



**COMMITTEE ATTACHMENTS
ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 SEPTEMBER 2022**

REPORT NUMBER	REPORT TITLE AND ATTACHMENT DESCRIPTION	PAGE NUMBER(S)
COM01 – 09/22	Review of Local Emergency Management Committee Membership and Terms of Reference Attachments 1. Updated Terms of Reference 2. LEMC Extract from Committee Booklet – Original with notes and changes	1 – 10
COM02 – 09/22	CEO Recruitment Committee Minutes Attachments 1. CEO Recruitment Committee Minutes 290822	11 – 22

Terms of Reference for the Local Emergency Management Committee

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Adopted	<i>Date</i>
Last Reviewed	<i>Date</i>
Review Date	Every 5 years or as required
Associated Legislation	Emergency Management Act 2005
Associated Documents	State Emergency Management Policy and Procedure
Review Responsibility	Shire of Chittering Local Emergency Management Committee



1. Name

Shire of Chittering Local Emergency Management Committee (LEMC)

2. Aim

The aim of the Local Emergency Management Committee is to collaborate with local support organisations, hazard management agencies, and industry representatives, to collectively build a resilient community that is prepared to respond and recover from an emergency or disaster.

3. Objectives

3.1	Develop local emergency management arrangements that are practical to all stakeholders and service agencies.
3.2	Ensure that arrangements are contemporary and relevant to the community and addresses all possible risks and scenarios.
3.3	Participate in inter-local government relations to further emergency management cooperation within the Esperance Goldfields District.
3.4	Engage the community through safety and awareness campaigns, and by disseminating information through social media, media outlets, and public events.
3.5	Participate in interagency training exercises that improve the capabilities and knowledge of the committee, local stakeholders and hazard management agencies.
3.6	Exercise the emergency management arrangements to test their effectiveness in practical applications, and actively strive for continuous improvement.
3.7	Share meeting minutes, committee member experiences and proposed actions with local government elected members, State agencies and the local community.
3.8	Strategise on ways to mitigate potential emergencies and to improve recovery arrangements.

4. Duties and Responsibilities

4.1	Advise and assist the Shire of Chittering in ensuring that local emergency management arrangements are established for its district.
4.2	Liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements.
4.3	Carry out other emergency management activities as directed by the State Emergency Management Committee or prescribed by the regulations.
4.4	Perform at least one emergency training exercise a year to assist improve the capabilities of their community to prepare for, respond to and recover from emergencies.
4.5	After the end of each financial year each local emergency management committee is to prepare and submit to the district emergency management committee for the district an annual report on activities undertaken by it during the financial year.

5. Membership

Membership of the LEMC is representative of agencies, community groups, non-government organisations and expertise relevant to the identified community hazards and risks and emergency management arrangements.

Chair	Councillor
Councillor Proxy	Councillor
Executive Officer	Community Emergency Services Manager
Members	SoC Local Recovery Coordinator
	St John Ambulance Gingin/Chittering
	SoC Deputy Chief Bush Fire Control Officers SoC Local Welfare Liaison Officer
	WA Police – Gingin representative
	Department of Communities representative
	DFES District Officer - North East Metropolitan
	State Emergency Service (Swan) representative
	Department of Defence (RAAF) representative
	Western Australian Meat Industry Authority representative Bindoon
	Primary School representative
	Edmund Rice College representative
	Immaculate Heart College representative
	Country Women's Association representative

Tenure of Membership

Shall be in accordance with the ***Emergency Management Act 2005, Section 38(3)***.



