

# MINUTES

## Certification of Confirmation

### Chief Executive Officer Recruitment (CEORC) Meeting

9 May 2024

I, Cr DOUG LEANS, hereby certify that the minutes from the Chief Executive Officer Recruitment Committee meeting held on 9 May 2024 pages (1) to (29) were confirmed at the Ordinary Meeting of Council held on 27 February 2025.

  
Signature  
Presiding Member



## **CEORC Committee Members**

Cr Filomena Piffaretti	Committee Member	City of Bayswater
Cr Tallan Ames	Committee Member	Town of Bassendean
Cr Luke Ellery	Committee Member	Shire of Mundaring
Cr Aaron Bowman	Committee Member	City of Swan

## **No CEORC Deputies**

## Chief Executive Officer Recruitment Committee

### 9 May 2024

A Chief Executive Officer Recruitment Committee meeting was held at the EMRC Administration Office, 1<sup>st</sup> Floor, 226 Great Eastern Highway, Ascot WA 6104 on **Thursday 9 May 2024**. The meeting commenced at **5:37pm**.

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## 1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Chief Executive Officer (CEO) presided over the meeting until the Chairperson of the Committee was filled.

### 1.1 ACKNOWLEDGEMENT OF COUNTRY

The CEO declared the meeting open at 5.37pm and welcomed Committee members to the meeting.

The CEO acknowledged the traditional custodians of the land, the Whadjuk people of the Noongar Nation and to pay our respects to elders past, present and emerging.

## 2 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

### Councillor Attendance

Cr Tallan Ames	Committee Member	Town of Bassendean
Cr Filomena Piffaretti	Committee Member	City of Bayswater
Cr Luke Ellery	Committee Member	Shire of Mundaring
Cr Aaron Bowman	Committee Member	City of Swan

### EMRC Officers

Mr Marcus Geisler	Chief Executive Officer
Mr Hua Jer Liew	Chief Financial Officer
Mrs Wendy Harris	Chief Sustainability Officer
Mrs Angela Jehring	Manager Human Resources
Mrs Lee Loughnan	Personal Assistant to Chief Financial Officer/Council Support (Minutes)

### 3

#### DISCLOSURE OF INTEREST

##### 3.1 MR MARCUS GEISLER – CHIEF EXECUTIVE OFFICER – INTERESTS AFFECTING IMPARTIALITY

Item: 11.1  
 Subject: Chief Executive Officer Recruitment – Selection of a Consultant  
 Nature of Interest: Disclosure of Interest Affecting Impartiality, EMRC Code of Conduct for EMRC Employees.  
 Subject matter of the Report directly applies to the Chief Executive Officer.

##### 3.2 MR HUA JER LIEW – CHIEF FINANCIAL OFFICER – INTERESTS AFFECTING IMPARTIALITY

Item: 11.1  
 Subject: Chief Executive Officer Recruitment – Selection of a Consultant  
 Nature of Interest: Disclosure of Interest Affecting Impartiality, EMRC Code of Conduct for EMRC Employees.  
 Due to the reporting relationship with the position of Chief Executive Officer.

##### 3.3 MRS WENDY HARRIS – CHIEF SUSTAINABILITY OFFICER – INTERESTS AFFECTING IMPARTIALITY

Item: 11.1  
 Subject: Chief Executive Officer Recruitment – Selection of a Consultant  
 Nature of Interest: Disclosure of Interest Affecting Impartiality, EMRC Code of Conduct for EMRC Employees.  
 Due to the reporting relationship with the position of Chief Executive Officer.

##### 3.4 MRS ANGELA JEHRING – MANAGER HUMAN RESOURCES – INTERESTS AFFECTING IMPARTIALITY

Item: 11.1  
 Subject: Chief Executive Officer Recruitment – Selection of a Consultant  
 Nature of Interest: Disclosure of Interest Affecting Impartiality, EMRC Code of Conduct for EMRC Employees.  
 Due to the reporting relationship with the position of Chief Executive Officer.

##### 3.5 CR FILOMENA PIFFARETTI – INTERESTS AFFECTING IMPARTIALITY

Item: 11.1  
 Subject: Chief Executive Officer Recruitment – Selection of a Consultant  
 Nature of Interest: Disclosure of Interest Affecting Impartiality  
 Due to utilising the services of Lester Blades as a recruitment consultant at the City of Bayswater over 12 months ago.

