ITEM NO: 12.1.

Liana Thompson, Director City Operations

Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

Variation of Contract - CT000113 (N400246) – Bundled Technical Maintenance

Recommendation

That Council:

1. Note that the Year 4 ITM performance review has been completed.
2. Approve the continuation of *Contract CT000113 – N400246 – Provision of Bundled Technical Maintenance Services* with Integrated Technical Management Pty Ltd ACN 105 075 858 for the total value of $16,506,829 excl of GST, covering Years 4 to 6 of the contract Second Term, subject to ongoing performance oversight.
3. Approve the Manager Facilities, Fleet & Depot Stores to approve contract spend in accordance with adopted budget.
4. Note that the content of this report and recommendation be made publicly available for the purpose of, and only to the extent necessary, to give effect to this Resolution.
5. Refer this report to the quarterly Confidentiality Status Report for Council to consider public release upon recommendation by the Chief Executive Officer.

Brief Overview

The services to maintain Council portfolio of facilities, including statutory and legislative obligations (such as the *Building Act 1993*, Buildings Regulations 2018 and Australian Standards) are provided under existing contract arrangements; two bundled services contracts, a panel of services contract and two single-provider service and maintenance contracts, each of a fixed term. The *Bundled Technical Maintenance Services* contract provides the facilities maintenance and technical services, including statutory maintenance and reporting.

In June 2022 the contract for *Bundled Technical Maintenance Services* was awarded to Integrated Technical Management Pty Ltd ("ITM"), with an initial term of three years commencing October 2022 through to September 2025. The details of this contract are documented in **Attachment 1 (OCM Minutes – Award Report 2022-06)** and **Attachment 2 (Original Briefing Paper 2022-06)**. The contract included

an option for a further three years (2025 to 2028 inclusive, "Second Term") in addition to the initial term.

Through executed Variation 14 of contract, Council exercised a one-year extension (Year 4: 1 October 2025 – 30 September 2026), maintaining Years 5 and 6 (2026 to 2028) at Council's discretion, subject to performance on statutory compliance maintenance requirements.

Under terms of that variation, a six-month review was conducted and determined the incumbent had substantially achieved the critical compliance, governance and audit milestones established, as pre-conditions for the continuation of the Second Term, including stabilisation and uplift of statutory requirements, such as Annual Essential Safety Measure Report (AESMR), across Council's building portfolio.

The review confirmed measurable improvements in portfolio wide compliance visibility, asset data integrity, audit planning and compliance governance maturity. While some activities remain in progress, no material non-performance has been identified, with adjustments attributable to portfolio scale, regulatory interfaces and external dependencies rather than contractor underperformance.

On that basis the one-year extension was explicitly linked to delivery of a defined set of compliance and governance milestones which were assessed through the agreed Milestone Tracker. This approach allowed Council to assess ITM's ability to uplift compliance maturity and stabilise risk across the portfolio, therefore ability to fulfill Council's requirements for this contract. Should they have not demonstrated ability, the contract would have been re-tendered. With the successful result of the one-year extension, it is recommended to extend to the incumbent the remaining two years of the Second Term.

The costs for the complete Second Term is $16,506,826 (excl. GST) and is included in Budget and LTFP. Per financial delegations and authorities, Councillor approval for the contract Second Term is required prior to execution with the incumbent provider.

This is being sought based upon the results of the performance review and to ensure continuity of service delivery for the remainder of Year 4, Years 5 and 6 (Second Term).

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Rationale for Recommendation

Performance Review
A performance review was conducted of the incumbent and which was substantially achieved through the following activities:

- Initial Compliance Gap Analysis completed on time, including workshops conducted, one-page plans created, with agreed owners and timelines
- Site-specific Compliance Plans were established across the portfolio, supported by the AESMR Compliance Dashboard and portfolio priority categorisation
- Audit Schedules approved, including improved asset validation, capture of reactive maintenance assets and a strengthened new asset handover process
- Six-Month Performance Review has been completed and the ESM Dashboard delivered which has been operational since January 2026, as a genuine governance and planning tool.

These milestones represent the core objectives set for Year 4 and are considered substantially achieved.

The central objective of Year 4 - shifting the portfolio from reactive compliance management to a structured, auditable and sustainable compliance based framework - is being met.

Returning the bundled technical maintenance services contract to market at this point is not recommended. An open tender during an active compliance uplift phase would:

- Disrupt established compliance momentum.
- Require re-onboarding and duplication of audit and discovery effort.
- Introduce avoidable compliance and regulatory risk during a high activity remediation and submission period.

[redacted]

Critical Dates

June 2022: Award of Bundled Technical Maintenance Services contract for an initial term of three years commencing October 2022 through to September 2025, with option for a further three years (2025 to 2028 inclusive, "Second Term").