ATTENDANCE BY GOVERNMENT AGENCIES

Services

Department of Communities

Department of Primary Industries & Regional Development

Department of Health

Department of Defence

State Emergency Services

Shire of Chittering

MEMBERSHIP NOTES:

- Special guests may be invited to attend committee meetings as determined by the LEMC;
- Each voting member must nominate a proxy within their agency or organisation to attend if the appointed member is absent;
- Members representing agencies and organisations that can no longer participate in the committee shall advise the Executive Officer of their resignation and nominate an alternative representative for membership;
- Committee membership will be reviewed quarterly to ensure that it is representative of the community and the potential risks and scenarios;
- New members may join the LEMC via resolution of the committee;
- Non-attendance at meetings of voting members without a justifiable apology, or that have not been represented by their proxy will be asked to provide an explanation to the Chairperson. Repeated non-attendance may result in the Chairperson notifying the District Emergency Management Committee.

6. Meeting Management

6.1 Chairperson
The Chairperson shall be an elected member of Council. Council is to appoint the Chairperson and an elected member as the Chairpersons proxy. In the absence of the Chair, the appointed proxy will act as the Deputy Chairperson.
6.2 Deputy Chair
The Local Emergency Coordinator shall be appointed as deputy Chair
6.3 Executive Officer
The LEMC Executive Officer shall be the Community Emergency Services Manager within the Shire of Chittering.
6.4 Quorum
A quorum for the committee will be at least 50% of its voting membership.
6.5 Minutes/Agendas
<p>The Executive Officer shall be responsible for preparing agendas and minutes of all business transacted at each meeting.</p> <p>An administration assistant may be appointed to assist as required to prepare all meeting documentation.</p>
A draft agenda will be emailed to members three (3) weeks prior to the meeting. Members have two weeks to include agenda items and/or comments. The final agenda will be issued to members one week prior to the scheduled meeting.
Copies of the meeting minutes will be made available to Council by way of information at least one month after the committee meeting. Meeting minutes will be forwarded to Committee members within two (2) weeks post the meeting.
6.6 Schedule
<p>Meetings will be held quarterly throughout the financial year and scheduled by the Committee in the last meeting of the calendar year. The fourth Wednesday of the following months: February, May, August and November.</p> <p>Additional meetings will be convened if and as required at the discretion of the Chairperson.</p>
6.7 Authority
The LEMC shall not have the authority or power to commit the Council or the Shire of Chittering or any association, organisation, group or individual to expenditure without the Shire's endorsement.
The LEMC shall be required to gain Council approval if the Committee wishes to alter these Terms of Reference.

1.1 *Local Emergency Management Committee*

1.13.1 *Membership*

As at 20 October 2021:

Members	Deputies
Chair Cr Kylie Hughes	Deputy Chair Cr Aaron King
Chief Executive Officer	
Community Emergency Services Manager Chief Bush Fire Control Officer	Deputy Chief Bush Fire Control Officer Southern/Northern Region
Local Welfare Liaison Officer	
St John Ambulance Gingin/Chittering	
WA Police – Gingin	
DFES District Officer – Metropolitan North East	
Department for Communities	
Department of Defence	
WA Meat Industry Authority	
Bindoon Primary School	
Edmund Rice College	
Immaculate Heart College	



**Quorum**

9 Members

1.13.2**Terms of Reference**

Adopted by Council 22 October 2019

1.13.3**Functions****1.13.3.1****NAME**

The name of the Committee shall be the Local Emergency Management Committee hereinafter referred to in its abbreviated form as LEMC.

1.13.3.2**DISTRICT**

The LEMC shall operate within the local government boundaries of the Shire of Chittering.

1.13.3.3**VISION**

Our vision is for the Shire of Chittering to have an efficient and responsive emergency management.

1.13.3.4**GUIDING PRINCIPLES**

Nil

1.13.3.5**ESTABLISHMENT**

The LEMC is established pursuant to *Section 5.8* of the **Local Government Act 1995** and *Section 38* of the **Emergency Management Act 2005**.

1.13.3.6**OBJECTIVES**

- (a) To plan, administer and test the Local Emergency Management Arrangements.
- (b) To keep the contact details up to date in the Local Emergency Management Arrangements.
- (c) Meet and produce post-incident reports.
- (d) Meet and produce post-exercise reports.
- (e) Produce an Annual report.
- (f) Produce and approve an Annual Business Plan.