### 4

#### ANNOUNCEMENTS BY THE CHAIRPERSON OR PRESIDING MEMBER

Nil

- 5 ELECTION OF A CHAIRPERSON AND DEPUTY CHAIRPERSON OF THE CHIEF EXECUTIVE OFFICER RECRUITMENT COMMITTEE (CEORC)**
  - 5.1 ELECTION OF A CHAIRPERSON OF THE CHIEF EXECUTIVE OFFICER RECRUITMENT COMMITTEE (CEORC) (D2024/10167)
  - 5.2 ELECTION OF A DEPUTY CHAIRPERSON OF THE CHIEF EXECUTIVE OFFICER RECRUITMENT COMMITTEE (CEORC) (D2024/10172)

## 5.1 ELECTION OF A CHAIRPERSON OF THE CHIEF EXECUTIVE OFFICER RECRUITMENT COMMITTEE (CEORC)

D2024/10167

### PURPOSE OF REPORT

The purpose of this report is to provide for an election to be conducted for the Office of Chairperson of the Chief Executive Officer Recruitment Committee (CEORC).

### KEY POINT(S)

- It is a statutory requirement that the Committee elect a Chairperson at the first meeting of the Chief Executive Officer Recruitment Committee (CEORC).

### RECOMMENDATION(S)

That the members of the Chief Executive Officer Recruitment Committee (CEORC) elect a Chairperson.

### SOURCE OF REPORT

Chief Financial Officer

### BACKGROUND

- 1 The incumbent Chief Executive Officer (CEO), Mr Marcus Geisler tendered his resignation from his role as CEO of the Eastern Metropolitan Regional Council (EMRC).
- 2 At the Special Meeting of Council held on Thursday 18 April 2024, a Chief Executive Officer Recruitment Committee (CEORC) was established to assist Council with the recruitment of a new CEO.
- 3 Council resolved that (D2024/09318):

*“THAT COUNCIL:*

1. *BY ABSOLUTE MAJORITY IN ACCORDANCE WITH S.5.8 OF THE LOCAL GOVERNMENT ACT 1995 ESTABLISHES A CHIEF EXECUTIVE OFFICER RECRUITMENT COMMITTEE, WITH TERMS OF REFERENCE FORMING THE ATTACHMENT OF THIS REPORT AND THE COMMITTEE BE DISBANDED UPON THE SIGNING BY ALL PARTIES OF A CONTRACT OF EMPLOYMENT FOR THE POSITION OF CHIEF EXECUTIVE OFFICER OF THE EASTERN METROPOLITAN REGIONAL COUNCIL.*
2. *BY ABSOLUTE MAJORITY IN ACCORDANCE WITH S.5.10 OF THE LOCAL GOVERNMENT ACT 1995, THE FOLLOWING COUNCILLORS BE APPOINTED TO THE CHIEF EXECUTIVE OFFICER RECRUITMENT COMMITTEE:*

#### **PARTICIPANT LOCAL GOVERNMENT**

TOWN OF BASSENDEAN  
CITY OF BAYSWATER  
SHIRE OF MUNDARING  
CITY OF SWAN

#### **COUNCIL MEMBER**

CR AMES  
CR PIFFARETTI  
CR ELLERY  
CR BOWMAN



3. *BY ABSOLUTE MAJORITY IN ACCORDANCE WITH S.5.16 OF THE LOCAL GOVERNMENT ACT 1995 DELEGATES TO THE CHIEF EXECUTIVE OFFICER RECRUITMENT COMMITTEE THE POWER TO ENGAGE AN INDEPENDENT HUMAN RESOURCES CONSULTANT TO ASSIST IN CARRYING OUT ITS FUNCTIONS, FOLLOWING A REQUEST FOR QUOTE PROCESS.*
4. *REQUESTS THE CEO UNDERTAKE A REQUEST FOR QUOTE PROCESS FOR THE APPOINTMENT OF AN INDEPENDENT HUMAN RESOURCES CONSULTANT IN RELATION TO THE RECRUITMENT OF A NEW CEO.*
5. *REQUESTS THE CEO TO ATTEND TO ANY ADMINISTRATIVE MATTERS SUCH AS THE CONSULTANCY BRIEF TO GIVE EFFECT TO COUNCIL'S INSTRUCTIONS.*
6. *APPROVES THE FIRST MEETING OF THE CHIEF EXECUTIVE OFFICER RECRUITMENT COMMITTEE BE HELD ON THURSDAY 9 MAY 2024 COMMENCING AT 5:30PM AT THE EMRC ADMINISTRATION OFFICE, 1<sup>ST</sup> FLOOR, 226 GREAT EASTERN HIGHWAY ASCOT."*

#### **CEORC Members 2023 – 2025**

- 4 The following members were appointed to the CEORC at the Special Meeting of Council.