September 2025: Award of Variation 14, one-year extension (Year 4: 1 October 2025 – 30 September 2026), on terms of contract performance review and enhancement.
March 2026: Bundled Technical Maintenance Services contract, contract performance review. Determined incumbent had substantially achieved the critical compliance, governance and audit milestones established.
July 2026: Recommendation to award remaining two years of Second Term to incumbent.
July 2026: Bundled Technical Maintenance Services contract terms requirement; inform incumbent of Council's decision on contract.
September 2026: Bundled Technical Maintenance Services contract completion of Year 4 and commencement of Years 5 and 6.

[redacted]

September 2028: Bundled Technical Maintenance Services contract end of Second Term.

Attachments

1. Attachment 1 - Council Meeting Minutes Award Report – 22-06-2022
2. Attachment 2 - Confidential Briefing Paper – 22-06-2022
3. Attachment 3 - Variation 14 – Year 4 –24-10-2025
4. Attachment 4 – AESMR Tracker April 2026

Key Issues

To ensure uninterrupted delivery of essential technical maintenance services across Council facilities, the approval for the Second Term of contract is sought.

Any adjustment to potential value throughout the remaining life of this contract will be in accordance with the approved adopted budgets and financial governance processes.

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Financial implications

The updated cost model incorporates management fees, scheduled maintenance, reactive services (40% of scheduled costs), a contingency provision (10% of scheduled costs), a growth provision (10% of scheduled costs) and an applied CPI rate of 3.4% across the term.

Funds for this Bundled Technical Maintenance Services contract have been included in the Budget and LTFP.

***Table 1 – Contract Costs for Second Term – Years 4 – 6**

	Year 4 Post Variation Total (excl. GST)	**Year 5 Projected Budget CPI avg 3.4% (excl. GST)**	**Year 6 Projected Budget CPI avg 3.4% (excl. GST)**
Scheduled Maintenance Services	2,952,847	3,801,880	3,931,144
Reactive Provision - 40% Scheduled Services	1,181,139	1,520,752	1,572,458
Contingency Provision - 10% Scheduled Services	-	380,188	393,114
Growth Provision - 10% Scheduled Services	-	380,188	393,114
TOTAL	**4,133,986**	**6,083,009**	**6,289,831**
Second Term Full Budget Projection	**$16,506,826**		

**All amounts are exclusive of GST*

[redacted]

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Policy Strategy and Legislation

Council's responsibilities for the safety, compliance and maintenance of a building vary according to whether Council owns, operates or occupies the premises, and the extent to which it has management or control over the building, its systems and the activities undertaken within it.

The following outlines the principal statutory responsibilities applying to each ownership and occupancy arrangement. These responsibilities are not exhaustive and must be considered alongside any additional legislative, regulatory, contractual and Council requirements relevant to the building, its assets and its use.

These statutory obligations are fundamental to Council's management of its building portfolio and form a central part of the scope and purpose of the Bundled Technical Maintenance Services contract.

1. Council-owned building operated by another party
Council, as the building owner, retains responsibility for the statutory obligations imposed on an owner, even where another organisation occupies or operates the building. This includes:

- ensuring that required essential safety measures are inspected, tested, maintained and capable of fulfilling their purpose e.g. fire alarm and sprinkler systems
- ensuring an Annual Essential Safety Measures Report (AESMR) is prepared within the prescribed annual period
- retaining and making the required compliance records available for inspection.
- ensure that the workplace and the means of entering and leaving it are safe and without risks to health.

2. Council-owned and Council-operated building
Where Council both owns and operates the building, Council holds the combined statutory responsibilities of owner, occupier and, where the premises is a workplace, employer. In addition the responsibilities of Item 1, Council must also:

- prevent essential safety measures from being improperly removed
- keep exits and paths of travel accessible, functional and clear
- provide and maintain a safe workplace, safe building services and safe means of entry and exit for employees, contractors, visitors and other persons.

3. Building leased and occupied by Council
Where Council is the tenant rather than the building owner, the landlord ordinarily retains the owner-specific obligations (refer to Item 1). Council must, however, comply with its obligations as occupier and employer, including keeping exits and paths of travel accessible and unobstructed, maintaining a safe workplace and safe means of entry and exit for matters within its management or control, and ensuring that its activities do not expose employees, contractors, visitors or the public to health and safety risks.

A lease, licence or operating agreement can allocate who performs and pays for inspections, maintenance and rectification, but it does not automatically remove a statutory duty from the person upon whom legislation places it. Additional obligations apply according to the building's use and assets, including swimming pools, cooling towers, asbestos, lifts, electrical installations, gas systems, places of public entertainment, food premises, children's services and disability access.

