Colleagues,

Following last night's Council meeting, I wish to inform you that Rosemary Dillon has been appointed as the Acting General Manager, with full delegation, effective Friday 17 November and until the appointment of the General Manager is completed.

Further communications to all staff will follow today, providing an update on the independent investigations that are being established in response to allegations made against the Council and against individual Council officers in the media over the last week.

A reminder that Grant McKay is currently acting Group Manager People and Systems while the investigation occurs. This arrangement is in place as a result of Stuart Liddell voluntarily and temporarily standing down as acting General Manager, and from his substantive position as Group Manager, until the investigation has concluded.

Thank you for your cooperation at this time.

Regards,

Robert

Robert Greenwood | General Manager | t 02 4780 5518 | e rgreenwood@bmcc.nsw.gov.au

Blue Mountains City Council • council@bmcc.nsw.gov.au • www.bmcc.nsw.gov.au • Locked Bag 1005 Katoomba NSW 2780



Mayoral Minute MM1 Confidential Meeting

Venue: Administrative Headquarters
Civic Place
Katoomba

Meeting: 7.30pm 12 December, 2017



CONFIDENTIAL MEETING

12 DECEMBER 2017

AGENDA

| ITEM NO. | PAGE | SUBJECT | COMMENTS |
|----------|------|-----------------------------|----------|
| | | | |
| | | <u>MINUTE BY MAYOR</u> | |
| | | | |
| MM1 | 4 | General Manager Recruitment | |

ITEM NO: MM1**SUBJECT: GENERAL MANAGER RECRUITMENT****FILE NO: F11169- 17/257089**

*This report is considered confidential under Section 10A of the Local Government Act 1993
a) personal matters concerning particular individuals (other than councillors).*

Delivery Program Link*Principal Activity: Civic Leadership**Service: Governance and Risk***Recommendations:**

1. *That the Council notes, following the retirement of Mr Robert Greenwood as General Manager of the Council, with effect from Friday 17 November 2017, Ms Rosemary Dillon has diligently served as Acting General Manager, in accordance with the resolution passed by the Council at the Ordinary Meeting on 14 November 2017;*
2. *That the Council, noting the requirement for leadership stability at this time, vacates the General Manager Recruitment & Selection Panel and ceases the current process of recruitment and appointment to the vacant position of General Manager;*
3. *That the Council to appoints Ms Rosemary Dillon as General Manager for a fixed period of up to one year, effective from Friday 17 November 2017 to Sunday 18 November 2018, with the view of formally appointing a General Manager with a commencement date of Monday 19 November 2018; and*
4. *That the Council notes that the Council will establish and determine a General Manager Recruitment & Selection Panel and process for the purpose of determining and managing the recruitment by separate resolution within the required timeframes to achieve formal appointment in November 2018.*

Mayoral Minute**Reason for report**

To provide the Council with a proposed approach to the management of the General Manager Recruitment and Selection process in light of the Council's current requirement for leadership stability.

Background

At the Ordinary Meeting of the Council held on 25 July 2017 the Council resolved:

1. *"That the Council establishes a General Manager Recruitment & Selection Panel for the purpose of determining and managing the recruitment and appointment process for the upcoming vacant position of General Manager, as outlined in the following terms of reference:*

- *The General Manager Recruitment & Selection Panel consist of six (6) Councillors comprising the Mayor, Deputy Mayor, Alternate Deputy Mayor and three (3) Councillor appointed representatives;*
 - *The General Manager Recruitment & Selection Panel engage independent recruitment expertise to assist in the process;*
 - *The General Manager Recruitment & Selection Panel, following the completion of the recruitment and selection process, recommend for Council approval a preferred candidate for appointment to the position of General Manager;*
 - *The General Manager Recruitment & Selection Panel, following Council approval of a candidate to the position of General Manager, negotiate a four year performance based Standard Contract of Employment (General Managers of Local Councils in New South Wales); and*
 - *The General Manager Recruitment & Selection Panel report back to Council as to the outcome of the negotiation and commencement date as soon as practicable;*
 - *That the Council appoints the Mayor, Deputy Mayor, Alternate Deputy Mayor as representatives on the General Manager Recruitment & Selection Panel; and*
2. *That the Council appoints the Mayor, Deputy Mayor, Alternate Deputy Mayor as representatives on the General Manager Recruitment & Selection Panel; and*
 3. *That the Council appoints Councillor Myles, Foenander and Fell as representatives on the General Manager Recruitment & Selection Panel."*

[Minute No. 219]

At the Ordinary Meeting of the Council held on 14 November 2017 the Council resolved:

1. *"That the Council endorses the actions taken to date by the General Manager Recruitment & Selection Panel, including the postponing of the process;*
2. *That the Council delegates authority to the Mayor to reconvene the General Manager Recruitment & Selection Panel and recommence the General Manager Recruitment & Selection Panel process at an appropriate time; and*
3. *That, noting the resolution of the Council of 25 July 2017, the Council receives a report from the General Manager Recruitment & Selection Panel on the outcome of the negotiation and commencement date as soon as practicable."*

[Minute No. 414]

Additionally, at the Ordinary Meeting of the Council held on 14 November 2017 the Council resolved:

1. *"That the Council appoints Ms Rosemary Dillon as the Acting General Manager, with this appointment being effective from close of business Friday 17 November 2017; and*
2. *That the Council provides the position of Acting General Manager with the full delegations of the position of General Manager."*

[Minute No. 413]

The recruitment process

The General Manager Recruitment & Selection Panel was established at the resolution of the Council and at that time, recruitment and selection processes commenced with the Panel engaging an independent recruitment expert to assist in the process.

On Friday 10 November 2017, the Mayor, as the Selection Panel Team Leader, determined in consultation with the Panel to delay the second round interviews, as it was considered not in the interests of Council to proceed further with the process for reasons that have been in the public realm.

Candidates were notified of the postponement to the process in line with the Council resolution of 14 November 2017. Furthermore, candidates will be notified of the resolution of the Council with respect to this report.

It is considered that allegations made in the public realm have given rise to perception that cannot be resolved, and therefore, the current recruitment process is considered to be unviable and unable to continue.

The position of the General Manager

Following the retirement of Mr Robert Greenwood as General Manager of the Council, with effect from Friday 17 November 2017, Ms Rosemary Dillon has served as Acting General Manager, in accordance with resolution passed by the Council at the Ordinary Meeting on 14 November 2017.

Since that time Ms Dillon has served diligently and effectively in her Acting role. However, as the Mayor, I have become increasingly aware that Ms Dillon's service as Acting General Manager, in all the current circumstances, does not give the Council the stable Executive leadership that it requires and the stability that the organisation requires at this time.

As such, this Mayoral Minutes calls on the Council to appoint Ms Rosemary Dillon as General Manager for a period of up to one year, effective from Friday 17 November 2017 to Sunday 18 November 2018. With the view of formally appointing a General Manager through a recruitment process with a commencement dated of Monday 19 November 2018.

In order to effect this change, the Council must vacate the current recruitment process for the General Manager position, and to restart with a fresh panel and recruitment process within the next 6 to 7 months approximately. Thus ensuring that the recruitment process is complete for this identified commencement date.

In my role as Mayor, I sought guidance from the Office of Local Government (OLG) on the Council's current position and this proposed course of action. Furthermore, I have consulted with the Deputy Mayor in this approach. In both cases, the approach is strongly supported. Furthermore, the appointment of Ms Dillon for the term that I propose is, I understand, consistent with the relevant provisions of the *Local Government Act, 1993*, including s351.

Conclusion

To date the process has been conducted in accordance with the Council's resolutions. However, it was considered not in the best interests of Council to proceed with the recruitment and appointment processes in light of Council's current requirement for leadership stability.

Therefore, this report provides the Council with recommendation to vacate the General Manager Recruitment & Selection Panel and cease the current process of recruitment and appointment to the vacant position of General Manager. In light of this, it is recommended that the Council appoints Ms Rosemary Dillon as General Manager for a fixed period of up to

one year, effective from Friday 17 November 2017 to Sunday 18 November 2018, with the view of formally appointing a General Manager with a commencement date of Monday 19 November 2018. The establishment of the terms of reference and panel for the recruitment and selection process of the vacant position of General Manager will be addressed through a separate resolution of the Council.

ITEM NO: 1

SUBJECT: GENERAL MANAGER RECRUITMENT AND SELECTION PANEL

FILE NO: F11178 - 18/86668

Delivery Program Link

Principal Activity: Civic Leadership

Service: Governance and Risk

Recommendations:

1. *That, noting the immediate need to commence recruitment action for the General Manager's role to take effect from November 2018 at the latest, the Council establish a General Manager Recruitment and Selection Panel for the purpose of determining and managing the recruitment and appointment process for the position of General Manager, as outlined in the following terms of reference:*
 - a. *The General Manager Recruitment and Selection Panel comprising the Mayor, Deputy Mayor and Alternate Deputy Mayor appointed as Councillor representatives, and an independent, in accordance with the OLG guidelines;*
 - b. *The General Manager Recruitment and Selection Panel engage independent recruitment expertise to assist in carrying out the process;*
 - c. *The General Manager Recruitment and Selection Panel, following completion of the recruitment and selection process, recommend for Council approval a preferred candidate for appointment to the position of General Manager;*
 - d. *The General Manager Recruitment and Selection Panel, following Council approval of a candidate for appointment to the position of General Manager, negotiate a four (4) year performance based Standard Contract of Employment (General Managers of Local Councils in New South Wales); and*
 - e. *The General Manager Recruitment and Selection Panel report back to Council as to the outcome of the negotiation and commencement date as soon as practicable;*
 2. *That the Council appoints the Mayor, Deputy Mayor, and Alternate Deputy Mayor, and any other Councillor as so resolved, as representatives on the General Manager Recruitment & Selection Panel; and*
 3. *That the Council appoints Alan Stoneham, being a suitably qualified person independent of the Council, as a representative on the General Manager Recruitment and Selection Panel.*
-

Mayoral Minute**Reason for report**

The purpose of this Mayoral Minute is to recommend that Council establish a General Manager Recruitment and Selection Panel to commence recruitment action to fill the role of General Manager by November 2018 at the latest.

Background

On 12 December 2017, in relation to the appointment of Dr Rosemary Dillon to the role of General Manager for a period of up to 12 months, expiring on 18 November 2018, Council resolved, in part:

"4. That the Council notes that the Council will establish and determine a General Manager Recruitment and Selection Panel and process for the purpose of determining and managing the recruitment by separate resolution within the required timeframe to achieve formal appointment in November 2018"

[Minute No. 462]

In view of the likely time needed to conduct and finalise a recruitment process to meet the November 2018 deadline, it would be expedient to commence the process as soon as possible.

Office of Local Government Guidelines

The NSW Government has published *Guidelines for the Appointment & Oversight of General Managers* pursuant to Section 23A of the Local Government Act 1993.

Under the Guidelines, it is necessary for Council to:

- Establish a Selection Panel
- Approve the Recruitment Process
- Delegate the Recruitment Process to the Panel
- Consider a report to Council from the Selection Panel recommending the appointment of the most meritorious candidate following completion of the process

The Recruitment and Selection Panel

The *Guidelines* indicate that the Selection Panel *"should consist of at least the Mayor, Deputy Mayor, another Councillor and, ideally, a suitably qualified person independent of the Council"* and that the Panel *"must (generally) have at least one male and one female member"*. The *Guidelines* also indicate that *"membership should remain the same throughout the entire recruitment process"*.

The Recruitment and Selection Process

The Recruitment and Selection Process which Council was following prior to vacating the process in late 2017 would be appropriate to undertake again. That process is reflected in the Recommendation to this Minute, and includes the recommendation that Council engage the services of an independent recruitment expert to assist with the process and to ensure probity assurance.

Conclusion

In order to finalise the recruitment and appointment of a General Manager by November 2018 at the latest, recruitment action needs to commence immediately. I commend the recommendations in this Minute to you in order to meet this timetable and provide Council with ongoing Executive Leadership at this important time.

AUTHOR: Lydia Kolar, Strategic Councillor & Governance Officer

AUTHORISERS: Jasmine Cooper, Executive Officer
Megan TeBay, A/Group Manager, People & Systems

Does this paper need to go to a briefing session OR have Ward Councillors been briefed?: No

* * * * *

Strictly Confidential

Candidate Application Report

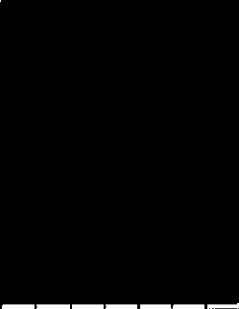
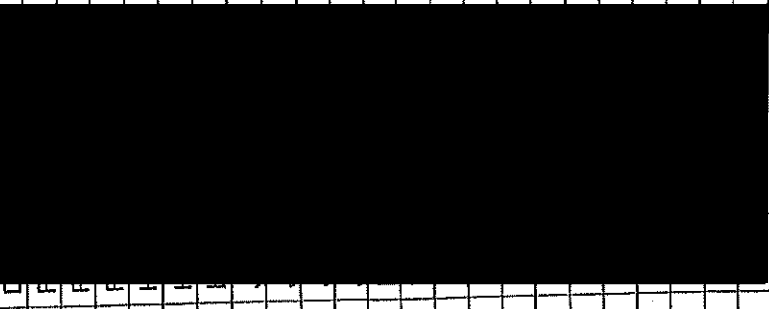
General Manager – Blue Mountains City Council

Contents of this report have been provided in the strictest confidence and are not to be discussed with or forwarded to any parties outside of the Panel Members from Council and McArthur representatives. These may include but are not limited to the candidate, any referees, current or previous employers or known associates of the candidate.


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McArthur


| No. | Candidate | Recommended for 1 st round interview | Recommended for panel interview | Recommended for secondary consideration | Not recommended |
|-----|--|---|---------------------------------|---|-----------------|
| 1. |  | | | | X |
| 2. | | | | X | X |
| 3. | | | | | |
| 4. | | | | | X |
| 5. | | | | | X |
| 6. | | | | | X |
| 7. | | | | | X |
| 8. | Dillon, Rosemary | X | | | X |
| 9. |  | | | | X |
| 10. | | | | | |
| 11. | | X | | | X |
| 12. | | | | | X |
| 13. | | | | X | |
| 14. | | | | | X |
| 15. | | | | | X |
| 16. | | | | X | |
| 17. | | | | | X |
| 18. | | | | | X |
| 19. | | | | | X |
| 20. | | | | | |
| 21. | | X | | | X |
| 22. | | | | | X |
| 23. | | | | | |
| 24. | | X | | | X |
| 25. | | | | | X |
| 26. | | | | | |
| 27. | | X | | | X |
| 28. | | | | | X |
| 29. | | | | | X |
| 30. | | | | | X |
| 31. | | | | | X |

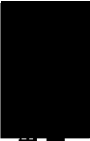
McArthur

| No. | Candidate | Recommended for 1 st
round interview | Recommended for panel
interview | Recommended for secondary
consideration | Not recommended |
|-----|---|--|------------------------------------|--|-----------------|
| 32. |  | | | | X |
| 33. | | | | | X |
| 34. | | | | | X |
| 35. | | X | | | |

McArthur


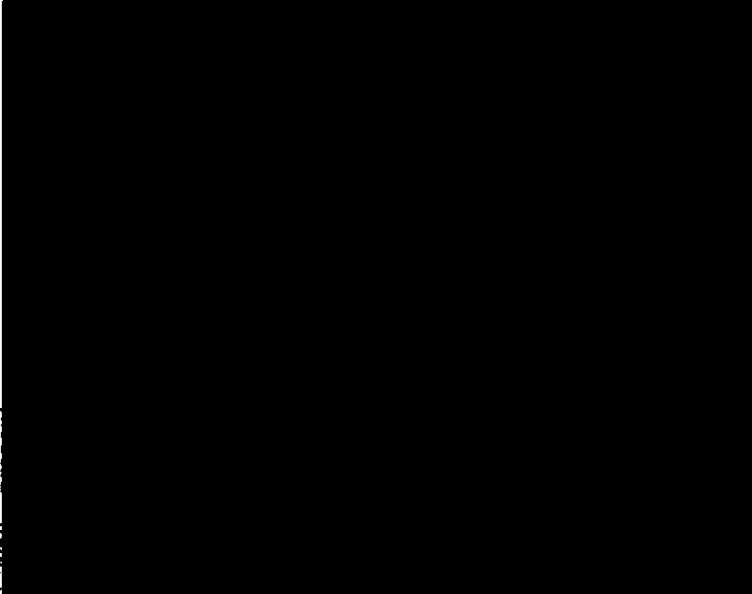


| Name | Qualifications | Career History | Location | Comments |
|---|--|---|-----------------------|---|
|  | Master of Commerce,
UWS (1994)

Bachelor of Business,
UWS (1988) |  | Faulconbridge,
NSW | Candidate's experience not relevant to the position.

Not recommended |
|  | Certificate in
Community
Engagement, IAP | | Gol Gol,
NSW | No senior management experience.


Not recommended |

McArthur

| Name | Qualifications | Career History | Location | Comments |
|---|---|---|-----------------|--|
|  | Executive Masters of Public Administration (Hons.) (2009)
Bachelor of Business Management (Hons.) (2008) |  | Katoomba, NSW |  - also carries the role of Chief Audit Executive
Agency responsible for \$4bn client assets
Staff and budget numbers not specified.
Secondary consideration |
|  | Master of Commerce, The University of Sydney (2014) | | Turrumulla, NSW | Candidate's experience not relevant to the position.

Not recommended |

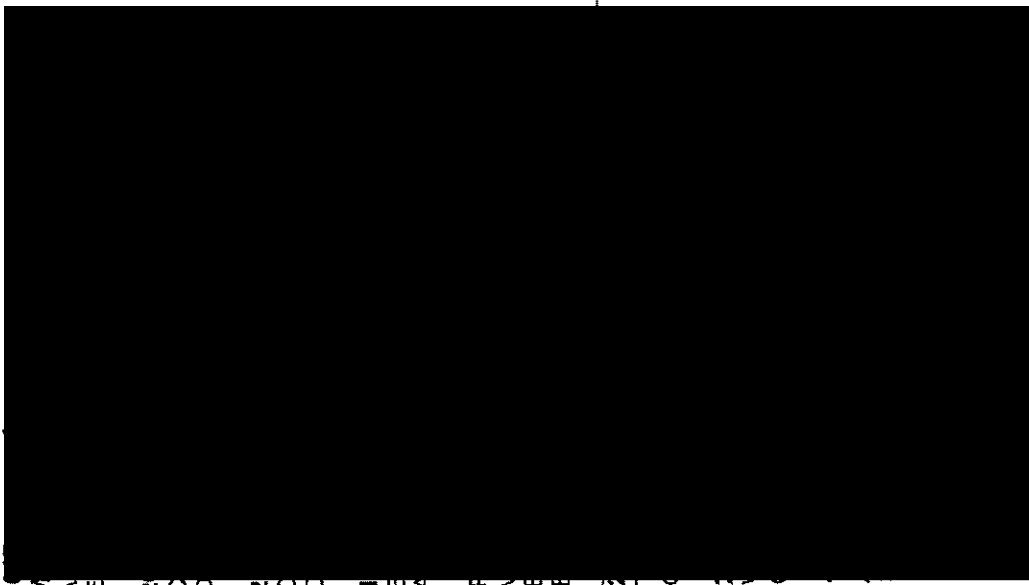
McArthur


| Name | Qualifications | Career History | Location | Comments |
|---|---|---|----------------------|--|
|  | MBA (Marketing)
Heriot-Watt University,
Edinburgh (1995)

Master of
Environmental
Management
Technical University of
Silesia, Poland (1982)

Bachelor of Civil
Engineering
Technical University of
Silesia, Poland (1981)

Fellow, Engineers
Australia

Registered
Professional Engineer
QLD (RPEQ) |  | Colleambally,
NSW | Coonamble – budget \$15m

Not recommended |
|  | BA/LLB, Macquarie
University (1990)

Graduate, AICD | | Maroubra,
NSW | Candidate's experience not relevant to the
position.

Not recommended |


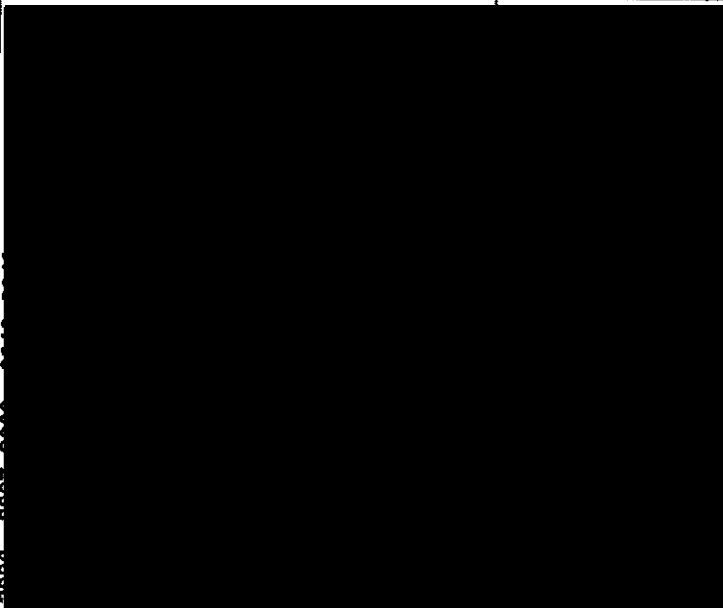
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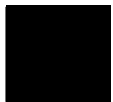
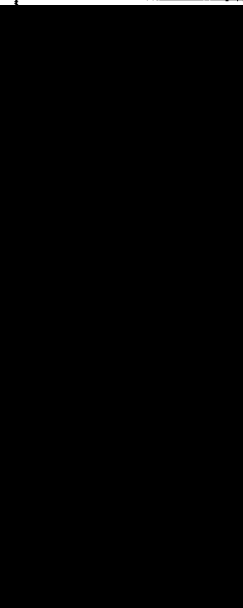
| Name | Qualifications | Career History | Location | Comments |
|------------|--|-------------------------------|---------------|---|
| [REDACTED] | <p>Bachelor of Commerce UQ</p> <p>Bachelor of Economics UQ</p> <p>Chartered Accountant</p> <p>Certified Internal Auditor</p> <p>Registered Company Auditor</p> | <p>2018</p> <p>[REDACTED]</p> | New Farm, QLD | <p>[REDACTED] - rebuilt Council following redundancy of 25% of workforce prior to commencement
250 staff, \$66m revenue, \$310m assets</p> <p>[REDACTED] (professional advisory firm) - direct role in growing the firm from 6 partners and 20 staff to 45 partners and 400 staff
- Established Risk Advisory Services</p> <p>Has GM-level experience, but not to the level of other applicants.</p> <p>Local govt exposure through providing audit, risk, and advisory services to QLD councils.</p> <p>Not recommended</p> |

McArthur

| Name | Qualifications | Career History | Location | Comments |
|---------------------|---|--|------------|---|
| Dillon,
Rosemary | <p>PhD in Human Geography
ANU (1992)</p> <p>Bachelor of Urban and Regional Planning
UNE (1985)</p> <p>LGMA Local Government
Excellence in the Environment Award</p> <p>LGMA Excellence in Sustainability within Local Government
Merit Award</p> <p>PIA Award for Excellence in Planning</p> <p>Member, LG Professionals</p> <p>Various awards, Board and Committee roles, and speeches / presentations</p> | <p>1985 - 1992 - Local Government Officer - LGMA</p> <p>1992 - 1995 - Local Government Officer - LGMA</p> <p>1995 - 1998 - Local Government Officer - LGMA</p> <p>1998 - 2001 - Local Government Officer - LGMA</p> <p>2001 - 2004 - Local Government Officer - LGMA</p> <p>2004 - 2007 - Local Government Officer - LGMA</p> <p>2007 - 2010 - Local Government Officer - LGMA</p> <p>2010 - 2013 - Local Government Officer - LGMA</p> <p>2013 - 2016 - Local Government Officer - LGMA</p> <p>2016 - 2019 - Local Government Officer - LGMA</p> <p>2019 - 2022 - Local Government Officer - LGMA</p> | Leura, NSW | <p>Internal candidate</p> <p>Recommended for 1st round interview</p> <p>Referee I Reynolds</p> |


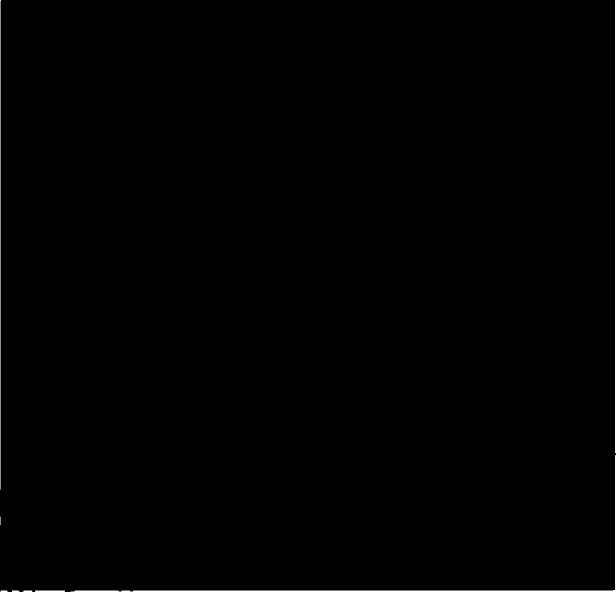



McArthur

| Name | Qualifications | Career History | Location | Comments |
|---|--|--|--------------------|--|
|  | Bachelor of Business Management (Transport & Logistics Management) RMIT (2002)
Member, AICD |  | Ermington, NSW | Candidate's experience not relevant to the position.


Not recommended |
|  | Not relevant |  | Port Vila, Vanuatu | Candidate's experience not relevant to the position.

Not recommended |

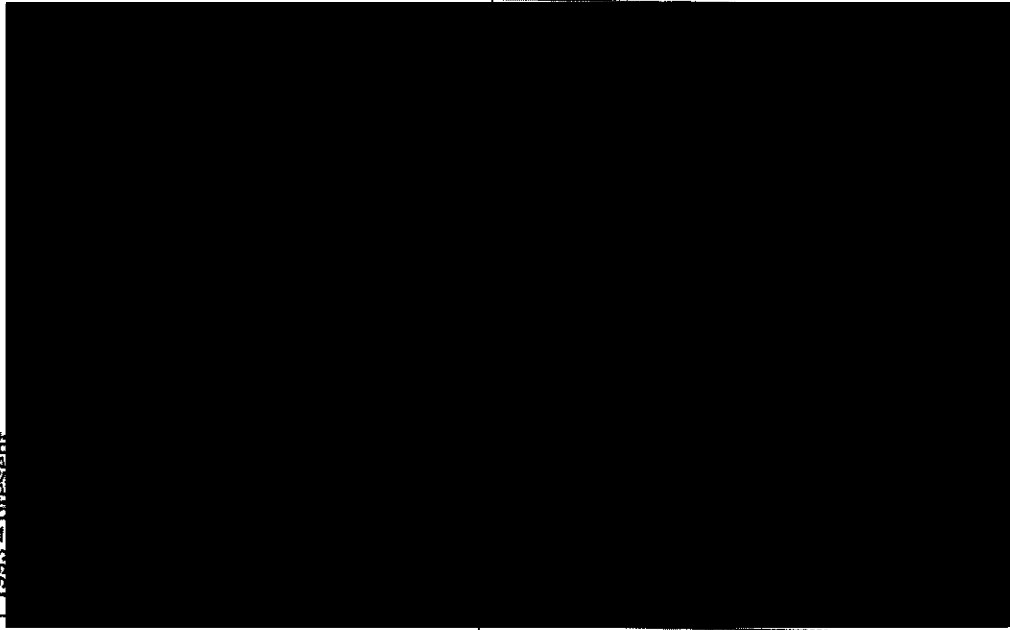
McArthur

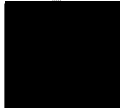
| Name | Qualifications | Career History | Location | Comments |
|---|---|--|------------------|---|
|  | MBA, QUT (2002)
BA / LLB (Hons.), UQ (1993)
Graduate Diploma in Company Secretarial Practice
Member, Qld Law Society
Member, AICD |  | Hermit Park, QLD |  - overseeing corporate legal, risk mgmt., fraud/ethical misconduct risk mgmt. - to support operations of \$600m pa
Also I/Chief Procurement Officer and I/CFO
 - 'developed key inputs to support govt business case for \$24bn merger'
- Lead and develop \$7bn 2015-20 revenue proposal submissions
 - equivalent COO role, 3k staff, \$1.2bn budget
Recommended for 1 st round interview |

McArthur

| Name | Qualifications | Career History | Location | Comments |
|--|--|---|---------------------|--|
|  | Postgraduate Diploma
in Business
Administration,
Waikato University
(2007)

MBA, Auckland
University (2008) | 1993 – present

 | Moreton Bay,
QLD | Candidate's experience not relevant to the
position.


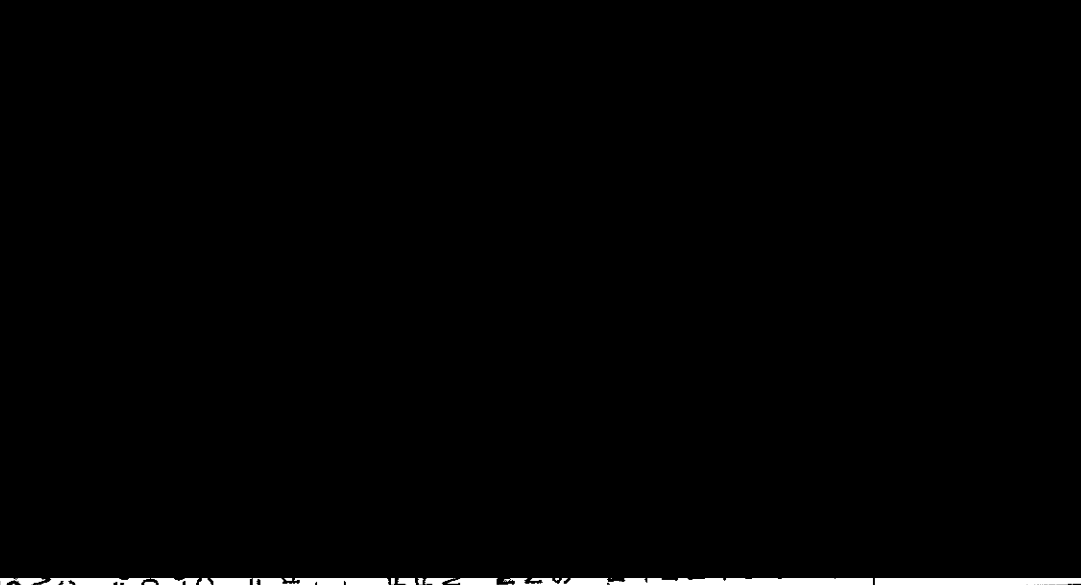



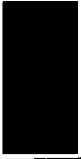
Not recommended |
|  | MBA (in progress)

Member, PMI

PRINCE2 | | Waterloo,
NSW | Candidate's experience not relevant to the
position.

Not recommended |

McArthur

| Name | Qualifications | Career History | Location | Comments |
|---|--|---|-----------------|---|
|  | <p>Graduate Certificate in Management (2015)</p> <p>Bachelor of Agricultural Science University of Canterbury, NZ (1985)</p> <p>Graduate, AICD (2014)</p> <p>HarvardX courses (2014)</p> <p>Copland Program for Emerging Leaders, UQ / CEDA (2011)</p> |  | Orange, NSW | <p> - 40 staff + contractors, \$30m budget</p> <p> - 55 staff + contractors, \$12m budget</p> <p> - 175 staff, \$23m budget</p> <p>Secondary consideration</p> |
|  | Bachelor of Behavioural Science (Psychology), QUT (2011) | | Springwood, NSW | <p>Candidate's experience not relevant to the position.</p> <p>Not recommended</p> |

McArthur

| Name | Qualifications | Career History | Location | Comments |
|------------|--|---------------------|--|---|
| [REDACTED] | Master in International Business Management | June 2014 - present | Leura, NSW | Candidate's experience not relevant to the position.

Not recommended |
| [REDACTED] | <p>Masters of Architecture
Curtin University (1997)</p> <p>Bachelor of Applied Science
Curtin University (1995)</p> <p>Bachelor of Economics
UWA (1992)</p> <p>Registered Architect</p> <p>Diploma of Business Leadership + Management
AIM (2008)</p> <p>Member, NT Planning Commission</p> <p>Member, Regional Development Australia NT</p> | [REDACTED] | <p>Katherine South, NT</p> <p>Katherine ?? Staff</p> <p>135 staff</p> <p>as Director 225 staff & volunteers</p> <p>Has been mobile at CEO level (3 year turnaround)</p> <p>Secondary consideration</p> | |

McArthur

| Name | Qualifications | Career History | Location | Comments |
|------------|--|----------------|----------------|---|
| [REDACTED] | Master of Engineering (Hons.), UOW (1992)
Member, Engineers Australia | [REDACTED] | Paramatta, NSW | Candidate's experience not relevant to the position.

Not recommended |
| [REDACTED] | | [REDACTED] | Bondi, NSW | [REDACTED] -- group revenue \$40m

Candidate's experience not relevant to the position.

Not recommended |
| [REDACTED] | Not relevant | [REDACTED] | Tabulam, NSW | Candidate's experience not relevant to the position.

