



Special Meeting of Council Minutes

Bannockburn Shire Hall

Tuesday 24 January 2017

3.32pm – 3.36pm

Our Vision

Golden Plains Shire offers a lifestyle and opportunities that foster social, economic and environmental wellbeing.

In partnership with the community we will provide strong leadership, encourage sustainable development and ensure quality services, to continue to improve the quality of life of residents.

Opening Prayer

*Almighty God,
Help us to undertake our duties impartially and honestly,
in the best interests of the people of the Golden Plains Shire.
We make this prayer through Jesus Christ Our Lord.
Amen.*

Acknowledgement of Traditional Custodians

That Council acknowledge the traditional custodians of the land on which we reside and work, the Wathaurong people.

Code of Conduct Principles

WORKING TOGETHER

We Councillors will:

- acknowledge and respect that a diversity of opinion exists among us;
- recognise that each of us has different life experience, knowledge and values, and that all of these contribute collectively to our discussions;
- behave with courtesy towards each other, Council officers and our citizens;
- conform to the policy and precedents that guide the conduct of meetings;
- attend punctually and participate in all relevant meetings, workshops and briefings;
- share reasonably in the representation, ceremonial and hosting tasks of the full Council; and
- honour the majority decisions made by the Council, irrespective of our own position, and explain these decisions frankly to the community, once made.

BEHAVING WITH INTEGRITY

We Councillors will:

- identify our financial and personal interest, or potential interest, in any matter that comes before the Council;
- be honest and truthful;
- comply with laws and the regulations deriving there from;
- respect Council property and be frugal in its use, where allowed;
- avoid using our position for personal gain or to achieve advantage over others or to obtain preferential treatment;
- be sympathetic to the legitimate concerns of our citizens;
- act impartially when making decisions and have due regard to the needs of the community as a whole, rather than that of narrow vested interest; and
- acknowledge the role of Council officers in providing advice to us and in implementing Council decisions.

MAKING COMPETENT DECISIONS

We Councillors will:

- without diminishing the short term focus, approach decisions with due regard to the long term needs of the municipality;
- form policies with regard to the needs of the entire Shire;
- direct our attentions to the strategic and statutory needs of the municipality rather than short term, transient, operational issues;
- seek to fully inform ourselves on the issues before Council before making a decision;
- take all reasonable steps to improve our knowledge of matters relevant to our municipal duties; and
- use and respect the professional knowledge of Council officers and other advisers to Council.

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1. PRESENT

Cr Des Phelan
Cr David Evans
Cr Joanne Gilbert
Cr Nathan Hansford
Cr Helena Kirby
Cr Les Rowe
Cr Owen Sharkey

Mayor

Rod Nicholls
Greg Anders
Jillian Evans
Richard Trigg
Petra Neilson

Chief Executive Officer
Director Assets & Amenity
Director Community Services
Director Corporate Services
Council Support Officer

Gallery

Nil

2. APOLOGIES

Nil

3. DECLARATIONS OF INTEREST

Nil

4. REPORTS

4.1. KEY RESULT AREA – CIVIC LEADERSHIP

4.1.1 Review of Councillor Code of Conduct

Department	Corporate Services
Unit	Corporate Services
Senior Manager	Richard Trigg, Director Corporate Services
Responsible Manager	Richard Trigg, Director Corporate Services
Author	Richard Trigg, Director Corporate Services
File References	EDMS file: 02-03-005
Council Plan Link	
Relevant Council Strategies	
Relevant Policies & Legislative Frameworks	Local Government Act 1989
Attachments	1. Councillor Code of Conduct V9 dated 24 January 2017

Declarations of Interest: Councillors & Officers

Richard Trigg: In providing this advice as the senior manager, responsible manager and author, I have no disclosable interest in this report.

Purpose

The purpose of this report is to adopt the Councillor Code of Conduct V9 dated 24 January 2017 (The Code) as required by section 76C of the *Local Government Act* 1989.

Background

The purpose of the Code is to bring together, in one document, a set of agreed behaviours and attitudes, to articulate relevant sections of the Act and to provide an internal resolution procedure, all of which is committed to by each Councillor making a written declaration that “they will abide by the Councillor Code of Conduct”.

Section 76C (2) of the *Local Government Act* 1989 states that a Council must within the period of 4 months after a general election—

- (a) call a special meeting solely for the purpose of reviewing the Councillor Code of Conduct; and
- (b) at that special meeting, approve any amendments to be made to the Councillor Code of Conduct determined by the Council to be necessary following the review of the Councillor Code of Conduct.

The Special Meeting has been called for Tuesday 24 January 2017 at 3.30 pm prior to the Council meeting.

Discussion

The current Code is version 8 of April 2016, which was prepared after information was gathered from workshops hosted by peak bodies, legal advice from Macquarie Local Government Lawyers, examples from other Councils and a Best Practice Template issued by the MAV.

Version 8 has been updated to Version 9 following advice from Macquarie Lawyers and a review by Councillors at a Workshop held in December 2016. At that Workshop, Council resolved to accept the changes and present it to a Special Meeting for adoption.