CONFIDENTIAL

Wyndham 2050 Community Vision
Infrastructure and Planning

Council Plan 2025-29 (incorporating the Municipal Health & Wellbeing Plan)

3.1 Invest in maintaining clean, safe and presentable public places and open spaces.

Strategic Risk
Community Assets & Infrastructure

Sustainability Implications

Council has adopted corporate design and project-delivery requirements which operate alongside statutory requirements such as the National Construction Code in the form of 5 Star Green Star certification requirements for major sports, aquatic and arts centre projects valued at $15million or more. The Green Building Council of Australia describes a 5 Star Green Star rating as demonstrating “Australian Excellence” in sustainable building performance.

Additionally, Council has adopted compliance requirements to applicable ESD Buildings Schedule requirements for all other builds, including maintenance or refurbishment exceeding $2million.

Materially, combined with a portfolio of commercial buildings wherein maintenance obligations and requirements are higher than in residential setting, these commitments increase the whole-of-life costs for Councils buildings, including in the activities under the Bundled Technical Maintenance Services contract.

Consultation

Not applicable.

Officers’ Declaration of Interests

Under Section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.
The following staff involved in the creation of this report have no disclosable interest in the report.

Liana Thompson, Director City Operations

Ryan Foote, Manager Facilities Fleet & Depot Stores

Peter Norrey, Area Leader Building Maintenance Contracts

Conclusion

Approval for contract spend is required to meet the Second Term costs of contract, ensuring continuity of services, compliance with contractual obligations and alignment with Council’s asset management and operational priorities.

Comprehensive contract management principles, encompassing governance, performance and risk oversight, will be applied throughout the contract lifecycle.

CONFIDENTIAL

BUSINESS

12 Confidential Business

12.1. Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

Variation of Contract - CT000113 (N400246) – Bundled Technical Maintenance

CR ROBERT SZATKOWSKI left the Chamber at 9.08pm and was not present for the vote on Item 12.1.

MOTION:

CR PREET SINGH / CR PETER MAYNARD

That Council:

1. Note that the Year 4 ITM performance review has been completed.
2. Approve the continuation of *Contract CT000113 – N400246 – Provision of Bundled Technical Maintenance Services* with Integrated Technical Management Pty Ltd ACN 105 075 858 for the total value of $16,506,829 excl of GST, covering Years 4 to 6 of the contract Second Term, subject to ongoing performance oversight.
3. Approve the Manager Facilities, Fleet & Depot Stores to approve contract spend in accordance with adopted budget.
4. Note that the content of this report and recommendation be made publicly available for the purpose of, and only to the extent necessary, to give effect to this Resolution.
5. Refer this report to the quarterly Confidentiality Status Report for Council to consider public release upon recommendation by the Chief Executive Officer.

(CARRIED)

ITEM NO: 12.3.

Stephen Wall, Chief Executive Officer

Confidential meeting information, being the records of meetings closed to the public under section 66(2)(a).

Review of Confidential Resolutions - 1 January 2026 to 30 June 2026

Recommendation

That Council:

1. Remove the confidentiality status of the Council resolutions and reports, as recommended by the Chief Executive Officer, on the attached list.
2. Make the information that has been publicly released available on the Council website as part of the public Minutes of this meeting.
3. Note that the content of this report and recommendation be made publicly available for the purpose of, and only to the extent necessary, to give effect to this Resolution.
4. Refer this report to the quarterly Confidentiality Status Report for Council to consider public release upon recommendation by the Chief Executive Officer.

Brief Overview

On 28 April 2026 Council resolved to receive a quarterly report from the Chief Executive Officer that reviews the confidentiality status of Council resolutions and recommends resolutions and reports that can be made public.

A review of confidential Council resolutions and reports from 1 January 2026 to 30 June 2026 has been undertaken.

The attached summary includes an officer recommendation as to which confidential resolutions and reports can be made public in full, which can be released with redactions and which resolutions and reports should remain confidential at this point in time, subject to a further review.

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Rationale for Recommendation

To promote transparency, accountability and public confidence in the Council decision making process and reduce unnecessary confidentiality.

Critical Dates

This report reviews confidential resolutions from the Council meetings held from 24 February 2026 to 23 June 2026.The next report will cover the period July to September 2026 and be presented to the 27 October 2026 Council meeting, followed by quarterly reports thereafter.

Attachments

1. Confidential Council Resolution Register - 1 January to 30 June 2026
2. Documents proposed for public release - Review 1 July to 30 June 2026

Key Issues

In the spirit of transparency, Council has agreed to a process to consider the potential release of confidential decisions when advised by the CEO that confidentiality no longer applies.