<b>PARTICIPANT LOCAL GOVERNMENT</b>	<b>COMMITTEE MEMBER</b>
BASSENDAN	CR AMES
BAYSWATER	CR PIFFARETTI
MUNDARING	CR ELLERY
SWAN	CR BOWMAN

- 5 In accordance with section 5.12(1) of the *Local Government Act 1995*, (the Act) the members of a committee are to elect a presiding member from amongst themselves in accordance with Schedule 2.3, Division 1.
- 6 It is a requirement of Schedule 2.3 of the Act that the election is conducted by the Chief Executive Officer (CEO) and the nominations for the Office are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations. Furthermore, if a member is nominated by another member the CEO is not to accept the nomination unless the nominee has advised the CEO, orally or in writing, that he or she is willing to be nominated for the Office. Members are to vote on the matter by secret ballot.
- 7 The procedure outlined in Schedule 2.3 of the Act will be followed if there is an equality of votes.

## REPORT

- 8 The CEO will preside at the meeting until the Office of Chairperson of the CEORC is filled.
- 9 The following material accompanies the agenda for this meeting as a means of assisting members of the Committee to nominate themselves or another member for the Office of Chairperson of the AC:
1. CEORC Terms of Reference;
  2. A blank Nomination Form for the Office of Chairperson of the CEORC, nominate oneself;
  3. A blank Nomination Form for the Office of Chairperson of the CEORC, nominate another; and
  4. A blank Ballot Paper for Election of Chairperson of the CEORC.
  5. Declaration by Elected CEORC Chairperson.
- 10 Ballot papers will be made available prior to voting.
- 11 The completed nomination forms are to be given to the CEO before the meeting or when the CEO calls for them when dealing with this item at the meeting.

## STRATEGIC/POLICY IMPLICATIONS

- 12 Council Policy 2.1 Committees of Council provides for the establishment of the CEO Recruitment Committee.

## FINANCIAL IMPLICATIONS

- 13 Nil

## SUSTAINABILITY IMPLICATIONS

- 14 Nil

## RISK MANAGEMENT

**Risk - Failure to elect and appoint a presiding member will be a breach of s.5.12 of the Local Government Act 1995 and impact on the discharging role duties of the presiding member**

Consequence	Likelihood	Rating
Moderate	Unlikely	Moderate
Action/Strategy		
➤ Elect a Chairperson of the Chief Executive Officer Recruitment Committee		

**MEMBER COUNCIL IMPLICATIONS**

Member Council	Implication Details
Town of Bassendean	<div> </div> Nil
City of Bayswater	
Shire of Mundaring	
City of Swan	

**ATTACHMENT(S)**

1. CEORC Terms of Reference (D2024/10168)
2. A blank Nomination Form for the Office of Chairperson of the CEORC, nominate oneself (D2024/10169)
3. A blank Nomination Form for the Office of Chairperson of the CEORC, nominate another (D2024/10169)
4. Ballot Paper – Election of CEORC Chairperson (D2024/10170)
5. Declaration by Elected CEORC Chairperson (D2024/10171)

**VOTING REQUIREMENT**

Secret Ballot

**RECOMMENDATION(S)**

That the members of the Chief Executive Officer Recruitment Committee (CEORC) elect a Chairperson.

The CEO advised that one nomination for the Office of Chairperson of the CEO Recruitment Committee had been received from Cr Ellery and called for further nominations.

No further nominations were received and the CEO closed nominations.

**ANNOUNCEMENT: RESULT OF THE BALLOT FOR THE OFFICE OF CEORC CHAIRPERSON**

The CEO declared Cr Luke Ellery as Chairperson of the CEO Recruitment Committee until a CEO is recruited.

The CEO congratulated Cr Luke Ellery and vacated the Chair at 5:44pm.

At 5:44pm, Cr Ellery took the Chair.

## Terms of Reference

### Chief Executive Officer Recruitment Committee

#### 1. Objectives of the Committee

- 1.1 The Chief Executive Officer Recruitment Committee (CEORC) is a formally appointed committee of Council and is responsible to that body.

#### 2. Responsibilities

- 2.1 To exercise the powers and functions of Council in respect to the recruitment and selection of the Chief Executive Officer in accordance with the requirements of the *Local Government Act 1995* and *Local Government (Administration) Regulations 1996* as amended from time to time.