The Committee will advise the local government all matters relating to Emergency Management.

Shall be in accordance with the **Emergency Management Act 2005**, Section 39.

The functions of a local emergency management committee are, in relation to its district or the area for which it is established —

- (a) *to advise and assist the local government in ensuring that local emergency management arrangements are established for its district;*
- (b) *to liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and*
- (c) *to carry out other emergency management activities as directed by the OEM or prescribed by the regulations.*

1.13.3.7**MEMBERSHIP**

Membership

Membership of the LEMC is representative of agencies, community groups, non-government organisations and expertise relevant to the identified community hazards and risks and emergency management arrangements.

Chair	President
Deputy Chair	Deputy President
Executive Officer	Community Emergency Services Manager / Chief Bush Fire Control Officer
Members	SoC Local Recovery Coordinator
	SoC President
	St John Ambulance Gingin/Chittering
	SoC Deputy Chief Bush Fire Control Officers
	SoC Local Welfare Liaison Officer
	WA Police – Gingin representative
	Department for Communities representative
	DFES District Officer - North East Metropolitan
	RAAF Defence representative
	Western Australian Meat Industry Authority representative
	Bindoon Primary School
	Edmund Rice College
	Immaculate Heart College

Tenure of Membership

Shall be in accordance with the ***Emergency Management Act 2005***, Section 38(3).

1.13.3.8 ATTENDANCE BY GOVERNMENT AGENCIES

Department of Fire and Emergency Services
Department for Communities

1.13.3.9 DELEGATED AUTHORITY

Nil

1.13.3.10 COMMITTEE

Presiding Member

Shire of Chittering Councillor

Secretary

A Shire staff officer will fulfil the role of Secretary (non-voting)

Standing Ex-Officio Members

1.13.3.11 NilMEETINGS

Annual General Meeting

Nil

Committee meetings


Meetings shall be held quarterly

Quorum

At least 50% of the members of the Committee.

Voting

Shall be in accordance with the ***Local Government Act 1995***, Section 5.21.

- 
- (1) *Each council member and each member of a committee who is present at a meeting of the council or committee is entitled to one vote.*
 - (2) *Subject to section 5.67, each council member and each member of a committee to which a local government power or duty has been delegated who is present at a meeting of the council or committee is to vote.*
 - (3) *If the votes of members present at a council or a committee meeting are equally divided, the person presiding is to cast a second vote.*
 - (4) *If a member of a council or a committee specifically requests that there be recorded —*
 - (a) *his or her vote; or*
 - (b) *the vote of all members present,**on a matter voted on at a meeting of the council or the committee, the person presiding is to cause the vote or votes, as the case may be, to be recorded in the minutes.*
 - (5) *A person who fails to comply with subsection (2) or (3) commits an offence.*

Minutes

Shall be in accordance with the **Local Government Act 1995**, Section 5.22(1).

- (1) *The person presiding at a meeting is to ensure that minutes are kept of the meeting's proceedings.*

A copy of the unconfirmed minutes shall be forwarded to all LEMC members within five to 10 days of the meeting for endorsement at the next meeting.

LEMC recommendations arising from the minutes shall be presented to Council in the next available Council agenda for endorsement and/or action.

The person presiding at the meeting at which the minutes are confirmed is to sign the minutes and certify confirmation.

Who acts if no presiding member?

In accordance with the provisions of the **Local Government Act 1995**, Section 5.14.

*If, in relation to the presiding member of a committee—
the office of a presiding member and the office of deputy presiding member are vacant; or the presiding member and the deputy presiding member, if any, are not available or are unable or unwilling to perform the functions of the presiding member, then the committee members present at the meeting are to choose one of themselves to preside at the meeting.*

Meetings

Meetings shall be open to the public pursuant to the **Local Government Act 1995**, Section 5.23 and is not required to have questions from the public as there are no Council delegations.