Not recommended |

McArthur

| Name | Qualifications | Career History | Location | Comments |
|------|--|---------------------------------------|--------------|--|
| | MBA, CQU (2003)
Graduate, AICD
[REDACTED]
Member, AIM | November 2017 - present
[REDACTED] | Not provided | Consulting - devt of framework for \$60m grant, leading merger and transition to national company for Vinnies community housing company
[REDACTED] - 1,000 staff, \$80m budget
Organisation has 2,000 staff and \$140m budget
[REDACTED] had approx. 1,000 staff
Recommended for 1 st round interview |

McArthur

| Name | Qualifications | Career History | Location | Comments |
|------------|--|----------------|-----------------------|---|
| [REDACTED] | Bachelor of Policing,
CSU (2012)

Graduate Certificate of
Applied Management
(Policing & Emergency
Services)

Member, AHRI | [REDACTED] | Glenbrook,
NSW | Candidate's experience not relevant to the
position.

Not recommended |
| [REDACTED] | Bachelor of
Commerce, University
of Pretoria | [REDACTED] | Melbourne,
VIC | Candidate's experience not relevant to the
position.

Not recommended |
| [REDACTED] | Bachelor of Laws, UTS


Advanced Diploma
Security Risk
Management

Graduate Diploma
Management | [REDACTED] | Quakers
Hills, NSW | [REDACTED] role -- led reform of org devt
corporate services functions across
Transport Cluster

[REDACTED] -- led enterprise service program to
improve customer satisfaction
Led reform of large operating business unit
600+ staff

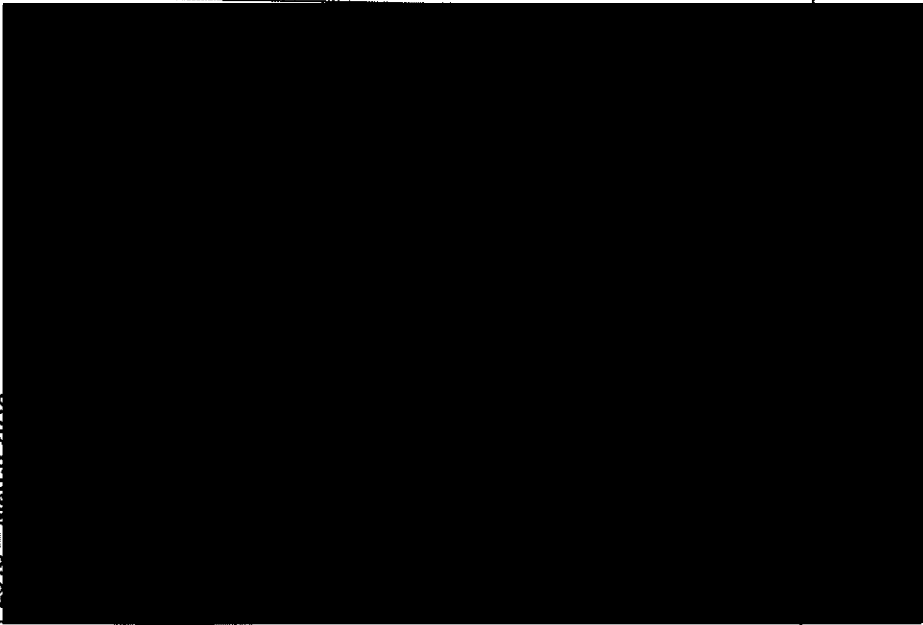

Recommended for 1st round interview |


McArthur

| Name | Qualifications | Career History | Location | Comments |
|---|--|--|--------------------|---|
|  | BSc (Economics)
University of Hull
(1984)

Member, Chartered
Institute of Public
Finance

Graduate, AICD | 2013 – March 2018

 | Doncaster,
VIC |  - 200 staff, \$25m budget
Population 120,000

 - 136 staff, \$10m budget

Not recommended |
| Prendergast,
Kevin | Not relevant | | Rangeville,
QLD | Candidate's experience not relevant to the
position.

Not recommended |

McArthur

| Name | Qualifications | Career History | Location | Comments |
|------|---|----------------|------------------|---|
| | Bachelor of Business
(Accountant), CSU

Graduate, AICD

Member, LGMA QLD

LG Finance
Professionals State
Executive VP, 2002 –
2007

LGMA NSW Director,
2007 – 2011 | | Cooparoo,
QLD |
– 250 staff, \$485m opex, \$125m
capex, \$2.5bn assets

– 420 staff, \$100m opex, \$40m capex,
\$1.1bn assets

– [REDACTED] - Reviews of ACT
Govt, Council of Mayors SEQ, govt agencies
across Australia


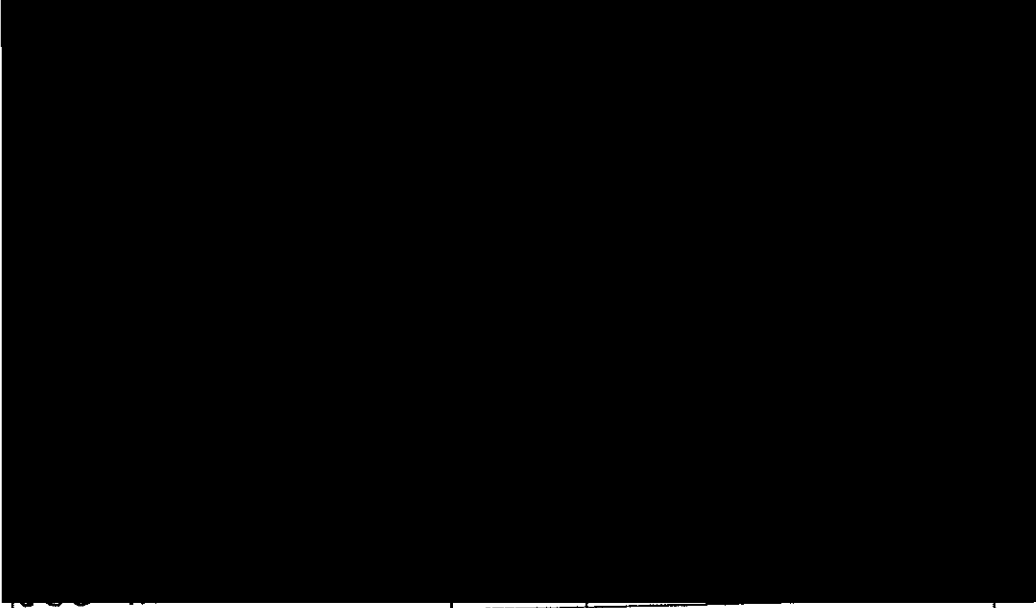
– 615 staff, \$150m opex, \$85m
capex, \$2.2bn assets


Recommended for 1 st round interview |


McArthur

| Name | Qualifications | Career History | Location | Comments |
|------------|---|----------------|------------------------|--|
| [REDACTED] | <p>Master of Commercial Law
Deakin University (2003)</p> <p>MBA
Deakin University (2007)</p> <p>Bachelor of Business USQ (1992)</p> <p>Fellow, CPA Australia</p> <p>CMA</p> | [REDACTED] | <p>Andergrove, QLD</p> | <p>Interview to assess relevance of exp. Returning to Australia after 4 years in Canada [REDACTED] (see cover letter)</p> <p>[REDACTED] was an amalgamation of fifteen (15) Island Councils and the Island Coordinating Council, and came into existence on the 15th March 2008; at amalgamation the budget was in excess of \$100m, 1,800 staff, \$1.1B in assets, with Council comprising a Mayor and fifteen (15) Councillors.</p> <p>Interviewed in previous recruitment round</p> <p>Not recommended</p> |
| [REDACTED] | <p>Bachelor of Business, ECU</p> <p>CPA Australia</p> <p>Fellow, AIM</p> <p>Member, IPA WA</p> | [REDACTED] | <p>Applecross, WA</p> | <p>[REDACTED] - engineering/waste mgmt., environmental mgmt. and regional devt for 6 WA LGAs (one-third Perth metro area, 366k pop)
100 FTEs</p> <p>Not recommended</p> |

McArthur


| Name | Qualifications | Career History | Location | Comments |
|---|---|---|--------------|--|
|  | MBA, Cranfield University, UK (2005)
BSc (Hons.) Business & Management Studies, University of Bradford, UK (2000)
Associate CPA
Member, ACCA |  | Croydon, VIC | Candidate's experience not relevant to the position.

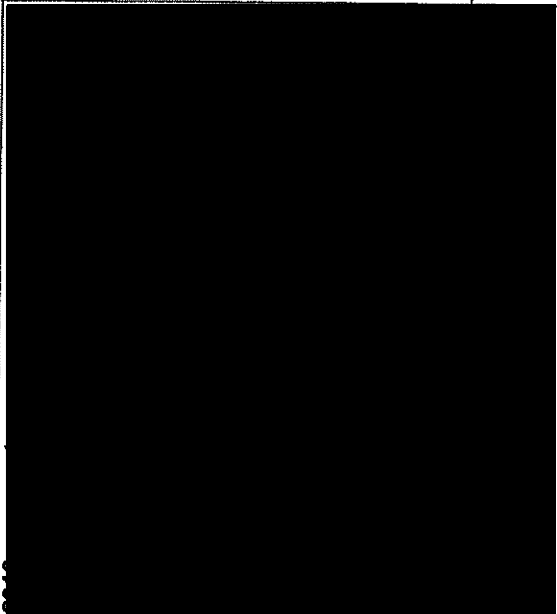
Not recommended |
|  | Not relevant | | Oberon, NSW | Candidate's experience not relevant to the position.


Not recommended |
|  | BA (Political Science), UNWS (1985)
Graduate Certificate in Security Management | | Madeley, WA | Candidate's experience not relevant to the position.

Not recommended |

McArthur

| Name | Qualifications | Career History | Location | Comments |
|---|--|--|-------------------|---|
|  | Master of Science
(Technological
Change & Economic
Development),
University of Cardiff
(1997)

Bachelor of Economic
Science, University of
Cardiff (1994) |  | New Beith,
QLD | Candidate's experience not relevant to the
position.

Not recommended |
|  | Not relevant | | Brisbane,
QLD | Candidate's experience not relevant to the
position.

Not recommended |

McArthur

| Name | Qualifications | Career History | Location | Comments |
|------------|--|----------------|----------------|--|
| [REDACTED] | <p>Bachelor of Town Planning (Hons.), UNSW</p> <p>Graduate Diploma of Local Government Management</p> <p>Fellow, AIM</p> <p>Member, PIA</p> <p>Inaugural winner of the NSW Local Government NSW Planning Awards for Excellence in Leadership 2017</p> <p>Numerous awards from GSC, PIA, LGNSW, and Parks and Leisure Australia</p> | [REDACTED] | Newington, NSW | <p>[REDACTED] 8 direct reports, 55 FTEs, \$76m budget</p> <p>[REDACTED] – up to 34 FTE</p> <p>Recommended for 1st round interview</p> |

McArthur

Rich PLS

MT

Strictly Confidential

Candidate Application Report

General Manager – Blue Mountains City Council

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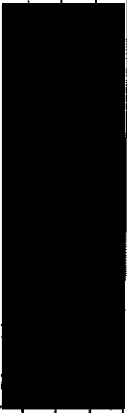
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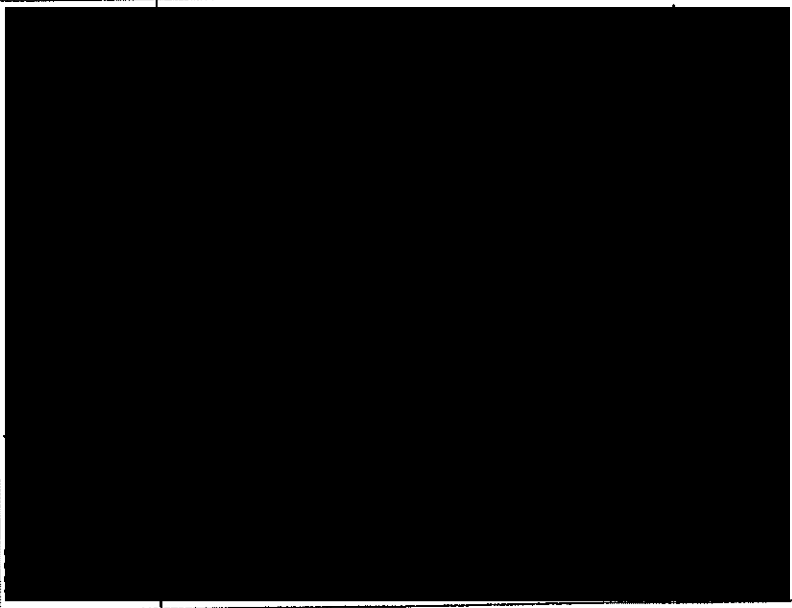

McArthur

| No. | Candidate | Recommended for 1 st round interview | Recommended for panel interview | Recommended for secondary consideration | Not recommended |
|-----|------------------|---|---------------------------------|---|-----------------|
| 1. | | | | | X |
| 2. | | | | | X |
| 3. | | | | X No | |
| 4. | | | | | X |
| 5. | | | | | X |
| 6. | | | | | X |
| 7. | | | | | X |
| 8. | | X ✓ | | | |
| 9. | Dillon, Rosemary | | | | X |
| 10. | | | | | X |
| 11. | | X Not so sure - husband | | | X |
| 12. | | | | | X |
| 13. | | | | | |
| 14. | | | | X No | X |
| 15. | | | | | X |
| 16. | | | | | |
| 17. | | | | X No | |
| 18. | | | | | X |
| 19. | | | | | X |
| 20. | | | | | X |
| 21. | | X Maybe | | | X |
| 22. | | | | | X |
| 23. | | | | | |
| 24. | | X ✓ ? Tony Modell | | | X |
| 25. | | | | | X |
| 26. | | | | | |
| 27. | | X ✓ ? | | | X |
| 28. | | | | | X |
| 29. | | | | | X |
| 30. | | | | | X |
| 31. | | | | | X |


McArthur

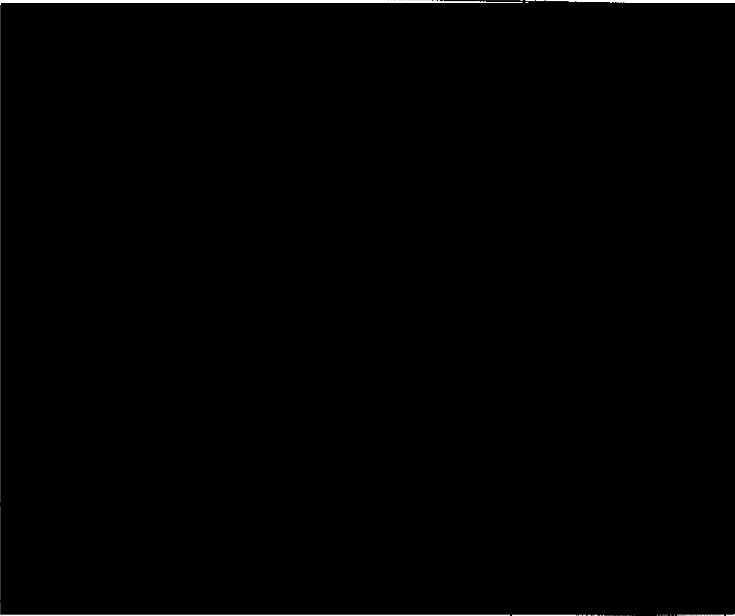
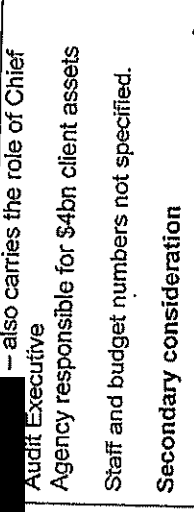
| No. | Candidate | Recommended for 1 st round interview | Recommended for panel interview | Recommended for secondary consideration | Not recommended |
|-----|---|---|---------------------------------|---|-----------------|
| 32. |  | | | | X |
| 33. | | | | | X |
| 34. | | | | | X |
| 35. | | X | | | |


McArthur

| No. | Name | Qualifications | Career History | Location | Comments |
|-----|---|--|---|-----------------------|---|
| 1. |  | Master of Commerce,
UWS (1994)
Bachelor of Business,
UWS (1988) |  | Faulconbridge,
NSW | Candidate's experience not relevant to the position.
Not recommended |
| 2. |  | Certificate in
Community
Engagement, IAP | | Gol Gol,
NSW | No senior management experience.
Not recommended |

McArthur

| No. | Name | Qualifications | Career History | Location | Comments |
|-----|---|---|---|-----------------|---|
| 3. |  | Executive Masters of Public Administration (Hons.) (2009)

Bachelor of Business Management (Hons.) (2008) | 2010 – present
 | Katoomba, NSW | 
– also carries the role of Chief Audit Executive
Agency responsible for \$4bn client assets
Staff and budget numbers not specified.
Secondary consideration

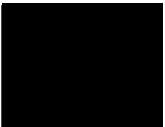
<i>Not running the show it seems</i> |
| 4. |  | Master of Commerce, The University of Sydney (2014) | | Turrumurra, NSW | Candidate's experience not relevant to the position.

Not recommended |

McArthur

| No. | Name | Qualifications | Career History | Location | Comments |
|-----|------------|--|----------------|------------------------------|--|
| 5. | [REDACTED] | <p>MBA (Marketing)
Heriot-Watt University,
Edinburgh (1995)</p> <p>Master of
Environmental
Management
Technical University of
Silesia, Poland (1982)</p> <p>Bachelor of Civil
Engineering
Technical University of
Silesia, Poland (1981)</p> <p>Fellow, Engineers
Australia</p> <p>Registered
Professional Engineer
QLD (RPEQ)</p> | [REDACTED] | <p>Colleambally,
NSW</p> | <p>— budget \$15m</p> <p>Not recommended</p> |
| 6. | [REDACTED] | <p>BA/LLB, Macquarie
University (1990)</p> <p>Graduate, AICD</p> | [REDACTED] | <p>Maroubra,
NSW</p> | <p>Candidate's experience not relevant to the
position.</p> <p>Not recommended</p> |

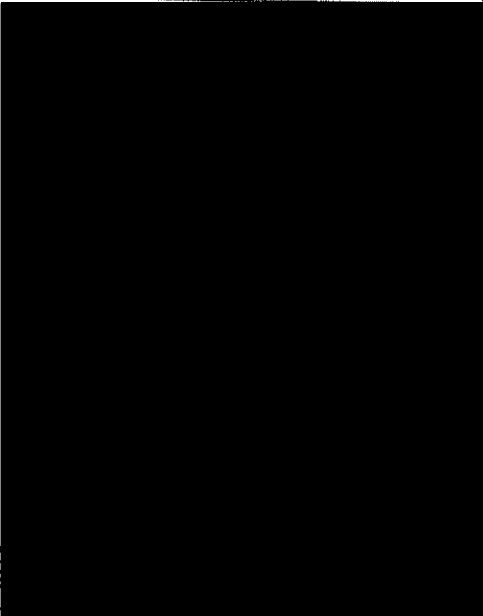
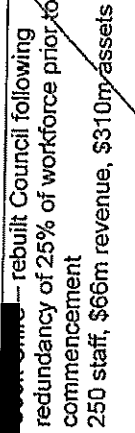
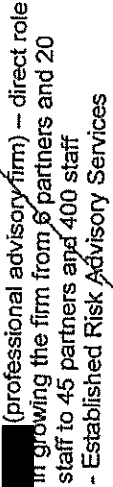
McArthur

| No. | Name | Qualifications | Career History | Location | Comments |
|-----|---|---|--|------------------|---|
| 7. |  | Bachelor of Commerce
UQ

Bachelor of Economics
UQ

Chartered Accountant

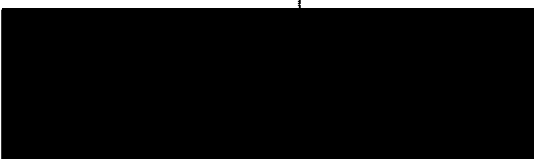
Certified Internal
Auditor


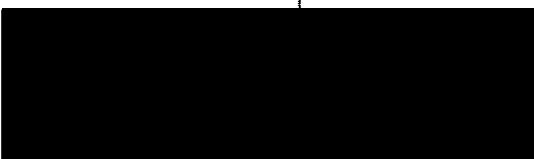
Registered Company
Auditor |  | New Farm,
QLD | <p> — rebuilt Council following redundancy of 25% of workforce prior to commencement
250 staff, \$66m revenue, \$310m assets</p> <p> (professional advisory firm) — direct role in growing the firm from 6 partners and 20 staff to 45 partners and 400 staff
- Established Risk Advisory Services</p> <p>Has GM-level experience, but not to the level of other applicants.</p> <p>Local govt exposure through providing audit, risk, and advisory services to QLD councils.</p> <p>Not recommended</p> |

McArthur





| No. | Name | Qualifications | Career History | Location | Comments |
|-----|---------------------|---|---|------------|---|
| 8. | Dillon,
Rosemary | <p>PhD in Human Geography
ANU (1992)</p> <p>Bachelor of Urban and Regional Planning
UNE (1985)</p> <p>LGMA Local Government Excellence in the Environment Award</p> <p>LGMA Excellence in Sustainability within Local Government Merit Award</p> <p>PIA Award for Excellence in Planning</p> <p>Member, LG Professionals</p> <p>Various awards, Board and Committee roles, and speeches / presentations</p> | <p>1991 – present
Blue Mountains City Council</p> <ul style="list-style-type: none"> - Group Manager Integrated Planning & Finance (2011 – present) - Manager Corporate Strategy (2009-11) - Manager Corporate Planning and Community Outcomes (2006-09) - Program Manager Community Outcomes (2003-05) - Program Leader Community and Recreation (2000-03) - A/Group Manager Strategy and City Sustainability Group (7 mths) - Manager Social and Cultural Planning (1997-2001) - Manager Community Development and Services (1993-96) - Community Services Coordinator and Resources Planner (1991-93) <p>Pre-1991
Various strategic planning and regional development roles in local government NSW and Tonga</p> | Leura, NSW | <p>Internal candidate</p> <p>Recommended for 1st round interview</p> <p>Referee I Reynolds</p> |

McArthur

| No. | Name | Qualifications | Career History | Location | Comments |
|-----|---|--|---|--------------------|---|
| 9. |  | Bachelor of Business Management
(Transport & Logistics Management)
RMIT (2002)

Member, AICD |  | Ermington, NSW | Candidate's experience not relevant to the position.
Not recommended |
| 10. |  | Not relevant | | Port Vila, Vanuatu | Candidate's experience not relevant to the position.
Not recommended |

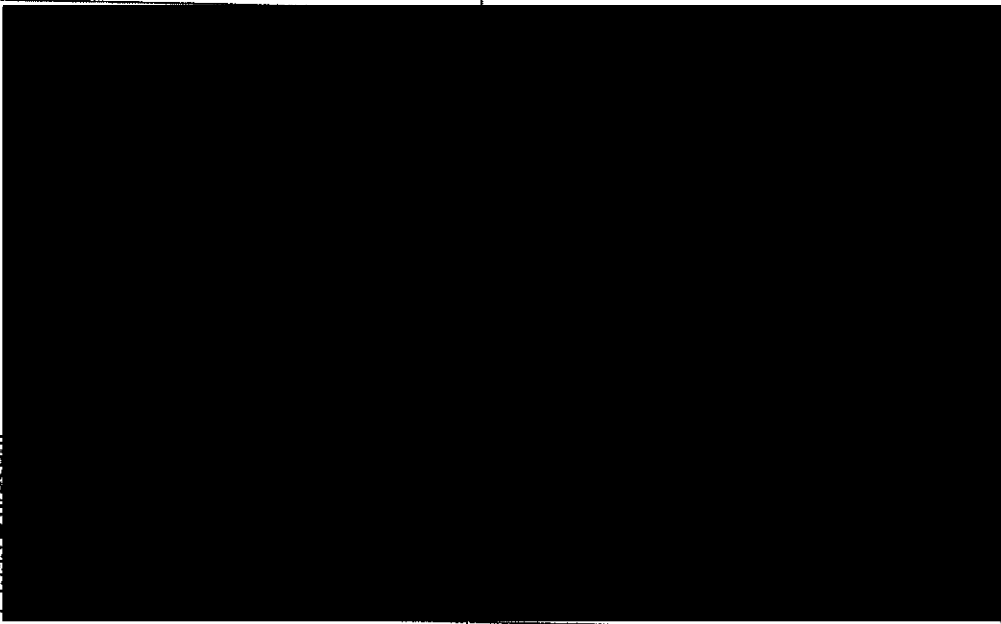
McArthur

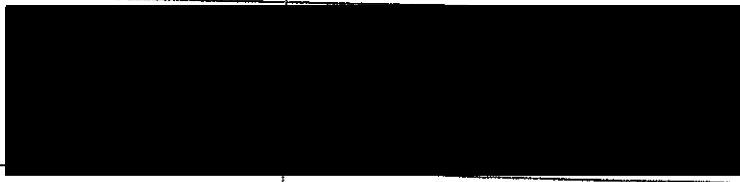
| No. | Name | Qualifications | Career History | Location | Comments |
|-----|---|---|--|------------------|---|
| 11. |  | MBA, QUT (2002)
BA / LLB (Hons.), UQ (1993)
Graduate Diploma in Company Secretarial Practice
Member, Qld Law Society
Member, AICD |  | Hermit Park, QLD | <p>— overseeing corporate legal, risk mgmt., fraudulent misconduct risk mgmt. — to support operations of \$600m pa
Also I/Chief Procurement Officer and I/CFO</p> <p>— 'developed key inputs to support govt business case for \$24bn  merger'</p> <p>- Lead and develop \$7bn 2015-20 revenue proposal submissions</p> <p> - equivalent COO role, 3k staff, \$1.2bn budget</p> <p>Recommended for 1st round interview</p> |

? This is a 3rd level @ TCC position the under the CFO.
Was a 2nd level operational @ GACC 10 yrs ago.

McArthur

| No. | Name | Qualifications | Career History | Location | Comments |
|-----|--|---|---|------------------|---|
| 12. | | Postgraduate Diploma in Business Administration, Waikato University (2007)

MBA, Auckland University (2008) | 1993 - present
 | Moreton Bay, QLD | Candidate's experience not relevant to the position.

Not recommended |
| 13. |  | MBA (in progress)
Member, PMI
PRINCE2 | | Waterloo, NSW | Candidate's experience not relevant to the position.

Not recommended |

McArthur


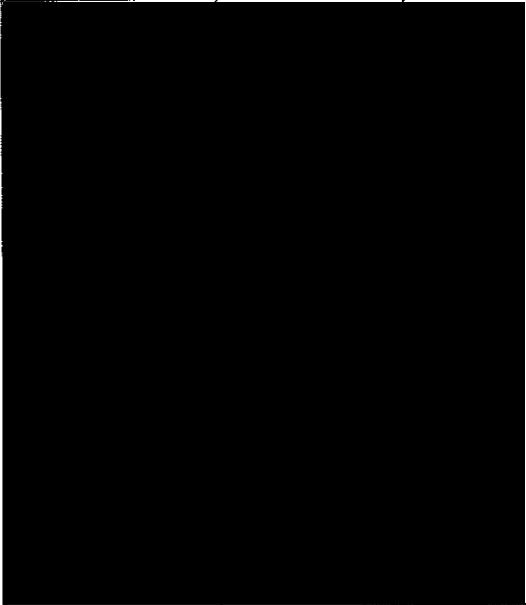



| No. | Name | Qualifications | Career History | Location | Comments |
|-----|------------|--|----------------|-----------------|---|
| 14. | [REDACTED] | <p>Graduate Certificate in Management (2015)</p> <p>Bachelor of Agricultural Science University of Canterbury, NZ (1985)</p> <p>Graduate, AICD (2014)</p> <p>HarvardX courses (2014)</p> <p>Copland Program for Emerging Leaders, UQ / CEDA (2011)</p> | [REDACTED] | Orange, NSW | <p>- 40 staff + contractors, \$30m budget</p> <p>- 55 staff + contractors, \$12m budget</p> <p>- 175 staff, \$23m budget</p> <p>Secondary consideration</p> |
| 15. | [REDACTED] | Bachelor of Behavioural Science (Psychology), QUT (2011) | [REDACTED] | Springwood, NSW | <p>Candidate's experience not relevant to the position.</p> <p>Not recommended</p> |

McArthur

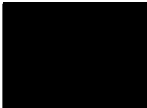

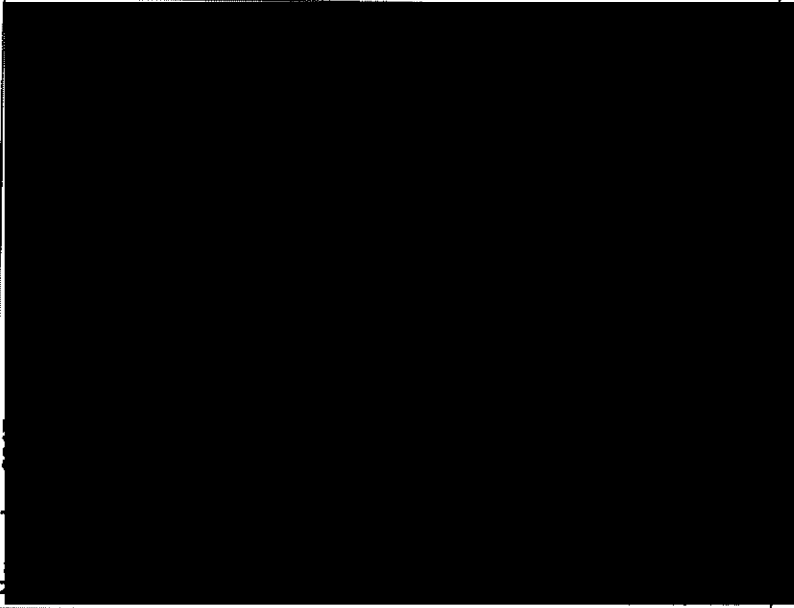
| No. | Name | Qualifications | Career History | Location | Comments |
|-----|------------|--|----------------|---|---|
| 16. | [REDACTED] | Master in International Business Management | [REDACTED] | Leura, NSW | Candidate's experience not relevant to the position.


Not recommended |
| 17. | [REDACTED] | <p>Masters of Architecture
Curtin University (1997)</p> <p>Bachelor of Applied Science
Curtin University (1995)</p> <p>Bachelor of Economics
UWA (1992)</p> <p>Registered Architect</p> <p>Diploma of Business Leadership + Management
AIM (2008)</p> <p>Member, NT Planning Commission</p> <p>Member, Regional Development Australia NT</p> | [REDACTED] | <p>Katherine South, NT</p> <p>?? Staff - 135 staff</p> <p>as Director 225 staff & volunteers</p> <p>Has been mobile at CEO level (3 year turnaround)</p> <p>Secondary consideration</p> | <p>255 staff</p> <p>2</p> <p>0</p> |


Matthew

| No. | Name | Qualifications | Career History | Location | Comments |
|-----|---|--|--|-----------------|---|
| 18. |  | Master of Engineering (Hons.), UOW (1992)
Member, Engineers Australia |  | Parramatta, NSW | Candidate's experience not relevant to the position.
Not recommended |
| 19. |  | | | Bondi, NSW |  - group revenue \$40m
Candidate's experience not relevant to the position.
Not recommended |
| 20. |  | Not relevant | | Tabulam, NSW | Candidate's experience not relevant to the position.
Not recommended |

McArthur

| No. | Name | Qualifications | Career History | Location | Comments |
|-----|---|---|---|--------------|--|
| 21. |  | MBA, CQU (2003)
Graduate, AICD

Member, AIM |  | Not provided | Consulting – devt of framework for \$60m grant, leading merger and transition to national company for Vinnies community housing company

 – 1,000 staff, \$80m budget
Organisation has 2,000 staff and \$140m budget


 had approx. 1,000 staff

Recommended for 1 st round interview |

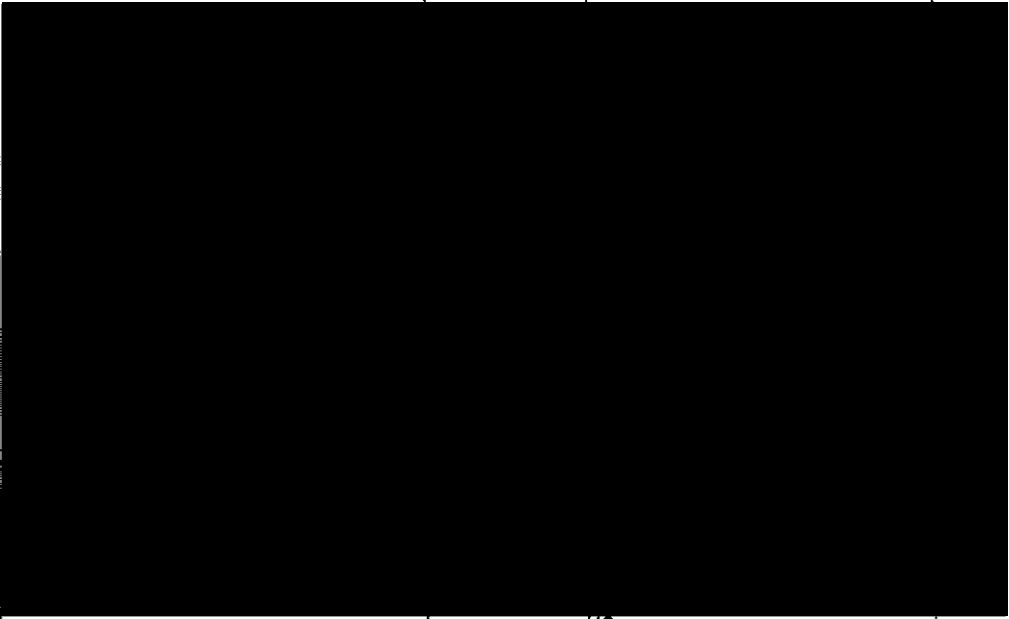
Narrow
Background
Smart (2/3)
Vinnies (2 yrs)

2

Matthew

| No. | Name | Qualifications | Career History | Location | Comments |
|-----|--|--|---|-----------------------|--|
| 22. |  | Bachelor of Policing,
CSU (2012)

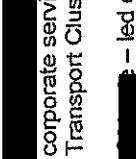
Graduate Certificate of
Applied Management
(Policing & Emergency
Services)


Member, AHRI |  | Glenbrook,
NSW | Candidate's experience not relevant to the
position.