#### 3. Duties

- 3.1 The obligations of the Committee are as follows:

- a) Seeking expressions of interest and quotations from external recruitment agencies to assist the Committee to carry out its functions.
- b) Delegated power to engage an independent recruitment agency to assist the Committee to carry out its functions.
- c) Keeping Council informed of the progress of the recruitment process by reporting back to Council.
- d) Using the independent recruitment agency to assist it in its functions to:
  - Define and scope the services and techniques of the recruitment;
  - Assist with a review of the position requirements and the development of the position description for the role;
  - Prepare draft Key Performance Indicators for the position of Chief Executive Officer;
  - Construct the remuneration package to be offered for the position;
  - Advertise for the position of Chief Executive Officer;
  - Review the form and content of the contract to be offered to the preferred candidate;
  - Shortlist and interview suitable candidates;
  - Conduct background, reference, and qualification checks of candidates;
  - Provide written reports to Council on the preferred candidates and the outcome of the interviews; and
  - In conjunction with the consultant, make recommendations on the preferred candidate(s) for the position of Chief Executive Officer, together with the proposed terms and conditions relevant to the appointment.
- e) Arranging for the preferred candidate(s) to attend Council for a presentation / interview prior to the recommendation of appointment being considered by Council.
- f) Negotiate the terms of the contract and performance indicators in accordance with Council's resolution.

#### **4. Membership**

- 4.1 The Committee will comprise of Councillor members and independent person(s).

#### **5. Meetings**

- 5.1 The Committee shall hold regular meetings at such times and on such days as the Council may determine by resolution.
- 5.2 Additional meetings will be convened at the discretion of the Chairperson.

#### **6. Operating Procedures**

- 6.1 All meetings of the Committee are to be conducted in accordance with the *Local Government Act 1995*, associated Regulations and the *EMRC Meeting Procedures Local Law 2023*.
- 6.2 A quorum for a meeting of the Committee shall be at least 50% of the number of offices (whether vacant or not) of member of the Committee.
- 6.3. Voting
- (a) All decisions of the Committee shall be made on the basis of a simple majority decision of the members present or, if another kind of majority has been prescribed by regulations for the particular kind of decision, by that kind of majority.
  - (b) If the decision results in a tied vote, the person presiding is to cast a second vote.
  - (c) Persons other than Committee members are not entitled to cast a vote.
  - (d) All other aspects related to voting procedure shall be consistent with relevant sections of the *EMRC Meeting Procedures Local Law 2023*.
- 6.4 Other EMRC staff may attend meetings, at the discretion of the Chief Executive Officer, to provide advice and information when required.
- 6.5 Additional persons, including consultants may be invited at the discretion of the Chief Executive Officer to provide advice and information as required.

#### **7. Reporting**

- 7.1 The Committee shall after every meeting forward the minutes of that meeting to the next Ordinary Meeting of Council, including a report explaining any specific recommendations.
- 7.2 The item of Council business referred to in relation to this is to be treated as confidential in accordance with s.5.23(2) of the *Local Government Act 1995*, r.14(2) of the *Local Government (Administration) Regulations 1996*, *EMRC Meeting Procedures Local Law 2023* and Council Policy 1.5 Meeting Agenda/Minutes – Confidential Items.

#### **8. Delegated Power**

- 8.1 The Committee has delegated power to engage an independent human resources consultant.
- 8.2 All other matters are to be referred to Council for consideration.

## **9. Life of the Committee**

- 9.1 The CEO Recruitment Committee will be automatically disbanded upon the signing by all parties of a contract of employment for the position of Chief Executive Officer.

### **Related Documentation**

Policy 1.5 Meeting Agenda / Minutes – Confidential Items  
Policy 2.1 Committees of Council  
Policy 4.1 Chief Executive Officer Appointment and Performance Review  
*EMRC Meeting Procedures Local Law 2023*  
EMRC Code of Conduct

### **Administration**

#### **Adopted/Reviewed by Council**

18 April 2024

#### **Next Review**

As required

#### **Responsible Officer**

Chief Executive Officer



## EASTERN METROPOLITAN REGIONAL COUNCIL

### Nomination for Chairperson of the Chief Executive Officer Recruitment Committee

To the Chief Executive Officer

I hereby nominate myself, \_\_\_\_\_  
for the position of Chairperson of the Eastern Metropolitan Regional Council Chief Executive Officer Recruitment Committee for the term of Office commencing on the date of the election and continuing until the next ordinary elections day and/or other circumstances occur in accordance with section 5.11 of the *Local Government Act 1995*.

