

RELEASED 101224/7960

ITEM NUMBER: 5.1

CONFIDENTIAL REPORT

APPOINTMENT OF QUALIFIED INDEPENDENT PERSON

Pursuant to Section 87(10) of the Local Government Act 1999 the Report attached to this agenda and the accompanying documentation is delivered to the Executive Committee upon the basis that the Executive Committee consider the Report and the documents in confidence under Part 3 of the Act, specifically on the basis that the Executive Committee will receive, discuss or consider:

- d. **commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and would, on balance, be contrary to the public interest.**

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

- 1** That pursuant to Section 90(2) of the *Local Government Act 1999* the Executive Committee hereby orders that the public be excluded from attendance at this meeting with the exception of the General Manager Strategy and Corporate and the Staff minute taker in attendance at the meeting in order to consider Report No: 59/23 Appointment of a Qualified Independent Person in confidence.
 - 2.** That in accordance with Section 90(3) of the *Local Government Act 1999* the Executive Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 59/23 Appointment of a Qualified Independent Person on the following grounds:
 - d.** pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.
 - 3.** The Executive Committee is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.
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Attachment 1



EXECUTIVE COMMITTEE

Procurement Process for Qualified Independent Member

Introduction

Proposals were requested from selected candidates on 3 February 2023 and candidates were asked to submit proposals by close of business 17 February 2023.

Proposals were sought for a person to undertake the functions of an Independent Qualified Person as outlined in Section 102A of the *Local Government Act 1999* (the Act). The person is to provide Council independent advice on the performance review of the Chief Executive Officer. As outlined in the Act the person must not be a member or employee of council; and have the appropriate qualifications or experience in human resource management.

Proposals Received

Below are the proposals received. Stillwell Management and McArthur were invited to provide a proposal but neither submitted a proposal prior to or subsequently after the closing date.

Applicant	Relevant HRM experience	Relevant qualifications	Relevant other business experience	Member or Employee of Council	Previous LG experience	Fee
Christine Molitor Be Sustained	Yes - Extensive background in various aspects of HRM	Bachelor of Psychology Master of Business Administration	Yes – CEO positions, Board positions	No	Yes	[REDACTED]
Andrew Sullivan Sullivan Consulting	Extensive recruitment experience	Bachelor of Communications	Yes – Board positions	No	Yes	[REDACTED]

Proposal Evaluation

Applicant	Relevant HRM experience (weight up to 35%)	Relevant qualifications (weight up to 35%)	Relevant other business experience (weight up to 30%)	Ranking
Christine Molitor	9	9	9	90
Andrew Sullivan	8	7	8	76.5

Attachment 2





Tuesday February 7th 2023

Dear Pamela,

Expression of Interest – Advisor to the Executive Committee

Thank you for the opportunity to provide an Expression of Interest.

In accordance with the Terms of Reference for the Executive Committee, I can confirm that I am independent and appropriately qualified to undertake the role of Advisor and to fulfill my responsibilities. To assist, I have attached an updated precis of my background and experience. I am happy to provide further information if required.

In terms of the scope of work, I understand that this will involve:

- Attendance at meetings of the Committee (possibly up to four meetings);
- Review and analysis of key CEO review documents (i.e., 360-degree survey results, Annual Business Plan scorecard and results; results achieved against the {predetermined} CEO Key Result Areas, alongside any additional information deemed relevant);
- Provision of a written advisory report for the Committee containing my recommendations regarding the CEO review; and
- Any advice and counsel regarding the process of the prior years' review, and establishment of any key elements recommended as beneficial for preparation of the next review, as needed.

Whilst the scope of work and the process is largely known, being flexible in order to add the maximum value to a successful outcome will be beneficial. To that end, it is estimated that approximately two and half days of consulting time (combination of discussions, meetings, and desk work) will be involved. Should this scope change, we commit to a discussion in advance of any additional time expended.

Our commercial terms are such that consulting days are invoiced at [REDACTED] + GST per day ([REDACTED] + GST per ½ day). We propose to invoice when a ½ day consulting time has been expended.

Be Sustained (Griswald Family Trust T/A)
ABN: 81140072306
13 Francis Avenue
Fullarton SA 5063

www.besustained.com.au

Thank you for the opportunity to work with you and the City of Holdfast Bay once again on this important initiative.

Kind regards

Christine Molitor
C.E.O
Be Sustained Pty Ltd

Attachment: Bio dated February 2023

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Biography for Christine Molitor: Be Sustained Pty Ltd



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

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

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

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

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

Christine was a member of The Executive Connection (TEC #13) in Adelaide from 2016-2021.