Section 76C(6A) requires that within one month of amendments to a Councillor Code of Conduct being approved, a Councillor must make a declaration stating that they will abide by the Councillor Code of Conduct. A declaration by a Councillor under subsection (6A) must be in writing and witnessed by the Chief Executive Officer. Sanctions apply to any Councillor who does not sign the Code of Conduct.

Community Engagement

A formal consultation process is not required.

Financial and Risk Management Implications

It is considered that there are no financial implications.

Economic, Social and Environmental Implications

It is considered that there are no environmental implications.

Communications

It is considered that a communication plan is not required.

Conclusion

The revised Councillor Code of Conduct is consistent with the existing version, applicable legislation and legal advice. These matters were discussed and agreed to by Councillors at the December 2016 workshop.

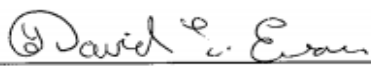

Moved Crs Hansford/Kirby

That Council:



1. **adopt the updated Councillor Code of Conduct, being Version 9 dated 24 January 2017; and**
2. **invites all Councillors to sign the Endorsement Page, witnessed by the Chief Executive Officer within the prescribed period.**

Carried



Cr David Evans

Golden Plains Shire Council	
Councillor Code of Conduct	
I declare that I will abide by the Councillor Code of Conduct, version 9 adopted at the Special Meeting of Council (section 76C (1) of the Local Government Act 1989) held on 24 th January 2017.	
Declared by	David Evans
Signature:	
Date:	24-01-2017
Witness:	 Rod Nicholls, Chief Executive Officer
Date:	24/1/17

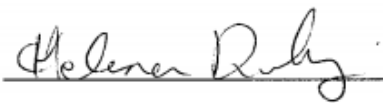

Cr Joanne Gilbert

Golden Plains Shire Council Councillor Code of Conduct	
<p>I declare that I will abide by the Councillor Code of Conduct, version 9 adopted at the Special Meeting of Council (section 76C (1) of the <i>Local Government Act 1989</i>) held on 24th January 2017.</p>	
Declared by	_____ Joanne Gilbert _____
Signature:	_____  _____
Date:	_____ 24.1.2017 _____
Witness:	_____  _____ Rod Nicholls, Chief Executive Officer
Date:	_____ 24/1/17 _____



Cr Nathan Hansford

Golden Plains Shire Council Councillor Code of Conduct	
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Declared by	_____ Nathan Hansford _____
Signature:	_____  _____
Date:	_____ 24/01/2017 _____
Witness:	_____  _____ Rod Nicholls, Chief Executive Officer
Date:	_____ 24/1/17 _____

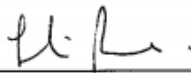

Cr Helena Kirby

Golden Plains Shire Council	
Councillor Code of Conduct	
I declare that I will abide by the Councillor Code of Conduct, version 9 adopted at the Special Meeting of Council (section 76C (1) of the <i>Local Government Act 1989</i>) held on 24 th January 2017.	
Declared by	_____ Helena Kirby _____
Signature:	_____  _____
Date:	_____ 24/01/2017 _____
Witness:	_____  _____
	Rod Nicholls, Chief Executive Officer
Date:	_____ 24/1/17 _____



Cr Des Phelan

Golden Plains Shire Council	
Councillor Code of Conduct	
I declare that I will abide by the Councillor Code of Conduct, version 9 adopted at the Special Meeting of Council (section 76C (1) of the <i>Local Government Act 1989</i>) held on 24 th January 2017.	
Declared by	_____ Des Phelan _____
Signature:	_____  _____
Date:	_____ 24/1/17 _____
Witness:	_____  _____
	Rod Nicholls, Chief Executive Officer
Date:	_____ 24/1/17 _____

Cr Les Rowe

Golden Plains Shire Council	
Councillor Code of Conduct	
I declare that I will abide by the Councillor Code of Conduct, version 9 adopted at the Special Meeting of Council (section 76C (1) of the <i>Local Government Act 1989</i>) held on 24 th January 2017.	
Declared by	_____ Les Rowe _____
Signature:	_____  _____
Date:	_____ 24 / 1 / 17 _____
Witness:	_____  _____ Rod Nicholls, Chief Executive Officer
Date:	_____ 24 / 1 / 17 _____

Cr Owen Sharkey

Golden Plains Shire Council	
Councillor Code of Conduct	
I declare that I will abide by the Councillor Code of Conduct, version 9 adopted at the Special Meeting of Council (section 76C (1) of the <i>Local Government Act 1989</i>) held on 24 th January 2017.	
Declared by	_____ Owen Sharkey _____
Signature:	_____  _____
Date:	_____ 24 - 1 - 17 . _____
Witness:	_____  _____ Rod Nicholls, Chief Executive Officer
Date:	_____ / 24 / 1 / 17 _____

5. ATTACHMENTS

Attachment 1 Item 5.1 Councillor Code of Conduct V9 dated 24 January 2017

6. CLOSE OF MEETING

The meeting closed at 3.36pm.

7. CERTIFICATION

In accordance with Section 93(5) of the Local Government Act 1989, I hereby certify that the minutes of this Council meeting have been confirmed as a true and correct record.

Confirmed, Mayor, Cr Des Phelan

Date

Minutes..... 27
Councillors..... 7
Managers 0
Minutes..... 1
Bannockburn CSC..... 2
Linton CSC..... 1
Press 9
Community 6
Auditor 1