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date



## EASTERN METROPOLITAN REGIONAL COUNCIL

### Nomination for Chairperson of the Chief Executive Officer Recruitment Committee

To the Chief Executive Officer

I hereby nominate \_\_\_\_\_  
for the position of Chairperson of the Eastern Metropolitan Regional Council Chief Executive Officer Recruitment Committee for the term of Office commencing on the date of the election and continuing until the next ordinary elections day and/or other circumstances occur in accordance with section 5.11 of the *Local Government Act 1995*.

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date

\* I \_\_\_\_\_ hereby certify that I accept the above nomination to the  
the position of Chairperson of the Eastern Metropolitan Regional Council Chief Executive Officer Recruitment Committee.

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date

\* This certificate is to be completed when a Representative is nominated by another Representative.





# EASTERN METROPOLITAN REGIONAL COUNCIL

9 May 2024

## Ballot Paper for the Election of the CEO Recruitment Committee Chairperson

### How to Vote

*(If there are 2 candidates)*

Write the number 1 in the square next to the name of the candidate you want to vote for.

*(If there are 3 or more candidates)*

Write the number 1 in the square next to the name of the candidate who is your first choice.

If you want to, you may show more choices by writing consecutive numbers in the squares next to the names of other candidates in the order of your choice, starting with the number 2 up to the number of candidates listed below.

You do not need to write a number in all the squares.

Do not make any other marks on the Ballot Paper

Cr First Name, Last Name

☐

Cr First Name, Last Name

☐

Cr First Name, Last Name

☐



***Local Government Act 1995***  
***Local Government (Constitution) Regulations 1998***

**Declaration by Elected Chief Executive Officer  
Recruitment Committee Chairperson**

I \_\_\_\_\_ of \_\_\_\_\_  
have been elected to the Office of Chairperson of the Eastern Metropolitan Regional Council Chief Executive Officer Recruitment Committee, declare that I take the office upon myself and will duly, faithfully, honestly and with integrity, fulfil the duties of the office for the people in the district according to the best of my judgement and ability, and will observe the *Local Government (Model Code of Conduct) Regulations 2021*.

Declared at the EMRC Administration Office  
1<sup>st</sup> Floor  
226 Great Eastern Highway  
Ascot WA 6104

**9 May 2024**

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

## 5.2 ELECTION OF A DEPUTY CHAIRPERSON OF THE CHIEF EXECUTIVE OFFICER REVIEW COMMITTEE (CEORC)

D2024/10172

### PURPOSE OF REPORT

The purpose of this report is to provide for an election to be conducted for the Office of Deputy Chairperson of the Chief Executive Officer Review Committee (CEORC).

### KEY POINT(S)

- In accordance with section 5.12(2) of the *Local Government Act 1995*, the members of a committee may elect a deputy presiding member from amongst themselves.

### RECOMMENDATION(S)

That the members of the Chief Executive Officer Review Committee elect a Deputy Chairperson.

### SOURCE OF REPORT

Chief Financial Officer

### BACKGROUND

- 1 The incumbent Chief Executive Officer (CEO), Mr Marcus Geisler tendered his resignation from his role as CEO of the Eastern Metropolitan Regional Council (EMRC).
- 2 At the Special Meeting of Council held on Thursday 18 April 2024, a Chief Executive Officer Recruitment Committee (CEORC) was established to assist Council with the recruitment of a new CEO.
- 3 Council resolved that (D2024/09318):

*"THAT COUNCIL:*

1. *BY ABSOLUTE MAJORITY IN ACCORDANCE WITH S.5.8 OF THE LOCAL GOVERNMENT ACT 1995 ESTABLISHES A CHIEF EXECUTIVE OFFICER RECRUITMENT COMMITTEE, WITH TERMS OF REFERENCE FORMING THE ATTACHMENT OF THIS REPORT AND THE COMMITTEE BE DISBANDED UPON THE SIGNING BY ALL PARTIES OF A CONTRACT OF EMPLOYMENT FOR THE POSITION OF CHIEF EXECUTIVE OFFICER OF THE EASTERN METROPOLITAN REGIONAL COUNCIL.*
2. *BY ABSOLUTE MAJORITY IN ACCORDANCE WITH S.5.10 OF THE LOCAL GOVERNMENT ACT 1995, THE FOLLOWING COUNCILLORS BE APPOINTED TO THE CHIEF EXECUTIVE OFFICER RECRUITMENT COMMITTEE:*

