



Vol. 1

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What Is In A Word?

Pecuniary derives from the Latin *pecuniarius* "pertaining to money," via *pecunia* "money, property, wealth," from the root *pecu* "cattle, flock."

The Code of Conduct for the Wingecarribee Shire Council contains explicit instructions for Councillors regarding pecuniary and non-pecuniary conflict of interests.

Clause 6.5 of the Code states, "**Perceptions of a conflict of interests are as important as actual conflict of interests.** The onus is on you to identify a conflict of interests, whether perceived or real, and take the appropriate action to resolve the conflict in favour of your public duty."

An ICAC report entitled, *Taking The Devil Out Of Development-Recommendations for Statutory Reform*, states: "The silence in respect of non-pecuniary interests in the LG Act is a concern, particularly in light of the fact that a non-pecuniary interest, like a pecuniary interest, can also lead to outcomes that are influenced, or perceived to be influenced, by private rather than public interests. In our view all types of conflicts of interest need to be dealt with in a consistent and accountable fashion if councillors, staff and delegates are to meet their obligations to carry out their functions honestly and impartially."

Shire Mayor Lewis has said if truth be told most Councillors may have non pecuniary interest in many matters which come before council because of various and sundry community connections. He may be correct, though we assume Clr. Lewis does not suggest we ignore or negate the intent of Clause 6.5.

Clrs. Campbell-Jones, Malcolm Murray, May King and Penny George have each declared non-pecuniary interest in a number of matters, and then participated in debates and votes on them. At the last WSC Meeting they declared a non-pecuniary interest in an item relating to an alleged debt of their 2004 Campaign Manager.

The person concerned ran their campaign. Campaign Directors are, in general, and probably directly or indirectly, responsible for substantial campaign donations. Four of the candidates, who are now councillors, have declared a non-pecuniary interest in, then debated and voted on, matters involving this person.

There are several questions regarding the councillor's conduct. Two come to mind.

1. May their interest be construed as in fact pecuniary?
2. Is it appropriate, given the Code of Conduct, to have participated in the debate and voted on matters involving their former campaign manger?

A more fundamental and important issue is the community's perception of our Local Government's integrity because, irrespective of the legalities, ethics, angst and frustration, the fact remains, "**Perceptions of a conflict of interests are as important as actual conflict of interests.**"

Shire Facts

Area

2,689 km

Surrounding Councils

Wollondilly, Wollongong, Shellharbour, Kiama, Shoalhaven, Goulburn Mulwaree, Upper Lachlan.

ABS Census Data

Age	Count	WS%	NSW%
0-17	10,831	25.6	24.0
18-29	4,130	9.8	15.7
30-44	7,903	18.7	21.7
45-59	8,971	21.2	19.9
60-74	7,062	16.7	12.0
75&>	3,376	8.0	6.7
Total	42,273	100.0	100.0

A The or The A?

At the May 28 WSC Meeting Clr. Sara Murray pointed out the often considerable difference between the indefinite article **A**, and the definite article **The**.

Clr. Sara Murray cited previous council polls and said probably the majority of Shire residents will vote for **A** Leisure Centre. The Clr. suggested the Poll question needed to specify **The** Leisure Centre, as presently proposed by the current LC Committee.

The first Poll question will now read: "*Do you approve of Council building **the** Leisure Centre?*" The change from **A** to **The** may empower a small word with significant and long-term implications for our Shire.

Irrespective of how you may vote, many reasonable and legitimate questions remain.

Construction, income and operating estimates are based on several contentious assumptions, and even given relatively predicible factors we risk cost blowouts *a la* Port Macquarie.

WSC latest LC report confirms “annual visits of 217,138 in year 1 will be required to meet the estimates rising to 256,833 visits in year 10.” That is a bout 600 a day

The Report also mentions, “virtually no new 50 metre pools, whether indoor or outdoor, have been built outside the metropolitan areas or major regional centres in Australia in the past 15 years. This is due to capital costs, the cost of operation, market limitations and the fact that where they are provided, other pools still need to be provided to ensure that community needs are effectively met.”

Apparently Wingecarribee Shire is not subject to the restrictions that have prevented other Shires from building a 50 metre pool in the last 15 years.

Wanting **A** or **The** Leisure Centre are doubtless different questions, yet both raise important issues of prudent fiscal management, realistic expectation, and the contingent liability for future generations.

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