Not recommended |
| 23. | | Bachelor of
Commerce, University
of Pretoria | | Melbourne,
VIC | Candidate's experience not relevant to the
position.

Not recommended |
| 24. | | Bachelor of Laws, UTS

Advanced Diploma
Security Risk
Management

Graduate Diploma
Management | | Quakers
Hills, NSW |  - led reform of org devt
corporate services functions across
Transport Cluster

 - led enterprise service program to
improve customer satisfaction
Led reform of large operating business unit
600+ staff

Recommended for 1 st round interview ✓ |

McArthur

| No. | Name | Qualifications | Career History | Location | Comments |
|-----|------------|--|-------------------------------------|--------------------|---|
| 25. | [REDACTED] | BSc (Economics)
University of Hull
(1984)

Member, Chartered
Institute of Public
Finance

Graduate, AICD | 2012 - March 2018



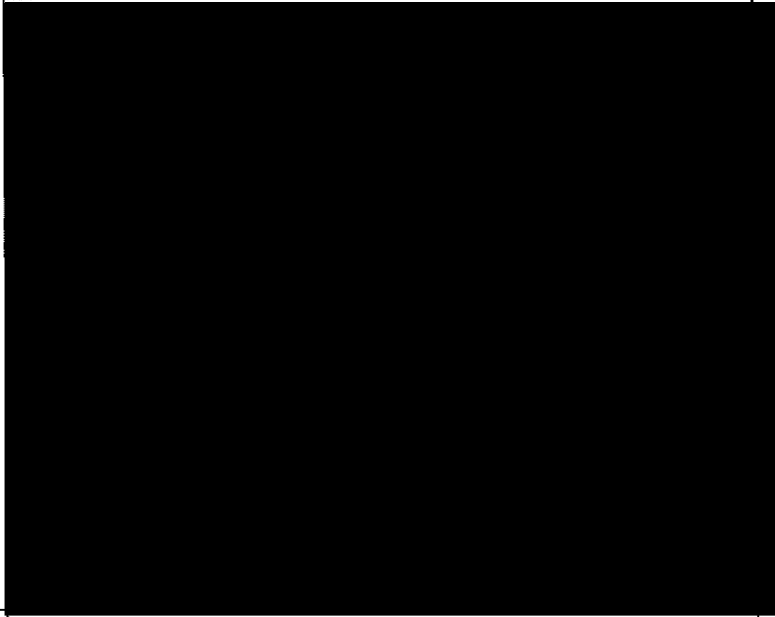





[REDACTED] | Doncaster,
VIC | [REDACTED] - 200 staff, \$25m budget
Population 120,000

[REDACTED] - 136 staff, \$10m budget


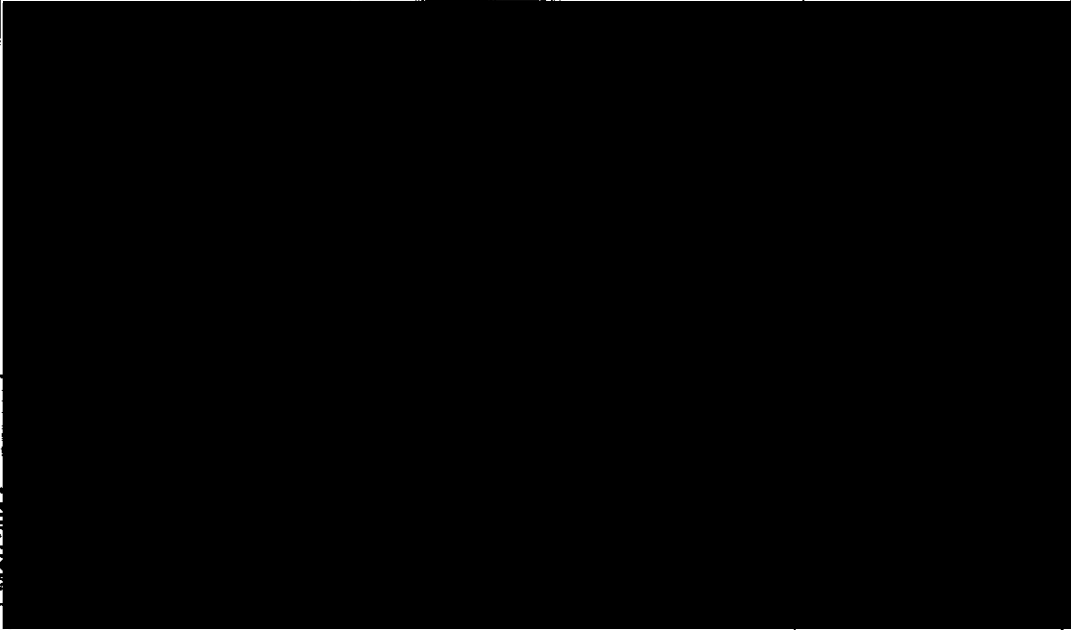

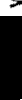
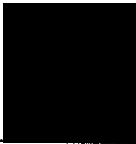

Not recommended |
| 26. | [REDACTED] | Not relevant | | Rangeville,
QLD | Candidate's experience not relevant to the
position.

Not recommended |

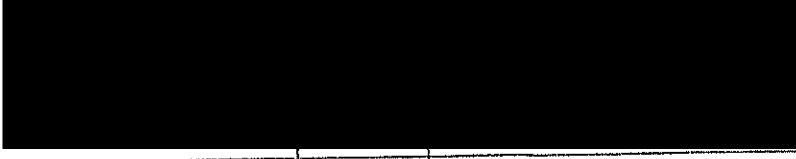
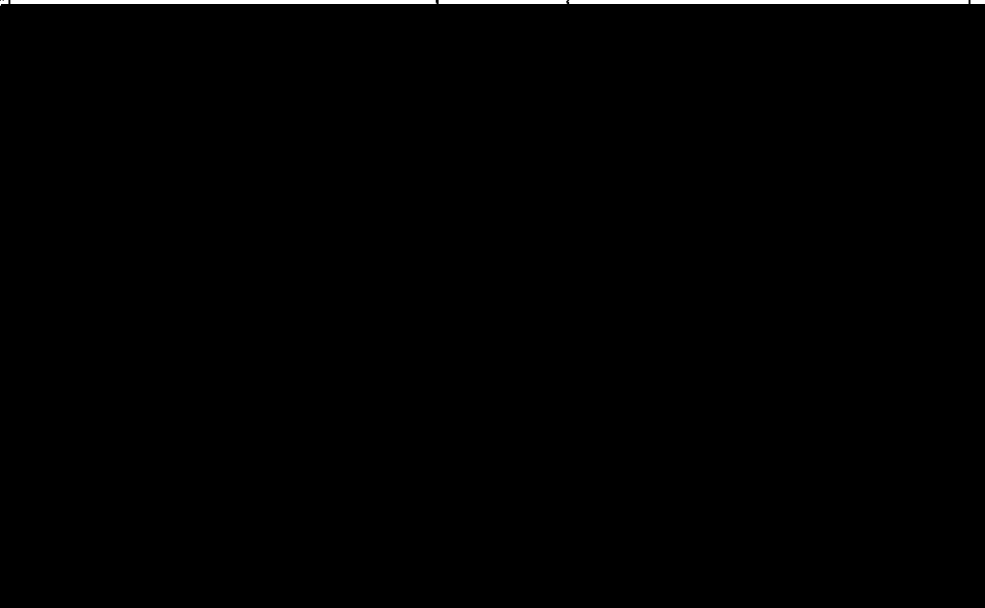
McArthur

| No. | Name | Qualifications | Career History | Location | Comments |
|-----|---|---|---|----------------|--|
| 27. |  | Bachelor of Business (Accountant), CSU
Graduate, AICD
Member, LGMA QLD
LG Finance Professionals State Executive VP, 2002 – 2007
LGMA NSW Director, 2007 – 2011
 |  | Coorparoo, QLD |  – 250 staff, \$485m opex, \$125m capex, \$2.5bn assets
 – 420 staff, \$100m opex, \$40m capex, \$1.1bn assets
 – Reviews of ACT Govt, Council of Mayors SEQ, govt agencies across Australia
 – 615 staff, \$150m opex, \$85m capex, \$2.2bn assets
Recommended for 1 st round interview
 |

MacArthur

| No. | Name | Qualifications | Career History | Location | Comments |
|-----|---|---|---|------------------------|--|
| 28. |  | <p>Master of Commercial Law
Deakin University (2003)</p> <p>MBA
Deakin University (2007)</p> <p>Bachelor of Business USQ (1992)</p> <p>Fellow, CPA Australia</p> <p>CMA</p> |  | <p>Andergrove, QLD</p> | <p>Interview to assess relevance of exp.</p> <p>Returning to Australia after 4 years in Canada  e cover letter)</p> <p> was an amalgamation of fifteen (15) Island Councils and the Island Coordinating Council, and came into existence on the 15th March 2008; at amalgamation the budget was in excess of \$100m, 1,800 staff, \$1.1B in assets, with Council comprising a Mayor and fifteen (15) Councillors.</p> <p>Interviewed in previous recruitment round</p> <p>Not recommended</p> |
| 29. |  | <p>Bachelor of Business, ECU</p> <p>CPA Australia</p> <p>Fellow, AIM</p> <p>Member, IPA WA</p> | | <p>Applecross, WA</p> | <p> - engineering/waste mgmt., environmental mgmt. and regional devt for 6 WA LGAs (one-third Perth metro area, 366k pop)
100 FTEs</p> <p>Not recommended</p> |

McArthur


| No. | Name | Qualifications | Career History | Location | Comments |
|-----|--|---|---|--------------|--|
| 30. |  | MBA, Cranfield University, UK (2005)
BSc (Hons.) Business & Management Studies, University of Bradford, UK (2000)
Associate CPA
Member, ACCA |  | Croydon, VIC | Candidate's experience not relevant to the position.

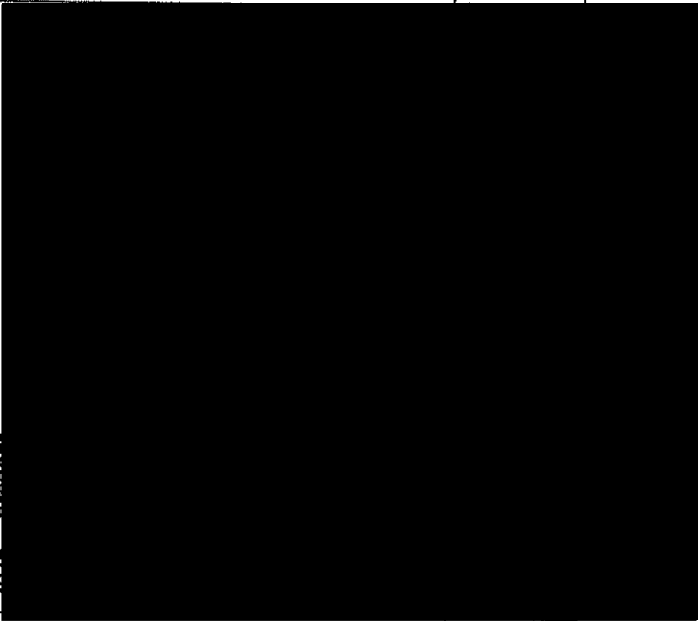
Not recommended |
| 31. | | Not relevant | | Oberon, NSW | Candidate's experience not relevant to the position.

Not recommended |
| 32. | | BA (Political Science), UNWS (1985)
Graduate Certificate in Security Management | | Madeley, WA | Candidate's experience not relevant to the position.

Not recommended |

McArthur

| No. | Name | Qualifications | Career History | Location | Comments |
|-----|---|--|--|-------------------|--|
| 33. |  | Master of Science
(Technological
Change & Economic
Development),
University of Cardiff
(1997)

Bachelor of Economic
Science, University of
Cardiff (1994) |  | New Beith,
QLD | Candidate's experience not relevant to the
position.

Not recommended |
| 34. | | Not relevant | | Brisbane,
QLD | Candidate's experience not relevant to the
position.

Not recommended |

McArthur

Col Rice

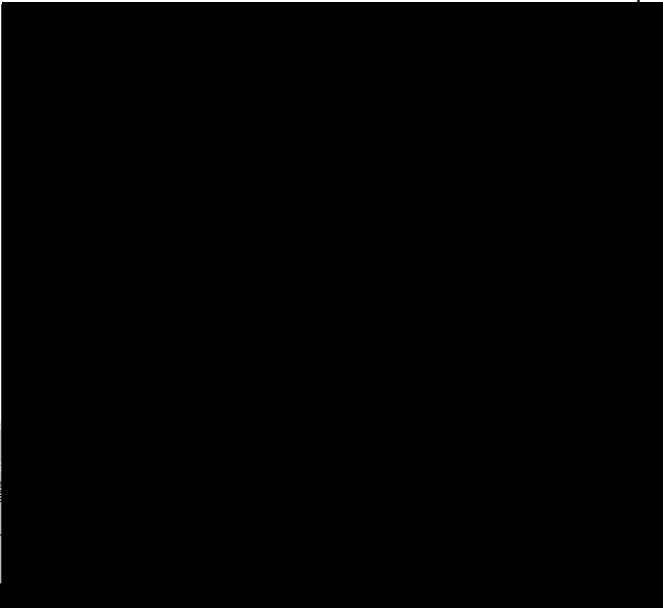

| No. | Name | Qualifications | Career History | Location | Comments |
|-----|------|---|--|----------------|---|
| 35. | | Bachelor of Town Planning (Hons.), UNSW


Graduate Diploma of Local Government Management

Fellow, AIM


Member, PIA

Inaugural winner of the NSW Local Government NSW Planning Awards for Excellence in Leadership 2017

Numerous awards from GSC, PIA, LGNSW, and Parks and Leisure Australia |  | Newington, NSW |  - 8 direct reports, 55 FTEs, \$76m budget

 - up to 34 FTE

Recommended for 1 st round interview

 |

ITEM NO:

SUBJECT: APPOINTMENT OF GENERAL MANAGER

FILE NO: F11169 - 18/171768

*This report is considered confidential under Section 10A of the Local Government Act 1993
a) personnel matters concerning particular individuals (other than councillors).*

Management Plan Link

Principal Activity: Providing Good Government

Service: Governance

Project: This report does not relate to a Management Plan project

Recommendations:

1. *That the Council appoints [CANDIDATE NAME] to the position of General Manager, subject to reaching agreement on the terms of a contract of employment and performance agreement; and*
 2. *That, subject to 1 above, the Council notes the Selection Panel will now fulfil the balance of its responsibility pursuant to recommendation 1d. of Minute 157, 1 May 2018, to negotiate a contract of employment, including a commencement date, with the recommended candidate.*
-

Mayoral Minute**Background**

The General Manager position became vacant on the 17 November, 2017 and a General Manager was appointed at the Ordinary Meeting of Council on 12 December 2017 as follows:

1. *"That the Council notes, following the retirement of Mr Robert Greenwood as General Manager of the Council, with effect from Friday 17 November 2017, Ms Rosemary Dillon has diligently served as Acting General Manager, in accordance with the resolution passed by the Council at the Ordinary Meeting on 14 November 2017;*
2. *That the Council, noting the requirement for leadership stability at this time, vacates the General Manager Recruitment & Selection Panel and ceases the current process of recruitment and appointment to the vacant position of General Manager;*
3. *That the Council to appoints Ms Rosemary Dillon as General Manager for a fixed period of up to one year, effective from Friday 17 November 2017 to Sunday 18 November 2018, with the view of formally appointing a General Manager with a commencement date of Monday 19 November 2018; and*
4. *That the Council notes that the Council will establish and determine a General Manager Recruitment & Selection Panel and process for the purpose of determining and managing the recruitment by separate resolution within the Confirmed Minutes Ordinary Meeting 12 December 2017 Page 32 of 34 required timeframes to achieve formal appointment in November 2018."*

(Minute Number 462)

On the 1 May 2018, the Council resolved:

1. *"That, noting the immediate need to commence recruitment action for the General Manager's role to take effect from November 2018 at the latest, the Council establish a General Manager Recruitment and Selection Panel for the purpose of determining and managing the recruitment and appointment process for the position of General Manager, as outlined in the following terms of reference:*
 - a. *The General Manager Recruitment and Selection Panel comprising the Mayor, Deputy Mayor and Alternate Deputy Mayor appointed as Councillor representatives, and an independent, in accordance with the OLG guidelines;*
 - b. *The General Manager Recruitment and Selection Panel engage independent recruitment expertise to assist in carrying out the process;*
 - c. *The General Manager Recruitment and Selection Panel, following completion of the recruitment and selection process, recommend for Council approval a preferred candidate for appointment to the position of General Manager;*
 - d. *The General Manager Recruitment and Selection Panel, following Council approval of a candidate for appointment to the position of General Manager, negotiate a four (4) year performance based Standard Contract of Employment (General Managers of Local Councils in New South Wales); and*
 - e. *The General Manager Recruitment and Selection Panel report back to Council as to the outcome of the negotiation and commencement date as soon as practicable;*
2. *That the Council appoints the Mayor, Deputy Mayor, and Alternate Deputy Mayor, as representatives on the General Manager Recruitment & Selection Panel; and*
3. *That the Council appoints Alan Stoneham, being a suitably qualified person independent of the Council, as a representative on the General Manager Recruitment and Selection Panel."*

(Minute No: 157)

The coordination of the recruitment process was managed by the Acting Group Manager People & Systems, Megan TeBay.

Four recruitment consulting firms specialising in local government recruitment, were requested to submit an Expression of Interest to assist the Selection Panel with the process. The four firms were: McArthur's Pty Ltd, LGNSW Management Solutions, Local Government Appointments and Blackadder Associates. McArthur's was chosen as the preferred supplier due to price, experience with local government and the previous senior management roles at BMCC on which they have provided assistance.

Mr Matthew McArthur – Chief Executive Officer, was the assigned McArthur consultant.

Advertising

The role of General Manager, Blue Mountains City Council was advertised (Attachment 1) extensively from the 2nd June 2018 to 18 June 2018 in national print and online media.

Response to advertising

There were 36 applications received for the position.

Selection panel

As previously outlined, the Selection Panel was established at the 1 May 2018 Ordinary Meeting of the Council and comprised:

- Councillor Hollywood;
- Councillor Van der Kley;

- Councillor Greenhill; and
- Mr Alan Stoneham, General Manager, Penrith City Council;

Selection process

- 7 interviewed by Consultant;
- 3 recommended to proceed to interview with the selection panel; and
- Panel interviews conducted 21 July 2018

Selection Panel Interviews

The Selection Panel interviews were conducted at The Blue Mountains Theatre and Community Hub on Saturday 21 July 2018. Mr Matthew McArthur from McArthur's participated as a member of the panel.

At the conclusion of the interviews and subsequent deliberation, the Selection Panel was unanimous that there was a clear stand-out candidate. The single nominated candidate was [CANDIDATE NAME].

Having interviewed 3 excellent candidates assessed against a very strong field the Selection Panel unanimously decided to recommend the role be offered to [CANDIDATE NAME]. Her qualifications, ongoing professional development and excellent background in local government, coupled with a high level of passion for the region and overall fit with the organisation was obvious from a strong interview performance in which she had the capacity to outline a clear plan to rebuild organisational structures and culture, address Council's key challenges whilst ensuring the day to day services were delivered to meet community needs and expectations.

Conclusion

As a result of a robust selection process, which included advertising in national media and online, 3 applicants from the pool of 36 applicants were interviewed by the Selection Panel.

As a result of this process, it is recommended that [CANDIDATE NAME] be appointed as the next General Manager of Blue Mountains City Council, subject to Council and [CANDIDATE NAME] agreeing to the terms of a contract of employment and an appropriate performance agreement. [CANDIDATE NAME] should be congratulated on her appointment.

AUTHOR: Megan TeBay, A/Group Manager, People & Systems

AUTHORISERS: Megan TeBay, A/Group Manager, People & Systems

Does this paper need to go to a briefing session OR have Ward Councillors been briefed?: No

ATTACHMENTS/ENCLOSURES

| | | | |
|---|-------------------------------|-----------|------------|
| 1 | General Manager Advertisement | 18/172585 | Attachment |
|---|-------------------------------|-----------|------------|

General Manager

- Major change and development agenda
- Help restore positive reputation
- Focus on community re-engagement



The City of Blue Mountains is a City within a World Heritage National Park, renowned for its natural beauty and unique environmental and cultural characteristics. Council delivers services to more than 76,000 residents within 27 distinctively unique towns and villages, and is located just over 1 hour's drive from Sydney.

Council has recently endured a challenging period of media scrutiny, community frustrations and employee relations issues, and are now looking for a General Manager with the drive, passion, energy and professionalism needed to help Council re-engage with its stakeholders, rebuild positive perceptions and restore community confidence.

You will have a strong leadership focus on building transparency and inclusion with both the Community and external stakeholders, while also developing a culture of collaboration and shared vision within your own teams. More specifically this will include the development and implementation of robust workplace practices and business-wide governance frameworks.

A strategic thinker with genuine long-term vision, an impressive background in community-focused services and operations will have given you the ability to manage politically sensitive issues across multiple stakeholder groups and deliver positive outcomes. Exemplary communication skills mean you can quickly build confidence and credibility at all levels while your inspirational leadership style will provide clear direction across current challenges and future change programs.

This is a pivotal senior role that will see you playing a key role in rebuilding Council's reputation and ensuring community perceptions are both positive and productive. Accordingly, the financial rewards fully reflect this how important Council view this appointment.

For a comprehensive position description and information pack, visit mcarthur.com.au and enter ref. 136825 in the Job Search function. For any queries, call Matthew McArthur on (02) 9277 7000.

Applications close at 5pm Monday 18 June 2018.

Executive



Mayoral Minute MM4 Confidential Meeting

Venue: Administrative Headquarters
Civic Place
Katoomba

Meeting: 7.30pm 24 July, 2018



CONFIDENTIAL MEETING

24 JULY 2018

AGENDA

| ITEM NO. | PAGE | SUBJECT | COMMENTS |
|----------|------|--------------------------------|----------|
| | | | |
| | | <u>MINUTE BY MAYOR</u> | |
| | | | |
| MM4 | 4 | Appointment of General Manager | |

ITEM NO: MM4

SUBJECT: APPOINTMENT OF GENERAL MANAGER

FILE NO: F11169 - 18/171768

This report is considered confidential under Section 10A of the Local Government Act 1993 a) personnel matters concerning particular individuals (other than councillors).

Delivery Program Link

Principal Activity: Civic Leadership

Service: Governance and Risk

Recommendations:

1. That the Council appoints Ms Rosemary Dillon to the position of General Manager, subject to reaching agreement on the terms of a contract of employment and performance agreement;
2. That that Council notes the Standard Contract for the Employment of General Managers as approved by the Chief Executive of the Division [Office] of Local Government will be used, as per requirements, for a term of 4 years;
3. That that Council endorses the General Manager remuneration package, for the purposes of direct negotiation, to be in the range of \$337,123 to \$378,840; and
4. That the Council notes Selection Panel will now fulfil the balance of its responsibility pursuant to recommendation 1d. of Minute 157, 1 May 2018, to negotiate a contract of employment, including a commencement date, with the recommended candidate.

Mayoral Minute**Background**

The General Manager position became vacant on the 17 November, 2017 and a General Manager was appointed at the Ordinary Meeting of Council on 12 December 2017 as follows:

1. "That the Council notes, following the retirement of Mr Robert Greenwood as General Manager of the Council, with effect from Friday 17 November 2017, Ms Rosemary Dillon has diligently served as Acting General Manager, in accordance with the resolution passed by the Council at the Ordinary Meeting on 14 November 2017;
2. That the Council, noting the requirement for leadership stability at this time, vacates the General Manager Recruitment & Selection Panel and ceases the current process of recruitment and appointment to the vacant position of General Manager;
3. That the Council to appoints Ms Rosemary Dillon as General Manager for a fixed period of up to one year, effective from Friday 17 November 2017 to Sunday 18 November 2018, with the view of formally appointing a General Manager with a commencement date of Monday 19 November 2018; and
4. That the Council notes that the Council will establish and determine a General Manager Recruitment & Selection Panel and process for the purpose of determining and managing the recruitment by separate resolution within the Confirmed Minutes Ordinary Meeting 12 December 2017 Page 32 of 34 required timeframes to achieve formal appointment in November 2018."

(Minute Number 462)

On the 1 May 2018, the Council resolved:

1. *"That, noting the immediate need to commence recruitment action for the General Manager's role to take effect from November 2018 at the latest, the Council establish a General Manager Recruitment and Selection Panel for the purpose of determining and managing the recruitment and appointment process for the position of General Manager, as outlined in the following terms of reference:*
 - a. *The General Manager Recruitment and Selection Panel comprising the Mayor, Deputy Mayor and Alternate Deputy Mayor appointed as Councillor representatives, and an independent, in accordance with the OLG guidelines;*
 - b. *The General Manager Recruitment and Selection Panel engage independent recruitment expertise to assist in carrying out the process;*
 - c. *The General Manager Recruitment and Selection Panel, following completion of the recruitment and selection process, recommend for Council approval a preferred candidate for appointment to the position of General Manager;*
 - d. *The General Manager Recruitment and Selection Panel, following Council approval of a candidate for appointment to the position of General Manager, negotiate a four (4) year performance based Standard Contract of Employment (General Managers of Local Councils in New South Wales); and*
 - e. *The General Manager Recruitment and Selection Panel report back to Council as to the outcome of the negotiation and commencement date as soon as practicable;*
2. *That the Council appoints the Mayor, Deputy Mayor, and Alternate Deputy Mayor, as representatives on the General Manager Recruitment & Selection Panel; and*
3. *That the Council appoints Alan Stoneham, being a suitably qualified person independent of the Council, as a representative on the General Manager Recruitment and Selection Panel."*

(Minute No: 157)

The coordination of the recruitment process was managed by the Acting Group Manager People & Systems, Megan TeBay.

Four recruitment consulting firms specialising in local government recruitment, were requested to submit an Expression of Interest to assist the Selection Panel with the process. The four firms were: McArthur's Pty Ltd, LGNSW Management Solutions, Local Government Appointments and Blackadder Associates. McArthur's was chosen as the preferred supplier due to price, experience with local government and the previous senior management roles at BMCC on which they have provided assistance.

Mr Matthew McArthur – Chief Executive Officer, was the assigned McArthur consultant.

Advertising

The role of General Manager, Blue Mountains City Council was advertised (Attachment 1) extensively from the 2nd June 2018 to 18 June 2018 in national print and online media.

Response to advertising

There were 36 applications received for the position.

Selection panel

As previously outlined, the Selection Panel was established at the 1 May 2018 Ordinary Meeting of the Council and comprised:

- Councillor Hollywood;
- Councillor Van der Kley;
- Councillor Greenhill; and
- Mr Alan Stoneham, General Manager, Penrith City Council;

Selection process

- 7 interviewed by Consultant;
- 3 recommended to proceed to interview with the selection panel; and
- Panel interviews conducted 21 July 2018

Selection Panel Interviews

The Selection Panel interviews were conducted at The Blue Mountains Theatre and Community Hub on Saturday 21 July 2018. Mr Matthew McArthur from McArthur's participated as a member of the panel.

At the conclusion of the interviews and subsequent deliberation, the Selection Panel was unanimous that there was a clear stand-out candidate. The single nominated candidate was Ms Rosemary Dillon.

Having interviewed 3 excellent candidates assessed against a very strong field the Selection Panel unanimously decided to recommend the role be offered to Ms Rosemary Dillon. Her qualifications, ongoing professional development and excellent background in local government, coupled with a high level of passion for the region and overall fit with the organisation was obvious from a strong interview performance in which she had the capacity to outline a clear plan to rebuild organisational structures and culture, address Council's key challenges whilst ensuring the day to day services were delivered to meet community needs and expectations.

Finalising the Appointment

The General Manager Recruitment and Selection Panel, following Council approval of a candidate for appointment to the position of General Manager, will negotiate a four (4) year performance based Standard Contract for the Employment of General Managers as approved by the Chief Executive of the Division of Local Government. This contract will govern:

- The duties and functions of the General Manager;
- Performance agreements;
- The process for renewal of employment contracts;
- Termination of employment and termination payments;
- Salary increases; and
- Leave entitlements.

Conclusion

As a result of a robust selection process, which included advertising in national media and online, 3 applicants from the pool of 36 applicants were interviewed by the Selection Panel.

As a result of this process, it is recommended that Ms Rosemary Dillon be appointed as the next General Manager of Blue Mountains City Council, subject to Council and Ms Rosemary Dillon agreeing to the terms of a contract of employment and an appropriate performance agreement. Ms Rosemary Dillon should be congratulated on her appointment.

ATTACHMENTS/ENCLOSURES

| | | | |
|---|-------------------------------|-----------|------------|
| 1 | General Manager Advertisement | 18/172585 | Attachment |
|---|-------------------------------|-----------|------------|

Attachment 1 - General Manager Advertisement

ATTACHMENT 1

General Manager

- Major change and development agenda
- Help restore positive reputation
- Focus on community re-engagement



The City of Blue Mountains is a City within a World Heritage National Park, renowned for its natural beauty and unique environmental and cultural characteristics. Council delivers services to more than 76,000 residents within 27 distinctively unique towns and villages, and is located just over 1 hour's drive from Sydney.

Council has recently endured a challenging period of media scrutiny, community frustrations and employee relations issues, and are now looking for a General Manager with the drive, passion, energy and professionalism needed to help Council re-engage with its stakeholders, rebuild positive perceptions and restore community confidence.

You will have a strong leadership focus on building transparency and inclusion with both the Community and external stakeholders, while also developing a culture of collaboration and shared vision within your own teams. More specifically this will include the development and implementation of robust workplace practices and business-wide governance frameworks.

A strategic thinker with genuine long-term vision, an impressive background in community-focused services and operations will have given you the ability to manage politically sensitive issues across multiple stakeholder groups and deliver positive outcomes. Exemplary communication skills mean you can quickly build confidence and credibility at all levels while your inspirational leadership style will provide clear direction across current challenges and future change programs.

This is a pivotal senior role that will see you playing a key role in rebuilding Council's reputation and ensuring community perceptions are both positive and productive. Accordingly, the financial rewards fully reflect this how important Council view this appointment.

For a comprehensive position description and information pack, visit mcarthur.com.au and enter ref. 136825 in the Job Search function. For any queries, call Matthew McArthur on (02) 9277 7000.

Applications close at 5pm Monday 18 June 2018.

Executive

McArthur

BLUE MOUNTAINS CITY COUNCIL
MINUTES OF ORDINARY MEETING OF COUNCIL

24 July 2018

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Minutes of the Ordinary Meeting of Council of the City of Blue Mountains, held in the Chambers on Tuesday, 24 July 2018, commencing at 7.30pm.

* * * * *

There were present:

The Mayor (Councillor Greenhill) in the Chair, and Councillors Bowling, Brown, Christie, Fell, Foenander, Hoare, Hollywood, McGregor, Myles, Schreiber, Van der Kley.

* * * * *

In attendance:

General Manager; A/Director Service Delivery; A/Director City & Community Outcomes; Director Development & Customer Services; A/Group Manager, People & Systems, A/Group Manager Integrated Planning and Finance; Chief Safety Officer; Executive Officer; Manager Libraries & Customer Service; Blue Mountains Cultural Centre Director; Meeting & Councillor Support Officer; Program Leader Strategy; Environmental Ranger; Environmental Ranger; Trainee Local Government.

* * * * *

Prayer/Reflection:

The Prayer/Reflection was read by the Mayor, as was the acknowledgement of the traditional owners, the Darug and Gundungurra people.

* * * * *

Apologies

A MOTION was MOVED by Councillors

Nil

* * * * *

MINUTE NO. 256

Confirmation of Minutes - Ordinary Meeting - 26 June 2018

A MOTION was MOVED by Councillors Fell and Van der Kley:

That the Minutes of the Ordinary Meeting of 26 June 2018 be confirmed.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

| For | | Against |
|-------------|--------------|----------------|
| Councillors | Greenhill | Councillors |
| | Christie | |
| | Fell | |
| | Myles | |
| | Hollywood | |
| | Van der Kley | |

MINUTE NO. 260**MM3. 18/172442. Cities Power Partnership**

A MOTION was MOVED by Councillors Greenhill and Hoare:

- 1. That the Council, receives a briefing on the implications of joining the Cities Power Partnership; and**
- 2. That the Council following the briefing, receives a report on joining the Cities Power Partnership and attendance to the Cities Power Partnership Summit 2018.**

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being:

| For | Against |
|--------------|----------------|
| Councillors | Councillors |
| Greenhill | Christie |
| Fell | Myles |
| Hollywood | |
| Van der Kley | |
| McGregor | |
| Bowling | |
| Brown | |
| Foenander | |
| Hoare | |
| Schreiber | |

* * * * *

MINUTE NO. 261**MM4. 18/171768. Confidential Business Paper - Appointment of General Manager**

A MOTION was MOVED by Councillors Brown and Schreiber:

That the motion for MM4 Confidential Business Paper - Appointment of General Manager could not be moved at all because Councillors had not been given due notice that the appointment was to be made at this meeting and I had received the GM Recruitment Panel's report on their recommendation at 7.32pm that evening (2 minutes after the meeting started) and therefore was not equipped to make a decision.