#### **PARTICIPANT LOCAL GOVERNMENT**

TOWN OF BASSENDEAN  
CITY OF BAYSWATER  
SHIRE OF MUNDARING  
CITY OF SWAN

#### **COUNCIL MEMBER**

CR AMES  
CR PIFFARETTI  
CR ELLERY  
CR BOWMAN

3. *BY ABSOLUTE MAJORITY IN ACCORDANCE WITH S.5.16 OF THE LOCAL GOVERNMENT ACT 1995 DELEGATES TO THE CHIEF EXECUTIVE OFFICER RECRUITMENT COMMITTEE THE POWER TO ENGAGE AN INDEPENDENT HUMAN RESOURCES CONSULTANT TO ASSIST IN CARRYING OUT ITS FUNCTIONS, FOLLOWING A REQUEST FOR QUOTE PROCESS.*
4. *REQUESTS THE CEO UNDERTAKE A REQUEST FOR QUOTE PROCESS FOR THE APPOINTMENT OF AN INDEPENDENT HUMAN RESOURCES CONSULTANT IN RELATION TO THE RECRUITMENT OF A NEW CEO.*
5. *REQUESTS THE CEO TO ATTEND TO ANY ADMINISTRATIVE MATTERS SUCH AS THE CONSULTANCY BRIEF TO GIVE EFFECT TO COUNCIL'S INSTRUCTIONS.*
6. *APPROVES THE FIRST MEETING OF THE CHIEF EXECUTIVE OFFICER RECRUITMENT COMMITTEE BE HELD ON THURSDAY 9 MAY 2024 COMMENCING AT 5:30PM AT THE EMRC ADMINISTRATION OFFICE, 1<sup>ST</sup> FLOOR, 226 GREAT EASTERN HIGHWAY ASCOT."*

#### **CEORC Members 2023 – 2025**

- 4 The following members were appointed to the CEORC at the Special Meeting of Council.

<b>PARTICIPANT LOCAL GOVERNMENT</b>	<b>COMMITTEE MEMBER</b>
BASSENDAN	CR AMES
BAYSWATER	CR PIFFARETTI
MUNDARING	CR ELLERY
SWAN	CR BOWMAN

- 5 In accordance with section 5.12(2) of the *Local Government Act 1995*, (the Act) the members of a committee are to elect a deputy presiding member from amongst themselves in accordance with Schedule 2.3, Division 1.
- 6 It is a requirement of Schedule 2.3 of the Act that the election of the Deputy Chairperson is conducted by the Chairperson and the nominations for the Office are to be given to the Chief Executive Officer (CEO) in writing before the meeting or the Chairperson during the meeting before the close of nominations. Furthermore, if a member is nominated by another member, the Chairperson is not to accept the nomination unless the nominee has advised the Chairperson, orally or in writing, that he or she is willing to be nominated for the Office. Members are to vote on the matter by secret ballot.
- 7 The procedure outlined in Schedule 2.3 of the Act will be followed if there is an equality of votes.

#### **REPORT**

- 8 The following material accompanies the agenda for this meeting as a means of assisting members of the Committee to nominate themselves or another member for the office of Deputy Chairperson of the CEORC:
  1. A blank Nomination Form for the Office of Deputy Chairperson of the CEORC, nominate oneself;
  2. A blank Nomination Form for the Office of Deputy Chairperson of the CEORC, nominate another; and
  3. A blank Ballot Paper for Election of Deputy Chairperson of the CEORC
  4. Declaration by Elected CEORC Deputy Chairperson.
- 9 Ballot papers will be made available prior to voting.

- 10 The completed nomination forms are to be given to the CEO before the meeting or when called for by the Chairperson when dealing with this item at the meeting.

#### STRATEGIC/POLICY IMPLICATIONS

- 11 Council Policy 2.1 Committees of Council provides for the establishment of the Chief Executive Officer Recruitment Committee.
- 12 The election of a Deputy Chairperson is in accordance with clause 7 of the *EMRC Establishment Agreement*.

#### FINANCIAL IMPLICATIONS

- 13 Nil

#### SUSTAINABILITY IMPLICATIONS

- 14 Nil

#### RISK MANAGEMENT

**Risk – Failure to elect a Deputy Chairperson will impact the fulfillment of the Chairperson's role in the event the Chairperson is unavailable.**

Consequence	Likelihood	Rating
Moderate	Unlikely	Moderate
Action/Strategy		
➤ Elect and appoint a Deputy Chairperson of the CEO Recruitment Committee.		

#### MEMBER COUNCIL IMPLICATIONS

##### Member Council

Town of Bassendean  
City of Bayswater  
Shire of Mundaring  
City of Swan

##### Implication Details

Nil

#### ATTACHMENT(S)

1. A blank Nomination Form for the Office of Deputy Chairperson of the CEORC, nominate oneself (D2024/10173)
2. A blank Nomination Form for the Office of Deputy Chairperson of the CEORC, nominate another (D2024/10173)
3. Ballot Paper – Election of CEORC Deputy Chairperson (D2024/10174)
4. Declaration by Elected CEORC Deputy Chairperson (D2024/10175)

#### **VOTING REQUIREMENT**

Secret Ballot

#### **RECOMMENDATION(S)**

That the members of the Chief Executive Officer Review Committee elect a Deputy Chairperson.

