

4 September, 2023

## **The City of Canada Bay Council's report on the implementation of its plan of action in response to recommendations made in the Commission's *Investigation into the conduct of the local member for Drummoyne (July 2022)***

Please indicate which applies:

**This is a final report; the plan of action is fully implemented**

As previously advised, the scope and scale of recommendations made in investigation reports varies considerably, as do the plans of action public authorities develop in response.

The Commission recognises a single template may not be effective for reporting on the implementation of all action plans. In view of this, City of Canada Bay Council (CCBC) is invited to use a reporting format that best illustrates the comprehensiveness of the implementation of the plan of action.

The Commission asks that proposed report formats are discussed with the ICAC's corruption prevention representative named in the cover letter. The ICAC corruption prevention representative will advise if the report format has the Commission's endorsement.

However, if CCBC prefers to adhere to an established format, the following may be used as a guide.

### **Report (final)**

#### **Recommendation 11:**

**That CCBC adopts a policy regulating interactions between councillors and staff. The policy should cover councillor representations to staff arising from lobbying activities and the attendance of councillors at proponent meetings with staff.**

This recommendation was presented to a Councillor Workshop on Tuesday 30 August 2022. Subsequently, a Councillor and Staff Interaction Policy, based on the OLG Model, was

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developed and presented to a Councillor Workshop on 29 November 2022 with the following provisions, that were included in response to the recommendation, highlighted and affirmed to preclude:

- Mayor and councillor representation (including those resulting from lobbying activities) to staff who are not authorised to receive such representations, without approval of the General Manager or Director.
- Attendance of Mayor and councillors at proponent meetings with staff without approval of the General Manager or Director. Such approval is to be subject to any conditions specified by the General Manager or Director.

The Policy was formally adopted at the Council meeting of 6 December 2022.

Training on the Policy is to be a component of future Councillor Induction programs.

A Councillor and Staff Interaction Procedure has been developed for the use of staff who are authorised to interact with Councillors under the Policy. This Procedure was adopted by Council's Executive on Wednesday 30 August 2023.

There is no evidence of the Mayor and councillors making representations to staff who are not authorised to receive such representations, without approval of the General Manager or Director. There is also no evidence of the Mayor and councillors attending meetings with proponents with staff without approval of the General Manager or Director(s).

#### **Recommendation 12:**

**That CCBC continues to provide conflict of interest training to councillors, at least on a biennial basis. The training should cover situations where councillors are lobbied by those with whom they have a relationship or association and the circumstances where this would give rise to a conflict of interest.**

Conflict of Interest Training was conducted in January 2022 at the commencement of the new term of Council following the Local Government Election. The next training is to be conducted in late 2023/early 2024 with the issue of councillors being lobbied by those with whom they have a relationship or association, and the circumstances where this would give rise to a conflict of interest, to be specifically addressed.

This issue is to be imbedded into all subsequent biennial Code of Conduct Training.

The effectiveness of the training that has been provided previously is reflected in councillors disclosing interests at Council meetings and Councillor workshops where information on Council business is being presented and/or Council business is being considered or determined.

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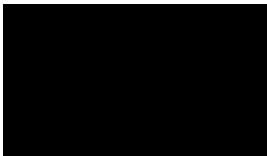
**Recommendation 15:**

**That CCBC continues to offer planning training to councillors during each term on their obligations under the *Environmental Planning and Assessment Act 1979*, particularly regarding the consideration of planning proposals.**

Training on the obligations of councillors under the *Environmental Planning and Assessment Act 1979*, particularly regarding the consideration of planning proposals, was arranged through the Planning Institute of Australia and was conducted by Emeritus Professor Peter Phibbs over Tuesday 23<sup>rd</sup> and Wednesday 24<sup>th</sup> August 2022. The Mayor and all Councillors attended all components of the training.

Such training is to be repeated at the commencement of each new Council term as a component of the Councillor induction program.

The effectiveness of the training is reflected in the general satisfaction in the training and the increased knowledge it provided that was expressed by Councillors, particularly those serving in their first term on Council. Information and formal reports on planning proposals have been both considered and determined by Council since the training in accordance with the relevant legislation.



**General Manager**  
City of Canada Bay

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