This report reviews confidential resolutions and reports from the Council meetings held from 24 February 2026 to 23 June 2026.

Each confidential Council resolution contains a clause that requires Council to note that the content of the report and recommendation be made publicly available for the purpose of, and only to the extent necessary, to give effect to the Resolution.

This means that confidential information can only be shared publicly to the extent that is necessary to implement the Council decision. Other information contained in the report and resolution must remain confidential until Council resolves at a subsequent Council meeting that the information is no longer confidential.

The review and release of confidential Council decisions is guided by the following principles:

- Compliance with the requirements of the *Local Government Act 2020.*
- Protection of personal, commercial-in-confidence, and legally privileged information.
- Consideration of accountability and public interest requirements.

The potential risks associated with release must be considered, including:

- Legal or contractual risks.
- Privacy impacts on individuals.
- Commercial or financial impacts to Council or third parties.
- Reputational risks.

Any potential risks are considered against the public interest of disclosure. Each decision is reviewed to assess whether:

CONFIDENTIAL

- The original grounds for confidentiality still apply.
- Circumstances have changed (i.e. legal or commercial negotiations have been completed) to allow public release.

The assessment based on the above criteria is informed by advice from subject matter experts and may include advice from governance, legal and other officers as appropriate.

The attached list recommends which confidential resolutions and reports can be made public in full or in part and which resolutions and reports should remain confidential at this point in time, subject to further review.

As per section 125(2) of the *Local Government Act 2020,* only confidential Council decisions that are defined as confidential under the *Local Government Act 2020* can be made public by resolution of the Council.

In summary, the officer recommendation is to:

- Publicly release two Council resolutions and reports in full.
- Publicly release four Council resolutions in full and the corresponding reports in part with appropriate redactions.
- Retain the confidentiality of eight matters that will be subject to a further review of their confidentiality status.

Attachment 1 provides an assessment of the confidentiality status for each item. Attachment 2 comprises the documents proposed for public release as part of the Minutes of this meeting. The content marked with yellow highlight are the proposed redactions to be applied prior to public release.

Financial implications

Not applicable.

Policy Strategy and Legislation

Confidential information is defined in section 3 of the *Local Government Act 2020* (the Act) as follows:

a. Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released
b. security information, being information that if released is likely to endanger the security of Council property or the safety of any person
c. land use planning information, being information that if prematurely released is likely to encourage speculation in land values
d. law enforcement information, being information which if released would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person
e. legal privileged information, being information to which legal professional privilege or client legal privilege applies

CONFIDENTIAL

f. personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;

g. private commercial information, being information provided by a business, commercial or financial undertaking that
(i) relates to trade secrets; or
(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage

h. confidential meeting information, being the records of meetings closed to the public under section 66(2)(a)

i. internal arbitration information, being information specified in section 145

j. Councillor Conduct Panel confidential information, being information specified in section 169

k. information prescribed by the regulations to be confidential information for the purposes of this definition

l. information that was confidential information for the purposes of section 77 of the *Local Government Act 1989*

In accordance with Section 125 (2) of the Act, information that is defined as confidential under the *Local Government Act 2020* as specified above can only be publicly released by resolution of Council.

Strategic Risk
Organisational Governance

Sustainability Implications

Not applicable.

Consultation

Relevant Council officers have been consulted in relation to the confidentiality status of each confidential matter.

Officers' Declaration of Interests

Under Section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.
The following staff involved in the creation of this report have no disclosable interest in the report.

Stephen Wall, Chief Executive Officer

Fiona Hando, Manager Corporate Affairs

Martina Simkin, Coordinator Governance

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Conclusion

The review and release of confidential Council reports and decisions is aimed to balance the need for confidentiality with the principles of transparency and accountability. By applying a risk-based review process, Council can ensure that confidentiality is maintained only where justified and that public access to information is provided wherever possible.

CONFIDENTIAL

12.3. Confidential meeting information, being the records of meetings closed to the public under section 66(2)(a).

Review of Confidential Resolutions - 1 January 2026 to 30 June 2026

CR ROBERT SZATKOWSKI returned to the Chamber at 9.11pm and was present for the vote on Item 12.3.

MOTION:

CR JASMINE HILL / CR PREET SINGH

That Council:

1. Remove the confidentiality status of the Council resolutions and reports, as recommended by the Chief Executive Officer, on the attached list.
2. Make the information that has been publicly released available on the Council website as part of the public Minutes of this meeting.
3. Note that the content of this report and recommendation be made publicly available for the purpose of, and only to the extent necessary, to give effect to this Resolution.
4. Refer this report to the quarterly Confidentiality Status Report for Council to consider public release upon recommendation by the Chief Executive Officer.

