

## 10.2. Disclosure of Pecuniary Interests by Councillors and Designated Persons

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<b>ATTACHMENTS</b>	Nil
<b>CSP LINK</b>	<b>Outcome 8 – An effective, accountable and sustainable Council that serves the community</b> G4. Manage risks and maintain independent oversight in business operations and decision-making

### PURPOSE:

The purpose of this report is to report on compliance as required under the *Local Government Act 1993* (LGA) and *Local Government (General) Regulation 2021*. Councillors and persons holding designated positions must complete and lodge a Disclosure of Pecuniary Interests Return.

### EXECUTIVE SUMMARY:

- Section 4.21 of the Code of Conduct (made under section 440 of the *Local Government Act 1993* and the *Local Government (General) Regulation 2021*) requires Councillors and persons holding designated positions, as at 30 June, complete and lodge a Disclosure of Pecuniary Interests Return within three months of that date (i.e., 30 September).
- Section 4.25 of the Code of Conduct requires that Returns are lodged under Section 4.21 and tabled at the first meeting of the council after 30 September 2025.
- All 2024/25 Returns have been duly completed and lodged within the prescribed period by Councillors. Two designated officers currently on extended leave did not complete their Returns by the statutory date, however they will be asked to do so upon their return to work.
- Pecuniary Interest Returns are available for inspection on Council's website.

### RECOMMENDATION:

**1. THAT** the report be received, and Council note the tabling of Returns as required under Clause 4.25 of the Code of Conduct.

## Background

The Disclosure of Pecuniary Interests by Designated Persons was previously reported to Council at the meeting of 28 October 2024.

## Report

Section 4.21 of the Code of Conduct requires Councillors, or persons holding designated positions as at 30 June, to complete and lodge a Disclosure of Pecuniary Interests Return within three months after that date (i.e., 30 September).

“Designated persons” are defined in the Code of Conduct as:

*4.8 Designated persons include:*

- (a) the General Manager*
- (b) other senior staff of the council for the purposes of section 332 of the LGA*
- (c) a person (other than a member of the senior staff of the council) who is a member of staff of the council, or a delegate of the council, who holds a position identified by the council as the position of a designated person because it involves the exercise of functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person’s duty as a member of staff or delegate and the person’s private interest*
- (d) a person (other than a member of the senior staff of the council) who is a member of a committee of the council, identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of the council’s functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member’s duty as a member of the committee and the member’s private interest.*

As per Section 4.27 of the Code of Conduct:

*Councillors and Staff will have apartment and house number of their residential address and signatures redacted automatically in the publishing of returns.*

*Any additional redaction requests should be made to the Chief Executive Officer with a statutory declaration detailing the reasons for the request. The Chief Executive Officer will determine if any additional redactions can then be made.*

All 2024/25 Returns have been duly completed and lodged within the prescribed period by Councillors. Three designated officers who were on extended leave did not complete their Returns by the statutory date, however this does not constitute a breach on the Code of Conduct. They will be asked to do so upon their return to work.

All Returns will be uploaded to the Council website following this meeting.

**Consultation requirements**

Community engagement is not required.

**Financial/Resource Implications**

There are no financial or resource implications associated with the recommendation of this report.

**Legislation**

Section 440 of the *Local Government Act 1993* and the *Local Government (General) Regulation 2021*) requires Councillors and persons holding designated positions, as at 30 June, complete and lodge a Disclosure of Pecuniary Interests Return within three months of that date.