

<b>POLICY:-</b>	
Policy Title:	Designated Persons Disclosure of Interests Returns Policy
File Reference:	F10/618
Date Policy was adopted by Council initially:	23 March 2006
Resolution Number:	81/06
Other Review Dates:	16 October 2008, 15 July 2010, 19 July 2012, 19 March 2015 and 18 April 2019
Resolution Number:	307/08, 277/10, 246/12, 61/15, 89/19
Current Policy adopted by Council:	18 August 2022
Resolution Number:	190/22
Next Policy Review Date:	2025

<b>PROCEDURES/GUIDELINES:-</b>	
Date procedure/guideline was developed:	N/A
Procedure/guideline reference number:	N/A

<b>RESPONSIBILITY:-</b>	
Draft Policy developed by:	General Manager
Committee/s (if any) consulted in the development of this Policy:	N/A
Responsibility for implementation:	General Manager
Responsibility for review of Policy:	Director of Finance and Administration

## OBJECTIVE

To define Council's designated persons in accordance with Part 4.8, of the Code of Conduct, who are required to submit a disclosure of interests' written return to the General Manager.

To ensure Council complies with Local Government Act 1993, the Code of Conduct and Information and Privacy Commission's Guideline 1 with regards to Councillors and Designated Persons Disclosure of Interests written returns.

## POLICY STATEMENT

For the purposes of Part 4.8 of the Code of Conduct of the Local Government Act 1993 "designated persons" are as follows:-

1. The General Manager.
2. Other Senior Staff of the Council for the purposes of Section 332, of the Local Government Act 1993.
3. 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 and 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.
4. 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.

In accordance with Part 4 of the Code of Conduct, the following persons are "designated persons" and must prepare and submit written returns of interest:-

1. General Manager
2. Director Finance and Administration  
Director Environment and Planning  
Director Infrastructure
3. Executive Assistants x3  
Chief Financial Officer  
Senior Accountant  
Manager Library Services  
Manager Human Resources  
Manager Economic Development and Tourism  
Manager Governance  
Manager Risk, Audit and Improvement

Coordinator Procurement  
Revenue Officers x2  
Administration Coordinator Taralga  
WHS Coordinator  
Senior Storeperson  
Storeperson  
Accounts Payable Officer  
Manager Planning and Development Control  
Development Control Planner  
Senior Strategic Planner  
Senior Environment, Health and Building Surveyor  
Building Surveyor  
Manager Water, Sewer and Waste  
Coordinator Water, Sewer and Waste  
Coordinator Parks and Gardens  
Senior Biosecurity Officer  
Biosecurity Officers x2  
Ranger  
Manager of Infrastructure Delivery - Works  
Manager of Assets and Design  
Project Manager  
Coordinator Fleet and Workshop  
Coordinator Asset Planning and Programming  
Coordinator Assets and Risk  
Road Safety, Traffic and Assets Officer  
Overseer Maintenance  
Overseer Construction x2  
Works Technical Officer  
Design Engineer  
Coordinator RMCC

A Councillor or Designated Person must make and lodge with the General Manager a return in the form set out in Schedule 2 to the Code of Conduct submitted under Part 4.21 of the Code of Conduct, disclosing the Councillor's or Designated Person's interests as specified in Schedule 1 to the Code of Conduct within 3 months after:-

- a) Becoming a Councillor or Designated Person; and
- b) 30 June of each year; and
- c) The Councillor or Designated Person becoming aware of an interest they are required to disclose under Schedule 1 to the Code of Conduct that has not been previously disclosed in a return lodged under paragraphs (a) or (b).

The information contained in the Designated Persons Disclosure of Interests written returns is defined as 'open access information' in accordance with the Government Information (Public Access) Act 2009 and the returns are required to be made publicly available on Council's website, with signatures and personal details redacted on the written returns.

## **Related Policies and Relevant Legislation/Guidelines**

The Policy should be read in conjunction with:-

- Local Government Act 1993;
- Local Government (General Regulation) 2021;
- Government Information (Public Access) Act 2009;
- Privacy and Personal Information Protection Act 1998;
- State Records Act 1998;
- Council Code of Conduct and Code of Conduct Procedures;
- Council Code of Business Practice;
- Council Code of Meeting Practice;
- Information and Privacy Commission's Guideline 1.

## **Variation**

Council reserves the right to vary or revoke this policy.