

His Worship the Mayor
Councillors
CITY OF MARION

NOTICE OF REVIEW AND SELECTION COMMITTEE MEETING

Council Chamber, Council Administration Centre
245 Sturt Road, Sturt

Tuesday, 02 April 2019 06:30 PM

The CEO hereby gives Notice pursuant to the provisions under Section 83 of the Local Government Act 1999 that a Review and Selection Committee meeting will be held.

A copy of the Agenda for this meeting is attached in accordance with Section 83 of the Act.

Meetings of the Council are open to the public and interested members of this community are welcome to attend. Access to the Council Chamber is via the main entrance to the Administration Centre on Sturt Road, Sturt.



Adrian Skull
Chief Executive Officer



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OPEN MEETING**KAURNA ACKNOWLEDGEMENT**

We acknowledge the Kaurna people, the traditional custodians of this land and pay our respects to their elders past and present.

ELECTED MEMBERS DECLARATION (if any)**CONFIRMATION OF MINUTES**

Confirmation of the minutes for the Review and Selection Committee Meeting held on 5 March 2019.

Originating Officer Governance Officer - Victoria Moritz

Corporate Manager Manager Corporate Governance - Kate McKenzie

Report Reference: RSC190402R01

RECOMMENDATION:

That the minutes of the Review and Selection Committee Meeting held on 5 March 2019 be taken as read and confirmed.

ATTACHMENTS:

#	Attachment	Type
1	RSC190305 - Final Minutes	PDF File

**MINUTES OF THE REVIEW & SELECTION COMMITTEE MEETING
HELD AT ADMINISTRATION CENTRE
245 STURT ROAD, STURT
ON TUESDAY 5 MARCH 2019**

PRESENT

Elected Members

His Worship the Mayor Kris Hanna
Councillors Kendra Clancy, Jason Veliskou, Maggie Duncan

In Attendance

Adrian Skull	Chief Executive Officer
Steph Roberts	Manager Human Resources
Vincent Mifsud	General Manager Corporate Services

1. OPEN MEETING

The Mayor opened the meeting at Tuesday, 05 March 2019, 06:49 PM

2. KAURNA ACKNOWLEDGEMENT

We acknowledge the Kaurna people, the traditional custodians of this land and pay our respects to their elders past and present.

3. ELECTED MEMBERS DECLARATION (if any)

The Chair asked if any Member wished to disclose an interest in relation to any item being considered at the meeting.

No declarations

4. CONFIRMATION OF MINUTES

Confirmation of the minutes for the Review and Selection Committee Meeting held on 4 December 2018
Report Reference: RSC190305R01

Moved Councillor - Jason Veliskou

Seconded Councillor – Kendra Clancy

That the minutes of the Review and Selection Committee Meeting held on 4 December 2018 be taken as read and confirmed.

CARRIED UNANIMOUSLY

5. BUSINESS ARISING – Nil

6. CONFIDENTIAL ITEMS - Nil

7. REPORTS FOR DISCUSSION

**SRWRA Audit Committee Member - City of Marion Representative
Report Reference: RSC050319R02**

Discussion

It was noted there should be enough notice provided to the Committee to enable a recruitment process to be conducted if required. Administration clarified the report is seeking a short term renewal for Mr Greg Connor's representation on the SRWRA Audit Committee to align with his current term on Council's Finance and Audit Committee which is due to expire in November 2019.

Moved Councillor – Kendra Clancy

Seconded Councillor – Jason Veliskou

That the Review and Selection Committee recommend to Council that;

Mr Greg Connor is appointed to the Southern Region Waste Resource Authority Audit Committee as the City of Marion Representative for the period from February 2019 to November 2019 (aligned to his appointment on the City of Marion Finance and Audit Committee)

CARRIED UNANIMOUSLY

8. REPORTS FOR NOTING

**Corporate and CEO KPI Report Quarter Two 2018/19
Report Reference: RSC190305R03**

Discussion

1. Sick leave trends
 - Excessive sick leave management
 - o Targeting individuals with patterns of sick leave
 - o Requesting medical certificates where there are clear patterns of leave
 - o Opportunity for further focus regarding trends and action planning across the workforce
 - Measuring lack of productivity
 - o GPS tracking has been used to manage performance in some cases
 - o Service reviews provide objective data to demonstrate productivity

2. Key Performance Indicators

Total employee costs are currently not tracking to target

- No adjustments have been made as yet to projected employee costs, as was reported last quarter. These adjustments will occur through the 3rd budget review process.
- Full Time Equivalent (FTE) chart shows the total figures compared to budget are currently tracking favourably against budget.
- Pool temporary labour staff are utilised due to the associated cost benefit, considering the short

working periods and flexibility required during the outdoor pool season.

Return to Work / Income Protection Management

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- When employees are on workers compensation, their substantive roles are generally backfilled with temporary labour hire, in particular the outdoor workforce, to ensure services are still being delivered.
- Employees on Workers Compensation during 2017/18 averaged 1.31% of the total year end FTE figure.

Employee costs to be revised for the CEO KPIs, 19/20 financial year, which is to be discussed at the 7 May 2019 Review and Selection committee meeting.