The Chairperson advised that Cr Bowman had nominated Cr Ames for the Office of Deputy Chairperson of the CEO Recruitment Committee and called for further nominations.

No further nominations were received and the CEO closed nominations.

#### **ANNOUNCEMENT: RESULT OF THE BALLOT FOR THE OFFICE OF CEORC CHAIRPERSON**

The Chairperson declared Cr Tallan Ames as Deputy Chairperson of the CEO Recruitment Committee until a CEO is recruited.

Cr Ames was congratulated.



## **EASTERN METROPOLITAN REGIONAL COUNCIL**

### **Nomination for Deputy Chairperson of the Chief Executive Officer Recruitment Committee**

To the Chief Executive Officer

I hereby nominate myself, \_\_\_\_\_  
for the position of Deputy Chairperson of the Eastern Metropolitan Regional Council Chief Executive Officer Recruitment Committee for the term of Office commencing on the date of the election and continuing until a new Deputy Chairperson is elected in accordance with Clause 7.4 of the *EMRC Establishment Agreement*.

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date



## EASTERN METROPOLITAN REGIONAL COUNCIL

### Nomination for Deputy Chairperson of the Chief Executive Officer Recruitment Committee

To the Chief Executive Officer

I hereby nominate \_\_\_\_\_  
for the position of Deputy Chairperson of the Eastern Metropolitan Regional Council Chief Executive Officer Recruitment Committee for the term of Office commencing on the date of the election and continuing until a new Deputy Chairperson is elected in accordance with Clause 7.4 of the *EMRC Establishment Agreement*.

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date

\* I \_\_\_\_\_ hereby certify that I accept the above nomination to the  
the position of Deputy Chairperson of the Eastern Metropolitan Regional Council Chief Executive Officer Recruitment Committee.

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date

\* This certificate is to be completed when a Representative is nominated by another Representative.





# EASTERN METROPOLITAN REGIONAL COUNCIL

9 May 2024

## Ballot Paper for the Election of the CEO Recruitment Committee Deputy Chairperson

### How to Vote

*(If there are 2 candidates)*

Write the number 1 in the square next to the name of the candidate you want to vote for.

*(If there are 3 or more candidates)*

Write the number 1 in the square next to the name of the candidate who is your first choice.

If you want to, you may show more choices by writing consecutive numbers in the squares next to the names of other candidates in the order of your choice, starting with the number 2 up to the number of candidates listed below.

You do not need to write a number in all the squares.

Do not make any other marks on the Ballot Paper

Cr First Name, Last Name

☐

Cr First Name, Last Name

☐

Cr First Name, Last Name

☐



***Local Government Act 1995***  
***Local Government (Constitution) Regulations 1998***

**Declaration by Elected Deputy Chairperson**  
**Chief Executive Officer Recruitment Committee**

I \_\_\_\_\_ of \_\_\_\_\_  
have been elected to the Office of Deputy Chairperson of the Eastern Metropolitan Regional Council Chief Executive Officer Recruitment Committee, declare that I take the office upon myself and will duly, faithfully, honestly and with integrity, fulfil the duties of the office for the people in the district according to the best of my judgement and ability, and will observe the *Local Government (Model Code of Conduct) Regulations 2021*.

Declared at the EMRC Administration Office  
1<sup>st</sup> Floor  
226 Great Eastern Highway  
Ascot WA 6104

**9 May 2024**

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

**6 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil

**7 QUESTIONS WITHOUT NOTICE**

Nil

**8 ANNOUNCEMENT OF CONFIDENTIAL MATTERS FOR WHICH MEETINGS MAY BE CLOSED TO THE PUBLIC**

NOTE: Section 5.23(2) of the *Local Government Act 1995*, details a number of matters upon which Council may discuss and make decisions without members of the public being present. These matters include: matters affecting employees; personal affairs of any person; contractual matters; legal advice; commercial-in-confidence matters; security matters; among others.

The following confidential reports are covered in Section 11 of this agenda.

