



City of
Whittlesea

MINUTES

OF SPECIAL COUNCIL MEETING

HELD ON

TUESDAY 14 FEBRUARY 2017

AT 6.00PM

**IN COUNCIL CHAMBER, 25 FERRES
BOULEVARD, SOUTH MORANG**

COUNCILLORS

RICKY KIRKHAM

MAYOR, NORTH WARD

JOHN BUTLER

NORTH WARD

EMILIA LISA STERJOVA

NORTH WARD

NORM KELLY

DEPUTY MAYOR, SOUTH EAST WARD

SAM ALESSI

SOUTH EAST WARD

ALAHNA DESIATO

SOUTH EAST WARD

MARY LALIOS

SOUTH EAST WARD

LAWRIE COX

SOUTH WEST WARD

STEVAN KOZMEVSKI

SOUTH WEST WARD

CAZ MONTELEONE

SOUTH WEST WARD

KRIS PAVLIDIS

SOUTH WEST WARD

SENIOR OFFICERS

MICHAEL WOOTTEN

CHIEF EXECUTIVE OFFICER

RUSSELL HOPKINS

DIRECTOR COMMUNITY SERVICES

STEVE O'BRIEN

DIRECTOR PLANNING AND MAJOR PROJECTS

NICK MANN

DIRECTOR CITY TRANSPORT & PRESENTATION

HELEN SUI

DIRECTOR CORPORATE SERVICES

LIANA THOMPSON

DIRECTOR PARTNERSHIPS & ENGAGEMENT

MICHAEL TONTA

MANAGER GOVERNANCE

ORDER OF BUSINESS

The Chief Executive Officer submits the following business:

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Note:

In these Minutes, Resolutions adopted by Council are indicated in bold text.

1. OPENING**1.1 MEETING OPENING AND PRAYER**

The Chief Executive Officer opened the meeting with a prayer at 6.00PM

1.2 ACKNOWLEDGMENT OF TRADITIONAL OWNERS STATEMENT

On behalf of the City of Whittlesea the Mayor recognised the rich Aboriginal heritage of this country and acknowledged the Wurundjeri Willam Clan as the Traditional Owners of this place.

1.3 PRESENT**Members:**

| | |
|----------------------|------------------------------|
| Ricky Kirkham | Mayor (North Ward) |
| John Butler | Councillor (North Ward) |
| Emilia Lisa Sterjova | Councillor (North Ward) |
| Sam Alessi | Councillor (South East Ward) |
| Lawrie Cox | Councillor (South West Ward) |
| Stevan Kozmevski | Councillor (South West Ward) |

Officers:

| | |
|--------------------|--|
| Mr Michael Wootten | Chief Executive Officer |
| Mr Steve O'Brien | Director Planning and Major Projects |
| Mr Russell Hopkins | Director Community Services |
| Mr Nick Mann | Director City Transport & Presentation |
| Ms Helen Sui | Director Corporate Services |
| Ms Liana Thompson | Director Partnerships & Engagement |
| Mr Michael Tonta | Manager Governance |

2. APOLOGIES**APOLOGY**

An apology was received on behalf of Cr Desiato, Cr Kelly, Cr Laliros, Cr Monteleone and Cr Pavlidis who requested that leave be granted for this meeting.

COUNCIL RESOLUTION

MOVED: *Cr Kozmevski*
SECONDED: *Cr Butler*

THAT the apologies from Cr Desiato, Cr Kelly, Cr Laliros, Cr Monteleone and Cr Pavlidis be received and leave be granted.

CARRIED

3. DECLARATIONS OF INTEREST

NIL

4. OFFICERS' REPORTS

4.1 CORPORATE SERVICES

4.1.1 COUNCILLOR CODE OF CONDUCT

File No: .

Attachments: 1 **Councillor Code of Conduct 2017** [↗](#)

Responsible Officer: **Director Corporate Services**

Author: **Team Leader Governance**

REPORT

EXECUTIVE SUMMARY

It is a legislated requirement that Council amend and adopt the Councillor Code of Conduct ('the Code') by 22 February 2017 at a Special Council meeting held specifically to consider the amended Code.

The Code specifies the agreed standard of Councillor behaviour required for the ethical and professional performance of Councillors duties under Section 76C of the *Local Government Act 1989*. (Refer to Attachment 1).

BACKGROUND

The Code was review last year to reflect amendments contained in the *Local Government Amendment (Improved Governance) Act 2015* and was adopted by Council at the Special Council meeting on 14 June 2016.

PROPOSAL

The Code has been reviewed based on feedback received from Councillors and the only substantive changes relate to clause 16 where the words 'appropriately qualified' have been added in the 3rd last paragraph on page 13, which refers to the appointment of a mediator, and additional wording has been added to the last dot point on page 15 under 'Role of the Arbiter' to clarify the role of the arbiter and principal conduct officer when conducting investigations.

In addition, a number of minor drafting amendments were also made to ensure consistency in the wording.

CONSULTATION

Councillors have been consulted have provided feedback on the amended Code.

CRITICAL DATES

Council must review and adopt the Code by 22 February 2017, being within four months after a general election.

The revised Code must be adopted at a Special Council Meeting called solely for the purpose of reviewing and adopting the Code.

FINANCIAL IMPLICATIONS

Any costs associated with reviewing the Code have been met within existing budgets.

POLICY STRATEGY AND LEGISLATION

Councillors are required to make a declaration that they will abide by the amended Code in the presence of the Chief Executive Officer within one month of the Code being adopted.

A Councillor who does not make the declaration risks disqualification from acting as a Councillor.

LINKS TO THE COUNCIL PLAN

| | |
|----------------------------|---|
| FUTURE DIRECTION | Good Governance |
| Theme | Continuous improvements |
| Strategic Objective | Council adopts best practice models of operation |

The Code will promote good governance of the Council by specifying agreed standards of Councillor behaviour required for the ethical and professional performance of Councillors duties.

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

The Responsible Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

CONCLUSION

The Code promotes good governance by setting out the standards of conduct expected of Councillors. It also endeavours to foster good working relations between Councillors to enable them to work constructively together in the best interests of the local community.

RECOMMENDATION

THAT Council note that the Councillor Code of Conduct has been reviewed and resolve to adopt the amended Code as contained in Attachment 1.

COUNCIL RESOLUTION

MOVED: *Cr Butler*
SECONDED: *Cr Kozmevski*

THAT Council resolve to adopt the Recommendation.

CARRIED

THERE BEING NO FURTHER BUSINESS THE MAYOR DECLARED THE MEETING CLOSED AT 6.20PM.

CONFIRMED THIS 28th DAY OF FEBRUARY 2017.

**CR RICKY KIRKHAM
MAYOR**