

POLICY: STAFF – DESIGNATED PERSONS DISCLOSING INTERESTS

DATE ADOPTED: Director Corporate Services & Finance’s Report #8.1.1
Policy 3 July 2024
Resolution No. POL2024-23

Director Corporate Services & Finance’s Report #8.2.1
Policy 3 April 2024
Resolution No. POL2024-9

Director Corporate Services & Finance Report #8.3.5
Council 17 November 2021
Resolution No: ORD2021-407
Council 2 February 2022
Resolution No: ORD2022-18

Director Corporate Services & Finance’s Report #1
Policy 6 July 2016
Council 20 July 2016
Minute Book No 12315

ORIGINAL ADOPTION: Director Corporate Services Report #1
Policy 1 December 2004, Council 8 December 2004
Minute Book No. 9416
(former BCC Policy)

FILE REFERENCE: 11.00002

OBJECTIVE: This Policy:

- Allow council to meet its regulatory compliance requirements under clause 4.21 of Council's Code of Conduct.
- Identifies and determines positions within Council, the occupants of which are determined to be designated persons for the purposes of clause 4.8 of Council's Code of Conduct.

Under clause 4.8 of Council's Code of Conduct, “designated persons” are defined as:

- The general manager
- Other senior staff of the council for the purposes of section 332 of the Local Government Act 1993
- A member of staff who holds a position involving the exercise of council’s functions, which in their exercise could give rise to a conflict between a person’s duty as a member of staff and the person’s private interest.

The following positions within Council’s organisation structure are identified as “designated persons”:

1. The General Manager

2. Other senior staff of the Council as follows:
 - Director Corporate Services and Finance
 - Director Cultural and Community Services
 - Director Engineering Services
 - Director Environmental, Planning and Building Services

3. The following members of staff:
 - Art Gallery Director
 - Manager BMEC
 - Manager Corporate Communications
 - Manager Community Services
 - Manager Corporate Governance
 - Manager Development Assessment
 - Manager Economic Development
 - Manager Environment
 - Manager Events
 - Manager Financial Services
 - Manager Human Resources
 - Manager Information Services
 - Manager Library Services
 - Manager Museums Unit
 - Manager Recreation
 - Manager Strategic Planning
 - Manager Technical Services
 - Manager Tourism and Visitor Services
 - Manager Water and Waste
 - Manager Works
 - Museum Coordinator NMRM
 - Project Management Coordinator
 - Purchasing Compliance Officer

Management of Written Returns of Interest

Councillors and designated persons must lodge a written return of interests in accordance with clause 4.21 of Council's Code of Conduct.

Annual disclosures are due by 30 September each year. First time returns for those newly appointed to a relevant role are due within 3 months of commencement in that role. Updated returns are also required when a person's interests change.

Written returns are considered 'open access information' under the Government Information (Public Access) Act 2009 (GIPA Act) and must be made publicly available on Council's website unless there is an overriding public interest against disclosure.

The General Manager, as Council's principal officer under the GIPA Act, has determined that there is an overriding public interest against disclosing the residential address (home address) and physical signature of designated persons on the website, accordingly, residential address and physical signature of designated persons will be redacted from returns published on the website.