Working groups

The LEMC may appoint any of its members to a working group to carry out specific tasks. A working group will undertake only those duties specified by the Committee.

Power of the Council

Nothing herein contained shall restrict the powers of Council.





COMMITTEE MINUTES

CEO Recruitment Committee

6pm, Monday 29 August 2022

Council Chambers, 6177 Great Northern Highway, Bindoon

PREFACE

When the Chief Executive Officer approves these minutes for distribution they are in essence "Unconfirmed" until the following CEO Recruitment Committee meeting, where the minutes will be confirmed subject to any amendments.

The "Confirmed" minutes are then signed off by the Presiding Member.

Attachments that formed part of the agenda, in addition to those tabled at the Chattering Audit & Risk Committee meeting are put together as an addendum to these Minutes.

UNCONFIRMED MINUTES

These CEO Recruitment Committee minutes were approved for distribution on 2 September 2022.



Matthew Gilfellon
Chief Executive Officer

CONFIRMED MINUTES

These CEO Recruitment Committee minutes were confirmed at the CEO Recruitment Committee meeting held on

Signed _____

NOTE: the Chairperson at the meeting at which these minutes are confirmed is the person who signs above.

OBJECTIVES

The purpose of the Chief Executive Officer Recruitment Committee is to conduct the recruitment and selection process for a new Chief Executive Officer in accordance with the principles of merit, equity and transparency and consistent with Council's adopted Policy 3.26 Standards for Recruitment of CEO's.



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Good evening Councillors and staff, ladies and gentlemen, we wish to acknowledge the traditional custodians of the land we are meeting on, the Yued people. We would like to pay respect to the Elders of the Nyoongar nation, past and present, who have walked and cared for the land, we acknowledge and respect their continuing culture, and the contributions made to this region.

ITEM 1. DECLARATION OF OPENING OF MEETING / ANNOUNCEMENTS OF VISITORS

The Chief Executive Officer opened the Meeting at 6.03pm.

ITEM 2. ELECTION OF PRESIDING AND DEPUTY PRESIDING MEMBER

In accordance with s5.12 of the *Local Government Act 1995*, members of the CEO Recruitment Committee are required to elect their Presiding Member and Deputy presiding member from amongst themselves.

The presiding member elected by the committee is to preside at meetings of the committee.

If, in relation to the presiding member of a committee:

- a) the office of presiding member is vacant, or
- b) the presiding member is not available or is unable or unwilling to perform the functions of presiding member, then the deputy presiding member, if any, may perform the functions of presiding member.

If, in relation to the presiding member of a committee:

- a) the office of presiding member and the office of deputy presiding member are vacant, or
- b) the presiding member and the deputy presiding member, if any, are not available or are unable or unwilling to perform the functions of presiding member, then the committee members present at the meeting are to choose one of themselves to preside at the meeting.

Election of Presiding Member

Cr Ross was nominated unopposed and elected to the position of Presiding Member. The Chief Executive Officer handed the meeting over to the Presiding Member.

Election of Deputy Presiding

Cr Angus was nominated unopposed and elected to the position of Deputy Presiding Member.

ITEM 3. RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE**Attendance**

The following members were in attendance:

Cr Aaron King	President
Cr Mary Angus	Deputy President
Cr Kylie Hughes	
Cr Carmel Ross	

The following staff were in attendance:

Matthew Gilfellon	Chief Executive Officer
Denaye Kerr	EA to the CEO

Apologies

Nil

Approved leave of absence

Cr John Curtis

ITEM 4. DISCLOSURE OF INTEREST

Members of the Committee are bound by the provisions of the Local Government Act 1995, Section 5.65 with respect to disclosure of financial, impartiality or proximity interests.

ITEM 5. PUBLIC QUESTION TIME**5.1 Public question time**

Meetings shall be generally open to the public pursuant to the Local Government Act 1995, s5.23 and include question time for members of the Committee pursuant to the Local Government Act 1995, s5.24.