Her current consulting work includes domestic and international clients based in Adelaide, Melbourne and Sydney in the following areas and sectors:

- **Executive and Leadership Coaching and Performance (1:1 and Team based):**
 - Healthcare, Professional Services, Global Software (SaaS), Wine, Education, Marketing, Government
- **Business/New Market Planning:**
 - Industry Body/Association, Education, Professional Services
- **Strategic Reviews with Boards and Executives:**
 - Finance, Sporting, Legal, Education Services
- **Strategic Plan facilitation and development:**
 - Defence, Government, Education, Professional Services, Engineering and Construction Services
- **Board Governance Reviews:**
 - Sports, Pharmaceutical, Financial Services, Government
- **Strategic Advice and Consulting:**
 - Software (SaaS), Finance, Wine, Not-for-Profit

Contact details:

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<https://www.linkedin.com/in/christine-molitor-83621b4/>

15 February 2023



Ms Pamela Jackson
General Manager, Strategy & Corporate
City of Holdfast Bay

By email mail@holdfast.sa.gov.au

Dear Pamela

RE : ADVISOR TO THE EXECUTIVE COMMITTEE

Thank you for the opportunity to tender for this assignment. We would be delighted to partner with the City of Holdfast Bay in this process and outline below our proposed approach to this appointment.

PROCESS SUMMARY

SULLIVAN Consulting will provide advice and recommendations to the Executive Committee on matters relating to the Chief Executive Officer's performance review to be discussed at four scheduled meetings throughout the year. We will undertake the following steps in the performance review process :-

- liaise with the Executive Committee to establish and agree on the exact requirements and scope of the performance review assignment;
- develop/modify and distribute a suite of questions via email to relevant Elected Members, Senior Management Team and the Chief Executive Officer for self assessment;
- receive responses, monitor response rates and issue reminders. Once the surveys have been returned organise direct discussion with respondent(s) should further clarity be required for any feedback;
- review, analyse, de-identify data and feedback to inform findings in the context of the Chief Executive Officer;
- provide a detailed appraisal report containing our findings and recommendations;
- present the report to the Review Committee;
- meet with the Chief Executive Officer (in person) to discuss the report.

MANAGING DIRECTOR – ANDREW SULLIVAN

This role will be personally managed by SULLIVAN Consulting's Managing Director Andrew Sullivan.

Andrew has over 21 years of executive recruitment experience and has successfully recruited over 700 professionals across a range of industries, Andrew has built an enviable reputation for recruitment excellence.

Andrew has been recruiting in both the public and private domain, specialising in executive positions within the Adelaide and Australian markets. He has built a reputation that allows him to bring together a quality network of people across various industry sectors, introducing talented professionals, to relevant prospective employers. With his professional approach and outstanding market knowledge, Andrew is able to provide his clients with the best possible candidates that deliver results.

Andrew has extensive Board experience, having been a National Director of the Recruitment Consulting Services Association, Vice Chair of Fresh 92.7, as well as being an active Board Member for many years at the Port Adelaide Football Club and Adelaide Business Hub. Andrew is currently the President of the Prince Alfred Old Collegians Association.

15 February 2023

Andrew is currently a Fellow (FRCSA) of the Recruitment Consulting Services Association and is a member of the Australian Institute of Company Directors (MAICD) and a member of the Australian Human Resources Institute (MAHRI). Andrew holds a Bachelor of Arts (Communications).

REFEREES

We would be delighted for you to contact the following referees in regard to Andrew's past assignments.

John Lynch – Former Chief Executive Officer – Royal Flying Doctor Service – [REDACTED]

Peter Nolan – Former Chief Executive Officer – PEER VEET – [REDACTED]

Brett Duncanson – Former President – Port Adelaide Football Club – [REDACTED]

Glenn Hordacre – Managing Director – Alexander Symonds – [REDACTED]

John Rothwell – Former Chief Executive Officer – Royal Agricultural & Horticultural Society - [REDACTED]
[REDACTED]

Leon Stephens – Mayor – Port Pirie Regional Council – [REDACTED]

David O'Loughlin – Former Mayor – City of Prospect – [REDACTED]

PROFESSIONAL FEES

Our fees in undertaking this engagement will be [REDACTED] + GST per annum (this consists of completing the CEO's annual performance review and attending the four Executive Committee meetings).

Our hourly rate for completing further consulting works outside of the original scope of works is [REDACTED] + GST per hour.

Finally, we would be pleased to further tailor our methodology and associated fees by negotiation to meet your specific needs.

Thank you for this opportunity to tender for this assignment. Should you wish to discuss any aspect of this proposal, please do not hesitate to contact us. We hope to have the opportunity to partner with you.

Yours sincerely



Andrew Sullivan
Managing Director

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Email: andrew@sullivanconsulting.com.au