

WANGARATTA RURAL CITY COUNCIL



MINUTES OF THE SPECIAL MEETING
OF THE WANGARATTA RURAL CITY COUNCIL, HELD
IN THE COUNCIL CHAMBERS, MUNICIPAL OFFICES,
62-68 OVENS STREET, WANGARATTA
ON **MONDAY, 29 APRIL 2013** COMMENCING AT 5.30PM

Doug Sharp
CHIEF EXECUTIVE OFFICER

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1. **ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

2. **OPENING PRAYER**

3. **PRESENT**

Chairperson: Councillor R Parisotto, Mayor
Councillor N Amery; Councillor T Atkins; Councillor J Fidge;
Councillor D Joyce; Councillor L McInerney; Councillor P O'Brien

Officers Present:

Mr Doug Sharp, (Chief Executive Officer); Mr Ray Park, (Director Sustainability); Mr Andrew Close (Director Infrastructure Services); and Ms Ruth Tai (Director Community Wellbeing)

4. **ABSENT**

5. **ACCEPTANCE OF APOLOGIES & GRANTING OF LEAVE OF ABSENCE**

ORDER OF BUSINESS

6. **CONFLICT OF INTEREST DISCLOSURE**

Nil

7. **BUSINESS**

7.1.1.1 **DRAFT COUNCIL PLAN**

Council Plan

20.030.009

Introduction

A Council must prepare and approve a Council Plan by the next 30 June after each general election.

Background

The Council Plan must include:

- the strategic objectives of the Council;

- strategies for achieving the objectives for at least the next four years;
- strategic indicators for monitoring the achievement of the objectives; and
- a Strategic Resource Plan containing certain financial statements and describing the human resources required to deliver the Plan.

Council must provide the opportunity for the community to make submissions on any adjusted Plan.

Issues

A draft 2013 – 2017 Wangaratta Rural City Council Plan (draft Council Plan) has been prepared (*refer attachment*).

The draft Council Plan:

- demonstrates how Council will meet current community needs and expectations;
- sets out how Council intends to realise the aspirations of the community, as outlined in the Rural City of Wangaratta 2030 Community Vision; and
- prioritises the competing demands for Council resources.

Implications

Council Plan Outcomes

The Council Plan sets the agenda for the next four years and ensures that Council's objectives and projects continue to be in line with the community and Council's broader vision.

Community Engagement

Council's Advisory Committees have provided input to the draft Council Plan.

Conclusion

The draft Council Plan has been prepared to a state where it is now ready for public exhibition.

(Moved Councillor T Atkins/Councillor L McInerney)

Recommendation:

That:

1. ***the draft 2013 – 2017 Wangaratta Rural City Council Plan annexed to this resolution and initialled by the Chairperson for identification be the Council Plan prepared by Council for the purposes of Section 125 of the Local Government Act 1989.***

2. ***the Chief Executive Officer be authorised to:***
 - a) ***give public notice that submissions in respect of this matter will be considered in accordance with Section 223 of the Local Government Act; and***
 - b) ***make available for public inspection the information required to be made available.***
3. ***submissions on any proposal or proposals contained in the draft Council Plan, made in accordance with section 125(9) of the Local Government Act 1989:***
 - a) ***be received by Friday 31 May 2013;***
 - b) ***be considered at a meeting of a committee of the Council to be held at the Wangaratta Government Centre, corner of Ford and Ovens Streets, Wangaratta on Tuesday 11 June 2013 at 5:30 pm.***
4. ***Council consider the adoption of the Council Plan at an Ordinary Meeting of Council to be held on Tuesday, 18 June 2013 at 7.00 pm at the Wangaratta Government Centre, corner of Ford and Ovens Streets, Wangaratta.***

Carried

Communication

Public notification, inviting the community to make submissions on the adjusted Council Plan, will be placed on Council's website and in the local media, in accordance with the Local Government Act 1989.

7.1.1.2 COUNCILLOR CODE OF CONDUCT

Councillor Code of Conduct

96.005.004

Introduction

The Councillor Code of Conduct (the Code) has been reviewed as required by the Local Government Act and a draft revised Code is now available for consideration by Council.

Background

The Local Government Act requires Council to have a Councillor Code of Conduct and for the Code to be reviewed within 12 months of a general election. The current Code has been in place since November 2009.

The Code must include certain councillor conduct principles set out in the Local Government Act. It may set out the processes for resolving an internal dispute between councillors and may also include any other matters relating to the conduct of councillors which the Council considers appropriate.

The Minister for Local Government has directed that the Council review its Code by 30 April 2013.

Issues

Independent facilitators assisted councillors in reviewing the existing Code and preparing a revised Code.

A Code of Conduct must include conduct principles as specified in Section 76B and Section 76B(a) of the Local Government Act. Those conduct principles refer to a “primary principle” and 7 “general principles”.

The primary principle requires a Councillor to –

- (a) *act with integrity;*
- (b) *impartially exercise his or her responsibilities in the interests of the local community; and*
- (c) *not improperly seek to confer an advantage or disadvantage on any person.*

A Councillor must also –

- (a) *avoid conflicts between his or her public duties as a Councillor and his or her personal interests and obligations;*
- (b) *act honestly and avoid statements (whether oral or in writing) or actions that will or are likely to mislead or deceive a person;*
- (c) *treat all persons with respect and have due regard to the opinions, beliefs, rights and responsibilities of other Councillors, council officers and other persons;*
- (d) *exercise reasonable care and diligence and submit himself or herself to the lawful scrutiny that is appropriate to his or her office;*
- (e) *endeavour to ensure that public resources are used prudently and solely in the public interest;*
- (f) *act lawfully and in accordance with the trust placed in him or her as an elected representative;*
- (g) *support and promote these principles by leadership and example and act in a way that secures and preserves public confidence in the office of Councillor.*

The revised draft Code of Conduct also addresses such matters as:

- Key roles and responsibilities;
- Use of Council resources;
- Values and Behaviours;
- Councillor Conduct;
- Communication; and
- Dispute resolution.

Community Engagement

There is no requirement to involve the community in the preparation of the Code. However the Code must be available for inspection at the Council offices.

Implications

The Local Government Act requires that the Code of Conduct must be reviewed within 12 months of the general election. The Minister for Local Government has further directed that the Code of Conduct relating to the Rural City of Wangaratta be reviewed by 30 April 2013.

The Chief Executive Officer advised the meeting of two minor changes to the Draft Code of Conduct which had been circulated with the Agenda. These were:

1. 2.3(b) - add 'of Wangaratta' to the end of the sentence; and
2. 6.1(a) - delete the word 'perceived'.

Recommendation:

That Council consider and adopt the attached Draft Councillor Code of Conduct as the Councillor Code of Conduct as required by Section 76C of the Local Government Act;

(Moved Councillor J Fidge/Councillor P O'Brien)

That Council:

- 1. consider and adopt the attached Draft Councillor Code of Conduct as the Councillor Code of Conduct as required by Section 76C of the Local Government Act; and***
- 2. send a letter to the Minister for Local Government to inform her the Code of Conduct has been adopted.***

At 6:48pm the Mayor adjourned the meeting.

At 6:58pm the meeting was resumed.

The motion was put and Carried.

8. CLOSURE OF MEETING

The meeting closed at 6:10pm.