ITEM 6. CONFIRMATION OF MINUTES

As this is the first CEO Recruitment Committee Meeting there are no minutes for confirmation at this time.

ITEM 7. REPORTS

CEORC01 – 08/22 Appointment of Human Resources Consultant

Applicant	N/A
File ref	22/02/83
Author	Executive Assistant
Authorising Officer	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	<ol style="list-style-type: none"> 1. Quote from Mills Recruitment (Confidential) 2. Quote from Lester Blades (Confidential) 3. Quote from LOGO Appointments (Confidential) 4. Quote from Chandler Macleod (Confidential)

	Authority / Discretion	Definition
<input type="checkbox"/>	Advocacy	<i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input checked="" type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>When Council initiates or adopts a policy position, or a local law</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include development applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal</i>
<input type="checkbox"/>	Information	<i>Includes items for information purposes only and do not require a decision of Council (to 'note' only)</i>

Executive Summary

The Committee is requested to acknowledge receipt of four quotes and appoint one as the Recruitment Consultant for the CEO Recruitment Committee.

Background

Council adopted at the 17 August Ordinary Council Meeting the following resolution:

<p>OFFICER RECOMMENDATION / COUNCIL RESOLUTION 100822</p> <p>Moved Cr Hughes, seconded Cr Ross</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Notes and accepts the resignation of Mr Matthew Gilfellow as Chief Executive Officer dated 28 July 2022, with the last working day to be 21 October 2022 and a termination date of 30 October 2022; 2. Approves the Terms of Reference of the CEO Recruitment Committee as per Attachment 1; 3. Establishes the CEO Recruitment Committee, comprising the following members: <ol style="list-style-type: none"> a. Cr Aaron King b. Cr Mary Angus c. Cr Carmel Ross d. Cr Kylie Hughes e. Cr John Curtis f. One independent member;

4. Delegates to the CEO Recruitment Committee all powers necessary to enable the Committee to undertake all the administrative aspects of the recruitment process including:
 - a. Appointment of a professional recruitment consultant;
5. Instructs the CEO to undertake a request for quote process for the appointment of an external recruitment consultant in relation to the recruitment of a new CEO;
6. Instructs the CEO to conduct an Expression of Interest process, on advice from the CEO Recruitment Committee, for an Independent Committee member with the Expressions of Interest received to be presented to Council at the September 2022 Ordinary Meeting of Council or as soon as practicable after this meeting;
7. Approves additional Budget allocation for the external recruitment consultant.

CARRIED BY ASBOLUTE MAJORITY 6 / 0

TIME: 7.59PM

As per clause 5 of the resolution, the Chief Executive Officer has requested quotes from the following recruitment companies:

- Mills Recruitment
- Lester Blades
- LOGO Appointments
- Chandler and Macleod
- John Phillips Consulting
- Price Consulting – Natalie Lincolne

John Phillips and Natalie Lincolne declined to quote.

The four submissions received are attached to this item for review.

Consultation Summary

Local

Nil

State

Nil

Legislative Implications

State

Nil

Local

Nil

Policy Implications

State

Nil

Local

- Policy 3.26 Standards for Recruitment of CEO's

Financial Implications

Council approved at its Ordinary Meeting held 17 August 2022, additional Budget allocation for the external recruitment consultant.

Strategic Assessment / ImplicationsLocal

- Strategic Community Plan 2022-2032

Focus area: Administration and Governance

Objective: S5.2 Accountable and Transparent Governance

Strategy: S5.2.2 Responsible, sustainable and planned use of the Shire's financial resources

State

Nil

Site Inspection

Not applicable

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Risk Category: Compliance	Possible	Moderate	Moderate	By forming this committee and selecting an external consultant, compliance will be met.
Opportunity: Nil				

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Risk Category: Financial Impact	Possible	Minor	Moderate	Council approved at its Ordinary Meeting held 17 August 2022, additional Budget allocation for the external recruitment consultant.
Opportunity: Nil				

Officer Comment/Details

Nil

COMMITTEE RECOMMENDATION / RESOLUTION

Moved Cr Angus, seconded Cr Hughes

That Mills Recruitment be appointed to the Chief Executive Officer Recruitment Committee for the 2022/23 CEO Recruitment process.