Moved Councillor - Jason Veliskou

Seconded Councillor – Kendra Clancy

That the Review and Selection Committee;

1. Note this report

CARRIED UNANIMOUSLY

9. WORKSHOP / PRESENTATION ITEMS – Nil

10. OTHER BUSINESS

Question was raised regarding the diversity of committee Independent members. There are no quotas for diversity for independent members, but the City of Marion has an ambition to increase diversity. Members are conscious of the importance of considering diversity when appointing, balanced with merit based appointment.

Diversity discussion

- Suggestion of tapping into different community networks to increase diversity and have access to differing views and experiences
- Administration advised unconscious bias training is delivered to our leaders, to increase awareness of potential bias through recruitment
- Exploring work experience and volunteering opportunities for new migrants generates further diversity

Moved Councillor – Jason Veliskou

Seconded Councillor – Kendra Clancy

That the Review and Selection Committee recommend that;

The next Review and Selection Committee meeting will commence at 6pm 7 May 2019

CARRIED UNANIMOUSLY

11. MEETING CLOSURE

MEETING CLOSURE - Meeting Declared Closed at Tuesday, 05 March 2019, 6.37PM

REPORTS FOR DISCUSSION

Council Assessment Panel - Vacancy for Independent members

Originating Officer	Acting Manager Development and Regulatory Services - Stephen Zillante
Corporate Manager	Acting Manager Development and Regulatory Services - Stephen Zillante
General Manager	General Manager City Development - Abby Dickson
Report Reference	RSC190402R02

REPORT OBJECTIVE

The purpose of this report is to seek feedback from the Review & Selection Committee (RSC) on the the proposed recruitment process for the Council Assessment Panel pursuant to Clause 5.4.1 of the Committee's Terms of Reference. The terms of the existing four independent Council Assessment Panel members expire at the end of June 2019. Direction is sought from the RSC whether it wishes to reappoint existing independent CAP Members or undertake a recruitment process.

EXECUTIVE SUMMARY

Pursuant to Clause 5.4.1 of the Committee's Terms of Reference, the Review and Selection Committee and the Chief Executive Officer act as the selection panel for all expert members to the Council Assessment Panel (CAP).

The purpose of this report is to outline the proposed recruitment process to the Committee pursuant to Clause 5.4.1 of the Terms of Reference and to advise the Committee that this recruitment process is to commence shortly, as the terms of the four independent CAP members expires on July 1 2019.

This report outlines the various options for the RSC to consider regarding the appointment of Independent Members to the CAP.

RECOMMENDATION

That the Review and Selection Committee:

- 1. Endorses the reappointment of the following independent Council Assessment Members for a further 12 month term to expire on the 1 July 2020.**
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- 2. Requests that Administration commence the recruitment process for x number of independent Council Assessment Panel Members.**
- 3. Notes that following the closure of the advertising period seeking expressions of interest, the Elected Members of the Review and Selection Committee together with the Chief Executive Officer or delegate, shortlist candidates, and then interview candidates and make recommendations to Council on preferred candidates.**

GENERAL ANALYSIS

BACKGROUND

Clause 5.4.1 of the Terms of Reference for the Review and Selection Committee provides that this Committee and the Chief Executive Officer will act as the selection panel for all expert members to the Council Assessment Panel (CAP).

Clause 5.4.3 outlines the process to be followed by the Committee, which is as follows:

- Identification of potential candidates via general advertisement
- Shortlist candidates for interviews/discussion
- Interviews with candidates to determine suitability for selection
- Determine a preferred candidate and confirm their preparedness to be nominated for appointment
- Make recommendation to Council on preferred candidates.

On 10 October 2017, Council resolved to appoint the following independent members to the Council Assessment Panel:

- Mr Terry Mosel (Presiding Member);
- Ms Sue Giles;
- Mr Don Donaldson;
- Mr Nathan Sim; and
- Mr Gavin Lloyd-Jones (Deputy Member).

The current terms of the four independent members and the deputy member are due to expire on 1 July 2019.

Accordingly, Council must either commence the recruitment process outlined in Clause 5.4.3 by placing an advertisement in the Adelaide Advertiser and relevant on-line websites seeking expressions of interest for Independent Members on the Council Assessment Panel, and/or reappoint some or all of the existing members to the Panel

If the recruitment process outlined in Clause 5.4.3 is pursued, the Review and Selection Committee (RSC) may need to meet outside of its schedule of meetings to progress the recruitment process in a timely manner, as the process includes interviews with candidates.

DISCUSSION

The RSC is required to make a recommendation to Council regarding the appointment of independent members to the CAP. The CAP shall comprise a maximum of 5 (five) members, only 1 (one) of which can be (but need not be) an Elected Member of Council. Councillor Maggie Duncan is the current Elected Member appointed to the CAP. This appointment was made by Council and is subject to a separate expiry date, therefore the Review and Selection Committee need only consider the appointment of the four independent member positions as well as the deputy member position/s. Council can choose to appoint up to five (5) deputy members to act in place of Panel Members when those members are unable to attend a meeting (i.e. illness, holiday etc.).

