

Addendum Report

MAYORAL MINUTE

a4 **[MM-CM] Minister for Local Government - World Rally Australia**

ORIGIN:

Mayor

SUMMARY OF REPORT:

The Minister for Local Government, The Hon. Barbara Perry MP, has replied to a letter from the former Mayor Councillor van Lieshout regarding the involvement of the General Manager as a director of the corporation responsible for running the World Rally Australia event.

A copy of the letter received on 23 September 2009 is included in this minute for the information of Council.

RECOMMENDATION:

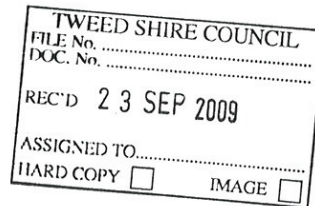
That Council receives and notes the advice from the Minister for Local Government, The Hon. Barbara Perry MP, regarding the involvement of the General Manager as a Director on World Rally Australia.

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REPORT:



THE HON. BARBARA PERRY MP
Minister for Local Government
Minister Assisting the Minister for Health (Mental Health and Cancer)



Ref:
MIN: eA1469507
Doc ID: A188405

Clr Warren Polglase
Mayor
Tweed Shire Council
PO Box 816
MURWILLUMBAH NSW 2484

Dear Clr Polglase

I am writing in reply to a letter of 27 July 2009 from the former Mayor regarding the involvement of Council's General Manager, Mr Rayner, as a director of the corporation responsible for running the Repco Rally.

I note that the former Mayor was concerned that Mr Rayner may have a "conflict of interests" in undertaking this role. I understand that his appointment stemmed from a resolution of the Council. However, it would appear that there is concern that this appointment conflicts with community interests.

I have sought advice from the Division of Local Government, Department of Premier and Cabinet regarding Mr Rayner's involvement as a director. As you will be aware, Council's code of conduct is the key instrument regulating the general conduct of staff and councillors. The Code would also apply to any councillors or members of staff when representing Council on an external body. This would include Mr Rayner's position as director.

As a general rule, a conflict of interests will only arise where there is a conflict between a council official's public duty and a private interest. Given Mr Rayner has been appointed to serve on the Board as Council's representative, it would appear that his membership on the Board forms part of the exercise of his public duty as the Council's General Manager and as such is unlikely to constitute a private interest.

Ultimately this matter is for Council to determine. I do not consider that there would be any utility in meeting to discuss this issue.

Yours sincerely

Barbara Perry MP
Minister

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LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

*To view any "**non confidential**" attachments listed below, access the meetings link on Council's website www.tweed.nsw.gov.au or visit Council's offices at Tweed Heads or Murwillumbah (from Friday the week before the meeting) or Council's libraries (from Monday the week of the meeting).*

Nil.

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