➤ CHIEF EXECUTIVE OFFICER RECRUITMENT - SELECTION OF CONSULTANT

**9 EMPLOYEE REPORTS**

Nil

**10 NEW BUSINESS OF AN URGENT NATURE**

Nil

**11 CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC**

**RECOMMENDATION (Closing Meeting to the Public)**

That the meeting be closed to members of the public in accordance with Section 5.23(2) of the *Local Government Act 1995* for the purpose of dealing with matters of a confidential nature.

**COMMITTEE RESOLUTION**

MOVED CR PIFARETTI

SECONDED CR AMES

THAT WITH THE EXCEPTION OF THE CHIEF EXECUTIVE OFFICER, CHIEF FINANCIAL OFFICER, CHIEF SUSTAINABILITY OFFICER, MANAGER HUMAN RESOURCES AND PERSONAL ASSISTANT TO THE CHIEF FINANCIAL OFFICER THE MEETING BE CLOSED TO MEMBERS OF THE PUBLIC IN ACCORDANCE WITH SECTION 5.23(2) OF THE *LOCAL GOVERNMENT ACT 1995* FOR THE PURPOSE OF DEALING WITH MATTERS OF A CONFIDENTIAL NATURE.

**CARRIED UNANIMOUSLY**

Cr Bowman moved a motion that all officers except the CEO leave the meeting.

Cr Piffaretti seconded the motion.

The Chairperson put this to the vote.

#### **COMMITTEE RESOLUTION**

MOVED CR BOWMAN

SECONDED CR PIFFARETTI

THAT WITH THE EXCEPTION OF THE CHIEF EXECUTIVE OFFICER, THE MEETING BE CLOSED TO MEMBERS OF THE PUBLIC IN ACCORDANCE WITH SECTION 5.23(2) OF THE *LOCAL GOVERNMENT ACT 1995* FOR THE PURPOSE OF DEALING WITH MATTERS OF A CONFIDENTIAL NATURE.

**CARRIED UNANIMOUSLY**

The doors of the meeting were closed at 5:41pm.

The Chief Executive Officer remained in the Council Chambers.

#### **11.1 CHIEF EXECUTIVE OFFICER RECRUITMENT - SELECTION OF CONSULTANT (D2024/10176)**

This item is recommended to be confidential in accordance with EMRC Council Policy 4.1 – CEO Appointment, Performance Review and Termination.

See Confidential Item circulated with the Agenda under Separate Cover.

#### **RECOMMENDATION [Meeting re-opened to the Public]**

That the meeting be re-opened, the members of the public be invited to return to the meeting and the recommendations passed behind closed doors be recorded.

#### **COMMITTEE RESOLUTION(S)**

MOVED CR BOWMAN

SECONDED CR PIFFARETTI

THAT THE MEETING BE RE-OPENED, THE MEMBERS OF THE PUBLIC BE INVITED TO RETURN TO THE MEETING AND THE RECOMMENDATIONS PASSED BEHIND CLOSED DOORS BE RECORDED.

**CARRIED UNANIMOUSLY**

The doors of the meeting were opened at 5:58pm.

Recording of the resolutions passed behind closed doors, namely:

**11.1 CHIEF EXECUTIVE OFFICER RECRUITMENT – SELECTION OF CONSULTANT  
(D2024/10176)**

**COMMITTEE RESOLUTION(S)**

MOVED CR PIFFARETTI

SECONDED CR ELLERY

THAT THE CEO RECRUITMENT COMMITTEE:

1. APPOINTS BEILBY DOWNING TEAL AS THE PROFESSIONAL RECRUITMENT CONSULTANT TO ASSIST THE CEO RECRUITMENT COMMITTEE WITH THE RECRUITMENT OF A NEW CEO.
2. REQUESTS THE CEO TO WRITE TO ALL RECRUITMENT COMPANIES WHO SUBMITTED A PROPOSAL TO ADVISE THEM OF THE REQUEST FOR QUOTE PROCESS OUTCOME.
3. REQUESTS THE APPOINTED CONSULTANT PREPARES A SHORTLIST OF INDIVIDUALS TO BE THE “INDEPENDENT PERSON” AS OUTLINED IN PARAGRAPH 11 AND 12.

**MOTION CARRIED 3/1**

**For: Crs Ames, Ellery, Piffaretti**

**Against: Cr Bowman**

**12 FUTURE MEETINGS OF THE CHIEF EXECUTIVE OFFICER RECRUITMENT COMMITTEE**

The next meeting of the Chief Executive Officer Recruitment Committee will be held on a date to be advised at the EMRC Administration Office, 1st Floor, 226 Great Eastern Highway, Ascot WA 6104 at a time to be determined.

**13 DECLARATION OF CLOSURE OF MEETING**

The Chairperson declared the meeting closed at 5:59pm.