



Standing Committee on Planning, Transport and City Services

Inquiry into Annual and Financial Reports 2022-2023

ANSWER TO QUESTION ON NOTICE

Asked by Ms Jo Clay MLA:

Reference: Hearing on 22 November 2023, Annual Report of Environment, Planning and Sustainable Development Directorate

In relation to: Conflicts of interest – EPSDD Audit and Risk Committee

Questions were raised about the 7-member internal & audit risk committee for the EPSDD directorate referenced on page 116 of EPSDD's Annual Report due to an appointment on the committee of the executive officer for the Director-General of EPSDD. Witnesses discussed whether this was a conflict of interest or a perceived conflict of interest.

Witnesses expressed the view that there were no conflicts or perceived conflicts of interest in one person holding both roles.

One of the reasons given was because at the time at which the individual was appointed to the internal & audit risk committee, they were yet not the Executive Officer for the Director-General. They took on that second role subsequently.

1. Is it a conflict or a perceived conflict of interest to hold both of these roles at the same time?
2. If so, what steps were taken to manage this while the person held both roles at the same time
3. If not, why did officials seek to explain the arrangement by saying one role was held first, and then the second role was taken on?

Mr Mick Gentleman MLA: The answer to the Member's question is as follows:–

1. The Directorate Officials and the Minister answered the first question in the hearing on 22 November 2023 and refer the committee to the response in the Hansard.
2. As outlined in the Audit and Risk Committee Charter, the role of the Audit and Risk Committee (committee) is to oversee the Directorate's governance, risk and internal control environment on behalf of the Director-General. The committee provides independent oversight and advice to the Director-General and is not a decision-making entity. The committee, through the Chair, provides advice (and is required by the Charter to do so) to the Director-General. Each committee member is required to submit a conflict of interest declaration form annually.

Furthermore, each committee meeting includes a standing agenda item for members to disclose any conflicts of interest not previously declared, particularly those relevant to agenda items. The Chair is responsible for making sure that there are adequate processes in place to address actual or perceived conflicts of interest, should they be identified.

3. Officials sought to provide clarity on the positions occupied by Ms Marcantonio, and the timing of Ms Marcantonio's appointment to the committee, noting that Mr Cain asked specifically about the appointment of Ms Marcantonio to the committee and the positions held by her during her appointment to the committee.

Approved for circulation to the Standing Committee on Planning, Transport and City Services

Signature:



Date: 2/11/2023

By the Minister for Planning and Land Management, Mr Mick Gentleman MLA