Upon being PUT to the Meeting, the MOTION was LOST, the vote being:

| For | Against |
|-------------|----------------|
| Councillors | Councillors |
| Christie | Greenhill |
| Brown | Fell |
| Schreiber | Myles |
| | Hollywood |
| | Van der Kley |
| | McGregor |
| | Bowling |
| | Foenander |
| | Hoare |

MINUTE NO. 262

A MOTION was MOVED by Councillors Greenhill and Hollywood:

1. That Item MM4 in the Confidential Business Paper be deferred for consideration until all other business of this meeting has been concluded; and
2. That the Council close part of the Council Meeting for consideration of Item MM4 in the Confidential Business Paper 'Appointment of General Manager' pursuant to the provisions of Section 10A(2)(a) of the Local Government Act 1993, as the report contains, and discussion is likely to involve:
 - (a) personal matters concerning particular individuals (other than councillors).

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

| For | Against |
|--------------|-------------|
| Councillors | Councillors |
| Greenhill | |
| Christie | |
| Fell | |
| Myles | |
| Hollywood | |
| Van der Kley | |
| McGregor | |
| Bowling | |
| Brown | |
| Foenander | |
| Hoare | |
| Schreiber | |

* * * * *

MINUTE NO. 263**3. 18/151004. Heatherbrae, 2-6 Benang Street, Lawson proposed lease arrangements**

The meeting was addressed by: Jeanette Crawford

A MOTION was MOVED by Councillors Hollywood and Van der Kley:

1. That the Council notes its previous position regarding rental terms for Heatherbrae, Lawson;
2. That the Council accepts a below market rental three year lease option for Heatherbrae, Lawson with Connect Child and Family Services, with payments increasing at an agreed rate to achieve current minimum market value by year three; and
3. That the Council notes the binding nature of the lease conditions in the granting of said lease.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

| For | Against |
|-------------|-------------|
| Councillors | Councillors |
| Greenhill | |

outcomes and findings of the Clyde and Co report in order:

- (a) to provide a selective summary which is independent of the Council, given that the Council is the party subject to the investigation by Clyde and Co, and
- (b) to ensure the summary does not identify staff by name, position or contextual information unless and until those staff have the opportunity to respond to the findings, and
- (c) to maintain the professional legal privilege attached to the Clyde and Co report; and

3. That the Council receives the Summary of the outcomes and findings of the Clyde & Co report and seek the views of the Commissioner conducting the Public Hearing into the Blue Mountains City Council before the Council decides to release the information publicly.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being:

| For | Against |
|--------------|-------------|
| Councillors | Councillors |
| Greenhill | Brown |
| Christie | |
| Fell | |
| Myles | |
| Hollywood | |
| Van der Kley | |
| McGregor | |
| Bowling | |
| Foenander | |
| Hoare | |

With Councillor Schreiber out of the chamber.

* * * * *

Procedural - Question Without Notice

A QUESTION by Councillors Brown:

Can the Council have a further briefing with Council solicitor in relation to MM2?

* * * * *

MINUTE NO. 285

MM4. 18/171768. Confidential Business Paper - Appointment of General Manager

A MOTION was MOVED by Councillors Brown and Christie:

That the Council defers the Item MM4, Appointment of General Manager, to the following meeting.

Upon being PUT to the Meeting, the MOTION was LOST, the vote being:

| For | Against |
|-------------|--------------|
| Councillors | Councillors |
| Christie | Greenhill |
| Brown | Fell |
| | Myles |
| | Hollywood |
| | Van der Kley |

McGregor
Bowling
Foenander
Hoare

With Councillor Schreiber out of the chamber.

MINUTE NO. 286

A MOTION was MOVED by Councillors Greenhill and Van der Kley:

1. That the Council appoints Dr Rosemary Dillon to the position of General Manager, subject to reaching agreement on the terms of a contract of employment and performance agreement;
2. That that Council notes the Standard Contract for the Employment of General Managers as approved by the Chief Executive of the Division [Office] of Local Government will be used, as per requirements, for a term of 4 years;
3. That that Council endorses the General Manager remuneration package, for the purposes of direct negotiation, to be in the range of \$337,123 to \$378,840; and
4. That the Council notes Selection Panel will now fulfil the balance of its responsibility pursuant to recommendation 1d. of Minute 157, 1 May 2018, to negotiate a contract of employment, including a commencement date, with the recommended candidate.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being:

| For | Against |
|--------------|----------------|
| Councillors | Councillors |
| Greenhill | Christie |
| Fell | |
| Myles | |
| Hollywood | |
| Van der Kley | |
| McGregor | |
| Bowling | |
| Brown | |
| Foenander | |
| Hoare | |

With Councillor Schreiber out of the chamber

* * * * *

MINUTE NO. 287

Procedural – Return to Public Meeting

A MOTION was MOVED by Councillors Van der Kley and Fell:

That the Meeting be reopened to the Public.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

| For | Against |
|-------------|----------------|
| Councillors | Councillors |
| Greenhill | |

Christie
Fell
Myles
Hollywood
Van der Kley
McGregor
Bowling
Brown
Foenander
Hoare

With Councillor Schreiber out of the chamber.

* * * * *

MINUTE NO. 288

Procedural – Question that Meeting Close

A MOTION was MOVED by Councillors Van der Kley and Fell:

That as there was no further business before the Ordinary Meeting of Tuesday, 24 July 2018, the meeting closed at 10:31pm.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

| For | | Against |
|-------------|--------------|----------------|
| Councillors | Greenhill | Councillors |
| | Christie | |
| | Fell | |
| | Myles | |
| | Hollywood | |
| | Van der Kley | |
| | McGregor | |
| | Bowling | |
| | Brown | |
| | Foenander | |
| | Hoare | |

With Councillor Schreiber out of the chamber.

* * * * *

I confirm that these minutes, consisting of this page 23 and the previous 22 pages, were confirmed at the Ordinary Meeting of the Council on 21 August 2018.

Chairman: Mayor Mark Greenhill..... Date.....

ITEM NO: 3

SUBJECT: APPOINTMENT OF GENERAL MANAGER

FILE NO: F11169 - 18/191935

*This report is considered confidential under Section 10A of the Local Government Act 1993
a) personal matters concerning particular individuals (other than councillors).*

Delivery Program Link

Principal Activity: Civic Leadership

Service: Governance and Risk

Notice of Rescission by Councillors Greenhill, McGregor and Foenander:

1. *That the Council rescinds point 2 of the resolution of the Council recorded in Minute 286 of the Ordinary Meeting on 24 July 2018 as stated, in part:*

"2. That that Council notes the Standard Contract for the Employment of General Managers as approved by the Chief Executive of the Division [Office] of Local Government will be used, as per requirements, for a term of 4 years;"
2. *That the Council proceeds with points 1, 3 and 4 of the resolution of the Council recorded in Minute 286 of the Ordinary Meeting on 24 July 2018; and*
3. *That the Council appoints the General Manager for the maximum allowed period as outlined in the Guidelines for the Appointment & Oversight of General Managers as provided by Premier & Cabinet, Division of Local Government, being a term of 5 years.*

Reason for report

To recommend the term of the General Manager Employment contract for the maximum period in accordance with the *Guidelines for the Appointment & Oversight of General Managers*, as issued by Premier & Cabinet, Division of Local Government of 5 years, being the maximum term allowed.

Background

At the Ordinary Meeting of Council on Tuesday 24 July 2018, Council resolved, Minute 286 to appoint Professor Rosemary Dillon as the General Manager of Blue Mountains City Council for a 4 year term within the agreed remuneration range. This term was in line with the recommendations of the Council resolution from the Ordinary Meeting of Council 1 May 2018 where Council resolved, in part:

"d. The General Manager Recruitment and Selection Panel, following Council approval of a candidate for appointment to the position of General Manager, negotiate a four (4) year performance based Standard Contract of Employment (General Managers of Local Councils in New South Wales);"

[Min No. 157]

The appointment of the General Manager was a result of an extensive merit based recruitment and selection process undertaken by the Governing Body.

Contract Extension

In accordance with point 4 of the resolution of the Council recorded in Minute 286 of the Ordinary Meeting on 24 July 2018 a contract of employment has been negotiated, including a commencement date, with the recommended candidate. The contract of employment reflects the resolved 4 year term.

As set out in the *Guidelines for the Appointment & Oversight of General Managers*, provided by the Premier & Cabinet, Division of Local Government, which are in accordance with S23A of the *Local Government Act 1993*, 5 years is the maximum term for the standard contract for employment for General Managers as approved by the Chief Executive of the Division of Local Government.

In recognition of the current circumstances the Council finds itself operating in, for organisational stability it is considered beneficial the maximum contract period of 5 years be applied for this appointment in accordance with the *Guidelines for the Appointment & Oversight of General Managers*.

Noting that S372(1) of the *Local Government Act 1993* that states a resolution passed by a council may not be altered or rescinded, except by a motion to that effect. This Notice of Rescission seeks to amend the previously resolved performance contract term.

Conclusion

In recognition of Councils current circumstances it is recommended to rescind the previously resolved contract term and to extend the negotiated contract of employment for the appointed General Manager from 4 years to the maximum allowable term of 5 years as set out in the *Guidelines for the Appointment & Oversight of General Managers*.

AUTHOR: Lydia Kolar, Strategic Councillor & Governance Officer

AUTHORISERS: Jasmine Cooper, Executive Officer
Megan TeBay, A/Group Manager, People & Systems

Does this paper need to go to a briefing session OR have Ward Councillors been briefed?: No

ITEM NO: 0

SUBJECT: GENERAL MANAGER CONTRACT

FILE NO: F11169 - 18/177995

This report is considered confidential under Section 10A of the Local Government Act 1993 a) personal matters concerning particular individuals (other than councillors).

Delivery Program Link*Principal Activity: Civic Leadership**Service: Governance and Risk***Recommendations:**

1. That the Council rescinds the resolution of the Council recorded in Minute 286 of the Ordinary Meeting on 24 July 2018 as stated, in part:
"2. That that Council notes the Standard Contract for the Employment of General Managers as approved by the Chief Executive of the Division [Office] of Local Government will be used, as per requirements, for a term of 4 years;"
2. That the Council appoint the General Manager for the maximum allowed period as outlined in the Guidelines for the Appointment & Oversight of General Managers as provided by Premier & Cabinet, Division of Local Government of 5 years.

Mayoral Minute**Reason for report**

To recommend the term of the General Manager Employment contract for the maximum period in accordance with the Guidelines for the Appointment & Oversight of General Managers, as issued by Premier & Cabinet, Division of Local Government of 5 years, being the maximum term allowed.

Background

On Tuesday 24 July, 2018 Council resolved to appoint Professor Rosemary Dillon as the General Manager of Blue Mountains City Council for a 4 year term, within the agreed remuneration range. Minute 286. This was in line with the requirements Council Resolution dated 1 May 2018 where Council resolved in Part:

- d. The General Manager Recruitment and Selection Panel, following Council approval of a candidate for appointment to the position of General Manager, negotiate a four (4) year performance based Standard Contract of Employment (General Managers of Local Councils in New South Wales);

The appointment of the General Managers was a result of an extensive merit based recruitment and selection process undertaken by the Governing Body.

Contract Extension

In accordance with S372(1) of the Local Government Act that states a resolution passed by a council may not be altered or rescinded, except by a motion to that effect. This Mayoral Minute seeks to amend the previously resolved performance contract term.

As set out in the Guidelines for the Appointment & Oversight of General Managers, provided by the Premier & Cabinet, Division of Local Government, which are in accordance with 23A of the Local Government Act 1993, advises that the maximum term for the standard contract for employment for General Managers as approved by the Chief Executive of the Division of Local Government that must be used is 5 years.

Conclusion

Make the term of the standard contract of the employment of the General Manager for the maximum period, as described in the Guidelines, of 5 years.

AUTHOR: Vanessa Connor, Project Officer – Performance Improvement Order

AUTHORISERS: Megan TeBay, A/Group Manager, People & Systems

Does this paper need to go to a briefing session OR have Ward Councillors been briefed?: No

* * * * *



ASIC

Australian Securities & Investments Commission

Current & Historical Company Extract

Name: HRM PARTNERS PTY LTD

ACN: 111 006 921

Date/Time: 25 July 2019 AEST 04:54:18 PM

This extract contains information derived from the Australian Securities and Investments Commission's (ASIC) database under section 1274A of the Corporations Act 2001.

Please advise ASIC of any error or omission which you may identify.

EXTRACT

| Organisation Details | Document Number |
|--|-----------------|
| Current Organisation Details | |
| Name: HRM PARTNERS PTY LTD | 1E0285180 |
| ACN: 111 006 921 | |
| Registered in: Queensland | |
| Registration date: 17/09/2004 | |
| Next review date: 17/09/2019 | |
| Name start date: 17/09/2004 | |
| Status: Registered | |
| Company type: Australian Proprietary Company | |
| Class: Limited By Shares | |
| Subclass: Proprietary Company | |

| Address Details | Document Number |
|--|-----------------|
| Current | |
| Registered address: 18 Vayro Road, BLUE MOUNTAIN HEIGHTS QLD 4350 | 7E7363618 |
| Start date: 14/10/2015 | |
| Principal Place Of Business address: 18 Vayro Road, BLUE MOUNTAIN HEIGHTS QLD 4350 | 7E7363618 |
| Start date: 07/10/2015 | |
| Historical | |
| Registered address: SHERYL HASLAM & ASSOCIATES, 'Capital Place' Level 1 Suite 7, 195 Hume Street, TOOWOOMBA QLD 4350 | 7E1188800 |
| Start date: 16/07/2007 | |
| Cease date: 13/10/2015 | |
| Registered address: SHERYL HASLAM & ASSOCIATES, 4 Julia Street, EAST TOOWOOMBA QLD 4350 | 1E0285180 |
| Start date: 17/09/2004 | |
| Cease date: 15/07/2007 | |
| Principal Place Of Business address: 18 Vayro Road, BLUE MOUNTAIN HEIGHTS QLD 4350 | 7E0506719 |
| Start date: 07/10/2005 | |
| Cease date: 06/10/2015 | |
| Principal Place Of Business address: 1B Kitchener Street, TOOWOOMBA QLD 4350 | 1E0285180 |
| Start date: 17/09/2004 | |
| Cease date: 06/10/2005 | |

| |
|--|
| Contact Address |
| Section 146A of the Corporations Act 2001 states 'A contact address is the address to which communications and notices are sent from ASIC to the company'. |
| Current |
| Address: PO BOX 521, TOOWOOMBA QLD 4350 |

| | |
|-------------------|--------------------------------|
| Start date: | 31/05/2019 |
| Historical | |
| Address: | PO BOX 521, TOOWOOMBA QLD 4350 |
| Start date: | 31/03/2017 |
| Cease date: | 24/09/2018 |
| Address: | PO BOX 885, TOOWOOMBA QLD 4350 |
| Start date: | 13/07/2012 |
| Cease date: | 15/10/2012 |
| Address: | PO BOX 817, TOOWOOMBA QLD 4350 |
| Start date: | 21/09/2004 |
| Cease date: | 13/07/2012 |

| Officeholders and Other Roles | Document Number |
|--|-----------------|
| Director | |
| Name: LYNNE MARIE MCCLEARY | 7E9490884 |
| Address: 18 Vayro Road, BLUE MOUNTAIN HEIGHTS QLD 4350 | |
| Born: 09/10/1956, NEWCASTLE, NSW | |
| Appointment date: 27/09/2017 | |
| Name: SAMUEL JOHN MCCLEARY | 7E9490884 |
| Address: 18 Vayro Road, BLUE MOUNTAIN HEIGHTS QLD 4350 | |
| Born: 01/11/1989, MELBOURNE, VIC | |
| Appointment date: 27/09/2017 | |
| Name: PETER JOHN MCCLEARY | 030444382 |
| Address: 18 Vayro Road, BLUE MOUNTAIN HEIGHTS QLD 4350 | |
| Born: 31/07/1959, ALTONA, VIC | |
| Appointment date: 17/09/2004 | |
| Secretary | |
| Name: PETER JOHN MCCLEARY | 030444382 |
| Address: 18 Vayro Road, BLUE MOUNTAIN HEIGHTS QLD 4350 | |
| Born: 31/07/1959, ALTONA, VIC | |
| Appointment date: 17/09/2004 | |

| Share Information | | | | | |
|---|-----------------|---------------|-------------------|---------------------|-----------------|
| Share Structure | | | | | |
| Class | Description | Number issued | Total amount paid | Total amount unpaid | Document number |
| ORD | ORDINARY SHARES | 1 | 1.00 | 0.00 | 1E0285180 |
| Members | | | | | |
| Note: For each class of shares issued by a proprietary company, ASIC records the details of the top twenty members of the class (based on shareholdings). The details of any other members holding the same number of shares as the twentieth ranked member will also be recorded by ASIC on the database. Where available, historical records show that a member has ceased to be ranked amongst the top twenty members. This may, but does not necessarily mean, that they have ceased to be a member of the company. | | | | | |

Name: PETER JOHN MCCLEARY

Address: 18 Vayro Road, BLUE MOUNTAIN HEIGHTS QLD 4350

| Class | Number held | Beneficially held | Paid | Document number |
|-------|-------------|-------------------|-------|-----------------|
| ORD | 1 | yes | FULLY | 7E7363618 |

Documents

Note: Where no Date Processed is shown, the document in question has not been processed. In these instances care should be taken in using information that may be updated by the document when it is processed. Where the Date Processed is shown but there is a zero under No Pages, the document has been processed but a copy is not yet available.

| Date received | Form type | Date processed | Number of pages | Effective date | Document number |
|---------------|--|----------------|-----------------|----------------|-----------------|
| 17/09/2004 | 201C Application For Registration As A Proprietary Company | 17/09/2004 | 3 | 17/09/2004 | 1E0285180 |
| 07/10/2005 | 484C Change To Company Details Change Of Principal Place Of Business (Address) | 07/10/2005 | 2 | 07/10/2005 | 7E0506719 |
| 21/02/2006 | 309A Notification Of Details Of A Charge | 21/02/2006 | 31 | 06/02/2006 | 022338353 |
| 09/07/2007 | 484B Change To Company Details Change Of Registered Address | 09/07/2007 | 2 | 09/07/2007 | 7E1188800 |
| 01/04/2009 | 309A Notification Of Details Of A Charge | 01/04/2009 | 6 | 23/03/2009 | 7E2113896 |
| 24/01/2012 | 309A Notification Of Details Of A Charge | 25/01/2012 | 16 | 16/01/2012 | 027982121 |
| 07/10/2015 | 484 Change To Company Details
484B Change Of Registered Address
484C Change Of Principal Place Of Business (Address)
484A1 Change Officeholder Name Or Address
484A2 Change Member Name Or Address | 07/10/2015 | 2 | 07/10/2015 | 7E7363618 |
| 27/09/2017 | 484E Change To Company Details Appointment Or Cessation Of A Company Officeholder | 27/09/2017 | 2 | 27/09/2017 | 7E9490884 |

| | | | | | |
|------------|----------------------------|------------|---|------------|-----------|
| 01/10/2018 | 902 Supplementary Document | 02/10/2018 | 2 | 17/09/2004 | 030444382 |
|------------|----------------------------|------------|---|------------|-----------|

End of Extract of 4 Pages



ASIC Traralgon Office

Australian Securities & Investments Commission

ABN: 86 768 265 615

authority@property.saiglobal.com

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Request Number 9671357.

Extracted from ASIC's Database on 28/08/2019 at 16:31.

Name: HRM PARTNERS PTY LTD
ACN : 111 006 921

| <i>Document ID</i> | <i>No. of Pages</i> | <i>Date Lodged</i> |
|--------------------|---------------------|--------------------|
| 1E0285180 | 3 | 17/09/04 |
| 030444382 | 2 | 01/10/18 |

If this request is for financial accounts it may contain an XBRL version of the accounts in addition to the usual PDF version. To analyse the version of the accounts in XBRL format you will need to use XBRL reader software.
Please refer to www.asic.gov.au/SBR for more information.

The total number of pages including this cover page is 6.

If your request was made through an Information Broker and not all pages have been included please contact your Information Broker.

If your request was made direct to ASIC and you require further assistance please contact us as follows:

| | |
|-------------------------------|--|
| DOCIMAGE Technical Enquiries: | 03 5177 3001 |
| Facsimile: | 03 5177 3999 |
| Ask a question: | www.asic.gov.au/question |

For all other inquiries contact us on 1300 300 630.

registered agent number 803
lodging party or agent name RAPID COMPANIES

address G P O BOX 1837
BRISBANE QLD 4001

DX no

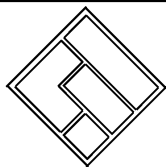
DX location

Electronic lodgement

Document No. **1E0285180**

Lodgement date/time 17/09/2004 08:35:24

Message trace no. 152



Australian Securities and Investments Commission

Application for

registration as an Australian companyform **201**

Corporations Act 2001

Application

I/We apply for registration of the company under the Corporations Act 2001, and nominate QLD as the State or Territory in which the company will be taken to be registered.

Proposed details of the company

Does the company have a proposed company name? yes ☒ no ☐

if yes, proposed company name **HRM PARTNERS PTY LTD**

Name reservation number (if any)

if no, the company name on registration will be its Australian Company Number (ACN).

Legal elements to apply:

Is the proposed name identical to a registered business name(s)?

yes ☒ no ☐

if yes, provide business name(s) registration details

NSW

BN97776871

I DECLARE that I make this application for the company name AS, or ON BEHALF of and with the authority of, the registered owner(s) of the above identical business name(s).

type and class of company**type of company**

☒ proprietary company

☐ public company

class of company

☒ limited by shares

☐ unlimited with share capital

☐ limited by shares

☐ limited by guarantee

☐ unlimited with share capital

☐ no liability

governance of a public company

Will the company rely entirely on replaceable rules? yes ☐ or

Does the company have a constitution? yes ☐

A proposed public company which has adopted a 'constitution' must lodge a copy of the constitution with this application

If the proposed company is to be a public company limited by guarantee, state the amount of the guarantee that each member agrees to.

The amount of the member's guarantee is: \$

registered office

SHERYL HASLAM & ASSOCIATES
4 JULIA STREET
TOOWOOMBA QLD 4350

Does the company occupy these premises? yes ☐ no ☒

if no, name of occupier **SHERYL HASLAM & ASSOCIATES**

☒ The occupier of the premises has consented in writing to the use of the specified address as the address of the registered office of the company and has not withdrawn that consent.

office hours
(public company)

- (a) ☐ Registered office is open to the public each business day from at least 10am to 12 noon and 2pm to 4pm
- (b) ☐ Registered office is open to the public each business day for at least 3 hours between 9pm to 5pm

if (b), insert hours

principal place of business
in Australia

1B KITCHENER STREET
TOOWOOMBA QLD 4350

Ultimate Holding Company

☐ Yes

Company Name

ACN/ARBN/ABN

Country of incorporation

☒ No

Director and Secretary Details

| | |
|---------------|--------------------------------|
| name | MCCLEARY, PETER JOHN |
| address | 18 VAYRO ROAD |
| | BLUE MOUNTAIN HEIGHTS QLD 4350 |
| birth details | 31/08/1959 ALTONA VIC |
| office | DIRECTOR |
| office | SECRETARY |

Share Structure Table

| class code | title | total number issued | total amount paid | total amount unpaid |
|------------|------------------------|---------------------|-------------------|---------------------|
| ORD | ORDINARY SHARES | 1 | 1.00 | 0.00 |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Members

| Members full name and address | class of share | No of shares taken up | Amount agreed to pay per share | total \$ paid on these shares | amount unpaid per share | total \$ unpaid on these shares | are shares fully paid | are shares beneficially owned |
|-------------------------------------|---|-----------------------|--------------------------------|-------------------------------|-------------------------|---------------------------------|-----------------------|-------------------------------|
| shareholding member name
address | ORD | 1 | 1.00 | 1.00 | 0.00 | 0.00 | Y | Y |
| | MCCLEARY, PETER JOHN
18 VAYRO ROAD
BLUE MOUNTAIN HEIGHTS QLD 4350 | | | | | | | |

Shares issued other than for cash

For a public company that is limited by shares or is an unlimited company; will any shares be issued for a non-cash consideration?

yes ☐ no ☐

If **yes** and the issue of shares is not under a written contract, then attach to this application a **form 208** giving details of the prescribed particulars about the share issue; **OR**,

If **yes** and the shares will be issued under a written contract, then attach a copy of the contract to this application plus a **Form 207Z** certifying compliance with stamp duty law

Details of the applicant

name of applicant **TUNREND PTY. LIMITED,**

A.C.N./A.R.B.N 010 223 042

address of applicant **LEVEL 5
293 QUEEN STREET
BRISBANE QLD 4000**

I apply for the registration of a company on the basis of the information in this form and any attachments. I have the necessary consents and agreements referred to in this application concerning the members and officeholders and I shall give the consents and agreements to the company after the company becomes registered. The information provided in this application and in any annexures is true and correct at the time of signing.

Signature

name **ARMSTRONG, ROBIN ERIC**

capacity **DIRECTOR**

date **17/09/2004**



**Australian Securities &
Investments Commission**



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1 - OCT 2018

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Form 492
Corporations Act 2001

Request for correction

Use this form to notify ASIC of corrections to a previously lodged document.

If there is insufficient space in any section of the form, you may photocopy the relevant page(s) and submit as part of this lodgement

Company/scheme details

Company/scheme/pooled group name/credit licensee or representative name

HRM Partners Pty Ltd

ACN/ARBN/ARSN/ABN/ credit licence or representative number (if applicable)

111 006 921

(See guide for information on pooled group)

Lodgement details

An image of this form will be available as part of the public register.

Who should ASIC contact if there is a query about this form?

ASIC registered agent number (if applicable)

Firm/organisation

HRM Partners Pty Ltd

Contact name/position description

PETER McCLEARY

Telephone number (during business hours)

(61) 428 412 613

Email address (optional)

peter@hrcoach.com.au

Postal address

18 VAYRO ROAD,

Suburb/City

BLUE MOUNTAIN HEIGHTS

State/Territory

QLD

Postcode

4350

1 Details of original documents

The document number can be obtained from a search at ASIC Connect at www.asic.gov.au.

Document number (Number allocated by ASIC)

1E0285180

Date of lodgement

17/09/04
[D] [D] [M] [M] [Y] [Y]

2 Details of correction

If correcting a date of change, supporting documentation must also be attached.

See guide for further details

Please note that the current D.O.B of one of the directors and members is incorrect. Please update to show the following for
PETER JOHN McCLEARY
31/07/1959

We enclose a ~~pro~~ copy of his drivers licence as proof of this.

**Signature**

This form must be signed by a current director or secretary of the company, Australian credit licensee or body corporate credit representative, the local agent of a foreign company or the external administrator of a company or pooled group of companies in external administration.

I certify that the information in this form is true and complete.

Name

PETER J MCLEARY

Capacity



Director



Company secretary



Local agent (foreign companies only)



External administrator



Other, please specify

Signature

Date signed

1

8

0

9

1

8

[D]

[D]

[M]

[M]

[Y]

[Y]

Lodgement

Send completed and signed forms to:
Australian Securities and Investments Commission,
PO Box 4000, Gippsland Mail Centre VIC 3841.

For more information

Web www.asic.gov.au

Need help? www.asic.gov.au/question

Telephone 1300 300 630



ASIC Traralgon Office

Australian Securities & Investments Commission

ABN: 86 768 265 615

authority@property.saiglobal.com

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Request Number 9671356.

Extracted from ASIC's Database on 28/08/2019 at 16:31.

Name: HRM PARTNERS PTY LTD
ACN: 111 006 921

| <i>Document ID</i> | <i>No. of Pages</i> | <i>Date Lodged</i> |
|--------------------|---------------------|--------------------|
| 7E0506719 | 2 | 07/10/05 |

If this request is for financial accounts it may contain an XBRL version of the accounts in addition to the usual PDF version. To analyse the version of the accounts in XBRL format you will need to use XBRL reader software.
Please refer to www.asic.gov.au/SBR for more information.

The total number of pages including this cover page is 3.

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If your request was made direct to ASIC and you require further assistance please contact us as follows:

| | |
|-------------------------------|--|
| DOCIMAGE Technical Enquiries: | 03 5177 3001 |
| Facsimile: | 03 5177 3999 |
| Ask a question: | www.asic.gov.au/question |

For all other inquiries contact us on 1300 300 630.

**Australian Securities &
Investments Commission**

Electronic Lodgement

Document No. **7E0506719**Lodgement date/time: 07-10-2005 10:07:19
Reference Id: 72641790**Form 484**
Corporations Act 2001

Change to company details

Company details

Company name

HRM PARTNERS PTY LTD

Australian Company Number (ACN)

111 006 921**Lodgement details**

Who should ASIC contact if there is a query about this form?

Name

SHERYL HASLAM & ASSOCIATES

ASIC registered agent number (if applicable)

7776**Signature**

This form must be signed by a current officeholder of the company.

I certify that the information in this form is true and complete

Name

PETER JOHN MCCLEARY

Capacity

Director

Signature

Date signed

07-10-2005

Form 484 - Change to company details
HRM PARTNERS PTY LTD ACN 111 006 921

A1 Change of address

Principal place of business address

Address

**18 Vayro Road
Blue Mountain Heights
Qld
4350
Australia**

Effective Date

07-10-2005



ASIC Traralgon Office

Australian Securities & Investments Commission

ABN: 86 768 265 615

authority@property.saiglobal.com

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Request Number 9671354.

Extracted from ASIC's Database on 28/08/2019 at 16:31.

Name: HRM PARTNERS PTY LTD
ACN: 111 006 921

| <i>Document ID</i> | <i>No. of Pages</i> | <i>Date Lodged</i> |
|--------------------|---------------------|--------------------|
| 7E1188800 | 2 | 09/07/07 |

If this request is for financial accounts it may contain an XBRL version of the accounts in addition to the usual PDF version. To analyse the version of the accounts in XBRL format you will need to use XBRL reader software.
Please refer to www.asic.gov.au/SBR for more information.

The total number of pages including this cover page is 3.

If your request was made through an Information Broker and not all pages have been included please contact your Information Broker.

If your request was made direct to ASIC and you require further assistance please contact us as follows:

| | |
|-------------------------------|--|
| DOCIMAGE Technical Enquiries: | 03 5177 3001 |
| Facsimile: | 03 5177 3999 |
| Ask a question: | www.asic.gov.au/question |

For all other inquiries contact us on 1300 300 630.

**Australian Securities &
Investments Commission**

Electronic Lodgement

Document No. **7E1188800**

Lodgement date/time: 09-07-2007 12:32:27

Reference Id: 75335416

Form 484

Corporations Act 2001

Change to company details

Company details

Company name

HRM PARTNERS PTY LTD

Australian Company Number (ACN)

111 006 921**Lodgement details**

Who should ASIC contact if there is a query about this form?

Name

SHERYL HASLAM & ASSOCIATES

ASIC registered agent number (if applicable)

7776**Signature**

This form must be signed by a current officeholder of the company.

I certify that the information in this form is true and complete

Name

PETER JOHN MCCLEARY

Capacity

Director

Signature

Date signed

09-07-2007

Form 484 - Change to company details
HRM PARTNERS PTY LTD ACN 111 006 921

A1 Change of address

Registered office address

A change to the registered office address takes effect either 7 days after lodgement of the notice or a later date specified in the notice.

Registered office address

Address

**SHERYL HASLAM & ASSOCIATES
Suite 7, Level 1, Capital Place
195 Hume St
Toowoomba Qld 4350
Australia**

Effective Date **09-07-2007**

The company does not occupy the premises at the new registered office.
Thus,

Name of occupier:

SHERYL HASLAM & ASSOCIATES

Has the occupier of the premises consented in writing to the use of the specified address as the address of the registered office of the company and not withdrawn that consent ?

Yes



ASIC Traralgon Office

Australian Securities & Investments Commission

ABN: 86 768 265 615

authority@property.saiglobal.com

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Request Number 9671353.

Extracted from ASIC's Database on 28/08/2019 at 16:31.

Name: HRM PARTNERS PTY LTD
ACN: 111 006 921

| <i>Document ID</i> | <i>No. of Pages</i> | <i>Date Lodged</i> |
|--------------------|---------------------|--------------------|
| 7E2113896 | 6 | 01/04/09 |

If this request is for financial accounts it may contain an XBRL version of the accounts in addition to the usual PDF version. To analyse the version of the accounts in XBRL format you will need to use XBRL reader software.
Please refer to www.asic.gov.au/SBR for more information.

The total number of pages including this cover page is 7.

If your request was made through an Information Broker and not all pages have been included please contact your Information Broker.

