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## Attachments

Nil

# Agenda



For a special meeting of the seventh Campaspe Shire Council to be held on Tuesday 7 May 2019, commencing at 5:00pm at the Echuca Civic Centre.

## Opening Prayer

We pray to Almighty God that our decisions as a Council be in the best interest of the people, culture and the environment of the Shire of Campaspe.

Amen

The Campaspe Shire Council acknowledges the traditional owners of the land upon which we meet and pay our respect to their elders both past and present.

## Meeting Procedures

Please ensure that all electronic devices are turned off or switched to silent.

Council meetings are broadcast live via the internet. During the meeting, members of the public may be recorded, particularly those speaking to an item. By attending this meeting, you are consenting to the possibility that your image may also be broadcast to the public. Any personal and health information voluntarily disclosed by any person at Council meetings may be broadcast live, held by Council and made available to the public for later viewing.

Those people who have requested to speak to an item will be allowed five minutes to address Council. Speakers will be notified with a bell when there is 60 seconds remaining. Speakers must only speak in relation to the subject stated on their application and shall not debate the issue with Councillors and officers. Councillors are able to ask questions of the speaker on points of clarification.

Speakers are advised that they do not enjoy any special protection from defamation arising from comments made during their presentation to Council and should refrain from voicing defamatory remarks or personal defamatory statements against any individual. Speakers will be treated with respect when addressing Council. I ask that the same respect is extended to Councillors and officers.

# Business

## 1. Apologies

## 2. Declaration of Interests

Disclosure of Conflict of Interests are to be made immediately prior to any relevant item being discussed.

*Local Government Act 1989 Section 79*

- (1) If a Councillor or member of a special committee has a conflict of interest in a matter which is to be considered or discussed at a meeting of the Council or the special committee, the Councillor or member must, if he or she is attending the meeting, disclose the conflict of interest in accordance with subsection (2).
- (2) A Councillor or member of a special committee who has a conflict of interest and is attending the meeting of the Council or special committee must make a full disclosure of that interest:
  - (a) by either
    - (i) advising the Council or special committee at the meeting of the details required under paragraphs (b) and (c) immediately before the matter is considered at the meeting; or
    - (ii) advising the Chief Executive Officer in writing of the details required under paragraphs (b) and (c) before the meeting; and
  - (b) classifying the type of interest that has given rise to the conflict as either:
    - (i) a direct interest; or
    - (ii) an indirect interest and specifying the particular kind of indirect interest under section 78, 78A, 78B, 78C, 78D or 78E; and
  - (c) describing the nature of the interest; and
  - (d) if the Councillor or member advised the Chief Executive Officer of the details under paragraph (a)(ii), the Councillor or member must make a disclosure of the class of interest only to the meeting immediately before the matter is considered at the meeting.

### 3. Appointment of Acting Chief Executive Officer

**Author:**

Paul McKenzie, Acting Chief Executive Officer

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#### 1. Purpose

To extend Fleur Cousins' period of appointment as Acting Chief Executive Officer, until 9:00am Monday 27 May 2019.

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#### 2. Recommendation

**That Council extends the appointment of Fleur Cousins in the position of Acting Chief Executive Officer for the period commencing 5:00pm Friday 25 May 2019 until 9:00am Monday 27 May 2019.**

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#### 3. Conflict of Interest

In accordance with Section 80B of the *Local Government Act 1989*, the officer preparing this report declares no conflict of interest regarding this matter.

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#### 4. Charter of Human Rights

This report has considered and complies with the Human Rights and Responsibilities contained in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

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#### 5. Instrument of Delegation

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer in so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

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#### 6. Background

Council's previous Chief Executive Officer (CEO) Mr Jason Russell ceased employment with Campaspe Shire Council at 5:00pm on Friday, 12 April 2019. Council appointed Paul McKenzie to the position of Acting Chief Executive Officer for the period commencing 5:00pm Friday, 12 April 2019 until 5:00pm Friday 3 May 2019 and Ms Fleur Cousins to the position of Acting Chief Executive Officer for the period commencing 5:00pm Friday 3 May 2019 to 5:00pm Friday 24 May 2019.

The *Local Government Act 1989* allows Council to appoint a person to be Acting CEO for a period of up to 12 months and provides that the appointment of a new CEO must be made by Council at a Council meeting.

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#### 7. Issues and Risk Management

**Issues:**

It is a requirement of the Local Government Act for Council to have a CEO in place at all times. The extension of appointment will facilitate this requirement being met.

**Risk:**

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

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## 8. Strategic Planning Environments

Strong and Engaged Communities: No Impact

Resilient Economy: No Impact

Healthy Environment: No Impact

Balanced Services and Infrastructure: No Impact

Responsible Management: Ensuring the ongoing appointment of an Acting CEO while Council undertakes a process to appoint a CEO aligns with providing responsible management and complying with the obligations of the Local Government Act 1989.

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## 9. Consultation

No consultation has been undertaken in the preparation of this report.

## 4. Closed Session of the Meeting to the Public

### Recommendation

That pursuant to the provisions of the *Local Government Act 1989*, the meeting will now be closed to members of the public to enable the meeting to discuss matters in item 5 which the Council may, pursuant to the provisions of Section 89(2) of the *Local Government Act 1989* (the Act) resolve to be considered in Closed Session, being a matter contemplated by Section 89(2) of the Act, as follows:

- (a) personnel matters

## 5. Confidential Business

### 5.1 89(2)(a) personnel matters

## 6. Confidential Council Meeting Close

89(2)(h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person

## 7. Items Determined to be no Longer Confidential

## 8. Open Meeting to the Public

### Recommendation

That Council resolves to open the meeting to the public at

## 9. Close Meeting

Paul McKenzie

Acting Chief Executive Officer