(CARRIED)

ITEM NO: 12.2.

Mark Rossiter, Director Corporate Services

Personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

Appointment of Independent Member - Audit and Risk Committee

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Recommendation

That Council:

1. Appoints Mr Sendur Kathir as independent member of the Audit and Risk Committee for a three-year term, effective 26 August 2026 in accordance with the current Audit and Risk Committee Charter.
2. Authorises the communication of this appointment to Mr Kathir, the Audit and Risk Committee and the broader community.
3. Directs the Chief Executive Officer to write to Ms Kylie Maher thanking her for his contribution to Wyndham's Audit and Risk Committee.
4. Note that the content of this report and recommendation be made publicly available for the purpose of, and only to the extent necessary, to give effect to this Resolution.
5. Refer this report to the quarterly Confidentiality Status Report for Council to consider public release upon recommendation by the Chief Executive Officer.

Brief Overview

Council’s Audit and Risk Committee (the Committee) is formally appointed by Council and operates under a Council endorsed Charter.

The Committee comprises seven members: four independent members (including the Chair) and three Councillors (including the Mayor).

Independent members are appointed through a competitive recruitment process for a three-year term, with the option for up to two additional three-year terms at Council’s discretion.

A vacancy has arisen due to the resignation of Ms Kylie Maher from her role by 25 August 2026.

Following a completed recruitment process, this report recommends that Council endorse the appointment of Mr Sendur Kathir as an Independent Member of the Audit and Risk Committee for a three-year term, commencing 26 August 2026.

Rationale for Recommendation

Under the *Local Government Act 2020*, section 53, an Audit and Risk Committee must:
• Include members who are Councillors;
• Consist of a majority of members who are not Councillors who collectively have

1. Expertise in financial management and risk and
2. Experience in public sector management.

The current Councillor members of the Committee are the Mayor, Cr Mia Shaw, Cr Susan McIntyre and Cr Shannon McGuire. The three current independent members are the Chair, Dr Kathy Alexander, along with Mr Martin Cutter and Mr Jason Holandsjo. The fourth independent position is the subject of this report.

The appointment of four independent members is intended to provide Council with access to a broad range of expertise and perspectives. Mr Sendur Kathir brings extensive executive experience in local government and demonstrates strong alignment with the Committee's responsibilities and objectives.

Critical Dates

Ms Kylie Maher term ends on 25 August 2026 and Mr Sendur Kathir will commence as Independent Member on 26 August 2026.

Attachments

1. Sendur Kathir - Resume

Key Issues

A comprehensive recruitment process was undertaken to fill the vacancy. The selection criteria were developed in consultation with the Committee Chair and informed by a desired skills matrix. The role was advertised through multiple channels, including LinkedIn, Seek, and Council's website.

Council received 46 applications from candidates with differing levels of qualification and experience. Four candidates were shortlisted and interviewed based on their application, relevant experience, qualifications and suitability to the role.

Interviews were conducted on Friday 31 July 2025, by Dr Kathy Alexander (Audit and Risk Committee Chair), Liana Thompson (Director City Operations), and Shirley Rooney (General Counsel).

The four shortlisted candidates brought significant experience in local and state government, audit and risk committees, and public sector advisory roles. All demonstrated strong capabilities in financial oversight, risk governance, and strategic planning.

The preferred candidate, Mr Sendur Kathir brings extensive executive experience in local government, with a strong track record in strategic leadership, governance, and IT, digital transformation and risk. He has

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held senior roles overseeing enterprise transformation and digital infrastructure and cyber security, and has contributed to numerous boards, committees, and advisory groups. His professional qualifications in science, engineering, business and corporate governance further strengthen his ability to provide oversight, risk insight, and strategic guidance to the Audit and Risk Committee.

This report recommends that Council resolve to appoint Mr Sendur Kathir as an Independent Member of the Audit and Risk Committee for a period of three years.

Financial Implications

Aligned with the approved budget.

Policy Strategy and Legislation

Wyndham City Council Audit and Risk Committee Charter.
All Victorian Councils are required to establish Audit and Risk Committees under the *Local Government Act 2020.*

Wyndham 2050 Community Vision
Connected Community

Council Plan 2025-29 (incorporating the Municipal Health & Wellbeing Plan)

4.3 Invest in the development of its workforce continuously improve Council's processes and systems to drive operational efficiencies.

Strategic Risk

Organisational Governance

Sustainability Implications

Not applicable.

Consultation

Not applicable.

Officers' Declaration of Interests

Under Section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.
The following staff involved in the creation of this report have no disclosable interest in the report.