If your request was made direct to ASIC and you require further assistance please contact us as follows:

| | |
|-------------------------------|--|
| DOCIMAGE Technical Enquiries: | 03 5177 3001 |
| Facsimile: | 03 5177 3999 |
| Ask a question: | www.asic.gov.au/question |

For all other inquiries contact us on 1300 300 630.

**Australian Securities &
Investments Commission**

Electronic Lodgement

Document No. **7E2113896**

Lodgement date/time: 01-04-2009 07:26:35

Reference Id: 78158427

Form 309Corporations Act 2001
263, 264

Notification of details of a charge

Company details (chargor)

Company name

HRM PARTNERS PTY LTD

ACN

111 006 921

Lodgement details

Registered agent number

26400

Registered agent name

**ESANDA FINANCE CORPORATION
LIMITED QLD**

Charge details

Your Reference (optional)

452904457

Date charge was created

23-03-2009

The charge was created :

by instrument

Type of charge

fixed

Briefly describe the liability (whether present or prospective) secured by the charge

Other charges & further advances

The maximum prospective liability (if applicable, see section 282) is:

54448.18

Briefly describe the property charged

Refer contract

Details of Chargee or trustee

These are the details of

the chargee

The chargee/trustee is a:

Form 309 - Notification of details of a charge
HRM PARTNERS PTY LTD ACN 111 006 921

company registered under the Corporations Act
2001 (Cth)

Company name **ESANDA FINANCE CORPORATION
LIMITED**

ACN **004 346 043**

Address **TEAM LEADER BSS
LEVEL 7
85 SPRING STREET
MELBOURNE VIC 3000
Australia**

Documents

Document(s) to be attached
A copy of the signed original instrument(s) creating or
evidencing the charge.

Certification

I verify that the original document(s) has (have) been executed and the
attached document(s) to this Form 309 is (are) a true copy of the original
executed document(s) required to be lodged under s263(1) or 264(1) of the
Act.

Yes

Stamp duty

I certify that all documents accompanying the notification of details of
this charge, in accordance with section 263(1) of the Act, have been duly
stamped if so required and as required by any law of the Australian Capital
Territory, New South Wales, the Northern Territory, Queensland, South
Australia, Tasmania, Victoria and Western Australia relating to stamp duty
on any such documents;

Yes

Signature

Capacity
a service provider/agent to the Chargee

Authority under which this charge is lodged
Security Registration Officer

I certify that the information in this form is true and complete and that I am
lodging this charge as, or on behalf of, the chargor, chargee or an interested
party and have the authority to do so.

Yes

Form 309 - Notification of details of a charge
HRM PARTNERS PTY LTD ACN 111 006 921

Authentication

This form has been authenticated by

Name ESANDA FINANCE CORPORATION LIMITED QLD

This form has been submitted by

Name Chingsang LAKPA

As a service provider/agent to the Chargee

Date 01-04-2009

For help or more information

Telephone 1300 300 630
Email info.enquiries@asic.gov.au
Web www.asic.gov.au

20. Mar. 2009 10:39 Capitalcorp Financial Services No. 9857 P. 17/31
2009-03-10 17:07 St Andrews TMBA PHC +61/46347000 >> +61 / 55916739 P 7/12
St Andrews TMBA PHC

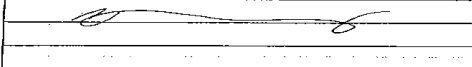
ORIGINAL INSTRUMENT
Credit Assessment Number
4254 02

I acknowledge, by signing in the space provided, that I have received (prior to signing) a copy of the Esanda Chattel Mortgage Terms and Conditions and they form part of my offer.

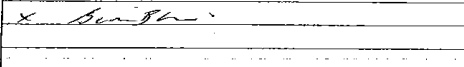
DATED this 18th day of March month 2009 year

INDIVIDUAL

Signature(s) of Mortgagor



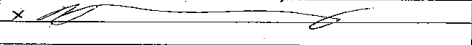
Witness Signature(s)

X 

COMPANY

SIGNED for and on behalf of

H R M POWERS PTY LTD AT THE
MCCLEARY FAMILY TRUST

X 

Director

Director / Secretary

SIGNED for and on behalf of Esanda

DATED this

day of month year

Signature



20. Mar. 2009 10:39 Capitalcorp Financial Services No. 9857 P. 18/31
 2009-03-10 17:00 St Andrews TMBA PHC +61 7 46347000 >> +61 7 55916739 P 3/12
 St Andrews TMBA PHC

ESANDA

ANNEXURE

TO: Esanda Finance Corporation Limited
 ABN 64 004 346 043 ("Esanda")

ORIGINAL INSTRUMENT

CONTRACT NUMBER

452904457

Dealer/Broker

GOLD COAST SPORTS AND PRESTIGE /
 Capitalcorp Commercial/CLS & Other Goods

S.O.B. Number

487015502

Credit Assessment Number

4984 02

This is the Annexure marked "B" in the Contract/Agreement between Esanda Finance Corporation Limited and the Party(s) named below

PRINCIPAL SUM:

\$43,481.65

Payment of Principal:

| | | |
|---------------------|-------------|----------|
| GOLD COAST SPORTS | \$41,481.65 | |
| REV/BASIC REG. FEES | | 1,000.00 |
| LOAN SEARCH FEE | | 100.00 |
| COMPREHENSIVE INS. | | 100.00 |
| DEALER ORIGINATION | | 100.00 |
| REVALUATION FEE | | 100.00 |
| REVS/VSR REG. FEES | | 100.00 |

Party(s) - Names in Full Surname First

HRM PARTNERS PTY LTD (A.B.N. 98290925124) as Trustee for the
 THE MCCLEARY FAMILY TRUST

Party(s) to Initial

X 10

15013 - 10/03



ASIC Traralgon Office

Australian Securities & Investments Commission

ABN: 86 768 265 615

authority@property.saiglobal.com

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Request Number 9671351.

Extracted from ASIC's Database on 28/08/2019 at 16:31.

Name: HRM PARTNERS PTY LTD
ACN: 111 006 921

| <i>Document ID</i> | <i>No. of Pages</i> | <i>Date Lodged</i> |
|--------------------|---------------------|--------------------|
| 7E7363618 | 2 | 07/10/15 |

If this request is for financial accounts it may contain an XBRL version of the accounts in addition to the usual PDF version. To analyse the version of the accounts in XBRL format you will need to use XBRL reader software.
Please refer to www.asic.gov.au/SBR for more information.

The total number of pages including this cover page is 3.

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| | |
|-------------------------------|--|
| DOCIMAGE Technical Enquiries: | 03 5177 3001 |
| Facsimile: | 03 5177 3999 |
| Ask a question: | www.asic.gov.au/question |

For all other inquiries contact us on 1300 300 630.

**Australian Securities &
Investments Commission**

Electronic Lodgement

Document No. **7E7363618**Lodgement date/time: 07-10-2015 15:18:58
Reference Id: 92877746**Form 484**

Corporations Act 2001

Change to company details

Company details

Company name

HRM PARTNERS PTY LTD

Australian Company Number (ACN)

111 006 921**Lodgement details**

Who should ASIC contact if there is a query about this form?

Name

Peter John MCCLEARY**Signature**

This form must be signed by a current officeholder of the company.

I certify that the information in this form is true and complete

Name

Peter John MCCLEARY

Capacity

Director

Signature

Date signed

07-10-2015

Form 484 - Change to company details
HRM PARTNERS PTY LTDACN111 006 921

A1 Change of address

Registered office address

A change to the registered office address takes effect either 7 days after lodgement of the notice or a later date specified in the notice.

Registered office address

Address

**18 VAYRO ROAD
BLUE MOUNTAIN HEIGHTS QLD 4350
Australia**

Effective Date **07-10-2015**

Does the company occupy the premises at the new registered office ?

Yes

Principal place of business address

Address

**18 VAYRO ROAD
BLUE MOUNTAIN HEIGHTS QLD 4350
Australia**

Effective Date **07-10-2015**

Company officeholder's residential address

Officeholder details

Given names **PETER JOHN**

Family name **MCCLEARY**

Birth Details

Date of Birth **31-08-1959**

City/town of Birth **ALTONA**

State (if born in Australia) **Vic**

Address

**18 VAYRO ROAD
BLUE MOUNTAIN HEIGHTS QLD 4350
Australia**

Effective Date **07-10-2015**

Member's address

If there are more than 20 members in a share class, only address change for the top 20 need be notified.

Member's address

Member details

Given names **PETER JOHN**

Family name **MCCLEARY**

Address

**18 VAYRO ROAD
BLUE MOUNTAIN HEIGHTS QLD 4350
Australia**

Effective Date **07-10-2015**



ASIC Traralgon Office

Australian Securities & Investments Commission

ABN: 86 768 265 615

authority@property.saiglobal.com

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Request Number 9671350.

Extracted from ASIC's Database on 28/08/2019 at 16:31.

Name: HRM PARTNERS PTY LTD
ACN : 111 006 921

| <i>Document ID</i> | <i>No. of Pages</i> | <i>Date Lodged</i> |
|--------------------|---------------------|--------------------|
| 7E9490884 | 2 | 27/09/17 |

If this request is for financial accounts it may contain an XBRL version of the accounts in addition to the usual PDF version. To analyse the version of the accounts in XBRL format you will need to use XBRL reader software.
Please refer to www.asic.gov.au/SBR for more information.

The total number of pages including this cover page is 3.

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If your request was made direct to ASIC and you require further assistance please contact us as follows:

| | |
|-------------------------------|--|
| DOCIMAGE Technical Enquiries: | 03 5177 3001 |
| Facsimile: | 03 5177 3999 |
| Ask a question: | www.asic.gov.au/question |

For all other inquiries contact us on 1300 300 630.

**Australian Securities &
Investments Commission**

Electronic Lodgement

Document No. **7E9490884**Lodgement date/time: 27-09-2017 20:25:55
Reference Id: 103817882**Form 484**

Corporations Act 2001

Change to company details

Company details

Company name

HRM PARTNERS PTY LTD

Australian Company Number (ACN)

111 006 921**Lodgement details**

Who should ASIC contact if there is a query about this form?

Name

Peter John MCCLEARY**Signature**

This form must be signed by a current officeholder of the company.

I certify that the information in this form is true and complete

Name

Peter John MCCLEARY

Capacity

Director

Signature

Date signed

27-09-2017

Form 484 - Change to company details
HRM PARTNERS PTY LTDACN111 006 921

B2 Appoint company officeholder

Officer

This section shows the appointment of
a company officeholder

Officeholder Appointment Details

Role(s)

Director - Appointment Date: 27-09-2017

The name of the appointed officeholder is:

Given names **Lynne Marie**

Family name **MCCLEARY**

Birth Details

Date of Birth **09-10-1956**

City/town of Birth **Newcastle**

State (if born in Australia) **NSW**

Country of Birth **Australia**

Former name(s)

The previous name(s) was/were:

JURD, Lynne Marie

Residential Address

Address

**18 VAYRO ROAD
BLUE MOUNTAIN HEIGHTS QLD 4350
Australia**

Officer

This section shows the appointment of
a company officeholder

Officeholder Appointment Details

Role(s)

Director - Appointment Date: 27-09-2017

The name of the appointed officeholder is:

Given names **Samuel John**

Family name **MCCLEARY**

Birth Details

Date of Birth **01-11-1989**

City/town of Birth **Melbourne**

State (if born in Australia) **Vic**

Country of Birth **Australia**

Residential Address

Address

**18 VAYRO ROAD
BLUE MOUNTAIN HEIGHTS QLD 4350
Australia**



ASIC Traralgon Office

Australian Securities & Investments Commission

ABN: 86 768 265 615

authority@property.saiglobal.com

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Request Number 9671355.

Extracted from ASIC's Database on 28/08/2019 at 16:31.

Name: HRM PARTNERS PTY LTD
ACN: 111 006 921

| <i>Document ID</i> | <i>No. of Pages</i> | <i>Date Lodged</i> |
|--------------------|---------------------|--------------------|
| 022338353 | 31 | 21/02/06 |

If this request is for financial accounts it may contain an XBRL version of the accounts in addition to the usual PDF version. To analyse the version of the accounts in XBRL format you will need to use XBRL reader software.
Please refer to www.asic.gov.au/SBR for more information.

The total number of pages including this cover page is 32.

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If your request was made direct to ASIC and you require further assistance please contact us as follows:

| | |
|-------------------------------|--|
| DOCIMAGE Technical Enquiries: | 03 5177 3001 |
| Facsimile: | 03 5177 3999 |
| Ask a question: | www.asic.gov.au/question |

For all other inquiries contact us on 1300 300 630.

ASIC registered agent number

82354

309

1/2

15 July 2001

lodging party or agent name

Australia and New Zealand Banking Group Limited ABN 11 005 357 522

office, level, building name or PO Box no.

street number & name

suburb/city

state/territory

postcode

telephone ()

facsimile ()

DX number

AUSTRALIA AND NEW ZEALAND BANKING
 2/53 COLLINS STREET MELBOURNE VIC 3000
 03 9600 8888
 03 9600 8885

AUSTRALIAN SECURITIES
& INVESTMENTS COMMISSION

022338353

 ASS.
 CASH.
 PROC.

 REQA
 REQP

Australian Securities & Investments Commission

form 309

Notification of

Corporations Act 2001

details of a charge

263, 264

This form must be lodged where

 any Australian company or registered body creates a charge or acquires property subject to a charge
 (lodge within 45 days after the charge was created or the property was acquired)

or

 any foreign company or registrable Australian body has an existing charge on its property
 and is applying for registration (lodge with appropriate registration form)

Corporation name (chargor)

HRM PARTNERS PTY LTD

A.C.N. or A.R.B.N.

A.C.N. 111 006 921

RECEIVED

21 FEB 2006

BRISBANE SERVICE
CENTRE

Details of the charge

Date charge was created (d/m/y)

6, 2, 06

or date property was acquired (d/m/y)

How was the charge created?

☐ by resolution☒ by instrument☐ by deposit☐ by other conduct, specify below

Type of charge

☐ fixed☐ floating☒ fixed and floatingIf the charge is a floating charge or a fixed and floating charge, is the creation of subsequent charges restricted or prohibited? yes ☒ no ☐

Briefly describe the liability (whether present or prospective) secured by the charge

ALL THE SECURED MONEY OWING AT ANY TIME TO ANZ FOR ANY REASON ON ANY ACCOUNT AT ALL.

Maximum prospective liability (if applicable, see section 282)

Briefly describe the property charged

ALL AND SINGULAR THE UNDERTAKING AND ASSETS OF THE COMPANY BOTH PRESENT AND FUTURE.

☒ details of the chargee☐ details of the trustee for the debenture holders

name (surname & given names or corporation name) if a corporation give ACN or ARBN also.

AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED ABN 11 005 357 522

office, floor, building name

DOCUMENTATION & SETTLEMENTS

street number & name

6/530 COLLINS STREET

suburb/city

MELBOURNE

state/territory VIC

postcode 3000

country (if not Australia)

financial benefit

Nominate any financial benefit (such as an amount or rate percent of commission, allowance or discount)
 given to someone who, absolutely or conditionally, subscribes to or agrees to subscribe to, or procures or agrees to procure,
 subscriptions for any debentures included in this notice.

Signature

 This form must be signed by, or on behalf of, the Australian company, the registrable Australian body or the foreign
 company or by an interested person.

Print name of person signing

Peter John McLeary

Capacity or nature of interest of person signing (including details of the authority you have, if signing on behalf of a corporation)

Director

If signing on behalf of a corporation, print name of

 corporation & ACN or ARBN
 HRM PARTNERS PTY LTD A.C.N. 111 006 921

sign here

date

6, 2, 06

• Complete and sign the verification on page 2.

494

page 1

309

2/2

15 July 2001

Documents

I declare that the statements ticked below are correct. (tick boxes which apply)

charge created by issue of debentures

- I verify ☐ the annexure marked () of () pages is a true copy of the resolution(s) passed by the corporation authorising the issue of a series of debentures constituting the charge.
- and ☐ I witnessed the execution of the first debenture in the series.
- and ☐ The annexure marked () is a true copy of the first debenture in the series.

charge created by an instrument

- ☒ The original of the instrument(s) creating or evidencing the charge is attached.
- OR
- I verify ☐ the annexure marked () of () pages is a true copy of the instrument(s) creating or evidencing the charge and I witnessed the execution by the chargor of the instrument(s).

charge existing on the property acquired

- I verify ☐ the annexure marked () of () pages is a true copy of the instrument(s) creating or evidencing the charge.

* Annexures must conform to the requirements shown at the end of this form

Signature

This form must be signed by, or on behalf of, the Australian company, the registrable Australian body or the foreign company or by an interested person

Print name of person signing

Peter John McCleary

Capacity or nature of interest of person signing (including details of the authority you have, if signing on behalf of a corporation)

Director

If signing on behalf of a corporation, print name of corporation & ACN or ARBN

HRM PARTNERS PTY LTD A.C.N. 111 006 921

sign here

Date

6/2/06

Compliance with stamp duty law

A duly completed certification of compliance with stamp duties law (form 350)

- ☒ accompanies this form
- ☐ does not accompany this form

If all the documents accompanying this form required by section 263(1) have been stamped in accordance with the law relating to stamp duty, complete and attach the form 350 'Certification of compliance with stamp duties law'.

Provisional registration

If any document accompanying this form has not been stamped as required by any law relating to stamp duty, or if this form contains the company name and the name of the trustee or chargee but not all other details,

the Commission will mark the entry in the Register as 'provisional' and ask you to complete the requirements.

If the requirements have not been completed by a specified time, the Commission will delete all particulars of the charge from the register.

Send to

Australian Securities and Investments
Commission
PO Box 4000
Gippsland Mail Centre VIC 3841

Annexures

To make any annexure conform to the regulations, you must:

1. use A4 size paper of white or light pastel colour with a margin of at least 10mm on all sides
2. show the corporation name and A.C.N. or A.R.B.N.
3. number the pages consecutively
4. print or type in dark blue or black ink, so that the document is clearly legible when photocopied

5. identify the annexure with a mark such as A, B, C, etc.

6. endorse the annexure with the words: *This is annexure (mark) of (number) pages referred to in form (form number and title)*

7. sign and date the annexure
The annexure must be signed by the same person(s) who signed the form.

82354

350 1/1 1 May 2004

ASIC registered agent number _____
lodging party or agent name Australia and New Zealand Banking Group Limited ABN 11 005 357 522
 office, level, building name or PO Box no. _____
 street number & name _____
 suburb/city _____ state/territory _____ postcode _____
 telephone () AUSTRALIA AND NEW ZEALAND BANKING
 facsimile () GROUP LIMITED A.B.N. 11 005 357 522
 DX number 21024 COLLINS ST. MELBOURNE VIC 3000
 Country Code BE005

| | |
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| | |
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| | |
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| ASS.
CASH.
PROC. | <input type="checkbox"/> RECA
<input type="checkbox"/> REQ |
|------------------------|---|

Australian Securities & Investments Commissionform **350**

Certification of
compliance with stamp duties law

Corporations Act 2001
265(4)(b)

corporation name HRM PARTNERS PTY LTD
 A.C.N. or A.R. B. N. A.C.N. 111 006 921

Details of the charge

date charge was created (d/m/y) 6, 2, 06
 name of chargee(s) or trustee(s) _____

AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED ABN 11 005 357 522
DOCUMENTATION & SETTLEMENTS, 6/530 COLLINS STREET
MELBOURNE VIC 3000

Certification

I certify that all the documents accompanying the notification of details of this charge, in accordance with section 263(1), have been duly stamped if so required and as required by any law of the Australian Capital Territory, New South Wales, the Northern Territory, Queensland, South Australia, Tasmania, Victoria and Western Australia relating to stamp duty on any such document

print name of person signing Peter John McLeary
 capacity or nature of interest of person signing (including details of the authority you have, if signing on behalf of a corporation) Director

if signing on behalf of a corporation, print name of corporation & A.C.N. or A.R.B.N.
HRM PARTNERS PTY LTD A.C.N. 111 006 921

sign here

date 6, 2, 06

Small Business (less than 20 employees), please provide an estimate of the time taken to complete this form


Include

- The time actually spent reading the instructions, working on the question and obtaining the information
- The time spent by all employees in collecting and providing this information

hrs mins

82354

MORTGAGE DEBENTURE

| | | |
|--|---|-----------------|
| Lg No: 1043 1165 | | Duty Code: LORi |
| Queensland Duty Paid | \$ 100 | |
| On the Amount of | \$ 25000 | |
| Concession Amount | \$ — | |
| Total Amount Secured | \$ 25000 | |
| <input checked="" type="checkbox"/> First Home/ <input type="checkbox"/> Home/ <input type="checkbox"/> Home Refinance/ <input type="checkbox"/> Mortgage/ <input type="checkbox"/> Mortgage
<input type="checkbox"/> Package/ <input type="checkbox"/> Multi-jurisdictional/ <input type="checkbox"/> Collateral/ <input type="checkbox"/> Further Advance | | |
| Signed: |  | Date: 21/2/06 |

This document is important. The Company has rights and obligations under it.

Please read this document carefully and make sure that you understand it before the Company signs it.

The Company is entitled to seek legal advice from an independent lawyer before deciding whether to sign this document.



Form S2/149A
3/01 (SSC)
(For use with item 3029)

THIS CHARGE is given

BY HRM PARTNERS PTY LTD A.C.N. 111 006 921
AS TRUSTEE FOR THE MCCLEARY FAMILY TRUST (the "**Company**")

TO Australia and New Zealand Banking Group Limited ABN 11 005 357 522 ("**ANZ**").

SCHEDULE

TRUSTS (see part 8)

The Trust: AS TRUSTEE FOR THE MCCLEARY FAMILY TRUST

The Trust Deed: DEED OF SETTLEMENT MADE TWENTY-EIGHTH SEPTEMBER 2004
BETWEEN SHANE PAUL CHARLES AS SETTLOR AND HRM PARTNERS PTY LTD A.C.N. 111
006 921 AS TRUSTEE

MORTGAGE DEBENTURE

| CONTENTS | Page No. |
|---|-----------------|
| Part 1 How to interpret this charge | 3 |
| Part 2 Charge | 7 |
| Part 3 The Company's title | 8 |
| Part 4 The Company's payment and other obligations | 8 |
| Part 5 The Company's obligations regarding the charged property | 9 |
| Part 6 Insurance | 11 |
| Part 7 Environmental laws | 12 |
| Part 8 Provisions which apply if the Company is trustee of a trust | 13 |
| Part 9 Licences | 14 |
| Part 10 Enforcement of security | 16 |
| Part 11 Appointment of receiver | 19 |
| Part 12 Powers of ANZ | 20 |
| Part 13 Application of money | 20 |
| Part 14 Additional rights and protections for ANZ | 21 |
| Part 15 Protection for people dealing with ANZ | 25 |
| Part 16 How to give a notice under this charge | 25 |

THE COMPANY AND ANZ AGREE:

PART 1 HOW TO INTERPRET THIS CHARGE

1.1 The meaning of certain words and expressions

In this charge, unless the context otherwise requires, the following words and expressions have the following meanings:

ANZ

Australia and New Zealand Banking Group Limited ABN 11 005 357 522 and includes any person who is its successor or assignee or any person to whom ANZ transfers any of its rights in connection with this charge, including its rights to receive the secured money;

ANZ appointee

- (a) any ANZ employee who is authorised to take action in regard to this charge or whose authority to do so is later confirmed by ANZ;
- (b) any ANZ employee who is authorised by ANZ to act as its attorney; or
- (c) a lawyer, a Receiver or anyone else appointed by ANZ to do something under this charge;

ANZ's costs and expenses

any taxes, duties, costs and expenses which ANZ considers it, or any ANZ appointee, has incurred or will incur:

- (a) in connection with preparing, stamping or registering this charge;
- (b) in connection with investigating, protecting or defending the rights of the Company or ANZ to the charged property;
- (c) in connection with any transaction under or relating to this charge, the charged property or the secured money;

- (d) as a result of exercising, trying to exercise or not exercising its rights under a law or under this charge, a collateral security or any other agreement relating to the secured money; or
- (e) because the Company has breached any provision of this charge.

They include:

- (a) ANZ's charges and commissions;
- (b) any goods and services tax, stamp duty, financial institutions duty, bank account debit tax or other tax or duty on this charge or on any transaction under or relating to this charge, the charged property or the secured money;
- (c) the fees and expenses of any person engaged by ANZ for any purpose relating to this charge, the charged property or the secured money (for example, the fees and remuneration paid to an ANZ appointee exercising powers under clause 5.7 or clause 5.13);
- (d) the cost of time spent by any ANZ employee because the Company is or has been in default; and
- (e) ANZ's legal costs on a full indemnity basis;

books

has the same meaning as in the Corporations Law;

this charge

either this mortgage debenture or the security created by it;

charged property

the Company's undertaking and all its assets, both present and future, including, without limitation:

- (a) its uncalled capital and uncalled premiums;
- (b) all assets held by the Company as a trustee; and

- (c) all assets acquired after the date or dates on which the floating charge created under this charge crystallises;

collateral security

any other security, guarantee or indemnity given to ANZ which secures the secured money;

Company

includes the Company's successors, any liquidator or administrator of the Company and any person to whom the Company transfers its interest in the charged property;

contamination

the presence of a chemical which because of its type, location or concentration causes a risk to the health of any person or to the environment;

Corporations Law

- (a) in the case where the Company is incorporated or taken to be incorporated in Australia, the Corporations Law of the State or Territory in which the Company is incorporated or is taken to be incorporated; or
- (b) otherwise, the Corporations Law of the State of Victoria,

and the expression "**Corporations Law**" will have the extended meaning given by section 8A of the Corporations Law in the relevant jurisdiction;

encumber

to create an encumbrance;

encumbrance

- (a) a mortgage, charge, assignment or interest by way of security;
- (b) any title retention arrangement, preferential right, trust arrangement or other arrangement (including, without limitation, any set-off or "flawed-asset" arrangement) having the same or equivalent commercial effect as a grant of security;

- (c) an easement, restrictive covenant, caveat or other similar restriction on property; or

- (d) an agreement to create or give any of these things;

environment

our physical surroundings including land, water, atmosphere, climate, sound, odours, tastes, creatures and plants. It includes the charged property;

environmental damage

pollution or harm to the environment (including contamination) affecting the charged property or coming from the charged property or from something being done on the charged property;

environmental law

a law that has protecting the environment as one of its purposes or effects (for example, laws relating to land use, noise, pollution, waste, dangerous goods or hazardous substances);

garnishee

a person (including ANZ) who:

- (a) holds, or may hold, money for the Company or on its account; or
- (b) owes, or may owe, the Company money;

garnishee notice

a notice which is validly given to a garnishee under any law which requires a garnishee to deal with money in accordance with the notice regardless of any contrary direction which the Company may give a garnishee;

government agency

a government, any government department, or an authority or person who administers an applicable law;

intellectual property rights

- (a) any intellectual or industrial property rights of any kind (whether protected by statute, at common law, in equity or otherwise); and
- (b) the right to use or to grant the right to use, or to be registered as the owner or user of any of those rights.

They include, without limitation, any:

- (a) patent, invention, copyright, moral right or design (whether registrable or not);
- (b) circuit layout design or right in relation to circuit layouts;
- (c) trade secret, confidential information, technical information process, technique or know-how; and
- (d) any trade mark, trade name, logo or get-up (whether registered or unregistered and regardless of whether it is registrable);

licence

a licence, registration or permit under a law for a business or activity;

licensed

having a licence;

licensee

a person who holds a licence;

licensing authority

- (a) a government agency responsible for granting licences; or
- (b) a court or tribunal that has authority to hear appeals from decisions of a government agency responsible for granting licences;

notice

includes an order from a court, a tribunal or a government authority;

person

an individual, a corporation, a partnership, an association or a government agency;

pollutant

a substance that can cause pollution or harm to the environment or whose use is regulated by an environmental law;

principal money

at any time all money (unless otherwise agreed in writing by ANZ) which:

- (a) the Company owes to ANZ at that time for any reason;
- (b) any other person owes to ANZ at that time because of something that ANZ does or does not do at the Company's express or implied request;
- (c) when ANZ makes a demand under this charge or the question of payment arises, it is reasonably foreseeable that the Company or another person will owe to ANZ arising out of some earlier transaction:
 - (i) with the Company; or
 - (ii) with that other person at the Company's express or implied request,

whether or not the transaction is also with anyone else;

- (d) is money that ANZ has received for crediting to any of the Company's accounts but that:
 - (i) ANZ has to pay to someone else because of a legal requirement; or
 - (ii) ANZ has in its discretion paid to someone else on a claim being made by a liquidator, trustee in bankruptcy or other person; or
- (e) ANZ pays, whether voluntarily or not, because some payment of, or transaction or arrangement relating to, money previously paid to it is or is claimed to be void, voidable or a preference.

Money which is described in each of the above paragraphs will be principal money:

- (a) whether or not the money is due for payment at that time;
- (b) even if the money is owing only on a contingency;
- (c) whether the Company or the other person owes the money alone or jointly, or jointly and severally or in common with any other person and whether as principal or as surety;
- (d) whether the relevant transactions took place before or after the Company executed this charge; and
- (e) whether or not the relevant transactions took place in the course of ANZ's banking business.

For example, principal money includes money which the Company owes or may owe ANZ:

- (a) because the Company guarantees to ANZ someone else's obligations;
- (b) because ANZ issues a letter of credit, or gives a guarantee or other undertaking, for the Company or at its request;
- (c) because ANZ draws, issues, accepts, endorses, purchases, discounts or pays any bill of exchange or promissory note for the Company or at its request;
- (d) under any bill of exchange or promissory note which the Company issues, accepts or endorses (including, for example, one issued, accepted or endorsed by a partnership of which the Company is a member) and which ANZ holds in any capacity;
- (e) under any leasing arrangement;
- (f) under any arrangement that ANZ enters into for the Company or at its request to manage movements in foreign currency exchange or interest rates or other costs of obtaining financial accommodation; and
- (g) for ANZ's costs and expenses;

property

real and personal property and includes any estate, share and interest in any real or personal property, any thing in action, and any other right or interest of any kind;

Receiver

any receiver or any receiver and manager appointed under this charge;

secured money

the principal money and all interest accrued on the principal money under part 4 of this charge but which has not been added to it;

Trust

the trust described in the schedule; and

Trust Deed

in respect of a Trust, the document described in the schedule under which that Trust has been established.

1.2 Other references

A reference in this charge to a particular law, or to a particular provision of a law is a reference to:

- (a) that law or provision, and to regulations and other rules made under it; and
- (b) any law, regulation or other rule which modifies or replaces any of them, as in force for the time being.

In this charge, a word indicating the singular also indicates the plural and vice versa, and a word indicating any gender also indicates each other gender.

Headings are for convenience only and do not affect the interpretation of this charge.

A reference in this charge to something (for example, the charged property or the secured money) is also a reference to any part of it.

1.3 Effect of laws

The rights given to ANZ under this charge are in addition to, and do not exclude, any other rights which it has under any law.

To the extent that it can lawfully be excluded, any law that might limit ANZ's rights under this charge is excluded.

1.4 What happens if a provision of this charge is invalid

If a provision of this charge is or becomes invalid or unenforceable, the provision is to be read down (if possible) so as to be valid and enforceable. If it cannot, this charge takes effect as if it did not include that provision.

PART 2 CHARGE

2.1 Charging provision

The Company charges in favour of ANZ as security for payment to ANZ of the secured money:

- (a) as trustee, all of the charged property held now or in the future by the Company as trustee; and
- (b) as beneficial owner, all other charged property.

2.2 Fixed charge

This charge is a fixed charge over all the Company's right, title and interest (legal or beneficial), both present and future in, to, under or derived from:

- (a) any freehold or leasehold property or any fixtures, plant and equipment (other than stock in trade);
- (b) any marketable securities (as defined in section 9 of the Corporations Law) other than marketable securities which are acquired and disposed of by the Company in the ordinary course of its ordinary business;
- (c) goodwill;
- (d) any licences held in connection with any business of the Company or with

the use of any of the charged property;

- (e) uncalled capital and uncalled premiums;
- (f) any insurance policies, any computer software relating in any way to the business transactions of the Company and all books of the Company;
- (g) any title documents;
- (h) any intellectual property rights;
- (i) any partnership in which the Company is a partner;
- (j) any joint venture in which the Company is a joint venturer;
- (k) all rights under agreements of any kind whatever; and
- (l) any book debts and other debts but not the proceeds of those debts.

2.3 Floating charge

Subject to clause 2.6, this charge is a floating charge over any of the charged property which is not subject to an effective fixed charge.

2.4 Restrictions on dealing with charged property

The Company will not, unless ANZ agrees first in writing:

- (a) mortgage, charge or otherwise encumber the charged property (or attempt to do so);
- (b) permit any encumbrance other than this charge to exist over the charged property; or
- (c) part with, sell, transfer or otherwise dispose of the charged property or any interest in the charged property (or attempt to do so) other than as permitted by clause 2.5.

2.5 Dealing with assets subject to floating charge

The Company may, in the ordinary course of its ordinary business, dispose of or deal with any of the property in respect of which this charge operates as a floating charge.

