



Special Council Meeting Minutes

Linton Customer Service Centre

**Tuesday 26 April 2016
3.30pm-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, Mayor
Cr Jenny Blake
Cr Andrew Cameron
Cr Nathan Hansford
Cr Helena Kirby
Cr Bill McArthur
Cr Greg Vaughan

Richard Trigg
Greg Anders
Louisa White
Kim Manley
Mike Barrow
Jason Clissold
Petra Neilson (Minutes)

Acting Chief Executive Officer
Director Assets & Amenity
Acting Director Community Services
Acting Director Corporate Services
Manager Executive Unit
Finance Manager
Council Support Officer

Gallery

David Head
Peter Keays

2. APOLOGIES

Nil

3. DECLARATIONS, MINUTES & ASSEMBLIES

3.1. DECLARATIONS OF INTEREST

Councillors must disclose a conflict of interest in accordance with Section 79 of the *Local Government Act 1989*.

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, Acting Chief Executive Officer |
| Responsible Manager | Richard Trigg, Acting Chief Executive Officer |
| Author | Richard Trigg, Acting Chief Executive Officer |
| File References | Bluepoint file: 02-03-005 |
| Council Plan Link | |
| Relevant Council Strategies | |
| Relevant Policies & Legislative Frameworks | Local Government Act 1989 |
| Attachments | <ol style="list-style-type: none"> 1. Revised Councillor Code of Conduct 2. Reforms arising from the Local Government Amendment (Improved Governance) Act 2015 3. Local Government Amendment (Improved Governance) Act 2015 - Q & As |

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 update the Councillor Code of Conduct as required by the changes to section 76C of the *Local Government Act 1989*.

Background

Section 15 of the *Local Government Amendment (Improved Governance) Act 2015* amends section 76C of the *Local Government Act 1989* by requiring a Council to review and make any necessary amendments to its Councillor Code of Conduct within 4 months after the commencement of section 15 of the *Local Government Amendment (Improved Governance) Act 2015*. This Act was given Assent on 27 October 2015 and commenced on 1 March 2016. Therefore a review must be undertaken by 30 June 2016.

The review by Councillors must be undertaken at a Special Meeting held specifically for the purpose of reviewing and amending, if necessary, the Councillor Code of Conduct.

Discussion

The attached Councillor Code of Conduct (version 8) April 2016 has been updated with the inclusion of an internal resolution procedure for dealing with an alleged contravention of the Councillor Code of Conduct by a Councillor and other minor updates as required by the Act.

The revised Code also reflects the sections that have been moved to the new Council Policy – Election Period (Caretaker) policy which was adopted in February. It also reflects additional wording which came into effect with the amendments to the Act.

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 or risk management implications.

Economic, Social and Environmental Implications

It is considered that there are no economic, social or environmental implications.

Communications

It is considered that a communication plan is not required.

Conclusion

The revised Councillor Code of Conduct is consistent with the current Code and incorporates the amendments required by the Act.

Council should review this document for any amendments prior to adopting it.

Moved Crs Blake/Vaughan

That Council:

- 1. adopt the updated Councillor Code of Conduct; and***
- 2. sign the Endorsement Page, witnessed by the Chief Executive Officer within the prescribed period.***

Carried

5. ATTACHMENTS

| | | |
|--------------|------------|--|
| Attachment 1 | Item 4.1.1 | Revised Councillor Code of Conduct |
| Attachment 2 | Item 4.1.1 | Reforms arising from the Local Government Amendment (Improved Governance) Act 2015 |
| Attachment 3 | Item 4.1.1 | Local Government Amendment (Improved Governance) Act 2015 - Q & As |

Attachments are available upon request.

6. CLOSE OF MEETING

The meeting closed at 3.36 pm.

Confirmed, Mayor, Cr Des Phelan

Date

| | |
|--|----|
| Hard copy agendas (total printed) | 13 |
| Councillors..... | 7 |
| CSO..... | 1 |
| Gallery | 5 |
| Soft copy notification: media..... | 0 |
| Soft copy notification: Councillors & staff..... | 0 |
| Soft copy posted to website, portal, intranet, box | 0 |
| Hard copy attachments (total printed for CSO)..... | 2 |
| Soft copy posted to website, portal, intranet, box | 0 |
| Hard copy minutes (total printed) | 8 |
| Councillors..... | 7 |
| Minutes file | 1 |
| Soft copy email: Auditor..... | 0 |
| Soft copy notification: media..... | 0 |
| Soft copy notification: staff..... | 0 |
| Soft copy posted to website, portal, intranet, box | 0 |