

Hepburn

SHIRE COUNCIL

Confirmed at the Ordinary Meeting of Council held 16 February 2021



Chair, Cr Lesley Hewitt, Mayor

HEPBURN SHIRE COUNCIL SPECIAL MEETING OF COUNCIL PUBLIC MINUTES

Tuesday 19 January 2021

Virtual Meeting
via Video Conference

6:00 PM

A LIVE STREAM OF THE MEETING CAN BE VIEWED
VIA [COUNCIL'S FACEBOOK PAGE](#)

MINUTES

Tuesday 19 January 2021

Virtual Meeting

via Video Conference

Commencing at 6:00 PM

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BRADLEY THOMAS

ACTING CHIEF EXECUTIVE OFFICER

Tuesday 19 January 2021

1 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

We would like to acknowledge we are meeting on Jaara people country, of which members and elders of the Dja Dja Wurrung community and their forebears have been custodians for many centuries.

On this land, the Jaara people have performed age old ceremonies of celebration, initiation and renewal.

We acknowledge their living culture and their unique role in the life of this region.

2 OPENING OF MEETING

COUNCILLORS PRESENT: Cr Brian Hood, Cr Don Henderson, Cr Jen Bray, Cr Juliet Simpson, Cr Lesley Hewitt, Cr Tessa Halliday, Cr Tim Drylie

OFFICERS PRESENT: Mr Evan King - Chief Executive Officer, Mr Bradley Thomas - Director Community and Corporate Services, Mr Bruce Lucas - Director Infrastructure and Development Services, Mr Chris Whyte – Manager Information and Communication Technology, Ms Krysten Forte - Manager Governance and Risk

The meeting opened at 6:04pm.

STATEMENT OF COMMITMENT

“WE THE COUNCILLORS OF HEPBURN SHIRE
DECLARE THAT WE WILL UNDERTAKE ON EVERY OCCASION
TO CARRY OUT OUR DUTIES IN THE BEST INTERESTS OF THE COMMUNITY
AND THAT OUR CONDUCT SHALL MAINTAIN THE STANDARDS OF THE CODE OF
GOOD GOVERNANCE
SO THAT WE MAY FAITHFULLY REPRESENT AND UPHOLD THE TRUST PLACED IN THIS
COUNCIL BY THE PEOPLE OF HEPBURN SHIRE”

3 APOLOGIES

Nil.

4 DECLARATIONS OF CONFLICTS OF INTEREST

Nil.

5 OFFICER REPORTS

5.1 APPOINTMENT OF AN INTERIM CHIEF EXECUTIVE OFFICER AND RECRUITMENT OF A PERMANENT CHIEF EXECUTIVE OFFICER

CHIEF EXECUTIVE OFFICER

In providing this advice to Council as the Acting Manager Governance and Risk, I Rebecca Smith have no interests to disclose in this report.

ATTACHMENTS

1. CONFIDENTIAL - Letter - Offer of Higher Duties - Interim Chief Executive Officer [5.1.1 - 1 page]

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider appointment of an Interim Chief Executive Officer (CEO) to achieve continuity with the departure of Mr Evan King until a new CEO is appointed.

OFFICER'S RECOMMENDATION

That Council:

1. *Acknowledges and accepts the resignation of Mr Evan King as Chief Executive Officer effective 14 February 2021, with annual leave from the 30 January 2021;*
2. *Acknowledges and thanks Evan King for his professionalism while in the role and acknowledge the many projects and activities undertaken under his leadership;*
3. *Appoints _____ as Interim Chief Executive Officer from 30 January 2021 for a period of not more than twelve months or until the commencement of the new Chief Executive Officer (whichever is sooner), with employment conditions per the confidential attachment;*
4. *Approve the Mayor to sign a variation of employment for _____ as Interim Chief Executive Officer;*
5. *Notes that all delegations from the Council to the Chief Executive Officer apply to the Interim Chief Executive following their appointment; and,*
6. *Endorses the formulation of a sub committee consisting of Councillors _____ and chaired by Cr Lesley Hewitt to seek proposals and engage a recruitment company to assist Council in the recruitment of a new Chief Executive Officer.*

MOTION

That Council:

- 1. Acknowledges and accepts the resignation of Mr Evan King as Chief Executive Officer effective 14 February 2021, with annual leave from the 30 January 2021;*
- 2. Acknowledges and thanks Evan King for his professionalism while in the role and acknowledge the many projects and activities undertaken under his leadership;*

Moved: Cr Don Henderson

Seconded: Cr Jen Bray

Carried

MOTION

That Council:

- 3. Appoints Mr Bradley Thomas as Interim Chief Executive Officer from 30 January 2021 for a period of not more than twelve months or until the commencement of the new Chief Executive Officer (whichever is sooner), with employment conditions per the confidential attachment;*
- 4. Approve the Mayor to sign a variation of employment for Mr Bradley Thomas as Interim Chief Executive Officer;*
- 5. Notes that all delegations from the Council to the Chief Executive Officer apply to the Interim Chief Executive following their appointment.*

Moved: Cr Brian Hood

Seconded: Cr Tim Drylie

Carried

MOTION

That Council:

- 6. Endorses the formulation of a sub committee consisting of Councillors Brian Hood and Don Henderson and chaired by Cr Lesley Hewitt to seek proposals and engage a recruitment company to assist Council in the recruitment of a new Chief Executive Officer.*

Moved: Cr Tessa Halliday

Seconded: Cr Jen Bray

Carried

BACKGROUND

CEO Mr Evan King resigned from Council with his last effective day of employment being Sunday 14 February 2021. Mr King is also taking leave from 30 January 2021 until 14 February 2021 inclusive.

The *Local Government Act 1989* allows for the appointment of an Acting CEO for a period of not more than 12 months while recruitment for a permanent CEO is undertaken.

KEY ISSUES

During the period of Mr King's leave and during the recruitment and selection process for a new CEO, the appointment of an Interim CEO will enable continuity for Council services and operations.

To commence recruitment for a permanent CEO, Council will appoint a panel to select a recruitment company to conduct canvassing for a permanent CEO.

POLICY AND STATUTORY IMPLICATIONS

Section 94 (1) of the *Local Government Act 1989* requires that Council must appoint a natural person to be its CEO. Section 94 (1A) requires that Council must make a permanent appointment as soon as is reasonably practicable after the vacancy arises. Section 94 outlines the conditions required to be met for appointment of a permanent CEO, including public advertising.

Section 94(4A) allows for Council to appoint an acting CEO for up to 12 months.

GOVERNANCE ISSUES

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

SUSTAINABILITY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The proposed employment conditions, including remuneration, are as per the attached letter of offer of employment.

RISK IMPLICATIONS

All delegations from Council to the Chief Executive Officer apply to the Interim Chief Executive Officer. Delegation from the Chief Executive Officer to staff continue to be in effect until revoked.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Following the appointment of the Interim CEO, Council will share this publicly via a media release and through our Advocate page, website and Facebook page.

6 CLOSE OF MEETING

The Meeting closed at 6:31pm.