2.6 Crystallisation

- (a) The floating charge will become a fixed charge:
 - (i) over all the property previously subject to a floating charge, automatically and immediately, without any further act on ANZ's part being necessary, if this charge becomes enforceable;
 - (ii) over the property specified in the notice, when ANZ gives notice to the Company terminating the floating charge. ANZ may give a notice of this kind to the Company at any time; and
 - (iii) over any of the property in respect of which any government agency may rank in priority for payment of any tax, duty or charge ahead of the floating charge, automatically and immediately, without any further act on ANZ's part being necessary, immediately prior to the moment at which the claim of that government agency would otherwise rank in priority to the interest of ANZ.
- (b) If the floating charge over any property becomes a fixed charge, the Company cannot dispose of or deal with that property, unless ANZ agrees first in writing.
- (c) If the property specified in a notice terminating the floating charge is the proceeds of any book debts or other debts, ANZ may in that notice require the Company to pay any proceeds of the relevant debts into an ANZ account specified in the notice. The Company must immediately comply with the notice. Money which is paid under this paragraph into the specified account cannot be withdrawn by the Company, unless ANZ agrees first in writing.

2.7 Floating nature of charge restored

At any time after this charge has become a fixed charge over any property under clause 2.6, ANZ may give a notice to the

Company allowing the Company to dispose of or deal with that property or any part of it. On the giving of notice, this charge will again operate as a floating charge, and not a fixed charge, in respect of the property specified in the notice.

PART 3 THE COMPANY'S TITLE

The Company represents to ANZ that:

- (a) the Company has an absolute and unchallengeable right to charge the charged property in favour of ANZ;
- (b) except for encumbrances already held by ANZ or encumbrances to which ANZ has given its written consent before the execution of this charge, the charged property is free from encumbrances;
- (c) except for any rights or claims which the Company has told ANZ about in writing before the execution of this charge, nobody else has, or claims, any rights in or affecting the charged property; and
- (d) unless ANZ has agreed otherwise in writing, the charge created by clause 2.1 is a first ranking charge.

PART 4 THE COMPANY'S PAYMENT AND OTHER OBLIGATIONS

4.1 Principal

The Company will pay the principal money to ANZ at the times ANZ and the Company agree. If there is no particular agreement, the Company will pay the principal money when ANZ demands it.

4.2 Interest

Interest accrues daily on the principal money (other than any part of the principal money that is only owing contingently) owing at the end of each day. This interest accrues at the rate or rates that ANZ and the Company agree or, if there is no particular agreement, at the rate or rates that ANZ determines from time to

time.

In determining a rate, ANZ may have regard to the matters that it considers appropriate. These matters may include the nature, purpose, amount and risk grading of the account or facility and the interest rate or rates charged by it to its other customers for similar accounts or facilities. Unless ANZ and the Company agree that a rate is a fixed rate, a rate may be varied by ANZ from time to time.

The Company will pay accrued interest at the times ANZ and the Company agree. Otherwise the Company will pay it monthly, on the days ANZ decides.

If the Company does not pay accrued interest when it is due, ANZ may decide at any time to add the unpaid interest to the principal money, so that interest accrues on the unpaid interest.

This clause applies both before and after any judgment or order.

4.3 The Company will pay ANZ's costs and expenses

The Company will pay ANZ's costs and expenses whenever ANZ demands. ANZ may debit ANZ's costs and expenses to the Company's account without first telling the Company or demanding that the Company pay them.

4.4 Payments to be made on a business day

Unless ANZ and the Company agree otherwise, if the due date for a payment is not a business day, the amount is payable on the preceding business day. In this clause, "business day" means a day on which ANZ is open for general banking business at the office where the Company's account or facility is conducted.

4.5 Obligations under other agreements

The Company will ensure that there is no breach of any obligation under any other agreement it has with ANZ relating to the secured money or under any collateral security.

PART 5 THE COMPANY'S OBLIGATIONS REGARDING THE CHARGED PROPERTY

5.1 To maintain the charged property in good condition

The Company will keep the charged property in good working order and condition. The Company will do whatever ANZ thinks is necessary or desirable to bring the charged property up to that condition, as soon as ANZ asks it to.

5.2 To pay rates and taxes

The Company will pay on time all taxes, rates and outgoings payable or assessed on the charged property or the Company.

5.3 To protect ANZ's interest in the charged property

As soon as ANZ asks it to, the Company will do whatever ANZ thinks is necessary or desirable:

- (a) to more perfectly secure the charged property to ANZ under this charge; or
- (b) so that ANZ can better exercise its rights under this charge.

This includes executing legal mortgages, transfers, assignments or other securities over the charged property in the form containing the powers (including, but without limitation, a power of sale) and provisions that ANZ requires.

The Company will make sure that everyone else who has or claims to have an interest in the charged property does the same.

5.4 To comply with laws and other obligations

The Company will comply with all obligations that it has regarding the charged property and with all laws. These obligations include obligations arising from the requirements of government agencies affecting the charged property and obligations under leases, licences or encumbrances.

5.5 Not to alter the charged property

The Company will not make material alterations to the charged property, unless ANZ agrees first in writing.

5.6 To protect the value of and title to the charged property

The Company will promptly do everything necessary, and everything reasonably required by ANZ, to:

- (a) maintain the value of the charged property; and
- (b) protect and enforce the Company's title, and ANZ's title as chargee, to the charged property.

5.7 To allow ANZ to enter the charged property

The Company will allow ANZ or any ANZ appointee to enter on any part of the charged property at all reasonable times to:

- (a) inspect the condition of the charged property;
- (b) investigate the Company's affairs;
- (c) carry out any environmental audit or assessment; and
- (d) do anything that ANZ considers necessary or desirable to make good any breach of this charge and to protect and enforce ANZ's rights under this charge.

5.8 To provide details of retention of title arrangements

The Company will, at intervals specified by ANZ, provide ANZ with details of any property held under any arrangement under which the ownership or the title remains with the seller or any other party until the seller or the other party has been paid the purchase price or other money owing by the Company. ANZ may, in its discretion, pay on behalf of the Company to the seller or other party at any time the purchase price or other money owing so that the ownership or title passes to the Company.

5.9 Not to purchase shares or make calls

The Company will not, unless ANZ agrees first in writing:

- (a) employ any of the Company's funds or other assets in the purchase of shares in any other corporation;
- (b) call up or receive in advance of calls any of the uncalled capital and uncalled premiums charged under this charge; or
- (c) apply any uncalled capital and uncalled premiums when called up for any purpose other than in payment to ANZ of the secured money.

5.10 To perform obligations under prior ranking securities

The Company will duly and punctually observe and perform all its obligations (including obligations to pay principal, interest and other money) under any security which has priority over this charge.

5.11 To lodge securities given in favour of the Company

If asked by ANZ to do so, the Company will immediately lodge with ANZ as further security under this charge any security that is given to the Company as security for payment of money to the Company.

5.12 To provide financial statements and accounts

- (a) The Company will, at any time when ANZ asks it to do so, provide promptly to ANZ true and correct financial statements, accounts and reports showing the Company's transactions and true financial position; and
- (b) Unless ANZ agrees otherwise in writing, the Company will at least once in every year or more frequently if asked by ANZ:
 - (i) have the Company's books duly audited by an auditor acceptable to ANZ; and
 - (ii) immediately provide to ANZ a

copy of the Company's balance sheet and trading and profit and loss accounts duly certified by that auditor.

5.13 To give ANZ information

The Company will ensure that its accountants, auditors, directors, secretaries, public officers and staff promptly provide whatever information and produce whatever books ANZ or an ANZ appointee reasonably asks the Company for about the charged property or the Company's affairs.

ANZ or an ANZ appointee may:

- (a) contact directly the Company's accountants or auditors for the purpose of obtaining or verifying information about the Company's affairs; and
- (b) inspect and take copies of or extracts from all books relating in any way to the Company's business transactions (whether in the possession of the Company or its accountants or auditors).

5.14 To provide information given to the Company's members

If the Company gives any notice, report or other information to any of its members in accordance with any court order, any law or its constitution, the Company will provide ANZ with a copy at the same time.

5.15 To conduct the Company's business efficiently

The Company will carry on and conduct its business in a proper and efficient manner.

5.16 Not to discontinue or change any business

The Company will not, unless ANZ agrees first in writing, discontinue or change the general character of any business of the Company.

5.17 To lodge titles to real property acquisitions

If the Company enters into a contract to acquire any freehold or leasehold property, the Company will immediately inform ANZ. As soon as the Company (or anyone on its behalf) receives the title documents for any freehold or leasehold property that it has acquired, the Company will ensure that the title documents are lodged immediately with ANZ.

5.18 To provide ANZ with notices received about the charged property

The Company will immediately provide ANZ with a copy of any notice given to the Company by any government agency regarding the condition or use of the charged property.

5.19 To provide ANZ with receipts for payments

If under this charge the Company is obliged to make a payment, ANZ may ask for evidence that the payment has been made. If ANZ asks for evidence that a payment has been made, the Company will immediately provide to ANZ receipts or other evidence of payment acceptable to ANZ.

5.20 The Company will do everything at its own expense

Everything that the Company does under this charge or under any law will be done at its own expense. This applies even if it is something that ANZ has asked the Company to do or is for ANZ's benefit.

PART 6 INSURANCE

6.1 Type of policy required

The Company will at all times ensure that:

- (a) those parts of the charged property which are of an insurable nature are insured with an insurance company and under a policy, which are both acceptable to ANZ:

- (i) for the risks of destruction, loss and damage and public risk;
- (ii) for any other type of insurance (including business interruption insurance) which is reasonable and customary for a business enterprise engaged in a similar business and locality and for property of the nature of the charged property; and
- (iii) if ANZ asks, against any other risks specified by ANZ or with the inclusion in the policy of special terms specified by ANZ; and

- (b) the policy covers both ANZ's interest and the Company's interest in the charged property and that ANZ's interest is noted on the policy.

6.2 Payment of premiums

The Company will ensure that at all times all premiums and other amounts that the Company has to pay under the policy are paid before the due date.

6.3 Company not to prejudice the insurance

The Company will not do anything (including failing to do something) that might:

- (a) make the insurance invalid; or
- (b) allow the insurer to cancel or avoid the insurance policy or reduce the amount payable on a claim under the policy.

6.4 Provision of insurance documents to ANZ

If ANZ asks for any of the following documents at any time:

- (a) the policy document for the current insurance;
- (b) a certificate from the insurer confirming that the insurance is current; or
- (c) any other document that shows that the Company has complied with its obligations under this clause, or that

ANZ believes is necessary or desirable to help it to exercise rights relating to the insurance,

then the Company will provide them to ANZ promptly.

6.5 Notice of insurance incident

The Company will immediately tell ANZ if something happens that allows a claim to be made under the insurance.

PART 7 ENVIRONMENTAL LAWS

7.1 Representations about the charged property

Except for matters that the Company has told ANZ about in writing before the Company executed this charge and to which ANZ has given its written consent, the Company represents to ANZ that, at the time of executing this charge:

- (a) the Company is not in breach of any environmental law;
- (b) there is no environmental damage to the charged property;
- (c) there are no notices relating to the charged property which have been issued under any environmental law and are still outstanding;
- (d) the charged property is not listed on any register kept under any environmental law; and
- (e) pollutants are not being made, stored, used or dealt with in any other way on the charged property.

The Company also represents to ANZ that none of those things has ever happened while the Company has held an interest in the charged property. As far as the Company knows, none of them has happened at any other time.

7.2 Continuing compliance

The Company will ensure that the matters contained in paragraphs (a) to (e) of clause 7.1 remain true at all times.

7.3 Remedy of environmental damage

If any environmental damage occurs, the Company will immediately:

- (a) inform ANZ of that environmental damage; and
- (b) remedy that environmental damage.

7.4 Environmental reports

Whether or not this charge has become enforceable, the Company will, if asked to do so by ANZ, promptly:

- (a) obtain environmental reports in relation to the charged property from experts acceptable to ANZ and give a copy of each report to ANZ. Each report must be in the form, and discuss the issues, specified by ANZ; or
- (b) do whatever ANZ says is necessary or desirable:
 - (i) as a result of any environmental report;
 - (ii) to reduce any actual or possible environmental damage; and
 - (iii) to comply with any notice issued for the charged property under an environmental law.

PART 8 PROVISIONS WHICH APPLY IF THE COMPANY IS TRUSTEE OF A TRUST

8.1 Charge over trust property

If the Company acts now or in the future as trustee of any trust (regardless of whether or not the Company has told ANZ about that trust):

- (a) the provisions of this charge apply to the Company, both in its own capacity and as trustee of any trust;
- (b) ANZ or any ANZ appointee may, when exercising powers under this charge, exercise the powers given to the Company as trustee in the relevant trust deed, including any power of the trustee to appoint

attorneys;

- (c) the charge over property held by the Company as trustee will remain enforceable even if the charge over property held by the Company in its own capacity is unenforceable; and
- (d) the charge over property held by the Company in its own capacity will remain enforceable even if the charge over property held by the Company as trustee is unenforceable.

8.2 Certain trust assets may be excluded

ANZ may agree in writing to exclude from this charge all or any property held by the Company as trustee of a specified trust.

8.3 Representations about the Trust

The Company represents to ANZ that:

- (a) the Company does not act as the trustee of any trust, except as trustee of the Trust;
- (b) the Company is the sole trustee of the Trust and no action has been taken to remove or replace it;
- (c) the copies of the Trust Deed and any other documents relating to the Trust that have been provided to ANZ before the Company executed this charge are true copies which contain all of the terms of the Trust in force at the date of this charge;
- (d) the Company has power under the Trust Deed to enter into and perform its obligations under this charge, and all necessary action has been taken to authorise the execution and performance of this charge under the Trust Deed;
- (e) this charge is executed and all transactions secured by this charge are or will be entered into as part of the due and proper administration of the Trust and are or will be for the benefit of the beneficiaries;
- (f) the Company has a right to be fully

indemnified out of the Trust's assets the subject of the Trust and has a lien over the Trust's assets in support of that indemnity and no action has been taken to restrict or limit that right or lien;

- (g) the Company is not in default under the Trust Deed;
- (h) no vesting date for the Trust has been determined;
- (i) the rights of ANZ under this charge will rank against the Trust's assets in priority to the claims of the beneficiaries of the Trust; and
- (j) each of these representations will remain true as long as this charge remains in force.

8.4 Other obligations regarding the Trust

The Company agrees that:

- (a) it will make sure that any successor of the Company as trustee of the Trust executes any documents which ANZ asks for to ensure that ANZ continuously retains security over the Trust's assets;
- (b) if this charge becomes enforceable, the Company will, if asked by ANZ, exercise the Company's rights against the Trust's assets or the beneficiaries for the purpose of repaying the secured money to ANZ; and
- (c) unless ANZ agrees first in writing, the Company will not:
 - (i) cease to be the sole trustee of the Trust;
 - (ii) allow the Trust to be determined in any way;
 - (iii) allow any part of the capital of the Trust to be distributed in any way;
 - (iv) allow the Trust Deed to be varied, added to or revoked; or
 - (v) if the Trust is a unit trust, allow any units to be issued, transferred, charged, redeemed or

otherwise dealt with.

8.5 The Company will tell ANZ about new trusts

If after this charge is executed, the Company becomes the trustee of a trust:

- (a) the Company will immediately inform ANZ and provide ANZ with a copy of the trust deed of the trust;
- (b) the Company will immediately execute any documents which ANZ asks for to ensure that ANZ has effective security over the assets of the trust; and
- (c) clauses 8.3 and 8.4 will apply with any necessary modifications in relation to the trust.

8.6 If the Company does not tell ANZ about trusts

If ANZ discovers that the Company acts as the trustee of any trust which the Company has not disclosed to ANZ, in addition to any other rights that ANZ may have against the Company:

- (a) the Company will immediately provide ANZ with a copy of the trust deed of the trust if ANZ asks for it;
- (b) the Company will immediately execute any documents which ANZ asks for to ensure that ANZ has effective security over the assets of the trust; and
- (c) clauses 8.3 and 8.4 will apply with any necessary modifications in relation to the trust.

PART 9 LICENCES

9.1 Representations about licences

The Company represents to ANZ that, at the time of executing this charge:

- (a) for each business or activity of the Company, the Company (or a licensee on its behalf) has every licence which is necessary or desirable for that

- business or activity;
- (b) each licence is both valid and current;
 - (c) all of the terms of each licence have been complied with; and
 - (d) nothing has happened that might cause any licence to be cancelled, suspended or otherwise affected in a way that might prejudice ANZ.
- 9.2 What the Company must do**
- The Company must:
- (a) apply, or make sure that a licensee acceptable to ANZ applies, for each licence and for any renewal of each licence, which is necessary or desirable for the Company's business or other activities;
 - (b) do everything needed to get the licences and renewals of them;
 - (c) if ANZ asks, promptly give ANZ each of the licences and a copy of each return given to the licensing authority;
 - (d) if this charge has become enforceable and ANZ asks, promptly do everything needed to have any of the licences transferred to ANZ or its nominee;
 - (e) make sure that nothing happens that might result in:
 - (i) any of the licences being cancelled or suspended;
 - (ii) any of the licences being otherwise affected in a way that might prejudice ANZ; or
 - (iii) the goodwill or the trade of the Company's business being affected in a way that might prejudice ANZ,
 and do everything necessary to make sure that none of these things happens;
 - (f) give ANZ immediately:
 - (i) a copy of any notice given by a licensing authority regarding the possible cancellation, suspension or modification of a licence;
 - (ii) a copy of any notice given by a government agency about the condition of any premises which are licensed;
 - (iii) a copy of any document served in legal proceedings which relate in any way to a licence;
 - (iv) notice of any endorsement on a licence; and
 - (v) notice if the Company is, or any nominee or any licensee is, convicted of any breach of a law concerning a licence,
 and, at the same time, tell ANZ all that the Company knows or is able to find out about these matters;
 - (g) if:
 - (i) the Company or a licensee ceases for any reason to hold a licence; or
 - (ii) a licence is affected in any way which might give rise to a claim for compensation,
 do everything that ANZ says is necessary or desirable so that ANZ can recover any compensation which might be payable and to make sure that any compensation is paid to ANZ. ANZ may hold that compensation as further security for the secured money;
 - (h) make sure that each licensee, lessee and nominee also complies with everything in this part of this charge, as if they were the Company and had executed this charge; and
 - (i) if asked by ANZ to do so, make sure that each licensee, lessee and nominee enters into an agreement with ANZ in the form required by ANZ containing similar obligations regarding the licence as those imposed on the Company by this part.

9.3 What the Company will not do

The Company will not, unless ANZ agrees first in writing:

- (a) amend, give up, transfer, or give anyone else a right in any licence;
- (b) remove a licence which applies to particular premises or things;
- (c) compromise, settle or release any claim for compensation to which the Company or a licensee might be entitled because the Company or the licensee ceases for any reason to hold a licence; or
- (d) allow any of these things to happen.

9.4 ANZ may act on the Company's behalf

The Company appoints ANZ as the Company's agent to do anything that can be done in respect of each licence. The Company will also make sure that each licensee and nominee does this too. For example, ANZ may:

- (a) renew a licence or transfer or charge it to another person;
- (b) represent the Company in dealings with, and appearances before, a licensing authority; or
- (c) obtain compensation that may be payable to the Company because the Company ceases to hold a licence or because a licence is affected in any way.

9.5 Licensee or nominee to give power of attorney

If a licensee holds a licence or if a licence that the Company holds is in the name of a nominee, the Company will make sure that the licensee or nominee gives ANZ and each ANZ appointee a power of attorney that authorises them to do any of the things which ANZ can do as the Company's agent and anything else that ANZ reasonably wants.

PART 10 ENFORCEMENT OF SECURITY

10.1 Failure to pay secured money

If the Company fails to pay any part of the secured money when it is due and payable, then without the need for any further notice or demand:

- (a) this charge will, at the option of ANZ, immediately become enforceable; and
- (b) the whole of the secured money will, at the option of ANZ, immediately become due and payable (if it is not already).

ANZ may exercise any right after it has exercised an option under this clause, regardless of whether ANZ has notified the Company about the exercise of the option before it exercises the right.

10.2 Other enforcement without notice

If:

- (a) **(winding-up)** an application is made, a resolution is passed or an order is made for the Company's winding up;
- (b) **(distress or execution)** any of the charged property is seized by or on behalf of a creditor or under legal process or a garnishee notice is given in respect of tax or other money that the Company is said to owe;
- (c) **(documents ineffective)** a provision of this charge or any other security or agreement in respect of the secured money:
 - (i) does not have effect, or ceases to have effect, in accordance with its terms; or
 - (ii) is or becomes void, voidable, illegal, invalid or unenforceable (but not simply because of the principles and rules of the common law or equity that affect creditors' rights generally);
- (d) **(external administration)** the

Company becomes an externally-administered body corporate (within the meaning of the Corporations Law) or a controller or trustee for creditors is appointed in respect of any of the Company's property;

- (e) **(insolvency)** the Company suspends payment of its debts, the Company is, or states that it is, or is presumed by law to be, insolvent or unable to pay its debts or the Company takes any step for the purpose of entering into a compromise or arrangement with any of its creditors or its members;
- (f) **(factoring)** unless ANZ agrees first in writing, the Company offers for sale or sells, factors, alienates, charges, encumbers or parts with possession or disposes of all or any of the Company's book debts and other debts or any of the Company's rights in relation to those debts or attempts to do any of those things; or
- (g) **(encumbrances)** unless ANZ agrees first in writing, the Company creates or purports or attempts to create or suffers to subsist any encumbrance (other than a lien which arises solely by operation of law in the ordinary course of ordinary business, where the amount secured is not overdue for payment) on the charged property,

then, without the need for any further notice or demand:

- (a) this charge immediately becomes enforceable; and
- (b) the whole of the secured money immediately becomes due and payable (if it is not already).

10.3 Other enforcement with notice

If:

- (a) **(ceasing business)** the Company stops, or threatens to stop, carrying on all or a material part of its business;
- (b) **(money not applied for agreed purpose)** in ANZ's opinion, the secured money is not applied for the purpose for which ANZ agreed to make it available;

- (c) **(performance of works)** any works for which the secured money was made available by ANZ are not carried out in a manner satisfactory to ANZ (including not carrying out the work expeditiously or at all);

- (d) **(securities become enforceable)** an event occurs that causes an encumbrance or a security given by the Company to become enforceable;

- (e) **(failure to perform obligations)** the Company breaches an obligation under this charge or any other security or agreement in respect of the secured money and either:
 - (i) the breach cannot be remedied; or
 - (ii) if it can be remedied – ANZ gives the Company a written notice requiring the Company to remedy it and, 5 business days later it is still not remedied.

(This paragraph does not cover cases that are covered by other paragraphs in this Part 10).

- (f) **(misrepresentation)** any representation, warranty, assurance or statement given in this charge or any other security or agreement in respect of the secured money is incorrect or misleading;

- (g) **(disposal of assets)** unless ANZ agrees first in writing, the Company sells, assigns or transfers or attempts to do so:

- (i) any of its assets, other than in the ordinary course of the Company's ordinary business; or
- (ii) the whole of its assets;

- (h) **(maintenance of capital)** unless ANZ agrees first in writing, the Company passes a resolution or takes a step:

- (i) to give financial assistance, whether directly or indirectly, for the purpose of, or in connection with, an acquisition or proposed acquisition of:

- (A) the Company's shares or the shares of a company of which the Company is a subsidiary; or
- (B) any right or interest in those shares;
- (ii) to reduce the Company's share capital;
- (iii) to limit the Company's ability to make calls on its uncalled share capital; or
- (iv) to buy shares in the Company other than by redeeming redeemable preference shares;
- (i) **(breach of lease or licence)** the Company breaches any obligation under a lease or licence now or in the future held in connection with any business of the Company or with the use of the charged property;
- (j) **(failure to provide information)** the Company fails at any time to provide any information or produce any books reasonably requested by an ANZ appointee;
- (k) **(other obligations not paid)** the Company fails to pay before the end of any grace period an amount that is due and payable to someone other than ANZ in respect of obligations relating to financial accommodation or financial arrangements;
- (l) **(acceleration of other obligations)** any obligation that the Company has becomes due and payable, or capable of being declared due and payable, before its stated maturity, but this does not include where it does so at the Company's option;
- (m) **(change in circumstances)** circumstances arise that, in ANZ's opinion, may have a material adverse effect on the Company's business, assets or financial condition or on the Company's ability to perform its obligations under this charge or any other agreement with ANZ; or
- (n) **(trustee)** where the Company entered into this charge is a trustee of

a trust:

- (i) the trust is held by a court not to have been properly constituted or the Company concedes that the trust has not been properly constituted;
- (ii) the trust terminates or the beneficiaries of the trust resolve to terminate it;
- (iii) the Company ceases:
 - (A) to hold the trust property in its name; or
 - (B) to be trustee; or
- (iv) the Company commits a breach of trust which, in ANZ's opinion, is material,

then, by ANZ giving notice to the Company:

- (a) this charge immediately becomes enforceable; and
- (b) the whole of the secured money immediately becomes due and payable (if it is not already).

10.4 Statutory requirements for notice

If any law requires any notice or lapse of time before this charge may be enforced, or a Receiver may be appointed, in respect of land or any other part of the charged property, to the extent permitted by law, that requirement is waived or dispensed with. If notice or lapse of time cannot be waived or dispensed with, this charge may be enforced, or a Receiver may be appointed, after the shortest period of notice or lapse of time that the law permits.

10.5 Company to notify ANZ of certain matters

The Company must immediately give notice to ANZ if any of the events described in clauses 10.2 or 10.3 occur without ANZ having first agreed in writing.

PART 11 APPOINTMENT OF RECEIVER

11.1 Appointment

At any time after this charge has become enforceable (regardless of whether or not the whole of the secured money is due and payable), ANZ may:

- (a) appoint one or more persons to be receivers or receivers and managers of the charged property. If more than one person is appointed, ANZ may appoint them to act jointly or jointly and severally;
- (b) remove any Receiver and appoint another Receiver in their place; and
- (c) fix a Receiver's remuneration and terms of appointment.

The power to appoint a Receiver may be exercised even though, at the time when the appointment is made, an order may have been made or a resolution may have been passed for the Company's winding up and even though a Receiver appointed in those circumstances may, or may not in some respects, act as ANZ's agent.

11.2 Receiver the Company's agent

Each Receiver is the Company's agent (except to the extent otherwise determined in writing by ANZ). The Company is solely responsible for anything the Receiver does or does not do.

11.3 Powers of Receiver

Each Receiver, in addition to any power conferred on the Receiver by law and without any further consent or authority on the Company's part being required, has the following powers:

- (a) to take possession of, collect, get in and use the charged property;
- (b) to carry on, or agree to carrying on, any business within the Company's powers and to do everything which the Company could do if exercising those powers;

- (c) to exercise all the Company's powers and all the powers of the Company's governing body;
- (d) to exercise all or any of the powers conferred by section 420 of the Corporations Law as if these powers had been set out in full in this charge;
- (e) to take, grant, assign, surrender or accept surrenders of leases or sub-leases of the charged property. These leases or sub-leases may be for any length of time and on any terms and conditions which the Receiver considers expedient;
- (f) to borrow or raise from anyone (including ANZ) any money which, in the Receiver's opinion, may be required for the exercise of any of the Receiver's powers and to give security over the charged property for any borrowing or raising. The Receiver has power to give security which ranks in priority to or equally with or after this charge;
- (g) to sell or concur in selling the charged property, either by public auction, by private contract or by tender and either for cash or on credit and on any other terms and conditions which the Receiver considers expedient and by deed or other instrument to convey the charged property to any purchaser;
- (h) to employ other people for all or any of these purposes and to pay them the remuneration which the Receiver considers appropriate and to confer on or delegate to any of these persons all or any of the powers conferred by this charge and to discharge any of these employees on behalf of the Company;
- (i) to make any arrangements or compromises which the Receiver considers expedient;
- (j) to give valid receipts for any money and other assets received by the Receiver;
- (k) to carry out and enforce specific performance, or otherwise obtain the benefit, of all contracts entered into or held by the Company or entered into

in exercise of the powers conferred by this charge;

- (l) to make debtors insolvent or bankrupt and to wind up companies and to do all things in connection with any insolvency, bankruptcy or winding up which the Receiver thinks necessary for the recovery or protection of the charged property;
- (m) to take or defend any proceedings if the Receiver considers it expedient to do so in the course of exercising the Receiver's powers;
- (n) to do all things which the Receiver considers necessary to perform or observe any of the Company's obligations under this charge;
- (o) to compel the Company, or its liquidator, to execute any deed or other document and to do anything which the Receiver considers to be expedient to give effect to any sale, disposition, mortgage or agreement made by the Receiver;
- (p) to rebuild, erect, alter, improve, provide services to, insure and maintain the charged property;
- (q) to do all or any of these things or exercise all or any of these powers in the Company's name or otherwise; and
- (r) to do anything that the Receiver considers expedient to obtain the repayment of the secured money.

The powers of the Receiver must be construed independently. No one power limits the generality of any other power.

11.4 Receiver borrowing from ANZ

If the Receiver borrows or raises money from ANZ:

- (a) unless otherwise agreed by ANZ, any money borrowed or raised by the Receiver will be regarded as having been borrowed or raised by the Company on the security of this charge and will carry interest accordingly and will form part of the principal money (however, if the law would otherwise confer a greater

priority in respect of any money borrowed by the Receiver, that greater priority will apply rather than the priority given by this paragraph);

- (b) ANZ does not have to check whether the Receiver is acting properly; and
- (c) ANZ is not responsible for what the Receiver does or does not do with the money.

PART 12 POWERS OF ANZ

At any time after this charge has become enforceable (regardless of whether or not the whole of the secured money is due and payable), ANZ or an ANZ appointee may:

- (a) exercise all or any of the powers conferred on a Receiver by this charge or by law; and
- (b) for these purposes, employ other people as ANZ or the ANZ appointee thinks fit.

This clause applies whether or not a Receiver has been appointed.

PART 13 APPLICATION OF MONEY

13.1 What ANZ does with any money it receives from enforcing this charge

A Receiver or ANZ will apply any money which is received from enforcing this charge in this order:

- (a) firstly, to pay that part of ANZ's costs and expenses incurred in exercising or trying to exercise its rights;
- (b) secondly, to pay other outgoings that ANZ or an ANZ appointee decides to pay;
- (c) thirdly, to pay off the secured money; and
- (d) fourthly, to pay the money owing under any subsequent charges in order of priority if this can be determined by ANZ.

ANZ may pay any money left over after payment of the secured money into court or into an ANZ account in the Company's name or, if the Company asks, directly to the Company. If ANZ does any of these things with the left over money, ANZ will have no further liability for it. In particular, ANZ does not have to pay interest on it.

This is subject to the rights of a person having an interest in the charged property that ranks ahead of this charge and any law that says otherwise.

13.2 Payments

The Company will pay the secured money without any deduction, withholding for tax, set-off or counterclaim.

If the law says that the Company must make a deduction or withhold money from a payment, the Company will increase the amount of the payment so that ANZ actually receives the amount that it would have received if the Company had not had to make a deduction or withholding.

If ANZ receives a payment toward the secured money (no matter who makes the payment), ANZ can apply the payment to any particular part of the secured money that it chooses.

In crediting the Company's account with a payment or any other amount received by ANZ, ANZ will only credit the net amount after deducting any costs, expenses and taxes incurred in obtaining the gross amount.

If the Company (or anyone else) makes a payment to ANZ by cheque, or in any other way that is not cash, the payment is only taken to be made when ANZ actually receives the amount of the payment in cash or cleared funds. ANZ is only taken to have received purchase money from a sale of the charged property when it actually receives the money.

PART 14 ADDITIONAL RIGHTS AND PROTECTIONS FOR ANZ

14.1 ANZ may act as the Company's attorney

For valuable consideration and to secure to

ANZ the performance of the Company's obligations under this charge, the Company irrevocably appoints ANZ, and each ANZ appointee jointly and each of them severally as its attorney to execute any deed, sign any document and do any other thing that the attorney thinks is necessary or desirable:

- (a) to make sure that this charge is as effective as possible (for example, the attorney may sign all documents which are required to give effect to any dealing under any law or otherwise and may do anything necessary to obtain registration of any dealing, including any acts necessary to comply with any requisitions received);
- (b) to give ANZ a legal mortgage over the charged property as further security;
- (c) to do anything that ANZ or a Receiver could do under this charge or by law;
- (d) to do anything that the Company could do or ought to have done under this charge;
- (e) to transfer any of the charged property to a person who has purchased it from ANZ or an ANZ appointee; and
- (f) in respect of land in Western Australia, to do anything that an attorney appointed under a power of attorney in the form of the 19th Schedule to the Transfer of Land Act 1893 could do.

Regardless of anything else in this clause, a Receiver can only act as the Company's attorney for purposes within the Receiver's powers.

If ANZ asks the Company to, the Company will confirm in writing that anything done by a person under this clause is binding on the Company.

14.2 ANZ may remedy the Company's defaults

If ANZ decides that the Company has not done something that the Company should have done under this charge or the

Company has not done it properly, ANZ may do it for the Company.

14.3 The Company indemnifies ANZ

To the full extent permitted by law, the Company indemnifies ANZ and each ANZ appointee against all claims, liabilities, losses, damages, taxes, costs or expenses arising:

- (a) because ANZ has an interest in the charged property; or
- (b) from the exercise, attempted exercise or non-exercise of any power under this charge.

ANZ may retain and pay out of any money received by it arising from the provisions of this charge all sums necessary to effect the indemnity.

This indemnity continues even after this charge has been discharged.

14.4 ANZ may exercise the Company's insurance and compensation rights

ANZ alone has full power to:

- (a) make, enforce and compromise every insurance or compensation claim; and
- (b) sue for, recover, receive and give discharges for all insurance or compensation money.

ANZ may do any of these things in its name or the Company's name.

