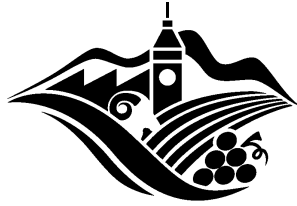


Ararat Rural City

**SPECIAL COUNCIL
MEETING
AGENDA**

THURSDAY 19 JANUARY 2017



Ararat Rural City

13 January 2017

Dear Councillors,

You are cordially advised and invited to attend the next ordinary Council Meeting, which will be held in the Council Chamber, Shire Hall, Barkly Street, Ararat on ***Thursday 19 January 2017*** commencing at ***9.45am***.

BUSINESS:

- 1 Traditional Acknowledgement/Opening Prayer/Oath**
- 2 Apologies**
- 3 Disclosure of Interests**
- 4 Officer's Reports**

Your attendance is respectfully requested.

Yours sincerely,

ANDREW EVANS
CHIEF EXECUTIVE OFFICER

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An audio recording of this meeting is being made for the purpose of verifying the accuracy of the minutes of the Council Meeting and Assembly of Councillors. In some circumstances the recording may be disclosed, such as where Council is compelled to do so by court order, warrant, subpoena or by any other law.

1 – TRADITIONAL ACKNOWLEDGEMENT / OPENING PRAYER/OATH

TRADITIONAL ACKNOWLEDGEMENT

WE ACKNOWLEDGE THE TRADITIONAL OWNERS OF THE LAND ON WHICH WE MEET TODAY, AND PAY OUR RESPECTS TO THEIR ELDERS, PAST AND PRESENT.

OPENING PRAYER

ALMIGHTY GOD, WE HUMBLY ASK YOU TO HELP US, AS ELECTED COUNCILLORS OF THE ARARAT RURAL CITY COUNCIL. GUIDE OUR DELIBERATIONS. PROSPER WHAT IS YOUR WILL FOR US, TO YOUR HONOUR AND GLORY AND FOR THE WELFARE AND BENEFIT OF THE PEOPLE WHOM WE SERVE IN THE ARARAT RURAL CITY.

COUNCILLORS OATH

WE WILL UNDERTAKE THE DUTIES OF THE OFFICE OF COUNCILLOR IN THE BEST INTERESTS OF THE PEOPLE OF THE MUNICIPAL DISTRICT OF THE ARARAT RURAL CITY COUNCIL AND FAITHFULLY AND IMPARTIALLY CARRY OUT THE FUNCTIONS, POWERS, AUTHORITIES AND DISCRETIONS VESTED IN ME UNDER THE LOCAL GOVERNMENT ACT 1989 OR ANY OTHER ACT TO THE BEST OF OUR SKILL AND JUDGMENT.

2 – APOLOGIES

MOTION (if required)

That the apology of (Name) be accepted.

3 – DISCLOSURE OF INTERESTS

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

Local Government Act 1989 Section 79 (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 paragraph (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.

Local Government Act 1989 Section 80C)

A person who is providing advice or a report to a meeting of the Council or a special committee, and who has a conflict of interest in a matter to which the advice or report relates, must disclose the constituting the conflict of interest when providing the advice or report and before the advice or report is considered by the Council or the committee.

4 - OFFICERS REPORTS

ITEM 4.1 **POLICY – COUNCILLOR CODE OF CONDUCT**
13040303
CORPORATE STRATEGY, RISK AND GOVERNANCE

Introduction

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."

Discussion

The Councillor Code of Conduct Policy C.1.6, is ready to be reviewed and adopted by Council. A copy of the policy is an attachment to this report.

POTENTIAL IMPLICATIONS ARISING FROM THIS ISSUE

Council plan reference

5.1 Good governance through leadership

Financial and resource implications

None identified.

Risk implications

Risk of breaching the Local Government Act 1989 if a Code of Conduct Policy is not developed and approved within 4 months of a General Election.

Statutory Implications

Section 76C(2) of the Local Government Act 1989.

Community Implications

Increased awareness of Council Policy/Procedures and transparency regarding content.

Environmental Implications

None identified.

Internal/external consultation

Declaration made by Councillors on 8 November 2016, acknowledging that the Councillor Code of Conduct had been read. Copy of Councillor Code of Conduct available for Councillors on Docs on Tap and Council's Website.

Email sent to Councillors on 9 December 2016 requesting feedback on the current Councillor Code of Conduct.

Review discussed at the Assembly of Councillors 13 December 2016.

Council will further discuss the Councillors Code of Conduct at the Assembly of Councillors on 17 January 2017.

4 - OFFICERS REPORTS

Attachments

- 1 Revised Councillors Code of Conduct Policy C.1.6; and
- 2 Councillors Code of Conduct Support Guide.

Options

Council can adopt the Councillor Code of Conduct Policy for a period of four years with the option to review at any time.

Conclusion

The review and adoption of the Councillor Code of Conduct by Council will ensure that sound Governance principles and transparency are applied.

Recommendation

That the reviewed Councillor Code of Conduct Policy C.1.6 be adopted.