



Colac Otway
SHIRE

SPECIAL COUNCIL MEETING

SUMMARY MINUTES

15 JUNE 2016

at 2:30 PM

COPACC



COLAC OTWAY SHIRE SPECIAL COUNCIL MEETING

15 June 2016

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MINUTES of the SPECIAL COUNCIL MEETING OF THE COLAC OTWAY SHIRE COUNCIL held at COPACC on 15 June 2016 at 2:30pm.

1. OPENING PRAYER

Almighty God, we seek your blessing and guidance in our deliberations on behalf of the people of the Colac Otway Shire. Enable this Council's decisions to be those that contribute to the true welfare and betterment of our community.
AMEN

2. PRESENT

Cr Frank Buchanan (Mayor)
Cr Brian Crook
Cr Michael Delahunty
Cr Stephen Hart
Cr Lyn Russell
Cr Chris Smith
Cr Terry Woodcroft

Sue Wilkinson, Chief Executive Officer
Mark Lyons, General Manager, Corporate Services
Ingrid Bishop, General Manager, Infrastructure and Services
Brydon King, General Manager, Development and Community Services
Jenny Wood, Manager Governance & Customer Service
Alison Richardson, Governance Officer
Raelene Munro, Coordinator Corporate Customer Service
Tamzin McLennan, Public Relations Coordinator
Nikki Karpeles, Communications Officer

3. APOLOGIES

Nil

4. MAYORAL STATEMENT

Colac Otway Shire acknowledges the original custodians and law makers of this land, their elders past and present and welcomes any descendents here today.

I ask that we all show respect to each other and respect for the office of an elected representative.

All Council and Committee meetings are audio recorded, with the exception of matters identified as confidential items in the Agenda. This includes the public participation sections of the meetings.

Audio recordings of meetings are taken to facilitate the preparation of the minutes of open Council and Committee meetings and to ensure their accuracy.

In some circumstances a recording will be disclosed to a third party. Those circumstances include, but are not limited to, circumstances, such as where Council is compelled to disclose an audio recording because it is required by law, such as the Freedom of Information Act 1982, or by court order, warrant, or subpoena or to assist in an investigation undertaken by the Ombudsman or the Independent Broad-based Anti-corruption Commission.

Council will not use or disclose the recordings for any other purpose. It is an offence to make an unauthorised recording of the meeting.

The sole purpose of the Special Meeting is to review and adopt the Councillor Code of Conduct.

Thank you. Now 30 minutes is allowed for question time. Please remember, you must ask a question. If you do not ask a question you will be asked to sit down and the next person will be invited to ask a question. This is not a forum for public debate or statements.

1. Questions received in writing prior to the meeting (subject to attendance and time),
2. Questions from the floor.

5. QUESTION TIME

QUESTION TIME BEGAN AT 2:31pm

Alan Billing - Larpent

1. My reading of the document indicates there are significant changes that will impact on how the Council operates in the community, why was there such short notice of the meeting today?

General Manager Corporate Services responded that in accordance with the Local Law, the advertisement for the meeting was placed seven days beforehand on the Colac Otway Shire website and as soon as practicable in the newspaper. The appropriate notice was provided to call this meeting.

2. It would be valuable to note that where clauses are changed, that those changes be noted.

General Manager Corporate Services responded that the legislation has required some significant and fundamental changes to the Councillor Code of Conduct and the tracked changes version in this particular case would not have helped understanding as there is a fundamental significant change to the way Council is required to comply with the Act.

3. Why is this document not going out for public comment?

General Manager Corporate Services responded that legislation states that this document can only be adopted by Council and that it must be adopted through a

Special Council Meeting process. The document has been prepared in collaboration with Council and only Council can decide on the format of this document.

4. Does the Local Government Act prohibit this document going out for public consultation?

General Manager Corporate Services responded that the requirements of the Local Government Act is that Council is the only authority that can adopt the Councillor Code of Conduct. In this case it has been submitted through the appropriate process and in accordance with the Act.

Noel Hanlon - Irrewarra

1. If I met up with a Councillor in public and a matter of public information is discussed, is it correct that I cannot receive information from the Councillor unless the Mayor approves of it?

General Manager Corporate Services responded that the document does not stop the democratic process and allows constituents to engage with Councillors

QUESTION TIME ENDED AT 2:39pm

6. DECLARATION OF INTEREST

NIL

SC161506-1 COUNCILLOR CODE OF CONDUCT REVIEW

AUTHOR:	Jenny Wood	ENDORSED:	Mark Lyons
DEPARTMENT:	Corporate Services	FILE REF:	F15/9065

**PROCEDURAL MOTION - MOVED Cr Terry Woodcroft seconded Cr Brian Crook that:
Cr Delahunty is suspended for the balance of this meeting for disruption of the
business of Council and impeding its orderly conduct.**

CARRIED 5 : 2

Cr Delahunty left Council chambers at 3:20pm

Original Recommendation

That Council:

- 1. That Council adopts the Colac Otway Shire Councillor Code of Conduct.**
- 2. That all Councillors sign the Councillor Code of Conduct at the Council Meeting on 22 June 2016.**

ALTERNATIVE MOTION- MOVED Cr Terry Woodcroft seconded Cr Brian Crook

That council:

- 1. Adopts the Colac Otway Shire Councillor Code of Conduct.**
- 2. Sign the Councillor Code of Conduct at the Council meeting on 22 June 2016**
- 3. As soon as practicable after signing the Code of Conduct on the 22 June 2016 publish the signed document on Councils Website.**

CARRIED 5 : 1

DIVISION called

**For the Motion: Cr Stephen Hart, Cr Brian Crook, Cr Lyn Russell, Cr Frank Buchanan,
Cr Terry Woodcroft**

Against the Motion: Cr Chris Smith

The Meeting Was Declared Closed at 3:26.pm

CONFIRMED AND SIGNED at the meeting held on 22 JUNE 2016

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

.....MAYOR

