



Date: Tuesday, 14 February 2017
Time: 8.30am
Location: Wedderburn Council Office, Wedderburn

MINUTES

Special Council Meeting

14 February 2017

**MINUTES OF LODDON SHIRE COUNCIL
SPECIAL COUNCIL MEETING
HELD AT THE WEDDERBURN COUNCIL OFFICE, WEDDERBURN
ON TUESDAY, 14 FEBRUARY 2017 AT 8.30AM**

PRESENT: Cr Neil Beattie (Mayor), Cr Geoff Curnow, Cr Gavan Holt, Cr Cheryl McKinnon

IN ATTENDANCE: Wendy Gladman (Director Community Wellbeing), Lynne Habner (A/Manager Executive & Commercial Services), Ian McLauchlan (Director Operations), Sharon Morrison (Director Corporate Services), Phil Pinyon (Chief Executive Officer)

1 OPENING PRAYER

“Almighty God, we humbly beseech thee to bless this Council, direct and prosper its deliberations towards the true welfare of your people of the Shire of Loddon.”

2 APOLOGIES

APOLOGY

RESOLUTION 2017/31

Moved: Cr Gavan Holt

Seconded: Cr Geoff Curnow

That the apology received from Cr Condliffe be accepted and leave of absence granted.

CARRIED

3 DECLARATIONS OF CONFLICT OF INTEREST

Nil

4 COMPLIANCE REPORTS

4.1 REVISED COUNCILLOR CODE OF CONDUCT

File Number: 02/01/004

Author: Sharon Morrison, Director Corporate Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: 1. Councillor Code of Conduct v4

RECOMMENDATION

That Council adopt the revised Councillor Code of Conduct.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

At the special meeting of Council on 11 November 2016, in accordance with Section 63 of the Local Government Act each Councillor made a written declaration that they would abide by the Councillor Code of Conduct.

BACKGROUND

Section 76C (2) of the Local Government Act (the Act) requires Council, within the period of 4 months after a general election to call a special meeting solely for the purpose of reviewing the Councillor Code of Conduct; and 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.

In reviewing the Councillor Code of Conduct (the Code), the key consideration has been improving readability and accuracy by:

- removing the Appendices and incorporating relevant material into the body of the Code
- outlining key legislation in the relevant sections of the document
- ensuring references to legislation are up-to-date given recent amendments to the Act.

One significant change is the removal of the paragraphs relating to the key point of contact between Councillors and staff previously in part 8 of the Code. These paragraphs have been removed on the basis that section 76E and 76BA adequately outline the expectation.

Section 76E outlines the requirement for Councillors to not direct or seek to direct a member of Council staff. Section 76BA outlines the general principles of Councillor conduct, including avoiding conflicts, acting honestly, treating people with respect, exercising reasonable care and diligence, ensure public resources are used prudently and solely in the public interest, acting lawfully and leading by example.

At a Councillor Briefing on 24 January 2017, Councillors reviewed a draft of the Code which included the key changes outlined above.

The Code is now presented for approval of the amendments in accordance with section 76(2)(b) of the Act.

A copy of the final revised Code will be:

- given to each Councillor
- available for inspection by the public at the Wedderburn office and Serpentine Office
- published on the Council's Internet website

Within one month of the amendments to the Code being approved, each Councillor must make a declaration stating that they will abide by the Code. The declaration must be in writing and witnessed by the Chief Executive Officer.

COST/BENEFITS

No costs are associated with this recommendation.

RISK ANALYSIS

Adoption of the new Code will enable Council to comply with the requirements of the Local Government Act 1989, and will provide transparency to the public when the adopted document is available at Council offices and on the website.

CONSULTATION AND ENGAGEMENT

Councillors and key officers have had input into the review of the Code. The Code has a review timeline to coincide with the next election but can, or may need to be, reviewed prior to this.

RESOLUTION 2017/32

Moved: Cr Cheryl McKinnon

Seconded: Cr Geoff Curnow

That Council adopt the revised Councillor Code of Conduct.

CARRIED

NEXT MEETING

The next Ordinary Meeting of Council will be held on 28 February 2017 at Serpentine commencing at 3pm.

There being no further business the meeting was closed at 8.35am.

Confirmed this.....day of..... 2017

.....

.....
CHAIRPERSON

UNCONFIRMED