The Company will do everything that ANZ decides is necessary or desirable so that ANZ can recover any insurance or compensation money and to make sure that any insurance or compensation money is paid to ANZ. ANZ will apply that insurance or compensation money towards payment of the secured money.

If any insurance or compensation money is received by the Company before a final discharge of this charge, the Company will hold that money on trust for ANZ and will immediately pay that money to ANZ.

14.5 Set-off

ANZ may apply all or any part of any

balance standing to the credit of any of the Company's accounts with it at any time, or any amount available to it by way of set-off, lien or counterclaim, towards payment of the secured money. ANZ may do this without telling the Company first or getting its consent. ANZ's right to do this is in addition to any other right that it has. This clause applies regardless of whether the Company's accounts with ANZ are located in more than one place.

14.6 How ANZ can exercise its rights

ANZ and each ANZ appointee:

- (a) has absolute discretion as to what it does or does not do under or for the purposes of this charge or any collateral security;
- (b) does not have to give any reasons for doing or not doing something under or for the purposes of this charge;
- (c) may exercise a right, regardless of any previous delay or failure to exercise that right;
- (d) may, if a right has been exercised once or partially, exercise that right again or other rights later; and
- (e) may stop exercising a right at any time.

The only way in which ANZ or an ANZ appointee can waive any right under this charge is by giving the Company a notice in writing.

Unless a right has been waived in writing, ANZ or an ANZ appointee may exercise that right or any other right even though:

- (a) money has been accepted after this charge has become enforceable;
- (b) there have been negotiations with the Company after this charge has become enforceable;
- (c) any collateral security is held, either then or later; or
- (d) ANZ would otherwise have been regarded as having waived that right.

14.7 Who can exercise ANZ's rights

Any ANZ appointee may exercise on behalf

of ANZ any of ANZ's rights relating to this charge, the charged property and the secured money.

14.8 Acts purporting to be done on the Company's behalf

ANZ may assume, without having to check, that each of the Company's officers, and each person purporting to act on its behalf, does in fact have the authority to act on the Company's behalf.

As between the Company and ANZ or any ANZ appointee, the Company will not dispute the validity of anything done, or purporting to be done, by the Company, any of its officers or anyone purporting to act on the Company's behalf.

14.9 ANZ may give certificates

ANZ may give a certificate about any matter relating to this charge, the charged property or the secured money.

For example, the things about which ANZ may give a certificate include:

- (a) how much the Company owes or has owed to ANZ on a specified date;
- (b) the rate of interest applicable during a specified period;
- (c) debits and credits made to any of the Company's accounts with ANZ and the balances of those accounts on a specified date;
- (d) whether or not some specified thing has happened; and
- (e) whether the Company is in default.

To the full extent permitted by law, a certificate given by ANZ is conclusive evidence of the accuracy of its contents. Otherwise, it is sufficient evidence.

14.10 ANZ not liable

Neither ANZ nor any ANZ appointee is liable to the Company or any other person for any loss, liability, cost or expense that is caused (directly or indirectly) by anything that ANZ or an ANZ appointee does or does not do under or for the purposes of this charge or any collateral security.

Nothing that ANZ or an ANZ appointee does or does not do under or for the purposes of this charge:

- (a) makes ANZ liable as a mortgagee in possession or liable to account for anything but actual receipts; or
- (b) will cause ANZ or an ANZ appointee to be treated as a director or officer of the Company.

Neither ANZ nor any ANZ appointee is responsible for any acts done by the Company during the time while the powers under this charge are being exercised.

14.11 ANZ may transfer this charge

ANZ may transfer this charge, any of its rights in connection with this charge and any of the Company's obligations under it without telling the Company and without getting its consent.

ANZ can give information about this charge and the Company's obligations under it to anyone who is a surety for the Company's obligations (for example, a guarantor) or a transferee from ANZ of this charge, or to anyone who is considering becoming one of these.

14.12 ANZ does not have to make advances

ANZ does not have to give, or continue to give, banking accommodation or other banking services to the Company, or to anyone else, just because the Company has executed this charge.

14.13 Release of others does not affect the Company's liability

ANZ may discharge, or compromise with, anyone who has given collateral security without affecting its rights against the Company.

14.14 ANZ can still rely on this charge even if discharged

If a claim is made that all or any part of a transaction in ANZ's favour (such as an assurance, security or payment) concerning the secured money is liable to be avoided, set

aside, refunded or repaid and the claim is upheld, conceded or compromised, then:

- (a) ANZ's rights are reinstated and ANZ may exercise all its rights (including its right to recover from the Company the full extent of the Company's liability) under this charge as if the transaction had never taken place; and
- (b) the Company will immediately do anything (including the signing of documents) required by ANZ to restore to ANZ any security or guarantee which ANZ held immediately before that transaction.

This clause continues even after this charge has been discharged.

14.15 Continuing security

This charge is a continuing security for all the secured money. It continues until it is finally discharged by ANZ. It will not be considered as satisfied or discharged by anything which happens in the meantime.

For example, it will not be considered as satisfied or discharged:

- (a) by any payments or credits towards the secured money;
- (b) by any settlement of account; or
- (c) even though an account may be in credit.

The Company is not entitled to a discharge of this charge at a time when, in ANZ's opinion, any liability (whether direct, indirect, contingent or otherwise) exists or may arise:

- (a) which falls within the definition of secured money; or
- (b) in respect of which ANZ could seek recourse against, or indemnity from, the Company.

14.16 Effect of other documents

This charge is additional to any collateral security that ANZ has now or may have later.

Unless ANZ expressly agrees in writing to the contrary:

- (a) nothing in, and nothing that ANZ or an ANZ appointee does under or for the purposes of, any collateral security will prejudice ANZ's rights under this charge;
- (b) nothing in, and nothing that ANZ or an ANZ appointee does under or for the purposes of, this charge will prejudice ANZ's rights under any collateral security or any other rights or remedies that ANZ has now or may have later; and
- (c) ANZ's rights under this charge are not merged in any collateral security.

ANZ does not have to enforce this charge or any collateral security it may hold in any particular order. The Company agrees that the doctrine of marshalling securities is excluded.

Until this charge is discharged by ANZ, the Company is not entitled to claim the benefit or ask for the transfer of any collateral security that ANZ now or later holds.

14.17 Court orders

If ANZ obtains a court order against the Company for the secured money, ANZ will hold the court order as collateral security. This charge will not merge in the court order. ANZ may charge interest on any money owing under the court order at the rate agreed or determined under part 4.

14.18 Power to complete documents

ANZ or any ANZ appointee may under the powers given by this charge at any time complete in favour of ANZ or any ANZ appointee or any purchaser all instruments of any kind executed by or on the Company's behalf in blank and deposited with ANZ as collateral security to this charge.

14.19 Conflict of interest

ANZ or any ANZ appointee may exercise, or agree to the exercise of, the powers conferred by this charge or by law even though that person has a conflict of interest in exercising those powers or has a direct or personal interest in the means or result of that exercise of those powers.

14.20 Calls

The Company authorises ANZ or any ANZ appointee at any time after the secured money becomes due and payable to:

- (a) make calls on the Company's members in respect of the uncalled capital and uncalled premiums charged under this charge; and
- (b) sue in the Company's name or otherwise for the recovery of money becoming due in respect of calls.

The provisions contained in the Company's constitution about calls will, with any necessary changes, apply to calls made under this charge.

The Company agrees that after the secured money becomes due and payable the Company's directors will not exercise any powers in respect of calls, unless ANZ agrees first in writing.

This authority may be assigned by ANZ or any ANZ appointee.

**PART 15
PROTECTION FOR PEOPLE
DEALING WITH ANZ****15.1 People dealing with ANZ**

A person dealing with ANZ or an ANZ appointee may assume that anything that ANZ or an ANZ appointee does in connection with this charge, the charged property or the secured money is lawful and proper.

A person dealing with ANZ or an ANZ appointee does not have to ask for evidence that this is the case. For example, if ANZ can only do something if the Company is in default or if ANZ gives a notice of demand, a third party may assume that the Company is in default or that the notice has been given, and does not have to ask for a copy of the notice.

The Company will not make a claim in connection with this charge or the charged property against:

- (a) a person dealing with ANZ or an ANZ appointee; or

- (b) a person who gets an interest in the charged property from ANZ or an ANZ appointee or any successor in title of that person.

15.2 Receipts for payments

Any money which ANZ is entitled to receive under this charge may be paid to an ANZ appointee. For example, this applies to money payable under a lease or a sale.

A receipt given by ANZ or an ANZ appointee for a payment is a complete discharge to the person making the payment.

**PART 16
HOW TO GIVE A NOTICE UNDER
THIS CHARGE****16.1 Notices to ANZ**

If the Company gives ANZ a notice regarding this charge, the notice will not be effective unless the notice:

- (a) is in writing; and
- (b) is received by ANZ at the office where the Company's account or facility is conducted or some other address that ANZ has given the Company written notice of.

16.2 Notices to the Company

ANZ may give the Company a notice or demand regarding this charge:

- (a) by leaving it at the Company's address;
- (b) by posting it in a pre-paid envelope to the Company at the Company's address;
- (c) by facsimile transmission to the facsimile number that the person signing the notice or demand believes (from the facsimile numbers for the Company that ANZ has recorded in its books) is the Company's most recent facsimile number;
- (d) by fixing it to some part of any land charged under this charge; or

- (e) in any other way that the law allows.

A notice or demand by ANZ will be taken to have been given and received:

- (a) if it is posted to the Company's address, when it would have been delivered in the ordinary course of post or on the third day after the date of posting, whichever is the earlier (this applies even if the letter is returned undelivered);
- (b) if it is sent by facsimile transmission to the Company's facsimile number, on receipt of the correct and complete transmission report at the close of transmission; or
- (c) if it is left at the Company's address or fixed to some part of any land charged under this charge, when it is left or fixed.

A notice or demand given in any of the ways provided for by this clause will be effective:

- (a) even though at the date of service the Company may be in liquidation or in the course of being wound up;
- (b) even though the notice or demand may not actually be received by the Company; or
- (c) despite any other matter or event.

A notice or demand from ANZ may be signed for ANZ by an ANZ appointee.

In this part, "**the Company's address**" means any of the following:

- (a) the Company's registered office;
- (b) the Company's usual place of business; or
- (c) the address that the person signing the notice or demand believes (from the addresses for the Company that ANZ has recorded in its books) is the Company's most recent address.

EXECUTED as a deed on the

6th

day of

February 2006

HRM PARTNERS PTY LTD A.C.N. 111 006 921 AS
TRUSTEE FOR THE MCCLEARY FAMILY TRUST

EXECUTED by the Company
being signed by those persons
who are authorised to sign for
the Company:



Director
Name (printed) *P. McCleary*
Secretary/Director*
(*delete as applicable)
Name (printed)



ASIC Traralgon Office

Australian Securities & Investments Commission

ABN: 86 768 265 615

authority@property.saiglobal.com

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Request Number 9671352.

Extracted from ASIC's Database on 28/08/2019 at 16:31.

Name: HRM PARTNERS PTY LTD
ACN: 111 006 921

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If this request is for financial accounts it may contain an XBRL version of the accounts in addition to the usual PDF version. To analyse the version of the accounts in XBRL format you will need to use XBRL reader software.
Please refer to www.asic.gov.au/SBR for more information.

The total number of pages including this cover page is 17.

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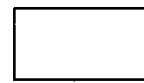
For all other inquiries contact us on 1300 300 630.

ASIC registered agent number 1667
 • lodging party or agent name National Australia Bank Limited ABN 12 004 044 937
 office, level, building name or PO Box no. Lending Services – Securities QLD
 street number & name 41 Harries Road
 suburb/city Coorparoo Qld 4151
 telephone (07) 3421 1293
 facsimile (07) 3421 1139

AUSTRALIAN SECURITIES
 & INVESTMENTS COMMISSION



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 CASH ☐ REQ-P ☐
 PROC. ☐

Australian Securities & Investments Commission

form **309**

Corporations Act 2001

Notification of

Details of a Charge

263, 264

Corporation name HRM Partners Pty Ltd as trustee for McCleary Family Trust
 ACN or ARBN or ABN 111 006 921

Details of the charge

The charge was created the 16 day of 1 12
 (day) (month) (year - cyy)

The charge was created by an Instrument.

The charge is fixed and floating.

The creation of subsequent charges is restricted.

Liability - All the moneys which are now or may from time to time be owing or remain unpaid in any manner or on any account whatsoever to the chargee by the Company or the Company as Trustee of a Deed of Trust/Settlement dated 28/9/04, for the McCleary Family Trust.

No maximum prospective liability is specified in the charge.

Property charged - The undertaking and all other present and future property and assets of the Company whatsoever and wheresoever including its uncalled and called but unpaid capital and all property and assets held by the Company as Trustee.

Details of the chargee are:

National Australia Bank Limited ABN 12 004 044 937
 24th Floor
 500 Bourke Street
 Melbourne Vic 3000

The original instrument creating or evidencing the charge is attached.

Signature

PETER JOHN MCCLEARY
 Full name (print)

Director

Capacity

HRM Partners Pty Ltd as trustee for McCleary Family Trust 111 006 921
 Name of Corporation (print) & ABN or ARBN

Signed

Date

16/1/12



ASIC registered agent number 1667
lodging party or agent name National Australia Bank Limited 12 004 044 937
office, level, building name or PO Box no. Lending Services - Securities Qld
street number & name 41 Harries Road
suburb/city Coorparoo state/territory Qld postcode 4151
telephone (07) 3421 1293
facsimile (07) 3421 1139
DX number _____ suburb/city _____

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|-------|--------------------------|-------|--------------------------|
| ASS. | <input type="checkbox"/> | REQ-A | <input type="checkbox"/> |
| CASH | <input type="checkbox"/> | REQ-P | <input type="checkbox"/> |
| PROC. | <input type="checkbox"/> | | |

Australian Securities & Investments Commissionform **350**

Corporations Act 2001

Certification of

Compliance with Stamp Duties Law**265 (4)(b)**

Corporation name: HRM Partners Pty Ltd as trustee for McCleary Family Trust
ACN or ARBN or ABN 111 006 921

Details of the Charge

The charge was created: 16 / 1 / 12
The name of the Chargee National Australia Bank Limited ABN 12 004 044 937

Certification

I certify that all documents accompanying the Notification of Details of this Charge, in accordance with section 263(1), have been duly stamped if so required and as required by any law of the Australian Capital Territory, the Northern Territory or the states of New South Wales, Victoria, Queensland, Tasmania, South Australia and Western Australia relating to stamp duty on any such document.

Name National Australia Bank LimitedCapacity Interested PersonNature of interest On behalf of the Chargee National Australia Bank Limited ABN 12 004 044 937Signed by a duly authorised officer of
the Chargee

Insert Full Name

Date

Anthony Hubert Sizemore
16 / 1 / 12

nab

Fixed and Floating Charge

As security for the payment of the *amount owing*, you charge to NAB all of your *property* on the terms in *this charge*. You charge:

- (a) as trustee all *property* held under the *trust*; and
- (b) the balance of the *property* as beneficial owner.

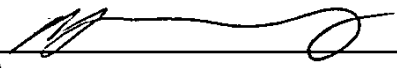
| Details | |
|---------------------|---|
| Chargee:
("NAB") | National Australia Bank Limited ABN 12 004 044 937 |
| Chargor:
("you") | Name: HRM Partners Pty Ltd as trustee for McCleary Family Trust |
| | ABN/ACN/ARBN: 111 006 921 |
| | Trust details (if you are a trustee):
Name of Trust: McCleary Family Trust
Trust deed date: 28/9/2004 |

Executed as a deed personally and also as trustee of any trust described in the *Details*.

HRM Partners Pty Ltd ACN 111 006 921 as trustee for McCleary Family Trust

Company Name (BLOCK LETTERS)

Executed by the company named above in accordance with Section 127 of the Corporations Act 2001 (Cwlth)

| |
|---|
|  |
| Signature |
| Peter John McCleary |
| Full Name (BLOCK LETTERS) |
| Director / Secretary * |
| Office Held |
| 16/1/12 |
| Date |

| |
|---------------------------|
| |
| Signature |
| |
| Full Name (BLOCK LETTERS) |
| Director |
| Office Held |
| |
| Date |



* Please tick here if you are signing as Sole Director and Sole Company Secretary



B B 2 5

Fixed and Floating Charge – Terms

Key Words

The meaning of words printed *like this* and some other common key words is explained at the end of these terms.

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About this charge

- 1.1 You acknowledge giving *this charge*, incurring obligations and giving rights under *this charge* for valuable consideration received from NAB.
- 1.2 You may require NAB to release the *property* from *this charge* when we are satisfied that there is no *amount owing*. Even if the *amount owing* is repaid, the *property* remains charged to NAB until released from *this charge*.
- 1.3 *This charge* is a deed.
- 1.4 *This charge* is fixed over all of your present and future estate, right, title and interest in:

- (a) land, including each fixture, structure or improvement fixed to or on land;
- (b) *licences* and *leases*;
- (c) plant and equipment (other than stock in trade);
- (d) any *security interest* or any *guarantee*;
- (e) uncalled or called but unpaid capital;
- (f) goodwill;
- (g) book debts, other debts and monetary claims, with the benefit of all related *guarantees*, and securities for their payment;
- (h) securities, documents of title and any other documents (whether or not negotiable), that you deposit, or that are deposited on your behalf, with NAB or NAB's agent at any time and for any reason;
- (i) financial, accounting and other records (including computer software and other media records) relating to your business transactions;
- (j) insurance policies;
- (k) *intellectual property rights*;
- (l) *marketable securities*;
- (m) rights to the credit balance in any control account under clause 3.2;
- (n) if you enter *this charge* as trustee of the *trust*, your right to be indemnified out of the *trust* assets and by the *trust* beneficiaries;
- (o) any *partnership* in which you are a partner (whether or not named in the *Details*);
- (p) any joint venture in which you are a joint venturer;
- (q) other *property* of any kind not acquired for disposal or consumption in your ordinary course of business; and
- (r) any *property* described in the *Details* as fixed charge *property*.

1.5 *This charge* is floating over all *property* not secured by the fixed charge under clause 1.4.

1.6 Where you hold *property* jointly with one or more others, whether or not named in the *Details*, and whether in *partnership*, joint venture or otherwise, and NAB holds a *security interest* from all such other persons, whether under *this charge* or under any other security instruments, you acknowledge that the charge, and any other *security interest*, constitute a charge over all the assets of the firm, *partnership* or joint venture.

1.7 In addition to becoming fixed in any other way, where *this charge* is floating, it immediately and automatically becomes fixed over all *property*:

- (a) that NAB notifies you is subject to a fixed charge (which NAB can do at any time);
- (b) affected if:
 - (i) there is a breach or conduct is commenced which if completed will result in a breach under clause 6 or result in any floating *security interest* given with NAB's consent by you to a third party becoming fixed; or
 - (ii) a judgement, order or *encumbrance*;

- is enforced; or
- becomes enforceable;
- (c) if you are or become *insolvent* or steps are started to make you *insolvent*;
- (d) that is money or rights to money or debts owing to you, if any person takes any step, or attempts or agrees to do anything, which may result in taxes or an *amount owing* to an *authority*, ranking ahead of the floating charge over that *property* (including issuing a notice or direction that has effect as a charge, attachment or otherwise of giving an *authority* a preference, priority or advantage over NAB to that *property*);
- (e) if you cease carrying on business; or
- (f) that you deal with except in the ordinary course of your business.

1.8 Where any *property* is subject to a fixed charge under clause 1.4 or by operation of clause 1.7, NAB may give you a notice specifying the date from which the *property* specified in the notice is subject to only a floating charge. From the date in NAB's notice, *this charge* will operate as a floating charge over the specified *property*. NAB may give any number of notices under clause 1.7 and this clause in relation to the same *property*.

Your basic assurances

- 2.1 You agree to carry out on time, or promptly if no time is specified, all your obligations to NAB including to pay the *amount owing* as agreed or where there is no agreement on demand.
- 2.2 You declare that:
- (a) you own the *property* and have good right and title to charge it under *this charge*;
 - (b) you have told NAB in writing about all rights that affect, or are proposed or likely to affect, the *property* (including *encumbrances* or the rights of beneficiaries under a *trust*) and of any *contaminant* affecting the *property*;
 - (c) you do not breach any law or any obligation to any other person (including under your constitution) by signing *this charge*;
 - (d) all the information you have given NAB is correct and not misleading;
 - (e) you have not withheld any information that might have caused NAB not to enter into *this charge* or any other *arrangement*;
 - (f) if you enter into *this charge* as a partner in a *partnership* with one or more persons, the persons named in the *Details* are all the partners in the *partnership*; and
 - (g) you are not in default (see clause 12).
- 2.3 If you enter into *this charge* as trustee of the *trust*, you are liable personally and as trustee of the *trust* and you declare that:
- (a) you are the sole trustee of the *trust* and no steps have been taken to remove you as trustee or appoint any additional trustee(s);
 - (b) you have power and *authority* to enter into *this charge* and are doing so for a proper purpose;

- (c) you have the right to be fully indemnified out of the *trust* assets for obligations incurred as trustee under *this charge* before the claims of beneficiaries;
- (d) you are not in default (however described) under the terms of the *trust*;
- (e) the *trust* has not vested;
- (f) true copies of the *trust* deed establishing the *trust*, all amending deeds (if any) and all other documents relating to the *trust* have, if requested by NAB, been provided by you and they disclose all the terms of the *trust*;
- (g) *this charge* is in the interests of the beneficiaries of the *trust*.

2.4 You must tell NAB immediately if anything happens which would prevent you from truthfully repeating the declarations in clauses 2.2 and 2.3.

2.5 You must obtain NAB's consent before:

- (a) allowing any partner to leave any *partnership* that you are a partner of; or
- (b) any new partner is added to any *partnership* that you are a partner of,

whether or not any such *partnership* is named in the *Details*, and you must procure any partner added to any such *partnership* to assume the liability in respect of all *amounts owing* before that partner became a partner, by executing a charge in substantially the same form as *this charge*.

The property

Caring for your property

- 3.1 You must pay when due all amounts for which you are liable as owner of the *property*.
- 3.2 You must:
- (a) keep the *property* safe from theft and in good working order and condition;
 - (b) give NAB a copy of any order or notice from any *authority* concerning the use or condition of the *property* as soon as you become aware of it;
 - (c) comply (and ensure each person who uses or occupies the *property* complies) with all laws and requirements of *authorities* in connection with the *property*;
 - (d) give NAB details about all land and interests in land (including *leases*) you acquire or any subsidiaries you form or acquire;
 - (e) until NAB otherwise directs, promptly collect, as NAB's agent for this purpose, your book debts, other debts and amounts owing to you under any other monetary claims;
 - (f) pay into a control account NAB opens or maintains in your name (which in the absence of NAB specifying such an account will be your principal operating account maintained by NAB), all the moneys which you may receive in respect of book debts, other debts and monetary claims. You must comply with any directions NAB issues to deal with those moneys while in the control account;

- (g) notify NAB if there is a *contaminant* affecting or emanating from the *property*;
- (h) unless it is in the nature of your business conducted with the *property* and this has been disclosed in writing to NAB, not have a *contaminant* affecting or emanating from the *property* and immediately remove any *contaminant* from the *property* and make good any damage caused by the *contaminant* or its removal;
- (i) minimise the impact of any escaped *contaminant* on the *environment* and make good any damage it causes; and
- (j) not deal with the *property* or any *contaminant* in such a way as to increase the risk of harm from a *contaminant*.

Caring for your business

4. You must:

- (a) conduct your business and financial affairs in a proper, orderly and efficient manner and keep proper financial, accounting and other records in respect of the same;
- (b) not, without NAB's consent, cease conducting your business and not significantly change the general character of any business you conduct;
- (c) obtain, renew on time and comply with the terms of each authorisation necessary to enter into *this charge*, comply with obligations under it and allow it to be enforced;
- (d) use your best efforts to obtain permission to use the *property* for any purpose reasonably specified by NAB;
- (e) not without NAB's consent:
 - (i) provide financial accommodation to a *related entity*;
 - (ii) permit a *related entity* to owe financial accommodation to you;
 - (iii) satisfy any financial accommodation you now or in the future owe to a *related entity*;
- (f) not deposit money with a person in circumstances where the money is not repayable unless you perform obligations (including to pay money) to that person;
- (g) ensure that your capital is not reduced or made capable of being called up only in certain circumstances; and
- (h) if NAB asks, provide details of any transactions involving title of goods supplied to you on the condition that title to them is reserved until you have paid for them, or proceeds from your sale of them are held on trust, and comply with any prohibitions, conditions or limitations that NAB specifies to you in respect of such transactions.

Insurance

5.1 You must maintain for the duration of *this charge*, insurance:

- (a) covering the *property* against all usual risks which a person in your position would prudently

take out, public liability insurance, workers compensation insurance or equivalent cover in accordance with applicable law, business interruption insurance and any other insurance required by law or which NAB reasonably requires, in connection with your ownership, occupation or use of the *property*; and

- (b) for the full insurable value of the *property* on a full replacement value and reinstatement basis, including any rents and profits, and the cost of demolition and removal of debris and consultants' fees.

5.2 Each policy under clause 5.1, relating to the *property*, must:

- (a) expressly note NAB's interest as chargee;
- (b) if required by NAB, identify NAB as sole loss payee; and
- (c) be to NAB's satisfaction and with an insurer approved by NAB.

5.3 You must, in relation to each policy under clause 5.1:

- (a) whenever asked by NAB, produce evidence of current cover (including a certified copy of each policy wording and schedule or certificate of currency);
- (b) ensure the cover is not reduced or cancelled (and notify NAB if it is or could be);
- (c) ensure nothing happens that could permit an insurer to decline a claim (and notify NAB if anything would permit an insurer to do this); and
- (d) notify NAB if an event occurs which permits an insurance claim to be made or an insurance claim is made or refused.

5.4 If you do not comply with clauses 5.1 or 5.2, NAB may take out, renew or maintain any insurance required by clauses 5.1 or 5.2, and you must immediately pay NAB all costs incurred in doing so.

5.5 You must immediately pay to NAB all proceeds you receive from an insurance claim relating to the loss of or damage to the *property* (including any insurance policy that does not comply with, or only partially complies with, clause 5.1) or comply with any other direction from NAB with respect to the proceeds.

5.6 NAB may, after notifying you, take over your rights to make, pursue or settle an insurance claim (including any claim under any policy, in breach of clause 5.2(a), not expressed to insure NAB's interest as chargee) and exercise those rights in any manner whatsoever.

Dealing with *property*

6.1 Without NAB's consent you may not, and may not agree to:

- (a) create or allow to exist another *encumbrance* in connection with the *property*;
- (b) deal in any way with *this charge*, or allow any interest in it to arise or be varied;
- (c) do any of the following in respect of *property* over which *this charge* is fixed:
 - (i) sell or dispose of it;

- (ii) grant a *licence* or *lease* concerning it;
- (iii) allow a surrender or variation of any *licence* or *lease*;
- (iv) part with possession of it;
- (v) allow a set-off or combination of accounts in connection with it;
- (vi) allow the value of it to be reduced other than by normal wear and tear;
- (vii) change its nature;
- (viii) waive any of your rights, or release any person from obligations, in connection with it; or
- (ix) deal in any other way with it or any interest in it, or allow any interest in it to arise or be varied.

- 6.2 You may not apply any payment received on account of unpaid or partly paid shares or other capital (whether or not received in response to a call) to or for any purpose other than payment towards the *amount owing*.
- 6.3 Without NAB's consent you may not, and may not agree to, do anything in clause 6.1 in respect of *property* over which *this charge* is floating except in your ordinary course of, and for the purpose of carrying on, your ordinary business.
- 6.4 You must not, without NAB's consent, enter into or become bound by any agreement, contract, undertaking or *arrangement* with any person other than NAB in relation to the *property* which:
- is on similar terms or has a similar effect (whether broader or more restrictive) to clause 6.1 or clause 6.2; or
 - if complied with, would prevent you or another *debtor/guarantor* from complying with all of its obligations under *this charge* or another *arrangement* with NAB.

Security Interests

- 7.1 If NAB requires, you must enter into an agreement acceptable to NAB regulating the priority between *this charge* and any other *security interest*.
- 7.2 You must:
- (a) not increase the amount secured under any other *security interest* in the *property* without NAB's consent; and
 - (b) comply with any obligation in connection with any other *security interest* in the *property*.
- 7.3 If NAB receives actual or constructive notice of a subsequent *security interest*, NAB:
- (a) may open a new account in your name in NAB's books; or
 - (b) is regarded as having opened a new account in your name in NAB's books,
- on the date NAB received or was regarded as having received notice of the subsequent *security interest*.
- 7.4 From the date on which that new account is opened or regarded as opened:

- (a) all payments received by NAB in respect of the *amount owing*; and
 - (b) all financial accommodation and advances made by NAB to you,
- are or are regarded as credited and debited, as applicable, to the new account.

7.5 The payments received by NAB under clause 7.4 must be applied:

- (a) first, in reduction of the debit balance, if any, in the new account; and
- (b) second, if there is no debit balance in the new account, in reduction of the *amount owing* which has not been debited or regarded as debited to the new account.

Licences

- 8.1 If a *licence* is part of the *property* or required for any activity carried out on or in connection with the *property*, then you must:
- (a) carry out that activity in a proper and orderly manner;
 - (b) comply with all laws and requirements of authorities in connection with the *licence*;
 - (c) obtain and renew on time the *licence* and any necessary authorisation to carry on the activity for which the *licence* is necessary and oppose any application to restrict or cancel the *licence*;
 - (d) not, without NAB's consent:
 - (i) remove or apply to remove the *licence* from the *property*;
 - (ii) surrender or attempt to surrender the *licence*;
 - (iii) deal in any way with any interest in the *licence*;
 - (iv) amend the *licence*;
 - (v) do anything which could cause the *licence* to be forfeited or cancelled;
 - (vi) allow a *security interest* to arise over the *licence*; and
 - (e) give NAB a copy of each notice, order, summons or conviction in connection with the *licence*.
- 8.2 If you are not the holder of the *licence*, you must ensure that after a default has occurred, if required by NAB, you must do your best to ensure that the *licence* is transferred to NAB or NAB's nominee.

General

- 9.1 You must deposit with NAB until there is no *amount owing*:
- (a) any documents of title relating to the *property* over which *this charge* is fixed; and
 - (b) any other documents NAB requests relating to the *property*.
- 9.2 You need not deposit documents with NAB if another person is holding them under a *security interest* in the *property* to which NAB has consented and which has priority over *this charge*.

9.3 *This charge* may be registered at your expense.

9.4 You must do anything required by NAB:

- (a) to provide more effective security over the *property* for payment of the *amount owing*;
- (b) to prevent *this charge* over any *property* being void;
- (c) to enable NAB to register *this charge* with the priority NAB requires;
- (d) to enable NAB to exercise NAB's rights in connection with the *property*;
- (e) to enable NAB to register the power of attorney in clause 27 or a similar power; or
- (f) to prove you are complying with *this charge*.

9.5 You agree that NAB may fill in any blanks in *this charge* or any document relating to *this charge* (including corporation law forms or transfers for the *property*).

9.6 You must provide to NAB if asked, any information about or documents affecting:

- (a) the *property*;
- (b) *this charge*; or
- (c) your business or financial affairs or that of your subsidiaries.

Other amounts you must pay

Costs and indemnities

10.1 You must pay NAB for:

- (a) NAB's *costs*, and any *receiver's* costs, and remuneration, in arranging, administering (including giving and considering consents, variations, discharges and releases, producing title documents, or enforcing, attempting to enforce or taking any other action in connection with NAB's or any *receiver's* rights) and terminating *this charge* or another *arrangement*; and
- (b) all *taxes*, fees and charges payable in connection with *this charge*, any other *arrangement* and any transaction under them and any interest, penalties, fines and expenses in connection with them.

10.2 You must compensate NAB if NAB determines that, as a direct or indirect result of the imposition of GST, NAB's *costs* in connection with *this charge* are increased. If NAB:

- (a) reasonably decides that NAB is liable to pay GST, or additional GST (on account of not being entitled to an input tax credit or otherwise) on a supply made in connection with *this charge*; and
- (b) certifies that NAB has not priced the supply to include GST, or the additional GST,

then you agree to pay NAB an additional amount equal to the consideration payable for the supply multiplied by the prevailing GST rate.

10.3 You indemnify NAB against, and you must therefore pay NAB on demand for, liability, loss or *costs*

(including consequential or economic loss) NAB suffers or incurs:

- (a) if you default under *this charge*;
- (b) in connection with any person exercising, or not exercising, rights under *this charge*;
- (c) in connection with the *property* or *this charge*; or
- (d) under any indemnity or advances NAB gives an *administrator* appointed:
 - (i) in respect of you; or
 - (ii) over any of the *property*.

(You agree that NAB may give such indemnities and advances for remuneration, liabilities and costs incurred by such *administrator*.)

10.4 You must pay NAB an amount equal to any liability, loss or *costs* (including consequential or economic loss) of a kind referred to in clauses 10.3(a) to (c) suffered or incurred by:

- (a) any *receiver* or *attorney* appointed under *this charge*;
- (b) any of NAB's employees, *officers*, agents or contractors; or
- (c) any lessee, purchaser or occupier of the *property*.

10.5 If a judgement, order or proof of debt in connection with the *amount owing* is expressed in a currency other than that in which the *amount owing* is due, then you indemnify NAB against:

- (a) any difference arising from converting the other currency if the exchange rate NAB uses for converting currency when NAB receives a payment in the other currency is less favourable to NAB than the exchange rate used for the purpose of the judgement, order or acceptance of proof of debt;
- (b) the *costs* of conversion; and
- (c) notwithstanding that it might be necessary to convert the other currency through more than one currency to determine the exchange rate available to NAB.

