

NOTICE OF MEETING OF COUNCIL

Notice is hereby given in accordance with Section 59
of the Local Government Act 2008

ORDINARY MEETING

AGENDA

KATHERINE TOWN COUNCIL



TUESDAY 22 JANUARY 2013

OPEN FORUM

At 5.30 pm

ORDINARY MEETING

6.00 pm

**Council Chambers, Civic Centre,
Stuart Highway, Katherine**

David Laugher
CHIEF EXECUTIVE OFFICER

AGENDA

1. Opening Prayer
2. Present
3. Apologies and Leave of Absence.
4. Confirmation of Previous Minutes

Minutes of the Ordinary Council Meeting held 11 December 2012.
(Minutes Supplied Under Separate Cover)

5. CONFLICT OF INTEREST

The Local Government Act 2008 addresses Conflict of Interest as follows:

Section 73 Conflict of Interest

(1) A member has a **conflict of interest** in a question arising for decision by the Council, local board or Council Committee if the member or an associate of the member has a personal or financial interest in how the question is decided.

(2) This section does not apply if the interest is:

- (a) an interest in a question about the level of allowance or expense to be set for members; or
- (b) an interest that the member or associate shares in common with the general public or a substantial section of the public; or
- (c) an interest as an elector or ratepayer that the member or associate shares in common with other electors or ratepayers; or
- (d) an interest that the member or an associate has in a non-profit body or association; or
- (e) an interest of the member or an associate:
 - (i) in appointment or nomination for appointment to a body with predominantly charitable objects; or
 - (ii) in payment or reimbursement of membership fees, or expenses related to membership, in such a body; or
- (f) an interest so remote or insignificant that it could not reasonably be regarded as likely to influence a decision.

Section 74 Disclosure of Interest

(1) As soon as practicable after a member becomes aware of conflict of interest in a question that has arisen or is about to arise before the Council, local board or Council Committee, the member must disclose the personal or financial interest that gives rise to the conflict (the **relevant interest**):

- (a) at a meeting of the Council, local board or Council Committee; and
 - (b) to the CEO.
- (2) The CEO must record the disclosure in a register of interests kept for the purpose.
- (3) A member must not, without the Minister's approval:
- (a) be present at a meeting of the Council, the local board or Council Committee while a question in which the member has a conflict of interest is under consideration; or
 - (b) participate in any decision on the question.
- (4) The Minister may approve a member's participation in the consideration of, or a decision on, a question in which the member has a conflict of interest on conditions the Minister thinks appropriate.
- (5) A member is guilty of an offence if the member:
- (a) fails to disclose an interest as required under subsection (1); or
 - (b) contravenes subsection (3) or a condition of an approval under subsection (4).
- Fault element: Intention.
- Maximum penalty: 100 penalty units or imprisonment for 6 months.
- (6) If the Tribunal finds that a member has participated in the decision of the Council, a local board or Council Committee contrary to this section, the Tribunal may, on application by an elector or ratepayer, declare the decision void.

The Local Government Act defines Associates as follows:

Section 4 Associates

A person is an associate of another if:

- (a) they are in a close family relationship; or
- (b) they are in partnership; or
- (c) one is a company and the other is a director or manager of the company; or
- (d) they are related companies; or
- (e) one is a private company and the other is a shareholder in the company; or
- (f) a chain or relationships can be traced between them under one or more of the above paragraphs.

MEMBERS DISCLOSURE CONFLICT OF INTEREST

6. Business Arising from Previous Minutes

