



TOWN OF

Bassendean

AGENDA

Special Council Meeting

6 February 2024

Notice is hereby given for a Special Council Meeting
to be held in the Council Chamber

Administration Building

48 Old Perth Road, Bassendean, commencing at 5pm

Meeting Information

About the Special Council Meeting

The Mayor will preside at the Special Council Meeting. In the absence of the Mayor, the session will be presided over by the Deputy Mayor.

The meeting is open to all members of the public, except during the consideration of matters deemed confidential in line with the Local Government Act 1995.

Recording and Live-streaming

All participation in the meeting, except for confidential business, will be audio recorded and live-streamed on the Town's website. The live stream will be archived and made available on the Town's website after the meeting.

Conduct at meetings

The Town is committed to ensuring our Council Meetings are a safe work environment, free of risks to the health and wellbeing of Elected Members, Officers and our community. Any person attending is required to be respectful, courteous and have due regard for individual rights and differences. Individuals may be asked to leave should their conduct adversely affect the health and safety of others.

By attending this meeting, you agree to abide by these conditions.

For questions regarding the Special Council Meeting or any item presented in the agenda, please contact the Town of Bassendean at mail@bassendean.wa.gov.au.

Tune in to live streaming from the comfort of your own home by going to:
Town of Bassendean Council - YouTube

or if you miss it live, go to:
<https://www.youtube.com/channel/UC46mMs3D7vmHuO0ePibihhg>

Council Role

Each Report presented will identify what Council's Role is in the item

Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
Legislative	Includes adopting local laws, town planning schemes and policies.
Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
Information	For the Council/Committee to note.



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1 Declaration Of Opening; Acknowledgment of Country; Acknowledgment of Visitors; Disclaimer

Acknowledgement of Traditional Owners

The Town of Bassendean acknowledges the past and present traditional owners of the land on which we gather to conduct this meeting, and pays its respects to their Elders, both past and present.

2 Attendances and Apologies

3 Declarations of Interest

4 Reports

4.1 Additional Funding for Sports Lights Luminaries Project AP2313 at Ashfield Reserve	
Property Address	40 Haig Street, Ashfield, WA 6054
Landowner/Applicant	Town of Bassendean
File Reference	TBA
Directorate	Infrastructure
Previous Reports	Nil
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	Nil

Purpose

The purpose of this report is for Council to consider the allocation of additional funds to address the budget shortfall to project AP2313 as listed within the adopted 2023-24 Capital Works Program.

Background

The objective of the project was to upgrade Ashfield Reserve lighting with new LED lights, increasing the uniformity and intensity of lighting to 100 lux. This would result in improved training conditions and oval usage and player safety. Ashfield Reserve is home to the Ashfield Soccer Club and the Perth Strikers Christian Football Club.

To complete the above, RFQ 01/2023 - Upgrade of Sports Lights Luminaires at Ashfield Reserve was awarded to Techworks Electrical Pty Ltd. Upgrades were completed on 23 November 2023 with Techworks conducting lighting measurements

(Lux readings) and electrical testing as part of the final commissioning process. The electrical testing includes:

- Fault loop testing - ensures safety devices trip within adequate timelines, and
- Insulation resistance testing - measures the resistance of all active conductors to earth.

During this testing the existing cabling to pole 3 failed its fault loop test. Existing cabling to poles 4, 5 and 6 failed insulation resistance testing. These failures are not the result of the Techworks undertakings.

Due to the non-compliance the affected light poles have been isolated and disconnected, and the regular hirers advised what lighting is currently available and to modify their use of the facility accordingly.

A combination of the cables age, previous damage / repair, and cable length vs cable thickness, are likely contributing factors for the non-compliant results in regards to current standards AS/NZS3000.

Due to its impacts, Administration requested a peer review be undertaken by the Town's primary electrical maintenance contractor Paramount Electrical Services. Paramount's results confirmed Techworks' showing that cabling was non-compliant and had likely degraded over its lifetime.

The project budget for AP2313 is as follows:

AB2313 Total Budget Allocation	\$ 166,200
Municipal Component	\$ 110,806
State Funding	\$ 55,394

The Department of Local Government, Sport, and Cultural Industries (DLGSCI) Club Night Lights Program (CNLP), provided a grant of \$55,394. Administration has been in contact with DLGSCI seeking an additional pro rata funding allocation. This request was denied.

Communication and Engagement

The Ashfield Soccer Club and Perth Strikers Christian Football Club have been advised of the limited sports lighting provision currently available at Ashfield Reserve and why the project has halted.

The CEO circulated a confidential memo to all elected members on Thursday the 25th of January outlining the issue and advising of the need for a Special Council Meeting to resolve the funding requirements.

Strategic Implications

Priority Area 4: Driving Financial Sustainability

4.1 Ensure there is sufficient, effective and sustainable use of assets

4.2 Ensure community facilities are accessible to and well utilised by a diverse range of community members

Comment

To resolve the electrical non-compliance issues and make the electrical system compliant and the sports field lighting operational, new cabling and conduit is required.

The total estimated cost to replace all cables and conduits is \$164,323 ex GST. This is considered to be worst case scenario if upon commencement of works all the cabling and conduits require replacement. There is no way of determining the full quantum of the condition of underground cabling and conduits, until works begin.