CARRIED UNANIMOUSLY 4 / 0

TIME: 6.15PM

CEORC02 – 08/22 Appointment of Independent Person to the Shire of Chittering CEO Recruitment Committee

Applicant	N/A
File ref	22/02/83
Author	Executive Assistant
Authorising Officer	Chief Executive Officer
Disclosure of interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure
Voting requirements	Simple Majority
Attachments	Nil

	Authority / Discretion	Definition
<input type="checkbox"/>	Advocacy	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/>	Executive	The substantial direction setting and oversight role of Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/>	Legislative	When Council initiates or adopts a policy position, or a local law
<input type="checkbox"/>	Quasi-Judicial	When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include development applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal
<input type="checkbox"/>	Information	Includes items for information purposes only and do not require a decision of Council (to 'note' only)

Executive Summary

The Committee is requested to instruct the Chief Executive Officer to commence advertising for expression of interests for an independent person to be appointed to the CEO Recruitment Committee.

Background

On 3 February 2021 the following Department of Local Government Standards came into effect when undertaking the recruitment of a new Chief Executive Officer:

"Local governments are required to establish a selection panel to conduct the recruitment and selection process. The selection panel must be made up of council members and at least one independent person(s) who is not a current council member, human resources consultant, or employee of the local government. The independent person(s) should have experience in the recruitment and selection of CEO's and/or senior executives."

Consultation Summary

Local

Nil

State

Nil

Legislative Implications

State

- Department of Local Government Guidelines

Local

Nil

Policy ImplicationsState

Nil

Local

- Policy 3.26 Standards for Recruitment of CEO's

Financial Implications

There will be no additional costs incurred for the advertising of the expression of interest.

Strategic Assessment / ImplicationsLocal

- Strategic Community Plan 2022-2032

Focus area: Administration and Governance

Objective: S5.2 Accountable and Transparent Governance

Strategy: S5.2.2 Responsible, sustainable and planned use of the Shire's financial resources

State

Nil

Site Inspection

Not applicable

Risk Assessment / Implications

Risk	Likelihood	Consequences	Risk Analysis	Mitigation
Risk Category: Reputation	Possible	Insignificant	Low	The Expressions of Interest will be reviewed and selected by the Committee.
Opportunity: Nil				

Officer Comment/Details

Nil

COMMITTEE RECOMMENDATION

That advertising for expression of interests for an independent person to be appointed to the CEO Recruitment Committee commence, with the criteria expressed to the Chief Executive Officer.

MOTION

Moved Cr King, seconded Cr Angus

That Standing Orders be suspended.

CARRIED UNANIMOUSLY 4 / 0

TIME: 6.18PM

MOTION

Moved Cr Ross, seconded Cr Angus
That Standing Orders be resumed.

CARRIED UNANIMOUSLY 4 / 0

TIME: 6.36PM

MOTION / RESOLUTION

Moved Cr Angus, seconded Cr Hughes

1. That the following advice be given to the Chief Executive Officer:
 - Mills Recruitment be requested to assist the Chief Executive Officer and Committee in developing the criteria for the Independent Committee Member;
 - That the Committee receive, consider and adopts criteria prior to advertising;
 - That the Committee assess applications received and identify the preferred candidate;
2. The CEO Recruitment Committee make the recommendation to Council on the Independent member

CARRIED UNANIMOUSLY 4 / 0

TIME: 6.36PM

ITEM 8. CLOSURE

The Presiding Member closed the meeting at 6.37pm.