The term of office for each CAP member is as determined by Council but in any event shall not exceed 2 years. It should be noted that the option exists for Council to appoint members to a lesser term. An independent member is entitled to be re-appointed as a CAP member for a second successive term.

Transition to the Planning, Development and Infrastructure Act 2016

From 1 July 2020, the Planning Development and Infrastructure Act 2016 (PDI Act) will become fully operational.

Applications lodged from 1 July 2020 will be assessed against the PDI Act and the new Planning and Design Code (for metropolitan areas), which will replace the City of Marion Development Plan. The Planning and Design Code has not yet been formulated in either draft or final version. DPTI have advised that the Planning and Design Code will be formulated throughout mid-late 2019, and it is anticipated that a draft version will be available by early 2020.

Applications lodged prior to 1 July 2020 will continue to be assessed against the Development Act 1993 and the City of Marion Development Plan.

It is anticipated that for a period of time from 1 July 2020, the CAP will be considering applications against either the PDI Act or the Development Act. In addition, the potential delegations and types of development that will require consideration by the CAP are not yet known. It is understood that DPTI will release further information on this later this year when developing the Planning and Design Code for Metropolitan Adelaide.

Accordingly, from 1 July 2020 members will be required to demonstrate a reasonable knowledge of the operation and requirements of the PDI Act and the Planning and Design Code, in addition to the Development Act 1993 and the City of Marion Development Plan.

Accreditation of Panel Members

Section 88 of the PDI Act requires Council Assessment Panel members to obtain accreditation in order to perform, exercise or discharge the functions, powers or duties relevant to acting as a member of an assessment panel.

The Accredited Professionals Scheme became operational under the PDI Act from 1 April 2019. Although CAP members may apply for accreditation from this date, members will not need to become accredited until the 'designated day' declared by the Governor (pursuant to clause 16 of Schedule 8 of the PDI Act). This date is not yet known but is anticipated to be mid to late 2019.

Accordingly, it is essential that members must be eligible and willing to attain and retain an Accredited Professional – planning level 2 accreditation in order to serve on the CAP.

Financial Implications:

Fees for independent members are included in the budget each year. Administration will be recommending to Council that members must be responsible, at their own cost, to obtain and retain Accredited Professional – planning level 2 accreditation.

Recommended approach

Given the discussion above, the options to consider include:

Option 1:

Re-appoint current members to the CAP (provided members are willing to be re-appointed and obtain accreditation) for a term of 1 year, expiring 1 July 2020, to coincide with the implementation of the PDI Act and the Planning and Design Code. If this option is selected, the existing members that wish to be re-appointed will be able to continue to operate under the Development Act until the PDI Act is implemented. Beyond this, in appointing the following term of the CAP (from 1 July 2020), Council will be in a better position to understand how the PDI Act and Planning and Design Code operate and be able to make a more informed decision moving forward.

Please note that administration has sought the position of the members and, at the time of writing, one existing member has advised that they do not intend not seek re-appointment, whilst the remaining members have not yet indicated their intentions. Accordingly, option 3 (below) may need to be considered in lieu of this option.

Option 2:

Seek expressions of interest from (appropriately qualified/experienced) members of the public for the four independent member positions of the CAP, for either a 12 month or 2 year term to be determined by Council.

Option 3:

A combination of the two options above, whereby one or more current independent CAP members are appointed to the CAP and expressions of interest sought from appropriately qualified/experienced members of the public to serve on the CAP, for a term to be determined by Council.

Option 3 is recommended to the RSC.

If the Committee wishes to discuss any personal information relating to any of the existing CAP members, it is recommended that the Committee resolve to move into confidence with the following resolution: 'That pursuant to Section 90(2) and 90(3)(a) of the Local Government Act 1999, the Review and Selection Committee orders that all persons present, with the exception of the following persons: Abby Dickson, Kate McKenzie, Stephen Zillante and Alex Wright any other person remaining in room, be excluded from the meeting as the Committee receives and considers information relating to the selection of candidates for the Council Assessment Panel, upon the basis that the Committee is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person.'

Proposed Timeline

As it is recommend to advertise for expressions of interest from members of the public to serve on the CAP, the following timeline is proposed:

Determine process and timeline	2nd April
Advertise for CAP members (opens)	6th April
Advertisement for CAP members closes	21st April
Compile list of applicants and report to RSC with applications	26th April
RSC to short list applicants	30th April
May interviews with applicants	8th – 24th May
Finalise report to RSC for recommendation to Council to appoint new members	30th May
Special R&S Committee meeting	4th June
Council resolution to appoint recommended members	11th June

CONCLUSION

The terms of the Independent Members appointed to the Council Assessment Panel are due to expire on 1 July 2019. It is therefore opportune for Council to re-appoint some or all of the existing CAP members, and/or advertise the impending positions to the general public to seek applicants for the position.

BUSINESS ARISING - Nil

CONFIDENTIAL ITEMS - Nil

REPORTS FOR NOTING - Nil

WORKSHOP / PRESENTATION ITEMS - Nil

OTHER BUSINESS - Nil

MEETING CLOSURE