The plan is for the contractor to replace cabling and conduit as required and to make the works compliant whilst minimising cost where possible.

To maintain project delivery within the current financial year, the Administration seeks Council endorsement to approve the allocation of additional funding up to \$164,323. Doing so will ensure the electrical infrastructure will conform with current standards, provide improved lighting levels and be completed prior to the main soccer season.

Should no additional funding be approved the project cannot be commissioned resulting in a significantly reduced sports lighting provision at Ashfield Reserve. We also have a contractual obligation with the DLGSCI to deliver the project.

Statutory Requirements

N/A

Financial Considerations

Funding will be sourced from savings realised from completed capital projects and/or deferral of capital projects, as part of the 2023/24 Annual Budget Mid-Year Review.

Risk Management Implications

Financial Risk

Low

Should the budget variation not be endorsed the project cannot be completed resulting in a greatly reduced sports lighting provision at Ashfield Reserve, effecting the regular sporting groups usability of this facility, player safety and security.

Declaration of Conflicts of Interest

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

Officer Recommendation – Item 4.1

That Council endorse:

A budget variation of up to \$164,323 ex GST for AP2313 to resolve the electrical non-compliance issues at Ashfield Reserve.

Voting requirements: Absolute Majority

4.2 CEO Performance Review Facilitation	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	TBA
Directorate	Office of the CEO - HR
Previous Reports	Nil
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	<ol style="list-style-type: none"> 1. 2 a Integral Quote - CEO Review - 2024 (16 Jan 2024) (2) [4.2.1 - 17 pages] 2. 1. MILLS - CEO PERFORMANCE REVIEW PROPOSAL TOB 2 (002) [4.2.2 - 7 pages]

Purpose

The purpose of this report is to present to Council, the shortlisted respondents who have the capacity to carry out the 2023/2024 CEO performance review. The independent facilitator selected to carry out the annual CEO performance review is to be appointed by resolution of an absolute majority.

Background

As per the Town's Standards for CEO Recruitment, Performance and Termination Policy, the CEO's performance review is to be conducted annually by an independent facilitator.

The Informal Request for Quotation (RFQ) for the 2024 CEO performance review opened on 14 December 2023. The RFQ was sent to three (3) providers, whom the Mayor and CEO agreed were capable and suitable for consideration.

Two (2) written proposals were received by the Manager, Human Resources, and assessed against the following criteria:

Capability and skills, including preferred methodologies, of the provider to perform the services as outlined in the RFQ;

Ability to conduct the review within the timeframes specified;

Understanding of/familiarity with the local government sector and the Local Government (Administration) Amendment Regulations 2021 (CEO Standards), Local Government Act 1995 and the Town's Council Policy relating to CEO recruitment, performance and termination; and

Cost, including the hourly rate that will be charged for additional requirements.

Both proposals received, met the assessment requirements. The shortlisted providers (mutually agreed by the CEO and Mayor), offer a range of experiences and methodologies. Importantly, the facilitators proposed by the providers demonstrate extensive Local Government experience. Please refer to the attachments for full details – a summary is provided below:

Provider	LG Experience	Methodology/Capability/ Skillset
A	Significant	<ul style="list-style-type: none"> • Methodology – detailed process supplied; optional 360 feedback via LSI tool • Leadership development in LG sector, executive coaching, OD consultancy, ToB experience, consultants with extensive LG experience • CEO reviews for Toodyay and Stirling
B	Significant	<ul style="list-style-type: none"> • Methodology – detailed process supplied; optional 360 feedback • Leadership development in LG sector, executive coaching, OD consultancy, ToB experience, consultants with extensive LG experience

Comment

Following the appointment and engagement of the independent facilitator, the review process will commence as per the Town’s Policy. The proposed timeframe concludes the review process by April 2024

Communication and Engagement

The selection of the preferred facilitator is in consultation with the CEO and Mayor, who both agreed on a shortlist of three (3) providers.

A request for quotation to facilitate the 2024 CEO Performance Review process was provided to three (3) suppliers on 14 December 2024.

Further community consultation or engagement is unnecessary for the purpose of this process.

Strategic Implications

Not Applicable

Statutory Requirements

(Council Policy) Standards for CEO Recruitment, Performance and Termination
Local Government (Model Code of Conduct) Regulations 2021
Local Government (Administration) Amendment Regulations 2021 (CEO Standards)
Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021
Local Government Act 1995

Financial Considerations

Provider	Quote	Hourly rate for additional requirements	Comments
A	\$8,425 to \$10,000 +GST	\$250	The higher end of the scale includes 360 feedback in the review process
B	\$5,200 (Plus GST)		This is inclusive of the cost for 360 Feedback

Risk Management Implications

Financial Risk
 Low

Declaration of Conflicts of Interest

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

Officer Recommendation – Item 4.2

That Council appoint ___ to carry out the 2024 CEO Performance Review as per the terms of the applicant's submission contained within the confidential attachment.

Voting requirements: Absolute Majority

5 Closure

The next Briefing Session will be held on Tuesday 20 February 2024 commencing at 6pm.

The next Ordinary Council meeting will be held on Tuesday 27 February 2024 commencing at 6pm.