CONFIDENTIAL

Mark Rossiter, Director Corporate Services

Shirley Rooney, General Counsel

Adnan Yacoub, Coordinator Risk

Conclusion

This report recommends that Council resolve to appoint Mr Sendur Kathir as an independent member of the Audit and Risk Committee for a period of three years in accordance with the current Charter.

CONFIDENTIAL

12.2. Personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

Appointment of Independent Member - Audit and Risk Committee

MOTION:

CR PREET SINGH / CR SUSAN McINTYRE

That Council:

1. Appoints Mr Sendur Kathir as independent member of the Audit and Risk

Committee for a three-year term, effective 26 August 2026 in accordance with the current Audit and Risk Committee Charter.

2. Authorises the communication of this appointment to Mr Kathir, the Audit and Risk Committee and the broader community.
3. Directs the Chief Executive Officer to write to Ms Kylie Maher thanking her for his contribution to Wyndham's Audit and Risk Committee.
4. Note that the content of this report and recommendation be made publicly available for the purpose of, and only to the extent necessary, to give effect to this Resolution.
5. Refer this report to the quarterly Confidentiality Status Report for Council to consider public release upon recommendation by the Chief Executive Officer.

(CARRIED)

ITEM NO: 12.3.

Mark Rossiter, Director Corporate Services

Personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

Chief Executive Officer Performance and Remuneration - Yearly Review

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Recommendation

That Council:

1. Note that the CEO Employment Matters Committee has completed the annual performance review of the CEO in accordance with Section 14.1 of the officer's contract of employment and the CEO Employment and Remuneration Policy.
2. Receive and note the CEO Key Performance Indicators (KPI) End of Year Report - June 2026, the 2025-26 Performance and Development Agreement and the Committee's rating of the CEO's performance as Exceeding.
3. Endorse the proposed Key Performance Indicators (KPIs) for Year 1 of the CEO's new employment term, consistent with the performance expectations established under the recently executed employment contract.
4. Note that the content of this report and recommendation be made publicly available for the purpose of, and only to the extent necessary, to give effect to this Resolution.
5. Refer this report to the quarterly Confidentiality Status Report for Council to consider public release upon recommendation by the Chief Executive Officer.

Brief Overview

In accordance with sections 9.7.1, 9.7.2 and 14.2 of the Chief Executive Officer's 2021/2026 Employment Contract with Wyndham City Council, the CEO Employment Matters Committee has convened and assessed the CEO's performance in relation to Schedule Two of the contract

The Committee met on Monday 27 October 2025, Monday 2 February 2026, Monday 25 May 2026 and Monday 13 July 2026. The meetings comprised of presentations from the CEO in regard to his performance against his key performance indicators, with the Committee providing feedback to the CEO.

Committee members have unanimously determined an overall rating of the CEO's performance at level 4 (Exceeding) on the five-point rating scale spanning Level 1 (Not yet effective) to Level 5 (Excelling).

The 2026/27 KPIs have been developed to align with the performance expectations, strategic priorities and outcomes established for the first year of the CEO's second term, as reflected in the recently executed employment contract. The performance review process is required pursuant to Section 15.1 of the new contract which was executed following Council's decision at the February 2026 Confidential Council Meeting.

Rationale for Recommendation

The recommendation ensures that Council has complied with sections 9.7.1, 9.7.2 and 14.2 of the CEO's applicable employment contract with Wyndham City Council, for the 2025/26 financial year.

Critical Dates

Not applicable.

Attachments

1. CEO Performance Review - End of Year Review
2. CEO Performance and Development Agreement - 1 July 2025 to 30 June 2026
3. CEO Performance and Development Agreement - 1 July 2026 to 30 June 2027

Key Issues

- The CEO Employment and Remuneration Policy, created in accordance with Section 45 of the *Local Government Act 2020*, provides a framework for the employment of the Chief Executive Officer and the subsequent monitoring of their performance.
- The CEO Employment Matters Committee is established under the policy and consists of four Councillor representatives, including the Mayor, and an Independent Member, Ms Christine Mileham.
- Part of the Committee's role is to assist Council in the monitoring of the CEO's performance.
- The Committee has met four times during the fifth year of the CEO's appointment, initially to review and revise the CEO's KPIs in accordance with Schedule Two of the Chief Executive Officer Employment Contract and to subsequently monitor his performance against those KPIs at three monthly intervals in the 12-month period

Financial implications

Impact on key LTFP parameters if the recommendation is adopted
(If required, please draft with input from Finance/Project Management Office)

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Policy Strategy and Legislation

- *Local Government Act 2020*
- CEO Employment and Remuneration Policy

Wyndham 2050 Community Vision
Health and Wellbeing
Public Safety and Crime Prevention
Infrastructure and Planning
Recreation and Tourism
Transport
Connected Community
Sustainability and Environment
Civic Pride and Beautification

Council Plan 2025-29 (incorporating the Municipal Health & Wellbeing Plan)
4.5 Ensure the needs of the community are well represented through effective community engagement and advocacy practices that focus on improved transport connections, local job opportunities, safer communities, and better health services.