10.6 You must pay these amounts when asked by NAB. NAB can debit any of these amounts to any of your accounts with, or opened by NAB in your name, even if you have not expressly been asked to pay and even if it will cause the account to be overdrawn.

10.7 You must pay for anything that you must do under *this charge*.

Interest

11.1 You must pay interest, on any part of the *amount owing* which is due for payment but which is not otherwise incurring interest. The interest accrues daily from (and including) the due date (which date is, when not otherwise stated, when the amount was incurred, paid, debited to your account or otherwise charged to you and without need for a prior demand for payment) up to (but excluding) the date of payment. You must pay the interest with the amount on which it is accruing.

- 11.2. The rate of interest applying to each daily balance is NAB's annual benchmark rate (or any rate replacing it) from time to time, divided by 365.
- 11.3 Each month (or any other period NAB chooses), NAB may add to the amount you owe any interest under this clause 11 which has not been paid. You will then be liable for interest under this clause 11 on the total amount.
- 11.4 If any amount you must pay under *this charge* becomes covered by a court order, you must pay interest on that amount as a separate obligation. The interest accrues from and including the date NAB first asks for the amount until but excluding the date that amount is paid. This obligation is not affected by the court order. The rate is the rate in clause 11.2 or the rate in the court order (whichever is higher).

NAB's rights on your default

Default

12. You are in default if:
- (a) you do not pay any of the *amount owing* on time;
 - (b) you do something you agree not to do under *this charge* or you do not do something you agree to do under *this charge*;
 - (c) you are, or a *debtor/guarantor* or another person is in default under any *arrangement* or an event of default occurs under an *arrangement*;
 - (d) you give, or a *debtor/guarantor* or another person gives NAB incorrect or misleading information in connection with *this charge* or another *arrangement*;
 - (e) you do not, or a *debtor/guarantor* or another person does not, carry out in full an undertaking given in connection with *this charge* or another *arrangement*, within the period specified, or immediately if no period is specified;
 - (f) a *debtor/guarantor* is in breach of any agreement they have with NAB;
 - (g) you or a *debtor/guarantor* is or becomes:
 - (i) *insolvent* or steps are started to make you or the *debtor/guarantor* *insolvent*; or
 - (ii) deregistered, or steps are started to deregister you or the *debtor/guarantor*;
 - (h) *this charge* is, becomes or is claimed to be void or unenforceable or *this charge* does not have or loses the priority it is intended to have;
 - (i) in NAB's opinion, an event occurs which may have a material adverse effect on your ability to comply with your obligations under *this charge* or another *arrangement*;
 - (j) you cease to carry on the whole, or any material part of your business, or you threaten to do so;
 - (k) any floating *security interest* given with NAB's consent by you to a third party becomes wholly or partly fixed;
 - (l) *this charge* becomes fixed over any *property* under clause 1.7(b), (c), (d), (e) or (f);
 - (m) any *security interest* granted by you or a *debtor/guarantor* to a third party is enforced or becomes enforceable;
 - (n) NAB believes on reasonable grounds that urgent action is necessary to protect any *property* including from seizure and sale;
 - (o) the value of the *property* materially decreases;
 - (p) a person is appointed to investigate or manage your affairs or the affairs of a *debtor/guarantor*;
 - (q) if you are a proprietary limited company, without NAB's consent, you do not inform NAB when:
 - (i) a change takes place in your directors other than due to the death or incapacity of a director;
 - (ii) a transfer of the majority of the shares in your capital is registered; or
 - (iii) new shares, convertible notes or options for shares in your capital are issued;
 - (r) without NAB's consent you cease to be a subsidiary of the company which is your holding company at the date of *this charge* or a company ceases to be your subsidiary;
 - (s) you do not, or a *debtor/guarantor* does not, meet all your or their monetary obligations (whether present or future) on time or within any applicable grace period or any of these obligations become, or can be rendered, payable early otherwise than at your or the *debtor/guarantor's* election; or
 - (t) anything you or a *debtor/guarantor* declares in clause 2 is incorrect or misleading.

Consequences of default

- 13.1 If you are in default, NAB may do any one or more of the following in addition to anything else the law allows NAB to do as mortgagee or chargee:
- (a) at its option, without the need to give notice or demand and despite any agreement to the contrary, treat the *amount owing* as immediately due and payable;
 - (b) sue you for the *amount owing*;
 - (c) appoint a *receiver*;
 - (d) whether or not a *receiver* is appointed, do anything that a *receiver*, who's appointment was unrestricted, could do under clause 14.5; or
 - (e) appoint an agent to act on NAB's behalf in the exercise of any powers.
- 13.2 In NAB exercising any powers it may withdraw from possession after entry or appointment, re-enter and withdraw as often as it considers expedient.
- 13.3 Neither NAB nor any *receiver* need obtain your consent or give you any notice or demand or allow time to elapse before exercising a right under *this charge* or conferred by law (including a right to sell)

unless the notice, demand or lapse of time is required by law and cannot be excluded.

- 13.4 If such a requirement under clause 13.3 can not be excluded, but the law provides that a period of notice or lapse of time must be stipulated or fixed by *this charge*, then it is stipulated and fixed as being either one hour or the minimum period in excess of one hour that the law requires.
- 13.5 Neither NAB nor any *receiver* is required to enforce payment of any money payable to you including any debts or monetary liabilities charged by *this charge*.

Receivers

- 14.1 In addition to NAB's powers under clause 13.1 NAB may in writing appoint a *receiver* if you request NAB to do so.
- 14.2 In exercising NAB's power to appoint a *receiver* NAB may:
- (a) appoint any *receiver* to all or any part of the *property* or its income;
 - (b) set a *receiver's* remuneration at any figure NAB determines as appropriate;
 - (c) agree to indemnify the *receiver* against liabilities incurred as *receiver*;
 - (d) remove a *receiver* at any time, in NAB's absolute discretion;
 - (e) appoint a new or additional *receiver* as often as NAB considers expedient; and
 - (f) advance to the *receiver*, on normal bank terms, amounts for the *receiver* to pay its remuneration, costs, liabilities and otherwise, for the purposes of the receivership, including claims against the *receiver* or you. All such amounts advanced that are not repaid by the *receiver* are payable by you to NAB and are part of the *amount owing*.
- 14.3 If NAB appoints more than one *receiver*, they may act independently unless NAB specifies that they must act together.
- 14.4 The *receiver* is your agent unless NAB notifies you that the *receiver* is to act as NAB's agent. You are solely responsible for anything done, or not done, by a *receiver* and for the *receiver's* remuneration and costs. However NAB may pay the *receiver's* remuneration and costs on your behalf and the amount paid, together with any amount paid under an indemnity granted by NAB to the *receiver*, will be owed by you to NAB and be part of the *amount owing*.
- 14.5 Unless the terms of appointment restrict a *receiver's* powers, the *receiver* may do anything the law allows an owner or a *receiver* of the *property* to do, including improving, selling or leasing it or any fixtures on it.

Dealings with the *property*

15. You agree that if NAB or a *receiver* sells or otherwise deals with the *property*:
- (a) you will not challenge any rights granted to a person (including on the ground that NAB or the *receiver* were not entitled to deal with the

property or that you did not receive notice of the intended dealing);

- (b) the person who acquires rights in the *property* need not check whether NAB or the *receiver* could deal with the *property* or did so properly; and
- (c) you will agree to release, discharge and indemnify any person who acquires rights to the *property*, their servants and agents in respect of every claim, action and demand which, but for this clause 15, you or any other party might have had against them; and
- (d) NAB or the *receiver* can give a valid receipt.

NAB's other rights

- 16.1 NAB may assign or otherwise deal with NAB's rights under *this charge* or another *arrangement* in any way NAB considers appropriate. If NAB does this, you may not claim against any assignee (or any other person who has an interest in *this charge* or the *arrangement*) any right of set-off or other rights you have against NAB.
- 16.2 NAB may pay any of your debts or take a transfer of them or any *security interest* for NAB's benefit and the cost to NAB of such payment or transfer will be part of the *amount owing*.
- 16.3 Information you provide to NAB may be disclosed:
- (a) if you consent (you may not unreasonably withhold your consent);
 - (b) if required by any stock exchange or if allowed or required by law;
 - (c) to any person in connection with NAB exercising rights or dealing with rights or obligations (including preparatory steps such as negotiating with any potential assignee of NAB's rights or other person who is considering contracting with NAB or a *receiver* in connection with *this charge*);
 - (d) to NAB's *officers*, employees, *receivers*, legal advisers, auditors and other advisers;
 - (e) to any of NAB's *related entities*;
 - (f) to any assignee of NAB's rights under *this charge* or another *arrangement*;
 - (g) if the information is generally and publicly available; or
 - (h) to any *debtor/guarantor* or person NAB believes may become a *debtor/guarantor*.
- 16.4 NAB may enter land and buildings owned or occupied by you, any place where the *property* is located, your places of business and your registered office to:
- (a) inspect the *property*;
 - (b) find out whether you are complying with *this charge*;
 - (c) exercise NAB's rights under *this charge*;
 - (d) inspect and copy records relating to you or the *property*;
 - (e) investigate your financial or business affairs or any *debtor/guarantor*; or

- (f) do any act, matter or thing that ought to have been done by you under *this charge*.
- 16.5 Unless there is an emergency, NAB must give you reasonable notice before entering under clause 16.4. You must help NAB enter, such as by getting any consent necessary.
- 16.6 You must repay on demand all amounts expended by NAB for all or any of the purposes referred to in clause 16.4.
- 16.7 NAB does not become a mortgagee in possession because NAB enters the *property* under clause 16.4 or exercises NAB's rights under clause 16.5.
- 16.8 If asked by NAB you must ensure that rent and other income from the *property* is paid to NAB. If, despite this, they are paid to you, you must pay them to NAB. In each case, NAB must then use the money received as set out in clause 17.
- 16.9 If NAB forms the opinion in its absolute discretion, that you are or may be in default or that circumstances exist which could lead to you being in default, NAB may appoint a person or separate persons to investigate the financial and trading condition, and to undertake an environmental audit, of you or any *debtor/guarantor* or any of your *related entities*. You must co-operate with and comply with every reasonable request made by this person. You must pay to NAB all costs in connection with the investigation or audit and NAB may debit those costs to any of your accounts.

Receipts

- 17.1 Subject to any overriding law, money received by NAB or a *receiver* under *this charge* must be applied in the following order of priority:
 - (a) in payment of all costs, liabilities and outgoings of NAB and a *receiver* and remuneration of a *receiver* (including if already paid by NAB under *this charge*);
 - (b) in payment in order of their priority of any *security interest* which has priority to *this charge*; and
 - (c) towards any other parts of the *amount owing* in such order as NAB chooses.
- 17.2 However, if money received represents proceeds of an insurance claim relating to the loss of or damage to the *property*, NAB may use it to reinstate the *property* or carry out work on it.
- 17.3 Despite clause 17.1, and subject to any overriding law, any money received under *this charge* by NAB or a *receiver* may be used towards paying in any order any part of the *amount owing* they choose, including by paying a later instalment before an earlier instalment. This applies even if that part falls due after NAB gives a notice of demand.
- 17.4 NAB only needs to credit payments to any *amount owing* as soon as practicable after actually receiving them (including, where NAB has appointed a *receiver*, as soon as practicable after NAB receives the payment from the *receiver*). However, NAB may retain any payments for later crediting towards part of the *amount owing* which is not due for payment when received. NAB may hold it in an interest bearing account and use it and any interest (less any taxes) to pay the *amount owing* when it becomes due for payment.

- 17.5 NAB will pay any money remaining after the *amount owing* is paid either to you or to another person entitled to it (such as another person with a *security interest* in the *property*). In particular, NAB may pay it to a person who NAB considers on reasonable grounds has a subsequent registered or unregistered *security interest* without incurring liability to you. NAB is not liable to pay interest on any money remaining after the *amount owing* is paid.
- 17.6 Payment of amounts to you may be completed by crediting the amount to an account in your name with NAB or any other bank within Australia and giving you notice of the credit.
- 17.7 Neither NAB nor a *receiver* is answerable or accountable for any more money or *property* than that which actually comes into their hands.

General

Maximum prospective liability

- 18.1 For the purposes of fixing the priority under the *Corporations Act* between *this charge* and any other *encumbrance*:
 - (a) the prospective liabilities secured by *this charge* are your obligations to pay the *amount owing*;
 - (b) the maximum prospective liability secured by *this charge* is the amount set out in the *Details*, where applicable; and
 - (c) the amount of maximum prospective liability may be changed from time to time by NAB lodging on your behalf notice of the change under the *Corporations Act*.
- 18.2 Any maximum prospective liability amount in no way limits the *amount owing* or the amounts secured by and recoverable from you under *this charge*.

Due Currency

- 19.1 You must make each payment in the currency in which it is due.
- 19.2 If NAB receives an amount in a currency other than that in which it is due:
 - (a) NAB may convert the amount received into the due currency (and if necessary convert through a third currency) on the day and at such rates as NAB considers appropriate. NAB may deduct NAB's usual costs in connection with the conversion; and
 - (b) you satisfy your obligation to pay in the due currency only to the extent of the amount of the due currency obtained from the conversion after deducting the costs of the conversion.

Payment, Set Off, Combination and Counterclaim

- 20.1 You must pay NAB the *amount owing* in full without set off, counterclaim or deduction.
- 20.2 If you or NAB are, at any time, compelled by law to deduct or withhold any amount (including taxes) from any payment of any *amount owing*, you must indemnify NAB against that amount and pay concurrently to NAB such additional amounts as will

result in payment to NAB of the full amount which would have been received if no deduction or withholding had been made.

- 20.3 In any action or proceeding by NAB against you to enforce payment of the whole or any part of the *amount owing*, to enforce any covenant, agreement, obligation or liability on your part under *this charge* you covenant and agree that you will not:

- (a) raise or plead any set-off (whether at law or in equity);
- (b) bring any counterclaim or cross-proceeding;
- (c) otherwise seek to litigate in the same proceedings any claim, cause of action, or cross-demand against NAB;

but nothing in this clause must be construed as in any way affecting or prejudicing your right to:

- (a) institute separate proceedings against NAB in any court of competent jurisdiction; or
- (b) pursue any other right, relief or remedy which may not lawfully be excluded by contract.

- 20.4 NAB may, at any time, without further *authority* than *this charge*, despite any other provision of *this charge* or another *arrangement* and without prior notice to you:

- (a) set off against the *amount owing* any money NAB owes you;
- (b) elect not to pay you any money NAB owes you until there is no *amount owing*;
- (c) combine and amalgamate any two or more of NAB's accounts in your name;
- (d) debit and charge any account in your name maintained by NAB (or an account opened by NAB in your name) with the *amount owing*; or
- (e) convert any amount denominated in a currency other than that in which it is due in accordance with clause 19.2.

Notices and other communications

- 21.1 Notices, certificates and other communications in connection with *this charge* must be in writing. Communications from you must be signed by a director or another person approved by NAB.

- 21.2 They may be:

- (a) given personally (if they are for you, to one of your directors; if they are for NAB, to one of NAB's employees at the office where you arrange *this charge* or any other office NAB tells you);
- (b) left at the address last notified;
- (c) sent by prepaid post to the address last notified;
- (d) sent by fax to the fax number last notified;
- (e) sent by e-mail to the email address last notified; or
- (f) given in any other way permitted by law.

- 21.3 They take effect from the time they are received unless a later time is specified in them.

- 21.4 If they are sent by post, they are taken to be received three days after the date of posting.

- 21.5 If they are sent by fax machine that produces a transmission report, they are taken to be received at the time shown in a transmission report that indicates that the whole fax was sent.

- 21.6 If they are sent by email which produces a delivery confirmation report, they are taken to be received at the time shown in the delivery confirmation report.

Certificates

- 22.1 NAB may give you a certificate or formal statement signed by an *officer* about a matter or about an amount payable in connection with *this charge*. The certificate is conclusive evidence of the matter or amount, unless it is proved to be incorrect.

- 22.2 NAB may rely on certificates provided by any other person with a *security interest* as to the amount that is owed to them.

How NAB may exercise its rights

- 23.1 NAB may exercise a right or remedy, or give or refuse consent, in any way NAB considers appropriate, including by imposing conditions.

- 23.2 NAB may enforce *this charge* before enforcing other rights or remedies:

- (a) against any other person; or
- (b) under another document including another *security interest*.

- 23.3 If NAB or a *receiver* do not exercise a right or remedy fully or at a given time, NAB or the *receiver* can still exercise it later.

- 23.4 Neither NAB nor a *receiver* are liable for loss caused by the exercise or attempted exercise of, failure to exercise, or delay in exercising, a right or remedy, or delay in giving notice, whether or not caused by NAB's or the *receiver's* negligence.

- 23.5 If NAB or a *receiver* exercise any right under *this charge* or at law to enter or take possession of the *property*, NAB or the *receiver*:

- (a) have complete and unfettered discretion as to how the *property* is managed; and
- (b) are liable to account only for rents and profits actually received by NAB or the *receiver*.

- 23.6 NAB's and any *receiver's* rights and remedies under *this charge*:

- (a) are in addition to other rights and remedies given by law independently of *this charge*; and
- (b) may be exercised even if this involves a conflict of duty or NAB, or the *receiver*, have a personal interest in their exercise.

- 23.7 NAB's rights and remedies under *this charge* may be exercised by any *officer*.

Rights and obligations

- 24.1 The rights given to NAB and your liabilities under *this charge* are not affected by anything that might otherwise affect them at law (including any law relating to the liability of a surety).

- 24.2 *This charge* does not merge with nor is it adversely affected by:

- (a) another *security interest, guarantee* or right or remedy to which NAB is entitled;
- (b) a judgment or order which NAB obtains against you in respect of any of the *amount owing*; or
- (c) any other rights, powers or remedies that NAB is at any time entitled to exercise, whether in respect of the *amount owing*, or in respect of any other liability or indebtedness or you or any other person whose liability or indebtedness to NAB is secured by *this charge*.

24.3 *This charge* binds each person who signs as chargor even if another person who was intended to sign does not sign it or is not bound by it.

24.4 If a claim that a transaction (including a payment) in connection with the *amount owing* is void or voidable is made and upheld, conceded or compromised, then:

- (a) NAB is immediately entitled, as against you, to the rights in respect of the *amount owing* to which NAB was entitled immediately before the transaction;
- (b) on request from NAB, you agree to do anything to restore to NAB any *security interest* or *guarantee* NAB held from you immediately before the transaction; and
- (c) you indemnify NAB against any loss or damage NAB may suffer as a result of the avoided transaction.

This clause survives the termination or release of *this charge* or any other *arrangement* with NAB and remains in full force and effect despite any settlement of account or any other thing occurring.

Indemnities

25. The indemnities in *this charge* are continuing obligations, independent of your other obligations under *this charge*. They continue even after NAB has released the *property* from *this charge*. It is not necessary for NAB to incur expense or make payment before enforcing a right of indemnity conferred by *this charge*.

Variation and waiver

26. A provision of *this charge*, or right created under it, may not be waived or varied except in writing signed by the party or parties to be bound.

Power of attorney

27.1 You irrevocably appoint NAB, each *officer*, and each *receiver* under *this charge*, as your *attorney*. Each *attorney* may act independently or together. If NAB asks, you must formally approve anything an *attorney* does under clause 27.2. An *attorney* need not obtain your consent or give you any notice before exercising a power.

27.2 An *attorney* appointed under clause 27.1 may:

- (a) do anything which you can lawfully authorise an *attorney* to do in connection with *this charge* or the *property* or which the *attorney* believes is expedient to give effect to any of NAB's rights or a *receiver's* rights (these things may be done in your or the *attorney's* name and they include signing and delivering deeds, selling,

transferring or leasing the *property*, issuing receipts, starting, conducting and defending legal proceedings, exercising voting rights attached to shares, trust units, debentures, loan capital and other indebtedness, and dealing with a *licence*);

- (b) delegate their powers (including this power) and revoke a delegation; and
- (c) exercise their powers even if this involves a conflict of duty or they have a personal interest in doing so.

27.3 You acknowledge that any person, including the Registrar of Titles of any State or Territory of Australia or any other *authority* in Australia or elsewhere dealing with any *attorney* or a person purporting to be an *attorney* under this power, is:

- (a) entitled to rely on execution of any document by that person as conclusive evidence that:
 - (i) the person holds the office set out in the power;
 - (ii) that the power of attorney has come into effect;
 - (iii) that the power of attorney has not purported to be revoked; and
 - (iv) that the right or power being exercised is properly exercised and that the circumstances have arisen to authorise the exercise of that right and power; and
- (b) not required to make any enquires in respect of any of the matters set out in paragraph (a).

Inconsistent and applicable law

28.1 To the extent permitted by law, *this charge* prevails to the extent it is inconsistent with any law and all relief or protection conferred on you by any law is negated and excluded.

28.2 *This charge* does not charge any *property* that, if charged by *this charge*, would cause *this charge* to be void. If prior acts would prevent the charge being void, then *this charge* will not charge that *property* until those prior acts have been carried out.

28.3 *This charge* is governed by the law of the State or Territory in which you reside on the date of *this charge*. You and NAB submit to the non-exclusive jurisdiction of the courts of that place.

28.4 NAB may serve any document on you in a court action by delivering it to, or leaving it at, your last known address or such other address as you and NAB agree at any time. This clause does not prevent any other method of service.

Severance

29.1 If a provision of *this charge* is void or voidable or unenforceable by NAB, but would not be void or voidable or unenforceable if it were read down, it must be read down accordingly.

29.2 If despite clause 29.1 a provision of *this charge* is still void or voidable or unenforceable by NAB:

- (a) if the provision would not be void or voidable or unenforceable if a word or words were omitted

there from, that word or those words (as the case may be) are severed; and

- (b) in any other case, the whole provision is severed,

and the remainder of *this charge* has full force and effect.

Key words explained

administrator has the meaning given to controller, administrator and liquidator in the *Corporation's Act*.

amount owing means, at any time, all amounts:

- (a) which at that time NAB has advanced or paid, or have become liable to advance or pay, for any reason:
 - (i) to or on behalf of you;
 - (ii) at your express or implied request;
 - (iii) because of any act or omission of you; or
 - (iv) because of any act or omission of NAB at your express or implied request;
- (b) for which at that time you are or may become actually or contingently liable to NAB for any reason including all amounts for which you are or may become liable to NAB in respect of any orders, drafts, cheques, promissory notes, bills of exchange, letters of credit, *guarantees*, indemnities, bonds, and other instruments or engagements (whether negotiable or not and whether matured or not) which:
 - (i) have been drawn, issued, accepted, endorsed, discounted or paid by NAB; or
 - (ii) are held by NAB as a result of any transaction entered into by NAB for, or on behalf of, or at your express or implied request;
- (c) which at that time are owing and unpaid, or owing but not presently payable, or owing on a contingency, by you to NAB for any reason;
- (d) which at that time NAB is entitled to recover or claim from you for any reason (including under any assignment, transfer or disposition by any person to NAB, whether or not the assignment, transfer or disposition:
 - (i) was with your consent; or
 - (ii) the amount was previously secured; or
 - (iii) takes place before, at the same time as, or after *this charge*;
- (e) which at that time you owe, or are liable for, to any assignee of NAB because the assignee performs an agreement or exercises a right NAB had before the time of the assignment;
- (f) referred to in other provisions of *this charge* as being part of the *amount owing* or as being payable by you;
- (g) of interest on or included in any amounts referred to in paragraph (a) to (f) (inclusive);
- (h) which would be included in paragraph (a) through (g) (inclusive) if each reference to you were also a reference to any other person whose indebtedness or liability to NAB is intended to be secured by *this charge*; and

- (i) which are foreseeable at that time as reasonably likely to become at a future time amounts within any of the descriptions above.

arrangement means an arrangement (including a request, bill of exchange, agreement, *guarantee*, or a *security interest*) by or with you under which obligations are or could in the future be owed to NAB.

attorney means each *attorney* appointed by you under clause 27.

authority means any government or any governmental, semi governmental, administrative, fiscal or judicial body, registry, department, commission, authority, tribunal, agency, or entity, and *authorities* has the corresponding meaning.

contaminant means anything (including a liquid, solid, gas, odour, temperature, sound, vibration or radiation) that makes or could make the *property* or *environment* a health risk for human or animal.

Corporations Act means the Corporations Act 2001 (Cwth) and includes any consolidation, amendment, re-enactment or replacement of it.

costs includes charges, fees and expenses; and costs, charges and expenses in connection with advisers (in the case of legal advisers, including in-house legal advisers, on a full indemnity basis or solicitor and own clients basis, whichever is higher) and reasonable expenses incurred by the use of the staff and facilities of NAB.

debtor/guarantor means:

- any person who guarantees or has provided a *security interest* to secure the payment of any part of the *amount owing*;
- if any part of the *amount owing* includes obligations you owe under a *guarantee*, the person whose obligations you *guarantee* and any other person who guarantees that other person's obligations; and
- any other person you and NAB agree is to be a "debtor/guarantor" for the purpose of *this charge*.

Details means the Details set out at the beginning of *this charge*.

encumbrance means any:

- *security interest*;
- right, interest or *arrangement* which has the effect of giving another person a preference, priority or advantage over creditors including any right of set-off;
- right that a person (other than the owner) has to remove something from land (known as a *profit à prendre*), easement, public right of way, restrictive or positive covenant, *lease*, or *licence* to use or occupy; or
- *process* or other third party right or interest or any right arising as a consequence of the enforcement of a judgement,

or any agreement to create any of them or allow them to exist.

environment means all aspects of the physical surroundings, including land, air, water, atmosphere, climate and organisms.

guarantee includes an indemnity.

GST has the same meaning as in the A New Tax System (*Goods and Services Tax Act 1999*).

including when introducing an example, does not limit the meaning of the words to which the example relates to that example or examples of a similar kind.

intellectual property rights includes any patent, design, trade mark, copyright, trade secret, confidential information and any right to use or to grant the use of, or be the registered owner or user of any of them.

A person is **insolvent** if;

- they are (or state they are) an insolvent under administration or insolvent (each as defined in the *Corporations Act*);
- they have an *administrator* appointed, are in liquidation, in provisional liquidation, under administration or wound up or have had a *receiver* appointed to any part of their *property*;
- execution or distress or any other *process* is levied or attempted or imposed against or over any of their undertaking, *property* or assets;
- a compromise, *arrangement*, assignment, moratorium or composition is proposed with, or becomes effective in relation to, their creditors or any class of their creditors (in each case, other than to carry out a reconstruction or amalgamation while solvent on terms approved by NAB);
- an application or order has been made (and, in the case of an application, it is not stayed, withdrawn or dismissed within 30 days), resolution passed, proposal put forward, or any other action taken, in each case in connection with them, which is preparatory to or could result in any of the things referred to above;
- they are taken (under section 459F of the *Corporations Act*) to have failed to comply with a statutory demand;
- they are the subject of an event described in section 459C(2)(b) or section 585 of the *Corporations Act* (or they make a statement from which NAB reasonably deduce they are so subject);
- they are a natural person, they commit an act of bankruptcy within the meaning of the Bankruptcy Act 1966 (Cwth);
- they are otherwise unable to pay their debts when they fall due; or
- something having a substantially similar effect to any of the things referred to above happens in connection with them under any law.

lease means an agreement or *arrangement* under which any thing is or may be used, operated or managed by a person other than the owner including, a lease, charter, hire purchase or hiring *arrangement*.

licence means any right, licence, permit allocation, quota or authorisation (including to sell liquor, to discharge hazardous waste, to draw water and other rights in connection with the use or supply of water under any law or to develop and use other *property*) whether attached to or separate from or carried out on or in connection with other *property*.

marketable securities has the meaning given to it by the *Corporations Act* but not being *marketable securities* acquired by you for disposal in your ordinary course of business.

NAB, means the person named in the *Details* as chargee and includes its successors and assigns.

officer means any of NAB's officers (as that expression is defined in the *Corporations Act*) and any person whose title or acting title includes the word "Associate", "Director", "Head", "Executive", "Manager", "Vice President", "Chief", "Counsel", "Legal" or any cognate expression or who is authorised to act under any general power of attorney of NAB and any solicitor acting on NAB's behalf.

partnership means, if applicable, the *partnership* described in the *Details*.

process means any process issued by a court or other tribunal or *authority* by which a person is empowered or required to take possession of or to hold, sell or otherwise deal with any *property*.

property means all your rights, property and undertaking:

- of whatever kind and wherever situated;
- whether present or future;
- whether you are the beneficial owner or hold as trustee of the *trust*; and
- whether you hold it jointly or with one or more other persons (whether in *partnership* or not and whether named in the *Details* or not).

receiver includes receiver, or receiver and manager as defined in the *Corporations Act*.

related entity has the meaning given to it in the *Corporations Act*.

security interest means any security for the payment of money or performance of obligations including a mortgage, charge, lien, pledge, trust, power, or title retention or flawed deposit *arrangement*.

taxes means taxes, levies, imposts, charges and duties (including a stamp and transaction duties) imposed by any *authority* together with any related interest, penalties, fines and expenses in connection with them, except if imposed on NAB's overall net income.

this charge means the charge comprising the *Details* and these terms.

trust means the trust described in the *Details*.

you means the person or persons named in the *Details* as chargor. If there are more than one, **you** means each of them separately and every two or more of them jointly. **You** includes your successors and assigns, including your successors and assigns as trustee of the *trust*. In the description of the *amount owing* it refers to **you** whether alone or jointly or jointly and separately with any other person (whether named in the *Details* or not) and whether as a principal or as a surety. **Your** has a corresponding meaning.

The singular includes the plural and vice versa.

A reference to:

- a document or agreement includes any variation or replacement of it;
- law means common law, principles of equity, and laws made by parliament (and laws made by parliament include State, Territory and Commonwealth laws and regulations and other instruments under them, and consolidations, amendments, re-enactments or replacements of any of them);

- any thing (including the *amount owing* and the *property*) includes the whole and each part of it;
- "payable" in relation to an amount, means an amount which is currently payable or will or may be payable in the future;
- "person" includes a natural person, any corporation, joint venture, partnership, trust, committee, incorporated or unincorporated organisation and *authority*;
- "permit" includes suffer (and its derivatives); and
- NAB's consent or approval means NAB's prior written consent or approval.



ASIC Traralgon Office

Australian Securities & Investments Commission

ABN: 86 768 265 615

authority@property.saiglobal.com

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Request Number 9671349.

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Name: HRM PARTNERS PTY LTD
ACN: 111 006 921

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If this request is for financial accounts it may contain an XBRL version of the accounts in addition to the usual PDF version. To analyse the version of the accounts in XBRL format you will need to use XBRL reader software.
Please refer to www.asic.gov.au/SBR for more information.

The total number of pages including this cover page is 3.

If your request was made through an Information Broker and not all pages have been included please contact your Information Broker.

If your request was made direct to ASIC and you require further assistance please contact us as follows:

| | |
|-------------------------------|--|
| DOCIMAGE Technical Enquiries: | 03 5177 3001 |
| Facsimile: | 03 5177 3999 |
| Ask a question: | www.asic.gov.au/question |

For all other inquiries contact us on 1300 300 630.



Australian Securities &
Investments Commission



TRA

1 - OCT 2018

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Form 492
Corporations Act 2001

Request for correction

Use this form to notify ASIC of corrections to a previously lodged document.

If there is insufficient space in any section of the form, you may photocopy the relevant page(s) and submit as part of this lodgement

Company/scheme details

Company/scheme/pooled group name/credit licensee or representative name

HRM Partners Pty Ltd

ACN/ARBN/ARSN/ABN/ credit licence or representative number (if applicable)

111 006 921

(See guide for information on pooled group)

Lodgement details

An image of this form will be available as part of the public register.

Who should ASIC contact if there is a query about this form?

ASIC registered agent number (if applicable)

Firm/organisation

HRM Partners Pty Ltd

Contact name/position description

PETER McCLEARY

Telephone number (during business hours)

(61) 428 412 613

Email address (optional)

peter@hrcoach.com.au

Postal address

18 VAYRO ROAD,

Suburb/City

BLUE MOUNTAIN HEIGHTS

State/Territory

QLD

Postcode

4350

1 Details of original documents

The document number can be obtained from a search at ASIC Connect at www.asic.gov.au.

Document number (Number allocated by ASIC)

1E0285180

Date of lodgement

17/09/04
[D] [D] [M] [M] [Y] [Y]

2 Details of correction

If correcting a date of change, supporting documentation must also be attached.

See guide for further details

Please note that the current D.O.B of one of the directors and members is incorrect. Please update to show the following for
PETER JOHN McCLEARY
31/07/1959

We enclose a ~~pro~~ copy of his drivers licence as proof of this.

**Signature**

This form must be signed by a current director or secretary of the company, Australian credit licensee or body corporate credit representative, the local agent of a foreign company or the external administrator of a company or pooled group of companies in external administration.

I certify that the information in this form is true and complete.

Name

PETER J MCLEARY

Capacity



Director



Company secretary



Local agent (foreign companies only)



External administrator



Other, please specify

Signature

Date signed

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[D]

[D]

[M]

[M]

[Y]

[Y]

Lodgement

Send completed and signed forms to:
Australian Securities and Investments Commission,
PO Box 4000, Gippsland Mail Centre VIC 3841.

For more information

Web www.asic.gov.au

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