



Mildura Rural City Council

File: 02/02/01
31 July 2020

Ms Christine Allen
PO Box 1896
Mildura VIC 3502

malleeonlinesolution@gmail.com

Dear Christine

QUESTION FROM JUNE ORDINARY COUNCIL MEETING

I refer to your email of 22 July 2020 and the question you sought answered at the July Ordinary Council Meeting that evening.

Due to administrative challenges faced with undertaking our first virtual Council Meeting, receipt of your question at 5.43pm was not acknowledged at the meeting and I apologise for this.

In responding now to the question that you posed, in particular, the suggestion that in light of a third party relationship, Cr Clemence failed to declare any Conflicts of Interest in Mildura Airport (MAPL) matters before Council in the period October 2019 to March 2020, I can advise that the obligation to declare any conflict of interest rests solely with the elected member.

Having said that, the first question any independent person should ask in considering this situation is what is the nexus between International Aviation Alliance (IAA) and Council? As the IAA only holds a direct relationship with MAPL and not Council, there is in my mind sufficient 'distance' between the parties to raise real doubt as to any obligation to declare a conflict. Also bearing in mind that a family employment arrangement doesn't in itself necessarily constitute a conflict.

I have reviewed all Mildura Airport Matters considered by Council either in a formal Council Meeting, Committee Meeting or Council Forum during the period of time you have nominated and note that Cr Clemence has declared a conflict of interest in three of the four occasions. The fourth matter, namely Council's November 2019 Forum saw a presentation by MAPL of their 2019 Annual Report. It should be noted that this was not a decision making meeting and having reviewed the content, any reference to IAA was tangential.

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To conclude, I have not formed a view that there is a breach of conflict to answer in this matter however, this is not say that you or others may view the issues differently.

In such situations, I ask that you consider my advice but should you feel it necessary to pursue the matter further, I would encourage you to contact;

The Local Government Inspectorate
GPO Box 4912 Melbourne Victoria 3001
Complaints hotline 1800 469 359
Local Government Inspectorate Office 03 7017 8212
TTY users 133 677
Email: inspectorate@lgi.vic.gov.au

Should you require any further information, please feel free to contact me.

Yours sincerely



RICHARD SEXTON
MANAGER CORPORATE ADMINISTRATION