Strategic Risk
Organisational Governance

Sustainability Implications

Not applicable

Consultation

Not applicable

Officers' Declaration of Interests

Under Section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.
The following staff involved in the creation of this report have no disclosable interest in the report.

Mark Rossiter, Director Corporate Services

Shane Leversha, Chief People Officer

Conclusion

In accordance with the requirements of the Chief Executive Officer's Employment Contract, the Committee has completed its review of the CEO's performance and considered the performance expectations and

CONFIDENTIAL

priorities for the first year of the CEO's new employment term. The Committee recommends that Council endorse the proposed 2026/27 Key Performance Indicators (KPIs) as the basis for assessing the CEO's performance over the coming year.

CONFIDENTIAL

12.3. Personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

Chief Executive Officer Performance and Remuneration - Yearly Review

MOTION:

CR PREET SINGH / CR KIM McALINEY

That Council:

1. Note that the CEO Employment Matters Committee has completed the annual performance review of the CEO in accordance with Section 14.1 of the officer's contract of employment and the CEO Employment and Remuneration Policy.
2. Receive and note the CEO Key Performance Indicators (KPI) End of Year Report - June 2026, the 2025-26 Performance and Development Agreement and the Committee's rating of the CEO's performance as Exceeding.
3. Endorse the proposed Key Performance Indicators (KPIs) for Year 1 of the CEO's new employment term, consistent with the performance expectations established under the recently executed employment contract.
4. Note that the content of this report and recommendation be made publicly available for the purpose of, and only to the extent necessary, to give effect to this Resolution.
5. Refer this report to the quarterly Confidentiality Status Report for Council to consider public release upon recommendation by the Chief Executive Officer.

(CARRIED)

CR SUSAN McINTYRE CALLED FOR A **DIVISION** ON THE VOTE.
The DIVISION was taken and the names of the Councillors voting FOR and AGAINST were as follows:

FOR	**AGAINST**
CR KIM McALINEY	
CR SUSAN McINTYRE	
CR SHANNON McGUIRE	

CR PREET SINGH	
CR LARRY ZHAO	
CR ROBERT SZATKOWSKI	
CR PETER MAYNARD	
CR JASMINE HILL	
CR JOSH GILLIGAN	
CR MIA SHAW	
TOTAL (10)	TOTAL (0)

(CARRIED)

ITEM NO: 12.1.

Jenna House, Acting Director City Life

Personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

Appointment of Independent Non-Executive Director of Western Leisure Services Pty Ltd

Recommendation

That Council:

1. Approve the appointment of Ms Thu-Trang Tran, as an independent non-executive Director of Western Leisure Services Pty Ltd, for a term of three years from 1 October 2026 to 30 September 2029.
2. Make public the decision to appoint Ms Thu-Trang Tran as an independent non-executive Director of Western Leisure Services Pty Ltd.
3. Note that the content of this report and recommendation be made publicly available for the purpose of, and only to the extent necessary, to give effect to this Resolution.
4. Refer this report to the quarterly Confidentiality Status Report for Council to consider public release upon recommendation by the Chief Executive Officer.

Brief Overview

This report seeks Council endorsement for the appointment of Ms Thu-Trang Tran as an independent non-executive Director of Western Leisure Services (WLS). Ms Tran is recommended to fill the Director position recently vacated by Mr Andrew Dix, who retired from the WLS Board after reaching the maximum number of terms (three) that a Director can sit, as detailed in the WLS constitution.

Rationale for Recommendation

Following a competitive recruitment process, the selection panel has nominated Ms Thu-Trang Tran as the preferred candidate to fill the independent non-executive Director position vacated by Mr Dix. Ms Tran demonstrated extensive Board and governance experience across a range of organisations and sectors

and high level strategic, stakeholder engagement and public leadership capability through her professional experience.

Critical Dates

Mr Andrew Dix's Director term concluded on 31 August 2026.

Attachments

1. CV - Thu Trang Tran

Key Issues

In 2014, Council established Western Leisure Services to operate its leisure facilities.

The Western Leisure Services (WLS) constitution outlines that the Shareholder (Council) can appoint not less than five (5), nor more than seven (7) Directors. This is currently made up of five independent Directors and two Councillor Directors.

