



26 June 2019

To All Councillors

Notice is hereby given, in accordance with the provisions of the Local Government Act 1993, that an Extraordinary Meeting of Council will be held in the Council Chambers, on Monday, 1 July 2019 at 5.00pm, for the purposes of transacting the undermentioned business.

**AGENDA:**

PAGE NO.

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|-----|--|---|
| (1) | <b>OPENING PRAYER</b>  |   |
| (2) | <b>ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS</b>                                      |   |
| (3) | <b>RECEIPT OF APOLOGIES</b>  |   |
| (4) | <b>DISCLOSURES OF INTEREST</b>   |   |
|     | DI12/2019 Disclosures of Interest .....  | 5 |
| (5) | <b>NOTICE OF INTENTION TO DEAL WITH MATTERS IN CONFIDENTIAL SESSION</b>                |   |
|     | NI7/2019 Notice of Intention to Deal with matters in Confidential Session.             |   |
|     | MM10/2019 - Appointment of General Manager .....                                       | 6 |
| (6) | <b>REPORT OF THE CONFIDENTIAL SESSION OF THE ORDINARY COUNCIL MEETING ON 1/07/2019</b> |   |



## ***Principles for Local Government***

### **Exercise of functions generally**

The following general principles apply to the exercise of functions by Councils:

- a) Councils should provide strong and effective representation, leadership, planning and decision-making.
- b) Councils should carry out functions in a way that provides the best possible value for residents and ratepayers.
- c) Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- d) Councils should apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
- e) Councils should work co-operatively with other Councils and the State government to achieve desired outcomes for the local community.
- f) Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.
- g) Councils should work with others to secure appropriate services for local community needs.
- h) Councils should act fairly, ethically and without bias in the interests of the local community.
- i) Councils should be responsible employers and provide a consultative and supportive working environment for staff.

### ***Council's Values***

- Integrity
- Accountability
- Respect
- Excellence
- Teamwork

### ***Our Community's Vision***

Cessnock will be a cohesive and welcoming community living in an attractive and sustainable rural environment with a diversity of business and employment opportunities supported by accessible infrastructure and services which effectively meet community need.

*Cessnock – thriving, attractive and welcoming.*

### ***Our Community's Desired Outcomes***

- A connected, safe and creative community.
- A sustainable and prosperous economy.
- A sustainable and healthy environment.
- Accessible infrastructure, facilities and services.
- Civic Leadership and effective governance.



## ***Council Model Code of Conduct***

Council adopted its current Code of Conduct on 17 April 2019. This Code provides details of statutory requirements and gives guidance in respect of the way in which pecuniary and conflict of interest issues must be disclosed.

Generally, the Code outlines the following issues:

1. Councillors are under an obligation at law to disclose any interest they may have in any matter before the Council and to refrain from being involved in any consideration or to vote on any such matter
2. Councillors must disclose any interest in any matter noted in the business paper prior to or at the opening of the meeting
3. The nature of the interest shall be included in the notification
4. Councillors shall immediately and during the meeting disclose any interest in respect of any matter arising during the meeting which is not referred to in the business paper
5. All declarations of interest shall be recorded by the General Manager
6. All disclosures of interest shall as far as is practicable be given in writing
7. Any member having a pecuniary or non-pecuniary significant conflict of interest shall leave the meeting and remain absent while the subject of the interest is being considered by Council
8. The meeting shall not discuss any matter in which a Councillor has a pecuniary or non-pecuniary significant conflict of interest while the Councillor is present at the meeting



## ***Notice of Copyright and Disclaimer***

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*Confidential Meetings will not be webcast. Audio recordings will be archived by Council for no less than 12 months.*

**Disclosures Of Interest**

**Report No. DI12/2019**

**Corporate and Community Services**



**SUBJECT:** *DISCLOSURES OF INTEREST*

**RESPONSIBLE OFFICER:** *Finance and Administration Manager - Andrew Glauser*

**RECOMMENDATION**

**That Councillors now disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.**

**SUMMARY**

The provisions of Chapter 14 of the Local Government Act, 1993 regulate the way in which Councillors and nominated staff of council conduct themselves to ensure that there is no conflict between their private interests and their public trust.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest must be disclosed as soon as practicable after the start of the meeting and the reasons for declaring such interest.

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussions, voting on that matter, and require that member to vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.

**ENCLOSURES**

There are no enclosures for this report.

**Notice of Intention to Deal With Matters in Confidential Session**

**Report No. NI7/2019**

**Corporate and Community Services**



**SUBJECT:** ***NOTICE OF INTENTION TO DEAL WITH MATTERS IN CONFIDENTIAL SESSION.***

***MM10/2019 - APPOINTMENT OF GENERAL MANAGER***

**RESPONSIBLE OFFICER:** *Finance and Administration Manager - Andrew Glauser*

**RECOMMENDATION**

1. That Council consider in Confidential Session the following matters in accordance with Section 10A(2)(g) of the Local Government Act 1993:  
  
Report No. MM10/2019 – Appointment of General Manager as it deals with personnel matters concerning particular individuals.
2. That Council request the Mayor in accordance with Clause 14.21 of Councils Code of Meeting Practice to report on these matters to the meeting in Open Session following completion of the Confidential Session.

**SUMMARY**

It is necessary for the Council to adopt a resolution to formalise its intention to deal with certain matters in Confidential Session. The reports are incorporated in the “Confidential” business paper which has been circulated to Councillors.

The Local Government Act, 1993 requires the General Manager to identify those matters listed on the business paper which may be categorised as confidential in terms of Section 10A of the Local Government Act, 1993.

**ENCLOSURES** There are no enclosures for this report.