

Councillor Conflicts of Interest (Family Members) Guidelines

1. Introduction

- 1.1 Councillors are bound by certain legislative requirements when undertaking their duties, particularly in relation to conflicts of interests. To help foster a regime of impartiality, openness and transparency, Darebin City Council has agreed to implement a Darebin specific set of guidelines, which include additional requirements. Whilst the additional requirements are non-binding on Councillors, it is expected this will project a strong commitment to the community to be open and transparent.

2. Binding Requirements

- 2.1 Councillors are required to ensure compliance with the obligations under the *Local Government Act 1989* (the **Act**) in relation to the disclosure of conflicts of interest in matters before a Council Meeting, Councillor Briefing session or any other meeting which constitutes an Assembly of Councillors (**Assembly**) as defined in section 3 of the Act.
- 2.2 Councillors must:
- 2.3.1 disclose any conflict of interest in a matter before an Assembly and leave the meeting, in accordance with section 80A(3) and (4) of the Act; and
 - 2.3.2 respect and maintain the confidentiality of any confidential information (as defined by section 77(2) of the Act) before an Assembly.
- 3 Councillors are also bound by the requirements of the Councillor Code of Conduct 2013 (Councillor Code) and the City of Darebin Governance Local Law (2013) (Local Law) in relation to the disclosure of conflicts of interest.

4 Non-Binding Requirements

- 4.3 Where a Councillor is aware that his or her uncle, aunt, cousin, niece and/or nephew has an interest in a matter before Council for decision, and the interest is not such as to give rise to a conflict of interest on the part of the Councillor for the purposes of the *Local Government Act 1989*, the Councillor should consider making a statement at the meeting to that effect, prior to the matter being considered by Council.
- 4.4 Such statements will be recorded in the minutes of the relevant meeting.