In accordance with clauses 9.1 and 9.3 of the constitution under the Corporations Act 2001, Council as Shareholder can appoint Directors of Western Leisure Services for a term of up to three (3) years.

Appointment of Ms Thu-Trang Tran
A review of the WLS Director skills matrix in light of Mr Dix's impending retirement, identified experience in strategic financial management, enterprise risk management, strategy and business development as priorities for strengthening the overall capability of the board. Experience in legal and governance, information technology, marketing and communications, membership based organisations and leisure services were identified as desirable features.

A highly credentialed field of applicants were received for the position. An assessment of applicants resulted in the shortlisting of four candidates to progress to interview.

Interviews were conducted on 31 July 2026, led by a panel consisting of Cr Shannon McGuire, Acting Director City Life Jenna House and WLS Chair Ms Libby Mears.

Following a thorough reference checking process, the panel unanimously agreed to recommend to Council that Ms Thu-Trang Tran be appointed as an independent non-executive Director of Western Leisure Services Pty Ltd.

Profile
Ms Thu-Trang Tran is an accomplished executive, board director and governance leader with almost three decades of experience spanning the community, government, regulatory and legal sectors. She is recognised for her public sector leadership, commercial acumen and social justice values to deliver strong governance, strategic outcomes and community impact. Her particular areas of expertise include board governance, regulatory oversight, stakeholder engagement and organisational strategy. She has also demonstrated significant leadership in supporting diverse and under-represented communities.

Ms Tran has built an extensive governance portfolio across a range of prominent not-for-profit and regulatory organisations. She currently serves as a Board Director of Good Shepherd Australia New Zealand, Victorian Interpreting and Translating Service and the Telecommunications Industry Ombudsman, while also contributing as a member of the Scanlon Foundation Research Institute Human Ethics Committee. She previously served as a Commissioner of the Victorian Liquor Commission and

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Victorian Building Authority.

Professionally, Ms Tran has held several senior executive leadership roles across the community and public sectors. Most recently, she served as CEO of Volunteering Victoria and previously as CEO of Volunteer West, where she successfully strengthened organisational capability, secured substantial funding growth, advocated for inclusive volunteering practices and established long-term partnerships with local government and Victoria University. She holds a Master of Laws and is a Graduate of the Australian Institute of Company Directors.

It is recommended that Council appoint Ms Tran as a non-executive Director for a three-year term on the basis of her extensive experience and strong alignment with the skills/areas identified prior to the recruitment process.

Financial implications

WLS Directors will be paid a sitting fee of [redacted] per annum to be paid by Western Leisure Services Pty Ltd. This sitting fee has been factored into the budget of Western Leisure Services Pty Ltd.

Policy Strategy and Legislation

Western Leisure Services Pty Ltd is governed in accordance with its constitution which was originally established and has been subsequently updated in line with the Corporations Act 2001.

Wyndham 2050 Community Vision
Recreation and Tourism

Council Plan 2025-29 (incorporating the Municipal Health & Wellbeing Plan)
1.2 Provide accessible and diverse sporting facilities, leisure and recreational opportunities that encourage residents to be physically active and healthy.

Strategic Risk

Organisational Governance

Sustainability Implications

Whilst this re-appointment doesn't specifically present any sustainability implications, the role of the WLS Board is to steer the organisation to deliver best value for the community across economic, social, environmental and climate change outcomes.

Consultation

Not applicable.

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Officers' Declaration of Interests

Under Section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.
The following staff involved in the creation of this report have no disclosable interest in the report.

Jenna House, Acting Director City Life

Cam Atkins, Manager Sport & Recreation

Conclusion

Western Leisure Services' success is critical to Council achieving its health and wellbeing objectives and generating return on investment from its significant capital investment in major leisure facilities. The appointment of Ms Thu-Thang Tran as a WLS Director will ensure that WLS maintains a highly skilled Board with diverse expertise to govern and guide the organisation towards delivering strategic outcomes and having maximum impact on the Wyndham community.

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BUSINESS

12 Confidential Business

12.1. Personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

Appointment of Independent Non-Executive Director of Western Leisure Services Pty Ltd

MOTION:

CR SHANNON McGUIRE / CR MARIA KING

That Council:

1. Approve the appointment of Ms Thu-Trang Tran, as an independent non-executive Director of Western Leisure Services Pty Ltd, for a term of three years from 1 October 2026 to 30 September 2029.
2. Make public the decision to appoint Ms Thu-Trang Tran as an independent non-executive Director of Western Leisure Services Pty Ltd.
3. Note that the content of this report and recommendation be made publicly available for the purpose of, and only to the extent necessary, to give effect to this Resolution.
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(CARRIED)