



# City of Whitehorse

## MINUTES

---

### **Special Council Meeting Councillor Code of Conduct**

held in the  
Council Chamber  
Whitehorse Civic Centre

379 Whitehorse Road Nunawading

on

**Monday 27 June 2016**

at 7.00 p.m.

**Members:** Cr Philip Daw (Mayor), Cr Bill Bennett,  
Cr Raylene Carr, Cr Robert Chong AM,  
Cr Andrew Davenport, Cr Sharon Ellis,  
Cr Helen Harris OAM, Cr Denise Massoud,  
Cr Andrew Munroe, Cr Ben Stennett

**Ms Noelene Duff**  
Chief Executive Officer

**Meeting opened at 8.30pm.**

Present: Cr Daw (Mayor), Cr Bennett, Cr Carr, Cr Chong AM, Cr Davenport, Cr Ellis,  
Cr Harris OAM, Cr Massoud, Cr Munroe, Cr Stennett.

**Attendance**

Cr Harris left the Chamber at 8.31pm, returning at 8.32pm.

**WHITEHORSE CITY COUNCIL**

**27 June 2016**

**1. WELCOME AND APOLOGIES**

The Mayor welcomed all.

APOLOGIES: Nil

**2. DISCLOSURE OF CONFLICT OF INTERESTS**

None Disclosed

### **3. COUNCIL REPORTS**

#### **3.1 Councillor Code of Conduct**

FILE NUMBER: SF07/121  
ATTACHMENTS

---

#### **SUMMARY**

*The purpose of this report is to present a revised Councillor Code of Conduct for endorsement which has been developed to meet the requirements of the Local Government Amendment (Improved Governance) Act 2015.*

- *There is a legislative requirement that Council must review its Councillor Code of Conduct by 4 July 2016;*
- *It is proposed to maintain previously adopted material, however it is recommended to incorporate requirements of the recent amendment; and*
- *Matters important to Local Government.*

#### **COUNCIL RESOLUTION**

Moved by Cr Carr, Seconded By Cr Ellis.

#### ***That Council:***

- 1. Having undertaken a review of its Councillor Code of Conduct as required under the Local Government Amendment (Improved Governance) Act 2015, hereby endorse the adoption of its new Councillor Code of Conduct (Refer to Attachment 1a) and guide for Councillors (Refer to Attachment 1b).***
- 2. Request the Chief Executive Officer to:***
  - a) Ensure that the new Councillor Code of Conduct is signed by and a copy provided to each Councillor;***
  - b) Make a copy available for inspection at Council's Civic Centre; and***
  - c) Make a copy available on Council's website.***

**CARRIED UNANIMOUSLY**

---

#### **BACKGROUND**

Council adopted its current Councillor Code of Conduct ("the Code") on 16 September 2013. The requirements relating to the Councillor Code of Conduct resulting from the *Local Government Amendment (Improved Governance) Act 2015*, gazetted on 23 February 2016, compel Council to review and make any necessary amendments and present for adoption at a Special Meeting of Council by 4 July 2016.

#### **DISCUSSION**

The Code, as it stands, does not replicate what is expressly prescribed by legislation and/or Council policy, but rather places emphasis on matters customary to Council. Therefore, the proposed Councillor Code of Conduct intentionally maintains previously adopted material, however includes provisions to reflect recent amendments to legislation and matters prevalent to Local Government.

#### **CONSULTATION**

Councillors have been consulted during the development and preparation of the new Councillor Code of Conduct and an awareness and information session was conducted by Terry Bramham Lawyer with Macquarie Lawyers

**3.1**  
(cont)

**IMPLICATIONS**

**1. Legislative**

The Local Government Amendment (Improved Governance) Act 2015, gazetted on 23 February 2016, compels Council to review and make any necessary amendments to its Councillor Code of Conduct by 4 July 2016. As this is a statutory obligation, there are no Charter of Human Rights implications for Council.

**2. Council Plan / Policy**

Meets Council's strategic objective of "*Strong leadership and governance in partnership with the community*"

**3. Financial**

There are no financial implications associated with this report.

**CONCLUSION**

A Councillor Code of Conduct contributes to, and strengthens the foundations of the collaborative spirit between elected representatives. Importantly, consistent with their legal obligations, Councillors are expected to observe certain behaviours that support the effective decision making processes of the Council. It is considered that the Councillor Code of Conduct will support Councillors in achieving these objectives.

**4. CLOSE MEETING**

Meeting closed at 8.39pm

**Confirmed this 18 day of July 2016**

---

**CHAIRPERSON**