



21 August 2023

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 Wednesday, 30 August 2023 at 5.00pm, for the purposes of transacting the undermentioned business.

AGENDA:

PAGE NO.

- (1) **ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS**
- (2) **OPENING PRAYER**
- (3) **RECEIPT OF APOLOGIES**
 - Leave of absence has been granted to:
Councillor Karen Jackson - 18 August 2023 to 14 November 2023 Inclusive
- (4) **DISCLOSURES OF INTEREST**
 - PPDI1/2023 Disclosures of Interest5
- (5) **MAYORAL MINUTES**
- (6) **RESCISSION MOTIONS**
 - RM3/2023 WI27/2023 - Tender T2023-27 - Wollombi Road Upgrade -
Preliminary Engineering6



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 adopted Model Code of Conduct

Council adopted its current Code of Conduct on 1 November 2022. 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. Councillors took an oath or affirmation at the commencement of their term of office under section 233A of the *Local Government Act 1993* (NSW) and are therefore obligated under Council's Code of Conduct to disclose and appropriately manage their conflicts of interest.

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 as soon as practicable and to refrain from being involved in any consideration or to vote on any such matter where required and out outlined in the Code of Conduct.
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 disclosure.
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 disclosures of interest shall be recorded in the minutes of the meeting.
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.



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Disclosures Of Interest

Report No. PPD11/2023

Corporate and Community Services



SUBJECT: *DISCLOSURES OF INTEREST*

RESPONSIBLE OFFICER: *Acting Director Corporate & Community Services- Matthew Plumridge*

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.

Rescission Motions
Report No. RM3/2023
General Manager's Unit



RESCISSION MOTIONS No. RM3/2023

SUBJECT: WI27/2023 - TENDER T2023-27 - WOLLOMBI ROAD UPGRADE - PRELIMINARY ENGINEERING

The undersigned lodge the following motion of rescission:

That the recommendation to Report No. WE27/2023 – Tender T2023-27 – Wollombi Road, Upgrade – Preliminary Engineering be rescinded and that:-

“The Report be deferred until such time as we have plans to look at what we are building”.

Sgd: Ian Olsen
Sgd: Jessica Jurd
Sgd: Daniel Watton
Date: 16 August 2023
Received: 16 August 2023 – 8.35pm

ENCLOSURES

There are no enclosures for this report